



TOWN COUNCIL AGENDA

SEPTEMBER 11, 2017 - 7:00 P.M.

WINTERVILLE TOWN HALL ASSEMBLY ROOM

- I. **CALL TO ORDER.**
- II. **INVOCATION.**
- III. **PLEDGE OF ALLEGIANCE.**
- IV. **WELCOME.**
- V. **APPROVAL OF AGENDA.**
- VI. **PRESENTATIONS:** Order of the Long Leaf Pine - Shirley Ann (Polly) Daniels.
- VII. **RECOGNITION OF EMPLOYEES:**
 1. Dillon McDaniel, New Electric Lineman – Third Class.
 2. Ron Mills, Electric Lineman, Second Class and Randall Rouse, Electric Lineman, Second Class
 3. Dennis Meshaw, New Parks and Recreation Program Supervisor.
- VIII. **PUBLIC HEARINGS:**
 1. Cooper Island Development, LLC Rezoning.
 2. Laurie Meadows Rezoning.
 3. Minimum Housing Enforcement Case - 2627 Academy Street (Parcel 16103)
 4. Minimum Housing Enforcement Case - 97 Cooper Street (Parcel 22704)
- IX. **PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*
 1. Glenn Johnson - 459 Williamston Drive
 2. Nathan Cole - 651 Edenbrook Drive
- X. **CONSENT AGENDA:** *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*

1. Set a Public Hearing for the Annexation of 406 Vernon White Road (Parcel 83616) – Gary and Ellen Brock for October 9, 2017.
2. Set a Public Hearing for Carolina Eastern Homes Rezoning for October 9, 2017.
3. Tax Settlement 2016-2017.
4. Tax Collector Charge – FY 2017-2018.
5. Reappoint Planning & Zoning Members with Expired Terms.
6. Budget Amendment 2017-2018-02.
7. Minutes from 8/14/2017 Special Meeting.

XI. OLD BUSINESS:

1. Request from Gary Brock (406 Vernon White Road) for Reimbursement of Water and Sewer Fees.
2. Update on Permitted/Conditional Use Changes to Agricultural/Residential (A-R) District

XII. NEW BUSINESS:

1. Request from Ted Cox (Winterville Machine Works) for Financial Assistance for Relocation of Stormwater Line.
2. Discussion and Approval of the NITSA Agreement with Duke Energy Progress.
3. Coopers Pointe, Section 8, Phase 2 Final Plat.
4. Approval of Contract with Designco for PW/Electric Pre-Engineered Building Addition.
5. Appoint a Voting Delegate and Alternate Voting Delegate for the NCLM Conference.
6. Winterville Wellhead Protection Program.
7. Recreation Advisory Board Appointment.
8. Board of Adjustment Appointment.

XIII. OTHER AGENDA ITEMS.

1. Strategic Planning Discussion – Councilwoman Roberson.
2. Discussion of Sidewalks along Main and Railroad with Same Design as in Front of Public Safety Building on Railroad – Councilman Moore.
3. Traffic Pattern for Depot and Church Beside Public Safety Building – Councilman Moore.
4. Discussion of Traffic Sign in front of Library as in Front of Town Hall – Councilman Moore.
5. Discussion on South Town Entrance on Mill – Need for Speed Limit Sign – Councilman Moore.
6. Discussion of Installing Signs – No Blocking of Traffic for Railroad, Main and Cooper Streets – Councilman Moore.
7. Playground Equipment Replace Update – Councilman Moore.
8. Cedar Ridge Walking Trail Update – Councilman Moore.
9. Timeline Update for New Directional Signs and Markings for Railroad Street in Front of the Public Safety Building – Councilman Moore.
10. Update on Street Light – Corner of Chaucer and Old Tar Road – Councilman Moore.

XIV. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS.

XV. REPORTS FROM DEPARTMENT HEADS:

Update on Projects Currently Underway:

MPO Active Transportation Plan
Regional Sewer Pump Station Project
Nobel Canal Drainage Basin Study
Water Tank Rehabilitation Project
NTE Plant Construction Project
Minimum Housing/Code Enforcement
Junk Car Enforcement Project
Urgent Repair Program

XVI. REPORTS FROM THE TOWN ATTORNEY, MAYOR AND TOWN COUNCIL, AND TOWN MANAGER.

XVII. CLOSED SESSION: Pursuant to NCGS §143-318.11 (a)(5): To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. (McLawhorn and Winterville Insurance Properties).

XVIII. ANNOUNCEMENTS:

1. Planning and Zoning Board Meeting – September 18, 2017 – 7 pm – Town Hall Assembly Room.
2. Board of Adjustment Meeting – September 19, 2017 – 7 pm – Town Hall Assembly Room.
3. Community Day – September 23, 2017 – 1 pm - 6 pm – Winterville Recreation Park

XVIII. ADJOURN.

SPECIAL NOTICE: Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Acting Town Clerk, Amy Barrow at 215-2342 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item to be Considered

Subject: Cooper Island Development Rezoning.

Action Requested: Hold Public Hearing for Rezoning.

Attachments: Rezoning Map, Rezoning Application and Conditional Use District Details.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Cooper Island Development Rezoning:

Location: Parcel #25766; Located on the north-west corner of Old Tar Road and Laurie Ellis Road.

Current Zoning: Agricultural-Residential.

Size: 23.865 acres.

Proposed Zoning: R-10 Conditional Use District (R-10 CUD). (To align with the Brookfield Subdivision to the northern boundary).

R-10 CUD:

The Conditional Use will Require: (2 requirements).

1. All homes shall have a minimum of 1,525 sq. ft. of heated space;
2. All homes shall have combination brick and vinyl fronts.

All other zoning regulations will be in accordance to an R-10 Zoning District.

* P&Z recommended approval of the rezoning at their June Meeting.

*Letters were mailed to all adjacent property owners and owners within 100' of the property for the P&Z meeting. Letters and notice will occur for the Public Hearing. This letter and records are held at the Winterville Town Hall Planning Office.

Budgetary Impact: TBD.

Recommendation: Approve Rezoning to conform with the existing Brookfield Subdivision.



**REZONING APPLICATION
TOWN OF WINTERVILLE**
2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: Baldwin Design Consultants, PA

Address: 1700-D East Arlington Blvd, Greenville, NC 27858

Phone #: 252-756-1390

Owner: Kenneth G. Harris III and Wanda Harris Spong

Address: 4498 Rolling Meadows, Ellicott City, MC 21043

Phone #: 252-756-1119

PROPERTY INFORMATION

Parcel #: 25766 Area (square feet or acres): 23.865 acres

Current Land Use: Vacant

Location of Property: Off northwestern intersection of NCSR 1713 (Laurie Ellis Road) and NCSR 1700 (Old Tar Rd)

ZONING REQUEST

Existing Zoning: AR Requested Zoning: R-10 CUD

Reason for zoning change: Proposed zoning change would allow property to be developed in harmony with surrounding uses such as the residential uses to the north.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

OWNER/AGENT STATEMENT

I, Michael W. Baldwin, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 07 / 17 / 17.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

[Signature] 6/6/17
Signature Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

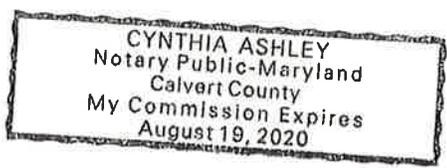
I, Kenneth G. Harris III and Wanda H. Spong, being the Owner of the property described herein, do hereby authorize Michael W. Baldwin as agent for the purpose of this application.

Kenneth G. Harris III 6/6/17
Signature Date

Sworn to and subscribed before me, this 7 day of June, 2017.

Cynthia Ashley
Notary Public

My Commission Expires:
8-19-20



OWNER/AGENT STATEMENT

I, Michael W. Baldwin, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for 07 / 17 / 17.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

[Signature] 6/6/17
Signature Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

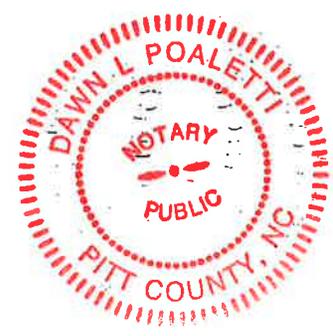
I, Kenneth G. Harris III and Wanda H. Spong, being the Owner of the property described herein, do hereby authorize Michael W. Baldwin as agent for the purpose of this application.

[Signature: Wanda H. Spong] ~~SIGN~~ 6/7/17
Signature Date

Sworn to and subscribed before me, this 7 day of June, 2017.

[Signature: Dawn L. Poalatti]
Notary Public

My Commission Expires:
03/28/2019



**TOWN OF WINTERVILLE
APPLICATION FOR A CONDITIONAL USE DISTRICT
CONDITIONAL USE PERMIT**

Date Submitted: 6/5/17

To The Mayor and Board of Aldermen:

The undersigned respectfully requests that the Board of Aldermen, pursuant to Section 13.7 of the Zoning Ordinance, authorize the issuance of a Conditional Use Permit for the following use(s) subject to the following conditions:

USE(S):

Single Family Residential

CONDITION(S):

- Heated area of houses will be 1525 sf or greater. Houses will have a combination of brick and vinyl fronts.

The property is located at NCSR 1700 (Old Tar Road) and NCSR 1713 (Laurie Ellis Road). It is further described as Pitt County Tax Parcel No. 25766

The property is owned by Kenneth G. Harris, III and Wanda Harris Spong as shown on the attached map.

An application has been duly filed requesting that the property involved in this application be rezoned from AR to R-10 CUD. It is understood and acknowledged that if the property is rezoned as requested and the Conditional Use Permit authorized, the property involved in this request will be perpetually bound to the use(s) authorized and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance. It is further understood and acknowledged that final plans for any development to be made pursuant to such Conditional Use Permit so authorized shall be submitted to the Town for review in the same manner as other Development Plans now required to be approved by the Town.

Kenneth Harris III

Signature of Property Owner

Wanda Harris Spong

Signature of Property Owner

4498 Rolling Meadows, Ellicott City, MD 21043
Address

252-756-1119
Telephone #

Application No. _____

Staff Use Only

Appl. #: _____ Fee Amount _____ Date Paid _____

Planning Board Recommendation: APPROVED Meeting Date: _____
DENIED

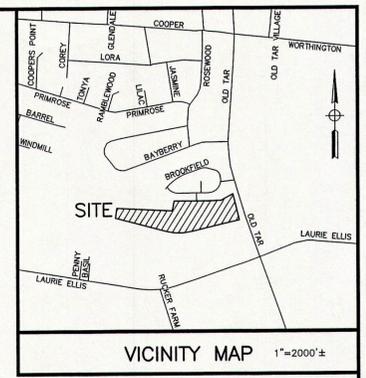
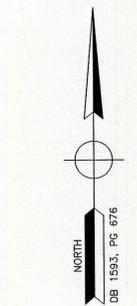
Conditions/Comments: _____

Board of Aldermen Decision: APPROVED Meeting Date: _____
DENIED

Conditions/Comments: _____

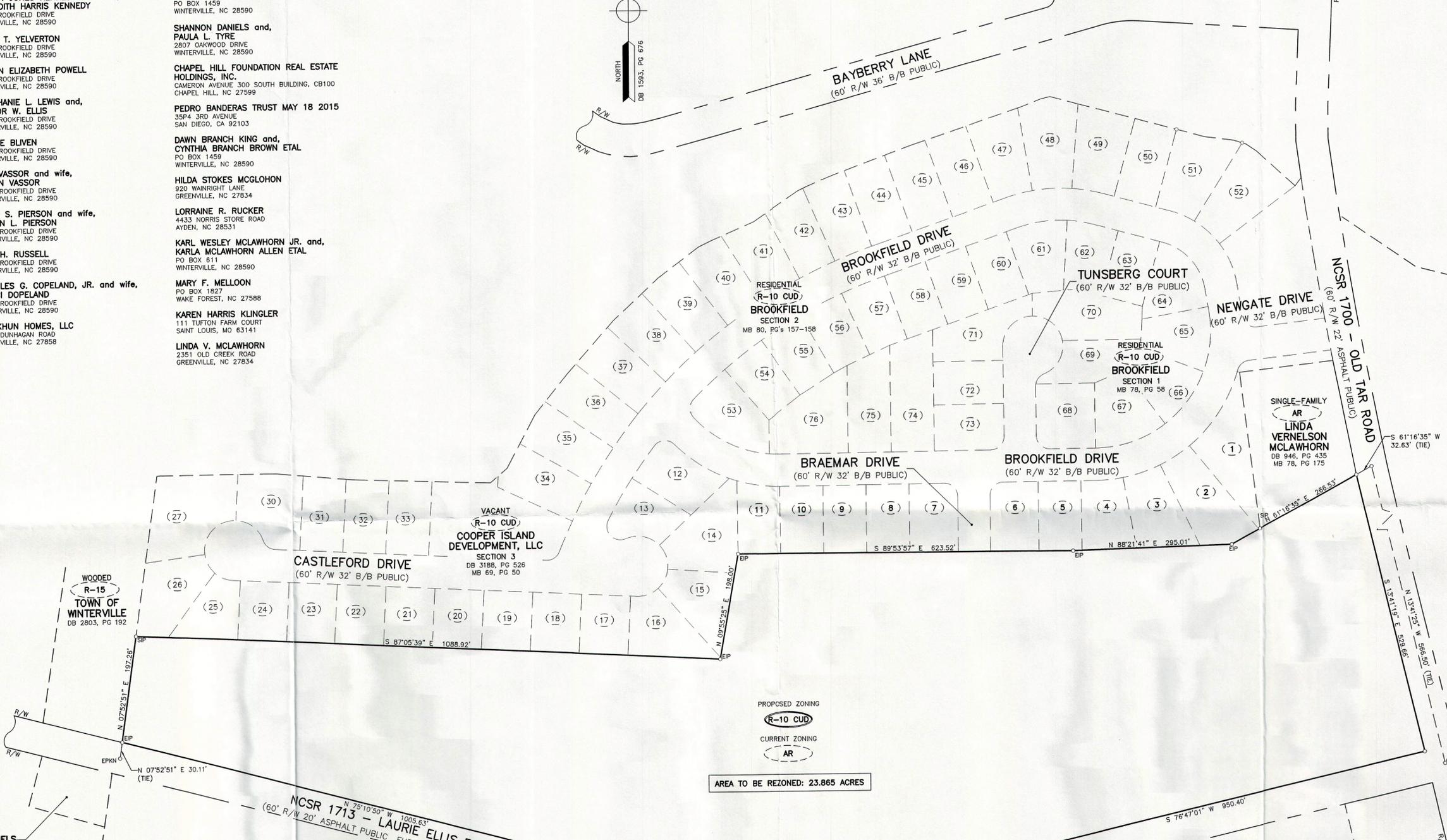
PROPERTY OWNERS ADDRESSES WITHIN 100 FEET OF PROPERTY

- (1) JUSTIN JONES KENNEDY and wife,
MEREDITH HARRIS KENNEDY
639 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (2) TAKIA T. YELVERTON
645 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (3) MEGAN ELIZABETH POWELL
651 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (4) STEPHANIE L. LEWIS and,
TAYLOR W. ELLIS
639 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (5) LAURIE BLIVEN
661 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (6) JOE VASSOR and wife,
KAREN VASSOR
920 WAINRIGHT LANE
WINTERVILLE, NC 28590
 - (7) CORY S. PIERSON and wife,
MEGAN L. PIERSON
683 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (8) SUE H. RUSSELL
689 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (9) CHARLES G. COPELAND, JR. and wife,
MARI COPELAND
695 BROOKFIELD DRIVE
WINTERVILLE, NC 28590
 - (10) (11) WILKHUN HOMES, LLC
4226 DUNHAM ROAD
GREENVILLE, NC 27858
- TOWN OF WINTERVILLE
PO BOX 1459
WINTERVILLE, NC 28590
 - SHANNON DANIELS and,
PAULA L. TYRE
2807 OAKWOOD DRIVE
WINTERVILLE, NC 28590
 - CHAPEL HILL FOUNDATION REAL ESTATE
HOLDINGS, INC.
CAMERON AVENUE 300 SOUTH BUILDING, CB100
CHAPEL HILL, NC 27599
 - PEDRO BANDERAS TRUST MAY 18 2015
35P4 3RD AVENUE
SAN DIEGO, CA 92103
 - DAWN BRANCH KING and,
CYNTHIA BRANCH BROWN ETAL
PO BOX 1459
WINTERVILLE, NC 28590
 - HILDA STOKES MCGLOHON
920 WAINRIGHT LANE
GREENVILLE, NC 27834
 - LORRAINE R. RUCKER
4433 NORRIS STORE ROAD
AYDEN, NC 28531
 - KARL WESLEY MCLAWHORN JR. and,
KARLA MCLAWHORN ALLEN ETAL
PO BOX 611
WINTERVILLE, NC 28590
 - MARY F. MELLOON
PO BOX 1827
WAKE FOREST, NC 27588
 - KAREN HARRIS KLINGLER
111 TUFTON FARM COURT
SAINT LOUIS, MO 63141
 - LINDA V. MCLAWHORN
2351 OLD CREEK ROAD
GREENVILLE, NC 27834



- LEGEND**
- R/W = RIGHT-OF-WAY
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - SIP = SET IRON PIPE
 - ECM = EXISTING CONCRETE MONUMENT
 - C/L = CENTERLINE
 - DB = DEED BOOK
 - NPS = NO POINT SET
 - EPKN = EXISTING PARKER KALON NAIL
 - - - = NOT TO SCALE

- NOTES**
1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
 2. REFERENCE: MAP BOOK 1993, PAGE 676 OF THE PITT COUNTY REGISTER OF DEEDS.

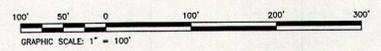


AREA TO BE REZONED: 23.865 ACRES

PROPOSED ZONING
(R-10 CUD)
CURRENT ZONING
(AR)

COURSE	BEARING	DISTANCE
L1	S 77°22'50" W	49.45'
L2	S 78°39'10" W	48.98'
L3	S 81°21'39" W	48.49'
L4	S 84°19'25" W	48.41'
L5	S 87°18'38" W	48.45'
L6	N 89°45'12" W	48.44'
L7	N 86°51'11" W	48.35'
L8	N 83°37'20" W	48.28'
L9	N 80°21'59" W	48.39'
L10	N 77°27'14" W	48.84'
L11	N 76°03'57" W	49.35'

SINGLE-FAMILY AR
KARL WESLEY MCLAWHORN JR. and, KARLA MCLAWHORN ALLEN ETAL
ESTATE FILE 2003, PG 691



SHEET 1 OF 1
REZONING MAP
PARCEL #25766
TAX MAP #4674-97-7236

COOPER ISLAND DEVELOPMENT, LLC

REFERENCE: DEED BOOK 3536, PAGE 13 OF THE PITT COUNTY REGISTER OF DEEDS

WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: KENNETH G. HARRIS, III and WANDA HARRIS SPONG
ADDRESS: 4498 ROLLING MEADOWS ELLICOTT CITY, MD 21043
PHONE: (252) 756-1119

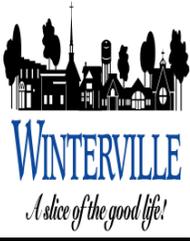


CLOSURE CHECK BOUNDARY
CHECKED: MAH DATE: 05/18/2017

Baldwin Design Consultants, PA
ENGINEERING - LAND PLANNING - SURVEYING
708-D CROMWELL DRIVE GREENVILLE, NC 27858 252.756.1390

SURVEYED: N/A APPROVED: MWB
DRAWN: MAH DATE: 05/22/2017
CHECKED: MWB SCALE: 1" = 100'

Y:\DRAWINGS\07-067 BROOKFIELD\SECTION 4\SHEETS\REZONING MAP.dwg Tue, Jun 06, 2017 11:19:00 AM MHERREICION



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item to be Considered

Subject: Laurie Meadows Rezoning.

Action Requested: Hold Public Hearing for Rezoning.

Attachments: Rezoning Map, Rezoning Application and Conditional Use District Details.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Laurie Meadows (Parcel Number 36357) Rezoning:

Location: Parcel #36357; Located in the rear portion of Laurie Meadows. Between Laurie Meadows and Mellon Downs.

Current Zoning: R-12.5.

Size: 1.48 acres.

Proposed Zoning: R-10 Conditional Use District (R-10 CUD). (To align with the rest of the Laurie Meadows Subdivision) Rezoning is required for the upcoming Final Plat of Laurie meadows. .

Laurie Meadows R-10 CUD is attached (the original CUD was issued in 2006) . The following items will be subject to the new rezoned parcel:

1. The minimum lot size within the subject property shall be 12,500 square feet;
2. A minimum of thirty percent (30%) of the residences to be constructed shall be not less than 1,500 sq. ft. heated space; a minimum of thirty percent (30%) of the residences to be constructed shall be not less than 1,600 sq. ft. heated space; a minimum of thirty percent (30%) of the residences to be constructed shall be not less than 1,700 sq. ft. heated space;

All other zoning regulations will be in accordance to an R-10 Zoning District.

* P&Z approved their proposal at their July meeting.

Budgetary Impact: TBD.

Recommendation: Approve Rezoning to allow conformity within Laurie Meadows Subdivision.



THOMAS ENGINEERING, PA *est 1983*
civil engineering • land development • project management

Emailed

June 30, 2017

To: Town of Winterville
2571 Railroad Street
PO Box 1459
Winterville, NC 28590-1459

Attn: Stephen Penn
Planning Director

Re: Rezoning Application
Parcel 36357
Laurel Meadows Phase 3 Section B
Winterville, NC

Dear Stephen,

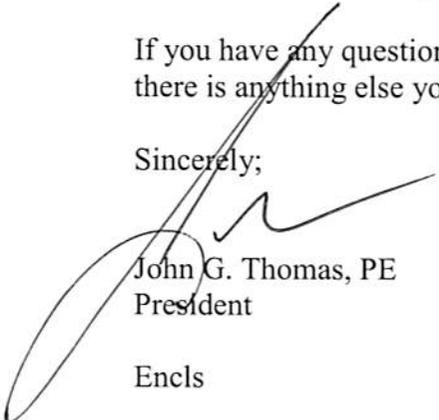
Attached is the complete "Rezoning Application" for the referenced tract, including the map (Exhibit "A"), the legal description (Exhibit "B"), and the list of names and addresses of owners and adjacent property owners (Exhibit C).

I am today placing in the mail the filling fee in the amount of \$424.00.

This is being submitted for consideration at the regularly scheduled meeting of the Town of Winterville Planning Board on July 17, 2017.

If you have any questions or comments, please do not hesitate to call. Let me know if there is anything else you need.

Sincerely;



John G. Thomas, PE
President

Encls



REZONING APPLICATION
TOWN OF WINTERVILLE
2571 Railroad Steet
P O Box 1459
Winterville, NC 28590
Phone: (252) 756-2221

Staff Use Only
Appl. # _____

OWNERSHIP INFORMATION:

Applicant: NSD Company, Inc.

Address: P. O. Box 7227, Jacksonville, NC 28541

Phone #: 910-219-4770

Owner: A. Sydes Construction, Inc.

Address: P. O. Box 7122, Jacksonville, NC 28540

Phone #: 910-219-4770

PROPERTY INFORMATION

Parcel #: 36357 Area (square feet or acres): 1.48 acres

Current Land Use: Currently being developed as a single family residential subdivision (Laurie Meadows Phase 3B)

Location of Property: Located east of and at the end of the proposed Verbena Way extension

ZONING REQUEST

Existing Zoning: R-12.5 Requested Zoning: R-10 CUD

Reason for zoning change: This tract was transferred from the Mellon Downs Subdivision into the Laurie Meadows Phase Three Subdivision. The Laurie Meadows Subdivision is zoned and has been approved under the R-10 CUD zoning. This change is being requested to bring this parcel into conformity with the Laurie Meadows zoning.

This application shall be accompanied by the following items:

- A map drawn to a scale of not less than 400 feet to the inch and not more than 20 feet to the inch showing the land covered by the proposed amendment;
- A legal description of the property;
- A list of the names and addresses of all owners of property involved in the map change and all adjoining property owners as shown on County tax records;
- A filing fee according to a regularly adopted Fee Schedule of the Town.

OWNER/AGENT STATEMENT

I, Nolan W. Sydes, being the Owner or Agent (if Agent, complete section below) request that the attached rezoning request be placed on the agenda of the Planning and Zoning Board meeting scheduled for July 17, 2017.

I understand that failure to address any item in the zoning amendment application requirements of the zoning ordinance may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle.

Nolan W. Sydes Signature 06/30/2017 Date

NOTE: AGENTS ACTING ON BEHALF OF THE PROPERTY OWNER MUST HAVE A NOTARIZED STATEMENT FROM THE PROPERTY OWNER GIVING THEM THE AUTHORITY TO ACT ON THE OWNER'S BEHALF.

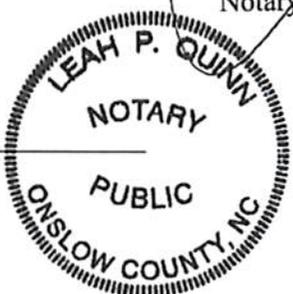
I, Anthony W. Sydes, being the Owner of the property described herein, do hereby authorize Nolan W. Sydes as agent for the purpose of this application.

Anthony W. Sydes Signature 06/30/2017 Date

Sworn to and subscribed before me, this 30th day of June, 2017.

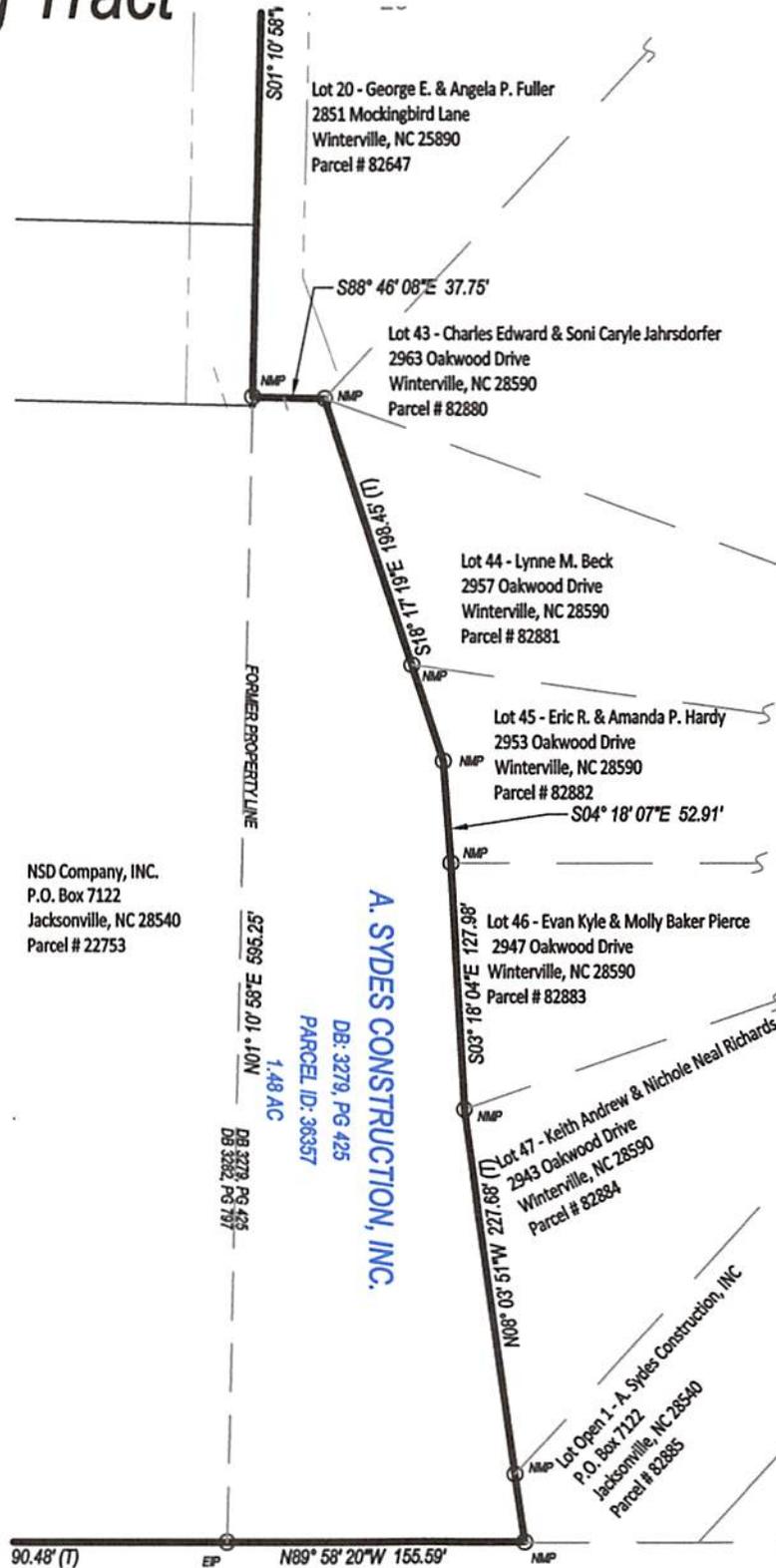
Leah P Quinn Notary Public Leah P Quinn

My Commission Expires: 12/14/2018



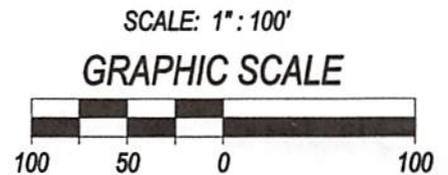
Laurie Meadows 3B Rezoning Tract

Exhibit "A"



PRELIMINARY PLAT
 Not for Recordation, Conveyances
 or Sales

Chapel Hill Foundation Real Estates Holding, INC.
 300 South Building CN1000
 Chapel Hill, NC 27599
 Parcel # 15006



NOTE: THIS SCALE APPLIES FOR
8.5" X 11" SHEETS ONLY.

EXHIBIT B

**Legal Description
Pitt County, North Carolina**

All that certain tract or parcel of land lying and being situate in Winterville Township, Pitt County, North Carolina, identified as Parcel Identification Number 36357; and being more particularly described as follows:

Beginning at a Point, said Point being located South 89 degrees 58 minutes 33 seconds East for a distance of 290.48 feet from the southeastern most corner of Lot 76 as shown on that certain plat entitled "Laurie Meadows Subdivision Phase 3A" as recorded in Book 81, Page 52 in the Pitt County Register of Deeds;

Thence, from said Point of Beginning, North 01 degrees 10 minutes 58 seconds East for a distance of 595.25 feet to a point;

Thence, South 88 degrees 46 minutes 08 seconds East for a distance of 37.75 feet to a point;

Thence, South 18 degrees 17 minutes 19 seconds East for a distance of 198.45 feet to a point;

Thence, South 04 degrees 18 minutes 07 seconds East for a distance of 52.91 feet to a point;

Thence, South 03 degrees 18 minutes 04 seconds East for a distance of 127.98 feet to a point;

Thence, South 08 degrees 03 minutes 51 seconds East for a distance of 227.68 feet to a point;

Thence, North 89 degrees 58 minutes 20 seconds West for a distance of 155.59 feet to a point;

Containing 1.48 acres, more or less.

Together with and subject to covenants, easements, and restrictions of record.

End of Legal Description

June 29, 2017

Exhibit C

Adjacent Properties (Tract 36357)

NSD Company, INC. P.O. Box 7122
Jacksonville, NC 28540
Parcel # 22753

Lot 20 - George E. & Angela P. Fuller - 2851 Mockingbird Lane
Winterville, NC 28590
Parcel # 82647

Lot 43 - Charles Edward & Soni Caryle Jahrsdorfer - 2963 Oakwood Drive
Winterville, NC 28590
Parcel # 82880

Lot 44 - Lynne M. Beck - 2957 Oakwood Drive
Winterville, NC 28590
Parcel # 82881

Lot 45 - Eric R. & Amanda P. Hardy - 2953 Oakwood Drive
Winterville, NC 28590
Parcel # 82882

Lot 46 - Evan Kyle & Molly Baker Pierce - 2947 Oakwood Drive
Winterville, NC 28590
Parcel # 82883

Lot 47 – Keith Andrew & Nichole Neal Richards - 2943 Oakwood Drive
Winterville, NC 28590
Parcel # 82884

Lot Open 1 – A. Sydes Construction, INC – P.O. Box 7122
Jacksonville, NC 28540
Parcel # 82885

Chapel Hill Foundation Real Estates Holding, INC. – 300 South Building CN1000
Chapel Hill, NC 27599
Parcel # 15006

**Town of Winterville
Conditional Use District
Conditional Use Permit CUD-02-031003**

This permit is issued under the terms of Article XIII, Section 13.7 and all other applicable provisions of the Zoning Ordinance of the Town of Winterville.

This Permit was authorized by Ordinance No. 03-0-06 adopted by the Winterville Board of Aldermen on March 10, 2003.

Applicant: Karl W. McLawhorn

Zoning Classification: R-10 Conditional Use District

Property Description:

All of that parcel of land lying and being in Winterville Township, Pitt County, North Carolina and being further located as follows:

Commencing at a tie point, an NCGS monument referenced as "Winterville" and having coordinates of N = 653,551.7047 and E = 2,473,782.2440; thence South 21 degrees 33 minutes 03 seconds East, 6,701.58 feet to a P.K. Nail set in the centerline of NCSR 1713-Laurie Ellis Road; thence South 01 degrees 01 minutes 04 seconds West, 30.08 feet to a Re-bar set in the southern right of way of NCSR 1713-Laurie Ellis Road, being the Point of Beginning and being a corner of Karl W. McLawhorn property and the northeast corner of Linwood E. Wetherington property as recorded in deed book 860, page 816; thence continuing along the southern right of way of NCSR 1713-Laurie Ellis Road with a curve of having a radius of 1,078.39 feet, a chord bearing of South 86 degrees 51 minutes 30 seconds East, a chord distance of 74.28 feet and an arc length of 74.29 feet to a Re-bar set in the southern right of way of NCSR 1713-Laurie Ellis Road; thence continuing along the southern right of way of NCSR 1713-Laurie Ellis Road South 88 degrees 49 minutes 55 seconds East, 445.02 feet to a Re-bar set in the southern right of way of NCSR 1713-Laurie Ellis Road; thence continuing along the southern right of way of NCSR 1713-Laurie Ellis Road with a curve of having a radius of 2,970.06 feet, a chord bearing of South 85 degrees 36 minutes 31 seconds East, a chord distance of 334.01 feet and an arc length of 334.18 feet to a Re-bar set in the southern right of way of NCSR 1713-Laurie Ellis Road, being the corner of Karl W. McLawhorn property and northwest corner of Pearlle W. Rogerson property as recorded in deed book B-38, page 237; thence leaving the southern right of way of NCSR 1713-Laurie Ellis Road and continuing with Pearlle W. Rogerson property line South 01 degrees 10 minutes 58 seconds West, 212.78 feet to a Re-bar set, being the corner of Karl W. McLawhorn property and southwest corner of Pearlle W. Rogerson property; thence continuing with Pearlle W. Rogerson property line South 88 degrees 44 minutes 02 seconds East, 100.00 feet to a Re-bar set, being the corner of Karl W. McLawhorn property and southeast corner of Pearlle W. Rogerson property and a corner of the James D. Mellon, Jr. ET. AL. property as recorded in deed book 1048, page 478; thence continuing with the James D. Mellon, Jr. ET. AL. property line South 01 degrees 10 minutes 58 seconds West, 1,502.76 feet to an existing iron pipe, being the corner of Karl W. McLawhorn property and the southwest corner of the James D. Mellon, Jr. ET. AL. property and a corner of the Roy C. Mills

property as recorded in deed book M-37, page 440; thence continuing with the Roy C. Mills property line North 89 degrees 58 minutes 33 seconds West, 1,012.63 feet to an existing concrete monument, being the corner of Karl W. McLawhorn property and the northwest corner of the Roy C. Mills property and a corner of the Theradline H. Forbes property as recorded in will book 99E, page 121; thence continuing with the Theradline H. Forbes property line, then the Patricia H. White property line, and then the Earl W. McLawhorn property line North 01 degrees 02 minutes 52 seconds East, 451.17 feet to an existing iron pipe, being the corner of Karl W. McLawhorn property and the northeast corner of Earl W. McLawhorn property as recorded in deed book 550, page 195 and the southeast corner of the R.T. Development property as recorded in map book 58, page 67; thence continuing with the R.T. Development property line North 00 degrees 46 minutes 36 seconds East, 590.00 feet to a Re-bar set, being a corner of Karl W. McLawhorn property and R.T. Development property; thence continuing with the R.T. Development property line North 89 degrees 28 minutes 33 seconds West, 33.00 feet to a Re-bar set, being a corner of Karl W. McLawhorn property and R.T. Development property; thence continuing with the R.T. Development property line and then the Williams & Hill Builders, LLC property line North 01 degrees 01 minutes 04 seconds East, 527.93 feet to a Re-bar set, being a corner of Karl W. McLawhorn property, the Williams & Hill Builders, LLC property as recorded in deed book 1410, page 804 and the Linwood E. Wetherington southwest corner; thence continuing with the Linwood E. Wetherington property line South 88 degrees 58 minutes 56 seconds East, 100.00 feet to a Re-bar set, being a corner of Karl W. McLawhorn property and the Linwood E. Wetherington southeast corner; thence continuing with the Linwood E. Wetherington property line North 01 degrees 01 minutes 04 seconds East, 188.28 feet to the Point of Beginning, containing 40.23 acres more or less, all as being shown on map by H.C. Harris, Jr. Engineering & Surveying, P.A., Project Number 02076, dated January 24, 2003.

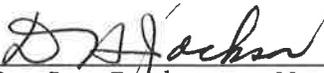
The USES authorized under this permit are as follows:

Single Family Residential

The CONDITIONS to which this permit is subject are as follows:

- a) The minimum lot size within the subject property shall be 12,500 square feet;
- b) A minimum of thirty percent (30%) of the residences to be constructed shall be not less than 1,500 sq. ft. heated space; a minimum of thirty percent (30%) of the residences to be constructed shall be not less than 1,600 sq. ft. heated space; and a minimum of thirty percent (30%) of the residences to be constructed shall be not less than 1,700 sq. ft. heated space;
- c) Final development shall be in basic compliance with the preliminary site plan submitted with the application, however, the subdivision plan shall be revised such that no lot is less than 12,500 square feet in area and a street connector shall be provided for connection to the adjoining property to the west of the subject property;
- d) A buffer berm shall be installed between the subject property and the road frontage of Laurie Ellis Road and the adjoining Pearlle W. Rogerson Property and the adjoining Linwood E. Wetherington Property; The berm shall be

constructed in accordance with the minimum standards set out in the Zoning Ordinance.



D. A. Jackson, Mayor

ATTEST:



Tangi Williams, Town Clerk

Permit No. CUD-02-031003



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 11, 2017

Presenter: Ben Williams, Assistant Town
Manager

Item to be Considered

Subject: Public Hearing on Order to Vacate and Close Dwelling Located at 2627 Academy Street, Winterville.

Action Requested: Adopt Ordinance Ordering to Vacate and Close Dwelling Located at 2627 Academy Street, Winterville.

Attachments: DRAFT Ordinance.

Prepared By: Ben Williams, Assistant Town Manager

Date: 9/6/2017

BSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

A hearing was held on April 21, 2017 to discuss the Finding of Facts with the owner and decide what steps were to be taken by the owner to satisfy the minimum housing code. A Finding of Facts and Order letter was sent to all involved parties associated with this property (copy attached). The owner had until July 5, 2017 to bring said structure into compliance with the Town's Minimum Housing Code. The owner did not meet the required deadline.

The next step in the Minimum Housing process is to conduct the subject Public Hearing for the adoption of the Ordinance which gives said owner 365 days to vacate and close the structure in question. If the Owner does not vacate and close the dwelling within one (1) year of the date of this Ordinance, the Town of Winterville will consider that the Owner has abandoned the intent and purpose to repair and will take the actions necessary to demolish the dwelling with the cost of demolition becoming a lien on the property.

Budgetary Impact: TBD if the Town is required to take action after the 365-day mandatory timeframe.

Recommendation: Adopt DRAFT Ordinance.



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CERTIFIED MAIL

April 28, 2017

Case # 17-003

Kimberly M. Saunders
2627 Academy St.
Winterville, NC 28590

Spouse of Kimberly M. Saunders
2627 Academy St.
Winterville, NC 28590

Nancy M. Corbett
406 Lee St.
Greenville, NC 27858

Re: Finding of Facts and Order Letter for Deteriorated Structure
2627 Academy St. (Parcel # 16103) Winterville, NC

Dear Ms. Saunders,

On February 20, 2017, the Town of Winterville Code Enforcement Division conducted an on-site inspection of the structure located at: 2627 Academy St. due to complaints filed with this office. As a result of the inspection, the property has been found in violation of the Town of Winterville Code of Ordinances, Chapter 151, Minimum Housing Code. A Hearing was held on Friday, April 21, 2017 to receive evidence and to determine the Finding of Facts about violations to the Minimum Housing Code of the Town of Winterville.

The cost of repairs that are required are estimated to be not more than sixty five percent (65%) of the value of said property and are listed on Form 2B on the next page. Please review the enclosed Finding of Facts Order.

If you are no longer the owner of the above subject property, please notify this office.

Should you have any questions, concerns or require any additional information regarding this matter please do not hesitate to contact me at 252-215-2419.

Respectfully yours,

Michael Weldin
Building Inspector / Code Enforcement Officer
Town of Winterville

TOWN OF WINTERVILLE

Form 2A

FINDING OF FACTS AND ORDER Cost of Repairs Not More Than 65% of Value

TO: Owners and parties in interest in the structure located at 2627 Academy St. (Parcel # 16103), Winterville, North Carolina.

The undersigned Code Enforcement Officer of the Town of Winterville, pursuant to law, conducted a Hearing at the time and place stated in the Compliant and Notice of Hearing heretofore issued and served, or at a time to which the Hearing was continued with previous notice to the owners and parties of interest or their agents or attorneys. At the Hearing, the answer, if any, filed by the owner and parties of interest was read and considered, and the evidence, contentions, and views of the owner and parties of interest were carefully analyzed and considered by the undersigned. In addition to the other evidence presented, the undersigned personally inspected the structure describe above, and such inspection and examination has been considered, along with the other evidence offered at the hearing.

Upon the record and all evidence offered and contentions made, the undersigned Code Enforcement Officer does hereby find the following facts:

1. The owners and parties of interest with respect to the structure located at the place specified above were duly served as required by law with a written Complaint and Notice of Hearing by both first class mail and certified mail which set forth the complaint that the structure located at the above address appears to violate the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code, and the particulars thereof, fixed a time and place for the hearing upon the complaint as provided by law. At the Hearing, the following owners, parties of interest, or their agents or attorneys, were present and participated therein:

Kimberly Diane McGlohon Saunders – Owner of Property
Nancy M. Corbett – Relative of Owner
Michael Weldin – Code Enforcement Officer

2. The structure described above violates the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code by reason of the following conditions found to be present and to exist in and about the structure:
 - (1) There is a large hole in the roof along the front of the house and large areas of roof shingle missing from roof.
 - **Violation – Section 58 F 6** – *There shall be no loose roof covering, no holes, and no leaks causing damage to the structure or rooms.*
 - (2) The exterior walls around the entire exterior are deteriorating allowing rain to deteriorate the exterior and interior walls and weakening the structure of the house.
 - **Violation – Section 58 C 5** - *All siding shall be weathertight, with no holes or excessive cracks or decayed boards which permit air to penetrate rooms.*

- **Violation – Section 58 C 6** - *There shall be no loose siding.*
 - **Violation – Section 58 C 7** - *There shall be no deterioration because of lack of preventive maintenance consisting of painting, waterproofing, and repair.*
- (3) The fence surrounding the back yard is broken in several places and deteriorating due to lack of maintenance.
- **Violation – Section 59 B 2** - *Fences and other accessory buildings shall be maintained in safe and substantial condition or demolished.*
- (4) Back porch deck and handrail are severely deteriorating and the wood is rotting on the edges making them unsafe to walk on.
- **Violation – Section 58 G 3** - *If post and railings are provided, they shall be structurally sound and not likely to cause structural weakness in the future.*
 - **Violation – Section 58 H 1** - *Stairs and steps shall be free of holes, grooves, and cracks large enough to constitute accident hazards.*
 - **Violation – Section 58 H 3** - *Every rail shall be firmly fastened and maintained in good condition.*
- (5) The back door trim is deteriorating due to lack of maintenance.
- **Violation – Section 59 A 1** - *Exterior wood surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative with sufficient frequency to prevent deterioration.*
- (6) There is exposed electrical wiring laying on the ground along the back of the house.
- **Violation – Section 57 E** - *There shall be no unsafe wiring.*
 - **Violation – Section 57 I** - *All wiring to be installed shall be in accordance with the National Electrical Code.*
- (7) The four by four wooden post which the electrical service is supported by is rotted at the base and is only held up by the electrical conduit making this service unsafe.
- **Violation – Section 57 E** - *There shall be no unsafe wiring.*
 - **Violation – Section 57 I** - *All wiring to be installed shall be in accordance with the National Electrical Code.*
- (8) The outside electrical panel is too close to the deck and it will not allow the cover open fully.
- **Violation – Section 57 I** - *All wiring to be installed shall be in accordance with the National Electrical Code.*
- (9) The several of the outside window screen are broken and torn while several are missing.
- **Violation – Section 53 C** - *All windows and doors opening to the outside shall be adequately screened unless the room is served by an approved ventilating system. Screens shall fit openings snugly, and the screen mesh shall not be torn or otherwise defective.*
- (10) Once entrance has been gained into the house there may be other violation, which are foreseen at this time, that will have to be addressed before this case can close.
3. The aforelisted violations of the minimum standards established by the Minimum Housing Code contained in Chapter 1512 of the Town of Winterville Code renders the structure described above to be in a condition so that the safety, health or welfare of its occupants or general public is jeopardized and the structure is unfit for human habitation.

4. The cost of repair, alteration, or improvement of the structure described above would not exceed sixty five percent (65%) of its current value.
5. At the Hearing, the owner explained she needed some time in order to gather information and cost for either repair of the property or demolition of all structures on the property. The Code Enforcement Officer asked that she put her request in writing and present to the Code Enforcement Officer within 10 day from date of the Hearing. A letter was submitted to the Code Enforcement Officer on Wednesday April 26, 2017. The Code Enforcement Officer considered the request and granted the owner until July 3, 2017 to gather her information and begin to work on the property to either repair the dwelling or demolish all structures on the property. If work to repair or demolish the dwelling has not begun by July 5, 2017, the Code Enforcement Officer will submit to the Winterville Town Council an Order to demolish the structure.

IT IS THEREFORE ORDERED that the owner of the structure named above is required to bring such structure into compliance with the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code by repairing, altering, or improving the structure in order to bring it into compliance with the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code by a date no later than the 5th day July, 2017.

If you fail to take action within the stated time, the Code Enforcement Officer shall submit to the Winterville Town Council an order to have the owner to repair or demolish said dwelling by a date set forth at their next regular council meeting. If after that time limit, the owner of said property has not taken any action to repair or demolish the dwelling the Code Enforcement Officer shall submit to the Winterville Ton Council an order to have said property demolished by a time set forth by the Winterville Town Council.

Should you have any questions, concerns or require additional information regarding this matter please do not hesitate to contact me at 252-215-2419.

This the 28th day of April, 2017.

Michael Weldin
Building Inspector / Code Enforcement Officer
Town of Winterville

Cc: Terri Parker, Town Manager
Ben Williams, Assistant Town Manager

ORDINANCE PURSUANT TO THE ENFORCEMENT OF THE MINIMUM HOUSING CODE REQUIRING THE CODE ENFORCEMENT OFFICER TO VACATE AND CLOSE THE DWELLING LOCATED AT 2627 ACADEMY STREET TAX PARCEL NUMBER 16103

WHEREAS, the Code Enforcement Officer for the Town of Winterville conducted an on-site inspection of the structure located 2627 Academy Street and owned by Kimberly M. Saunders and this inspection revealed numerous violations of the Town of Winterville Minimum Housing Code;

WHEREAS, a Complaint and Notice of Hearing were served on the Owner informing the Owner that a hearing was scheduled for April 21, 2017; at which time the Code Enforcement Officer would determine whether the dwelling violated the Minimum Housing Code;

WHEREAS, a hearing was held on April 21, 2017 after which the Code Enforcement Officer found the dwelling to be unfit for human habitation but that repair of the structure could be made at a reasonable cost in relation to the value of the dwelling and so issued an Order requiring the Owner to repair the dwelling to bring it into compliance with the Minimum Housing Code by July 5, 2017;

WHEREAS, no action has been taken by the Owner to repair the dwelling;

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Chapter 151 of Title XV of the Town of Winterville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein is unfit for human habitation but can be repaired at a reasonable cost in relation to the value of the dwelling;

WHEREAS, the Town Council of the Town of Winterville hereby finds that the Owner has been given a reasonable opportunity to bring the structure into compliance with the Minimum Housing Code;

WHEREAS, G.S. 160A-443(4), which applies to the Town of Winterville, and Section 27(c) of the Code of the Town of Winterville, North Carolina, empowers the Town Council of the Town of Winterville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winterville that;

Section 1. The Owner, Kimberly M. Saunders, of the dwelling located at 2627 Academy Street in Town of Winterville, North Carolina, is hereby directed and required to immediately vacate and close said dwelling pursuant to NCGS §160A-443(4). Further, the Owner has failed to comply with the Order of April 28, 2017 issued by the Code Enforcement Officer requiring the Owner to repair, alter or improve the structure to bring it into compliance with the Town of Winterville Minimum Housing Code.

Section 2. The Code Enforcement Officer is hereby authorized and directed to proceed to vacate and close said dwelling being located at 2627 Academy Street and owned by Kimberly M. Saunders. Also, the Code Enforcement Officer shall post a notice on the dwelling declaring that it is unfit for human habitation and that occupancy of the dwelling is a Class 1 Misdemeanor. Further, the Code Enforcement Officer is hereby authorized to vacate the dwelling if same is occupied.

Section 3. No building or repair permits shall be issued to the Owner or representative of the Owner without prior approval of the Code Enforcement Officer. Failure to comply with any approval of the Code Enforcement Officer shall result in rescission of any building permit.

Section 4. The cost of vacating and closing the dwelling shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

Section 5. If the Owner does not repair or demolish the dwelling within one (1) year of the date of this Ordinance, the Town of Winterville will consider that the Owner has abandoned the intent and purpose to repair and will take the actions necessary to demolish the dwelling with the cost of demolition becoming a lien on the property.

Section 6. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Adopted this the 11th day of September, 2017.

Douglas A. Jackson, Mayor

ATTEST:

Amy P. Barrow, Acting Town Clerk

**STATE OF NORTH CAROLINA
COUNTY OF PITT**

I, _____, a Notary Public of the aforesaid County and State, certify that Amy P. Barrow personally came before me this day and acknowledged that she is Acting Town Clerk of the Town of Winterville, North Carolina and that by authority duly given and as the act of the Town of Winterville, North Carolina the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her as its Acting Town Clerk.

NOTARY PUBLIC

My Commission Expires: _____

DRAFT



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: September 11, 2017
Presenter: Ben Williams, Assistant Town
Manager

Item to be Considered

Subject: Public Hearing on Order to Demolish and Remove Dwelling Located at 97 Cooper Street, Winterville.
Action Requested: Adopt Ordinance Ordering the Demolition and Removal of Dwelling Located at 97 Cooper Street, Winterville.
Attachments: DRAFT Ordinance.

Prepared By: Ben Williams, Assistant Town Manager **Date:** 9/6/2017

BSTRACT ROUTING:

TC FD TM 9/6/2017 Final 9/6/2017

Supporting Documentation

A hearing was held on April 21, 2017 to discuss the Finding of Facts with the Owner and decide what steps were to be taken by the owner to satisfy the minimum housing code. A Finding of Facts and Order letter was sent to all involved parties associated with this property (copy attached). The Owner had until May 26, 2017 to demolish and remove said structure. The owner did not meet the required deadline.

The next step in the Minimum Housing process is to conduct the subject Public Hearing for the adoption of the Ordinance which gives said owner 45 days to demolish and remove the structure in question. If the owner fails to meet the designated timeline, then the Town will demolish and remove the structure and place a lien for the cost of the work against the property.

Budgetary Impact: TBD if the Town is required to take action after the 45-day mandatory timeframe.

Recommendation: Adopt DRAFT Ordinance.



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April 28, 2017

Case # - 17-002

Stewart Mason Paramore, Sr.
3596 Ballards Crossroads Rd.
Greenville, NC 27834

Chase Home Equity Collateral
201 E. Main St.
Lexington, KY 40576-9849

Spouse of Stewart Mason Paramore, Sr.
3596 Ballards Crossroads Rd.
Greenville, NC 27834

Home Equity and Consumer Lending Division
1111 Polaris Parkway
Columbus, OH 43240

J.P. Morgan Chase Bank, NA
Retail Loan Servicing KY2-1606
P.O. Box 11606
Lexington, KY 40576-1606

Statewide Title, Inc.
Trustee
117 North Merritt Av.
Salisbury, NC 28144

Re: Abandoned House and Minimum Housing Code Violations
97 Cooper St. (Parcel # 22704) Winterville, NC

Dear Mr. Paramore,

On February 20, 2017, the Town of Winterville Code Enforcement Division conducted an on-site inspection of the structure located at: 97 Cooper St due to complaints filed with this office. As a result of the inspection, the property has been found in violation of the Town of Winterville Code of Ordinances, Chapter 151, Minimum Housing Code. A Hearing was held on Friday, April 21, 2017 to receive evidence and to determine the Finding of Facts about violations to the Minimum Housing Code of the Town of Winterville.

The cost of repairs that are required are estimated to be more than sixty five percent (65%) of the value of said property and are listed on Form 2B on the next page. Please review the enclosed Finding of Facts Order.

If you are no longer the owner of the above subject property, please notify our office at 252-215-2419.

Should have any questions, concerns or require additional information regarding this matter please do not hesitate to contact me at 252-215-2419.

Respectfully yours,

Michael Weldin
Building Inspector / Code Enforcement Officer
Town of Winterville

Cc: Terri Parker, Town Manager
Ben Williams, Assistant Town Manager

COPY

TOWN OF WINTERVILLE

Form 2B

FINDING OF FACTS AND ORDER Cost of Repairs More Than 65% of Value

TO: Owners and parties in interest in the structure located at 97 Cooper St. (Parcel # 22704), Winterville, North Carolina.

The undersigned Code Enforcement Officer of the Town of Winterville, pursuant to law, conducted a Hearing at the time and place stated in the Compliant and Notice of Hearing heretofore issued and served, or at a time to which the Hearing was continued with previous notice to the owners and parties of interest or their agents or attorneys. At the Hearing, the answer, if any, filed by the owner and parties of interest was read and considered, and the evidence, contentions, and views of the owner and parties of interest were carefully analyzed and considered by the undersigned. In addition to the other evidence presented, the undersigned personally inspected the structure describe above, and such inspection and examination has been considered, along with the other evidence offered at the hearing.

Upon the record and all evidence offered and contentions made, the undersigned Code Enforcement Officer does hereby find the following facts:

1. The owners and parties of interest with respect to the structure located at the place specified above were duly served as required by law with a written Complaint and Notice of Hearing by both first class mail and certified mail which set forth the complaint that the structure located at the above address appears to violate the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code, and the particulars thereof, fixed a time and place for the hearing upon the complaint as provided by law. At the Hearing, the following owners, parties of interest, or their agents or attorneys, were present and participated therein:

Michael Weldin – Code Enforcement Officer

2. The structure described above violates the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code by reason of the following conditions found to be present and to exist in and about the structure:
 - (1) No electrical power connected and energized to the house
 - **Violation – Section 55 G** – *There shall be adequate facilities for furnishing hot water to each tub or shower, lavatory, and kitchen sink.*
 - (2) No ceiling inside back portion of house, not able to hold heat inside house, hole in roof
 - **Violation – 52 K** - *There shall be no holes or excessive cracks in walls, ceilings, outside doors or outside windows.*
 - **Violation – 58 E 4** - *There shall be no holes or excessive cracks which permit air and dust to penetrate rooms.*

- **Violation – 58 E 5** - *There shall be no loose plaster, boards, gypsum wallboard, or other ceiling finish.*
 - **Violation 58 F 6** - *There shall be no loose roof covering, no holes, and no leaks causing damage to the structure or rooms.*
- (3) Rafters damaged due to fire
- **Violation 58 F 2** - *There shall be no rafters that have been seriously damaged by fire.*
- (4) There is a large hole in floor inside back door.
- **Violation – 58 B 1** - *There shall be no decayed, termite-damaged, fire-damaged, broken, overloaded or sagging sills.*
 - **Violation – 58 B 3** - *Joists shall not be overloaded, sagging or broken, and shall be structurally sound and not likely to cause structural weakness in the future.*
 - **Violation – 58 B 6** - *Flooring shall be reasonably smooth and not decayed, fire-damaged or worn through.*
 - **Violation – 58 B 7** - *There shall be no loose flooring.*
- (5) Electrical wiring is unsafe due to fire.
- **Violation – 57 E** - *There shall be no unsafe wiring.*
- (6) Property not maintained to keep out rodents and pest.
- **Violation – 59 C** – *Grounds, buildings and structures shall be maintained free of infestation by rodents, insects and other pests.*
- (7) Front step into house are broken and excessively worn.
- **Violation – 58 H 1** - *Stairs and steps shall be free of holes, grooves, and cracks large enough to constitute accident hazards.*
 - **Violation – 58 H 5** - *Supports shall not sag and shall be structurally sound and not likely to cause structural weakness in the future.*
- (8) Roof shingle are missing from roof.
- **Violation – 58 F 6** - *There shall be no loose roof covering, no holes, and no leaks causing damage to the structure or rooms.*
- (9) The vinyl siding is broken and deteriorating.
- **Violation – 58 C 5** - *All siding shall be weathertight, with no holes or excessive cracks or decayed boards which permit air to penetrate rooms*
 - **Violation – 58 C 7** - *There shall be no deterioration of siding because of lack of preventive maintenance consisting of painting, waterproofing, and repair.*
- (10) There are two (2) detached storage building on the property. The smaller building's siding is rotting around the bottom due to lack of maintenance. The larger building floor has rotted and is unsafe to occupy.
- **Violation – 59 A 1** - *Exterior wood surfaces not inherently resistant to deterioration shall be treated with a protective coating of paint or other suitable preservative with sufficient frequency to prevent deterioration.*
- (11) The fence on the property has not been maintained and sections have fallen to the ground.
- **Violation – 59 B 2** *Fences and other accessory buildings shall be maintained in safe and substantial condition or demolished.*

- (12) Once entrance has been gained into the house there may other violation, which are foreseen at this time, that will have to be addressed before this case can close.
3. The aforelisted violations of the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code renders the structure described above to be in a condition so that the safety, health or welfare of its occupants or general public is jeopardized and the structure is unfit for human habitation.
 4. The cost of repair, alteration, or improvement of the structure described above would exceed sixty five percent (65%) of its current value.

IT IS THEREFORE ORDERED that the owner of the structure named above is required to bring such structure into compliance with the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code by repairing, altering, or improving the structure in order to bring it into compliance with the minimum standards established by the Minimum Housing Code contained in Chapter 151 of the Town of Winterville Code or by removing or demolishing the structures on the property by a date no later than the 26th day May, 2017.

If you fail to take action within the stated time, the Code Enforcement Officer shall submit to the Winterville Town Council an order to have the owner to repair or demolish said dwelling by a date set forth at their next regular council meeting. If after that time limit, the owner of said property has not taken any action to repair or demolish the dwelling the Code Enforcement Officer shall submit to the Winterville Ton Council an order to have said property demolished by a time set forth by the Winterville Town Council.

Should you have any questions, concerns or require additional information regarding this matter please do not hesitate to contact me at 252-215-2419.

This the 28th day of April, 2017.

Michael Weldin
Code Enforcement Officer

**ORDINANCE PURSUANT TO THE ENFORCEMENT OF THE MINIMUM HOUSING
CODE REQUIRING THE OWNER OF A DWELLING TO DEMOLISH AND
REMOVE THE DWELLING LOCATED AT 97 COOPER STREET
TAX PARCEL NUMBER 22704**

WHEREAS, the Code Enforcement Officer for the Town of Winterville conducted an on-site inspection of the structure located 97 Cooper Street and owned by Stewart Mason Paramore, Sr. and this inspection revealed numerous violations of the Town of Winterville Minimum Housing Code;

WHEREAS, a Complaint and Notice of Hearing were served on the Owner informing the Owner that a hearing was scheduled for April 21, 2017; at which time the Code Enforcement Officer would determine whether the dwelling violated the Minimum Housing Code and what action must be taken by the owner;

WHEREAS, a hearing was held on April 21, 2017 after which the Code Enforcement Officer found the dwelling to be unfit for human habitation and repair of the structure could not be made at a reasonable cost in relation to the value of the dwelling and so issued an Order requiring the Owner to repair the dwelling to bring it into compliance with the Minimum Housing Code or to demolish and remove the dwelling by May 26, 2017;

WHEREAS, no action has been taken by the Owner to repair or demolish the dwelling;

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Chapter 151 of Title XV of the Town of Winterville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein is unfit for human habitation, cannot be repaired at a reasonable cost in relation to the value of the dwelling and its current condition constitutes a hazard to the health, safety or welfare of the Town of Winterville citizens;

WHEREAS, the Town Council of the Town of Winterville hereby finds that the Owner has been given a reasonable opportunity to bring the structure into compliance with the Minimum Housing Code;

WHEREAS, G.S. 160A-443(5), which applies to the Town of Winterville, and Section 27(c) of the Code of the Town of Winterville, North Carolina, empowers the Town Council of the Town of Winterville to enact this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winterville that;

Section 1. The Owner, Stewart Mason Paramore, Sr., of the dwelling located at 97 Cooper Street in the Town of Winterville, North Carolina, is hereby directed and required to vacate said dwelling and remove or demolish same within forty-five (45) days from the effective date of this ordinance.

Section 2. No building or repair permits shall be issued to the Owner or representative of the Owner without prior approval of the Code Enforcement Officer. Failure to comply with any approval of the Code Enforcement Officer shall result in rescission of any building permit.

Section 3. The Code Enforcement Officer is hereby authorized and directed to proceed to demolish and remove the dwelling in the event the Owner fails to comply with the provisions of Section 1 of this ordinance within forty-five (45) days, or fails to comply with any approval by the Code Enforcement Officer in Section 2, said dwelling being located at 97 Cooper St. and owned by Stewart Mason Paramore, Sr.. Further, the Code Enforcement Officer is hereby authorized to vacate the dwelling if same is occupied.

Section 4. The cost of demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling which has any significant value shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and distributed in the manner provided by G.S. 160A-443(6).

Section 5. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Adopted this the 11th day of September, 2017.

Douglas A. Jackson, Mayor

ATTEST:

Amy P. Barrow, Acting Town Clerk

**STATE OF NORTH CAROLINA
COUNTY OF PITT**

I, _____, a Notary Public of the aforesaid County and State, certify that Amy P. Barrow personally came before me this day and acknowledged that she is Acting Town Clerk of the Town of Winterville, North Carolina and that by authority duly given and as the act of the Town of Winterville, North Carolina the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her as its Acting Town Clerk.

NOTARY PUBLIC

My Commission Expires: _____

DRAFT



TOWN OF WINTERVILLE PUBLIC COMMENT APPLICATION

Name of Applicant: Glenn Johnson

Date: 08/21/2017

Address: 459 Williamston Drive, Winterville, NC 28590

Phone: _____

Town Council Meeting Date Requesting to Provide Comment: September 11, 2017

Description of the item(s) to be presented to the Town Council Members. Please be specific.

Would like to talk about the Town and the Buffalo Soldiers Organization.

Name(s) of Speaker(s):

(1) Glenn Johnson

(2) _____

(3) _____

My signature below acknowledges that I have read the Town of Winterville Public Comment Policy. I agree that as applicant, the speaker(s) named above shall adhere to the Public Comment Policy of the Town of Winterville.

Glenn Johnson

Signature

Print

Save

Submit



TOWN OF WINTERVILLE PUBLIC COMMENT APPLICATION

Name of Applicant: Nathan Cole

Date: 08/21/2017

Address: 651 Edenbrook Drive, Winterville, NC 28590

Phone: _____

Town Council Meeting Date Requesting to Provide Comment: September 11, 2017

Description of the item(s) to be presented to the Town Council Members. Please be specific.

Would like to talk about speeding in his neighborhood and the possibility of installation of speed bumps.

Name(s) of Speaker(s):

(1) Nathan Cole

(2) _____

(3) _____

My signature below acknowledges that I have read the Town of Winterville Public Comment Policy. I agree that as applicant, the speaker(s) named above shall adhere to the Public Comment Policy of the Town of Winterville.

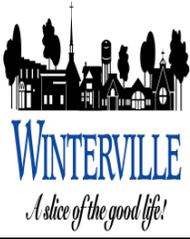
Nathan Cole

Signature

Print

Save

Submit



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item to be Considered

Subject: Gary J. & Ellen R. Brock Annexation.

Action Requested: Schedule a Public Hearing for October 9, 2017 Regular Council Meeting.

Attachments: Annexation Petition and Annexation Map.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Gary J. & Ellen R. Brock Annexation:

Council Meeting Steps during an annexation:

1st Meeting (July): Direct Town Clerk to investigate sufficiency of the annexation.

2nd Meeting (September): Schedule A Public Hearing.

3rd Meeting (October): Hold Public Hearing.

Petition Requested for Annexation:

Location: 406 Vernon White Road; Parcel Number 83616.

Zone: Agricultural-Residential.

Size. 0.90 Acres.

Budgetary Impact: TBD.

Recommendation: Schedule Public Hearing for October 9th Regular Council Meeting.

PETITION REQUESTING ANNEXATION

Date: _____

To the Mayor and Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.

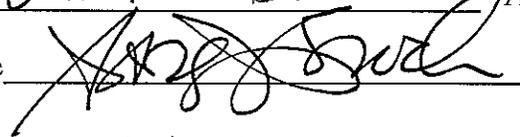
2. The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

Description

BEING that same parcel bounded on its north-easterly side by the southerly right-of-way of Vernon White Road, bounded on its south-easterly side by the land of Jack T. Brock, as described in Deed book 46, Page 87 of the Pitt County Registry, bounded on its south-westerly side by the land of Jack T. Brock as shown on the annexation map for Gary J. Brock and wife Ellen R. Brock attached as Exhibit A and herein incorporated by reference, and bounded on its north-westerly side by the land of Jack T. Brock, and further described as follows:

LYING AND BEING in Winterville Township, Pitt County, North Carolina and commencing at a point at the intersection of the southerly right-of-way of Vernon White Road, and the westerly right-of-way of Williams Way and running from said beginning point N 45° 07' 15" West 254.70 feet to an existing iron pipe; and running thence N 45° 05' 10" West 189.83 feet to an existing iron pipe, THE TRUE POINT OF BEGINNING; and running thence S 27° 45' 00" West 249.82 feet to an existing iron pipe; thence N 62° 15' 00" West 131.30 feet to an iron pipe set; thence N 27° 45' 00" East 98.79 feet to an iron pipe set; thence N 15° 18' 24" East 162.98 feet to an iron pipe set; thence N 40° 10' 25" East 41.36 feet to an iron pipe set in the southerly right-of-way of Vernon White Road; thence along and with the southerly right-of-way of Vernon White Road S 45° 07' 45" East 164.82 to an existing iron pipe, THE TRUE POINT OF BEGINNING, as shown on the annexation map for Gary J. Brock and wife Ellen R. Brock attached as Exhibit A and herein incorporated by reference.

Name GARY J. BROCK Address 5922 REEDY BRANCH RD
WINTERVILLE NC 28590

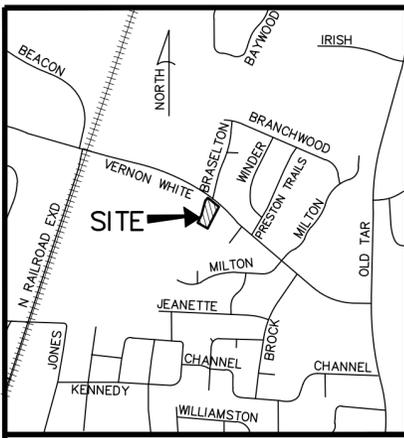
Signature 

Name Ellen R. Brock Address 5922 Reedy Branch Rd
Winterville, NC 28590

Signature Ellen R Brock

Name _____ Address _____

Signature _____



VICINITY MAP
N.T.S.

ACRAGE

TOTAL ACREAGE..... 0.90 AC.

SOURCE OF TITLE:

DB 3529, P. 776 (TAX PARCEL #83616)

FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA; REFERENCE: EFFECTIVE FIRM 3720467500K, DATED 7/7/2014

TOWN OF WINTERVILLE, N.C.
SUBDIVISION CERTIFICATION:

EXEMPT PURSUANT TO SECTION 154.05 OF THE TOWN OF WINTERVILLE SUBDIVISION ORINANCE.

BY: _____ TOWN PLANNER

DATE: _____

STATE OF NORTH CAROLINA
COUNTY OF PITT

_____, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL THE STATUTORY REQUIREMENTS FOR RECORDING.

BY: _____ REVIEW OFFICER

DATE: _____

PLAN SHEET 1 of 1

ANNEXATION MAP FOR

GARY J. & ELLEN R. BROCK

BEING THE PROPERTY DESCRIBED IN DB 3529, P. 776 IN THE PITT COUNTY REGISTRY

WINTERVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: GARY J. & WIFE ELLEN R. BROCK AND JACK T. BROCK

ADDRESS: 5922 REEDY BRANCH RD., WINTERVILLE, NC 28590

PHONE: _____

Coastal Carolina Surveyors, PLLC
LAND SURVEYORS P-0790
PO Box 2768 . Winterville, NC 28590
KLB (252) 702-1427
kenbiggs1@yahoo.com

SURVEYED:	KLB	APPROVED:	KLB
DRAWN:	KLB	DATE:	06/26/17
CHECKED:	KLB	SCALE:	1" = 100'

LEGEND

ACRE	AC
CENTERLINE	C/L
CONTROL CORNER	CC
DEED BOOK	DB
EASEMENT	ESMT
EXISTING	EX
EXISTING IRON PIPE	EIP
IRON PIPE SET	IPS
LINEAR FEET	LF
MAP BOOK	MB
MAG NAIL SET	MNS
NOT TO SCALE	NTS
RIGHT OF WAY	R/W
TOTAL	TOT
TYPICAL	TYP

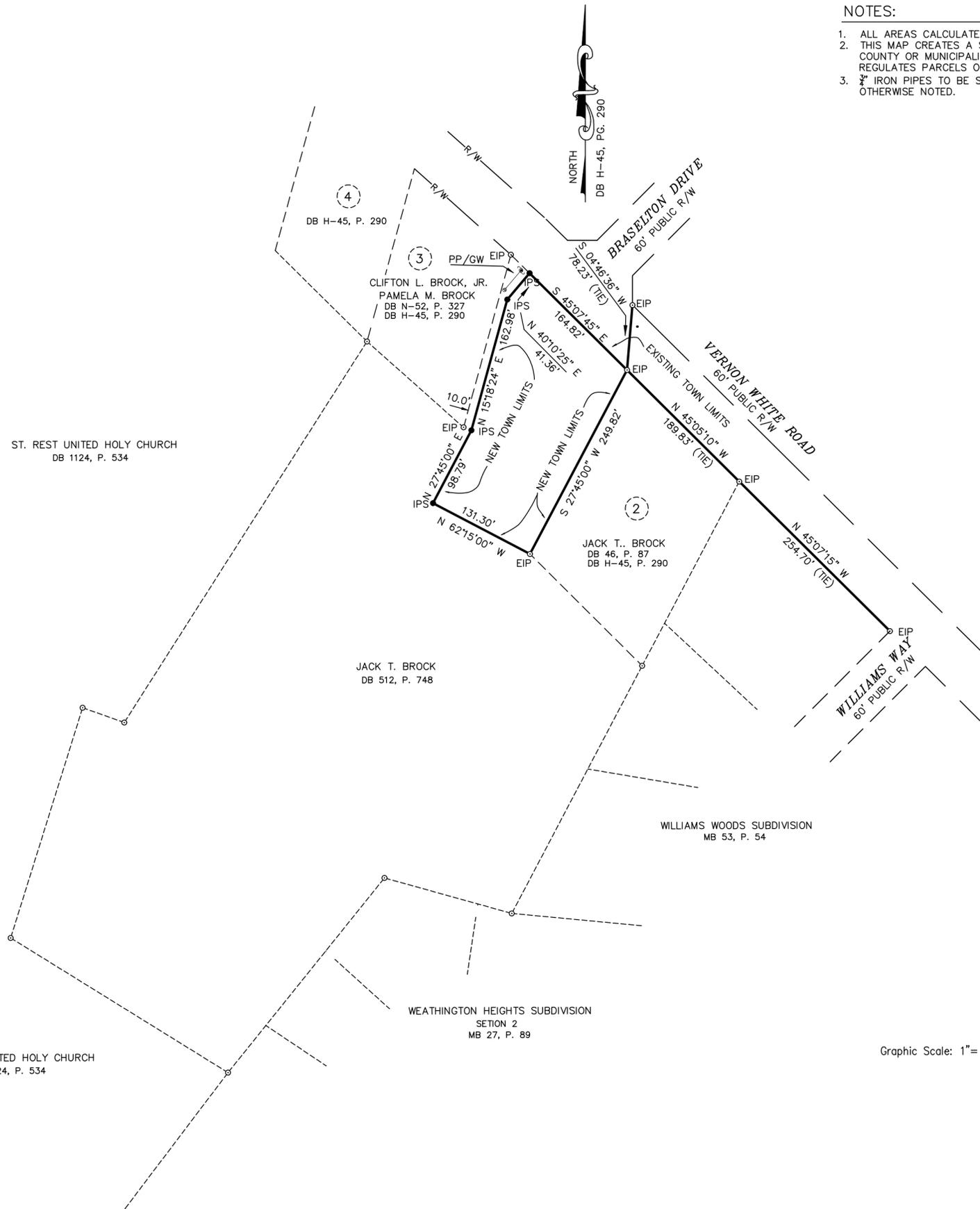
ST. REST UNITED HOLY CHURCH
DB 1124, P. 534

ST. REST UNITED HOLY CHURCH
DB 1124, P. 534

JACK T. BROCK
DB 512, P. 748

WEATHINGTON HEIGHTS SUBDIVISION
SECTION 2
MB 27, P. 89

WILLIAMS WOODS SUBDIVISION
MB 53, P. 54



NOTES:

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. THIS MAP CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
3. 3/4" IRON PIPES TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.



SURVEYOR'S CERTIFICATION

I, KENNETH L. BIGGS, SR., HEREBY CERTIFY THAT THIS PLAT WAS DRAWN BY ME FROM AN ACTUAL FIELD SURVEY PERFORMED BY ME FROM DEED DESCRIPTION RECORDED IN DEED BOOK 3529, PAGE 776; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000+; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (1) (11) a. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 26TH DAY OF JUNE, A.D., 2017.

KENNETH L. BIGGS, SR., L-3110



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item to be Considered

Subject: Carolina Eastern Homes Rezoning- Schedule a Public Hearing for October 9, 2017.

Action Requested: Set a Public Hearing Date.

Attachments: Rezoning Map, Rezoning Application and Conditional Use District Details.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Carolina Eastern Homes Rezoning:

Location: Parcel # 07840, 24482 & 07841; Located on the east side of Church Street Extension- south of Laurie Ellis Rd.

Current Zoning: R-12.5 (Parcel #24482) and Agriculture Residential (Parcel #07840 & Parcel #07841)

Size: 27.407 Acres.

Proposed Zoning: R-10 CUD

Requested Conditions:

- Heated area of houses will be 1,800 sf or greater.
- Vinyl and brick or stone fronts.

All other zoning regulations will be in accordance to an R-10 Zoning District.

**P&Z Voted to recommend for approval at their July Meeting.

Budgetary Impact: TBD.

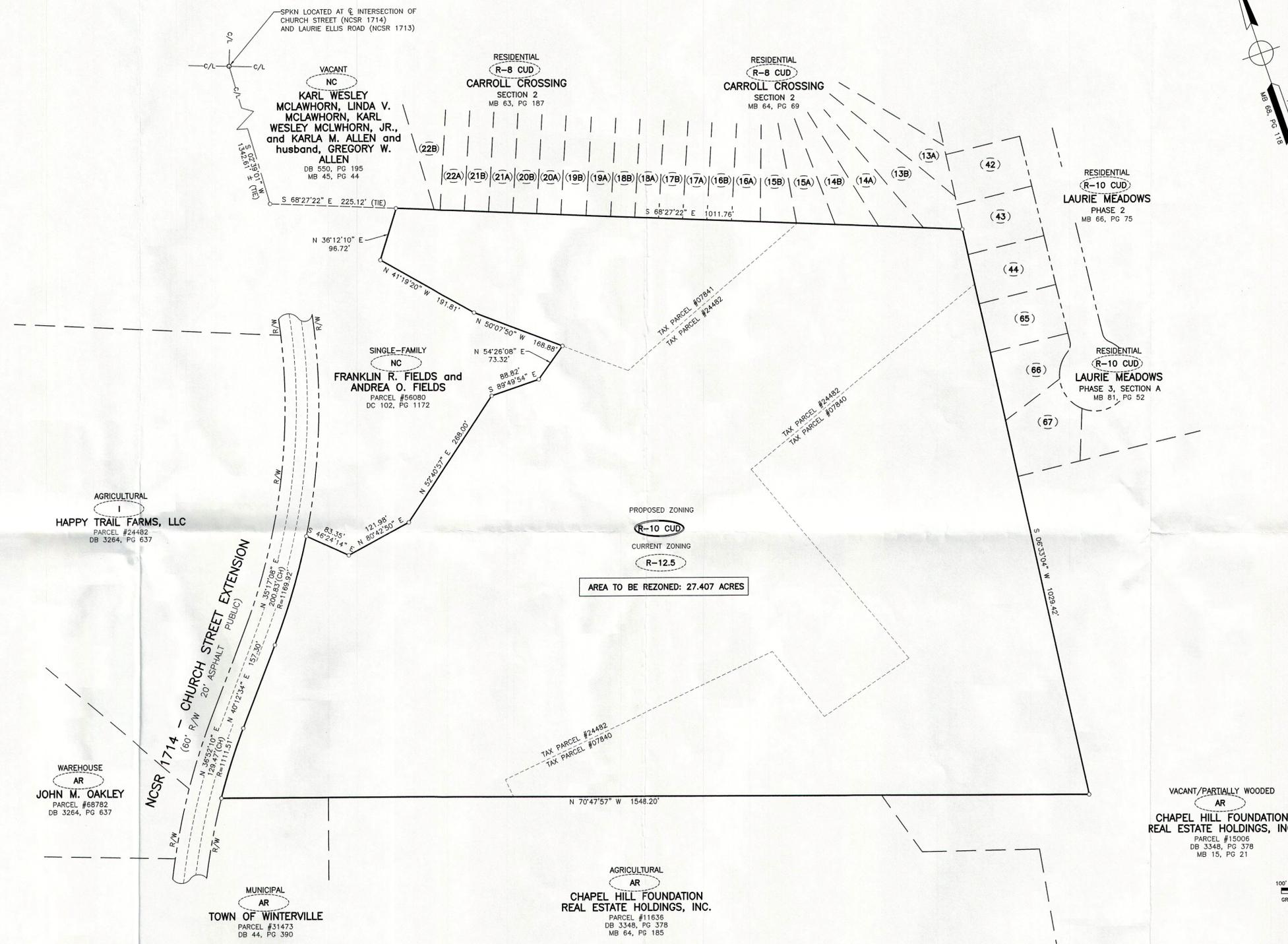
Recommendation: Set Public Hearing Date.

**PROPERTY OWNERS ADDRESSES
WITHIN 100 FEET OF PROPERTY**

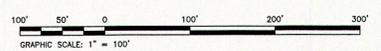
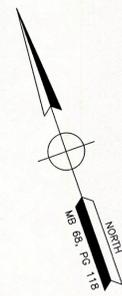
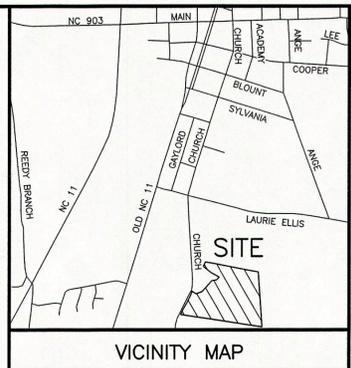
- (22B) KEITH HAIGHT and wife
DIANA HAIGHT
226 JEREMY LANE, UNIT B
WINTERVILLE, NC 28590
- (22A) LINDA V. MCLAWHORN
2351 OLD CREEK ROAD
GREENVILLE, NC 27834
- (21B) CARMEN ARGUDIN
238 JEREMY LANE, UNIT B
WINTERVILLE, NC 28590
- (21A) BRIAN JOHN RAVN
622 EDENBROOK DRIVE
WINTERVILLE, NC 28590
- (20B) JOHN N. POTTER and wife
LAURA L. POTTER
1602 SOUTH OAK LANE
WINTERVILLE, NC 28590
- (20A) CYNTHIA FAYE SPIVEY
244 JEREMY LANE, UNIT A
WINTERVILLE, NC 28590
- (19B) DORENDA K. BRYANT and husband
ANDRE D. BRYANT
252 JEREMY LANE, UNIT B
WINTERVILLE, NC 28590
- (19A) MARIE ANDERSON
252 JEREMY LANE, UNIT A
WINTERVILLE, NC 28590
- (18B) ERIC BRIDGERS and wife
CHERYL BYRD BRIDGERS
258 JEREMY LANE, UNIT B
WINTERVILLE, NC 28590
- (18A) COREY TODD BROWN
2216 SORREL LANE
WINTERVILLE, NC 28590
- (17B) JUANA FLOYD
256 JEREMY LANE, UNIT B
WINTERVILLE, NC 28590
- (17A) ANA KATELYN BARNES
266 JEREMY LANE, UNIT A
WINTERVILLE, NC 28590
- (16B) MELANIE J. GUTHRIE
272 JEREMY LANE, UNIT B
WINTERVILLE, NC 28590
- (16A) DEBORAH H. EBRON
272 JEREMY LANE, UNIT A
WINTERVILLE, NC 28590
- (15B) AARON B. DRAKE
700 CHARLIE BRASWELL ROAD
GOLDSBORO, NC 27530
- (15A) JUSTIN TYLER WHICHARD
278 JEREMY LANE, UNIT A
WINTERVILLE, NC 28590
- (14B) (14A) KRISTIN C. PEREZ
282 JEREMY LANE, UNIT A
WINTERVILLE, NC 28590
- (13B) KIMBER LEGGETT
256 JEREMY LANE, UNIT B
WINTERVILLE, NC 28590
- (13A) KIMBERLY RENEE WASULA and husband
ERIC WASULA
28651 NC 308 SOUTH
ARAPHOE, NC 28510
- (42) KUHN PROPERTIES, LLC
4226 DUNHAGEN ROAD
GREENVILLE, NC 27858
- (43) JAMES T. RICKS and wife
SUSAN CLARK RICKS
2976 FOX GLOVE DRIVE
WINTERVILLE, NC 28590
- (44) BRIAN W. DACEY and wife
EILEEN M. BRUNE
2982 FOX GLOVE DRIVE
WINTERVILLE, NC 28590
- (66) (65) NOLAN COMMERCIAL CONTRACTORS, INC.
PO BOX 7227
JACKSONVILLE, NC 28540
- (67) DMS CONSTRUCTION, INC.
PO BOX 7227
JACKSONVILLE, NC 28540
- CHAPEL HILL FOUNDATION
REAL ESTATE HOLDINGS, INC.
PO BOX 21847
GREENSBORO, NC 27420
- TOWN OF WINTERVILLE
PO BOX 1459
WINTERVILLE, NC 28590
- JOHN M. OAKLEY
434 SECOND STREET
AYDEN, NC 28513
- HAPPY TRAIL FARMS, LLC
PO BOX 1863
GREENVILLE, NC 27835
- FRANKLIN R. FIELDS and
ANDREA O. FIELDS
2947 CHURCH STREET EXT.
WINTERVILLE, NC 28590
- KARL WESLEY MCLAWHORN,
LINDA V. MCLAWHORN,
KARL WESLEY MCLAWHORN, JR.,
and KARLA M. ALLEN and husband
GREGORY W. ALLEN
5111 OLD TAR ROAD
WINTERVILLE, NC 28590

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. REFERENCE: MAP BOOK 66, PAGE 188 OF THE PITT COUNTY REGISTER OF DEEDS.



- LEGEND**
- R/W = RIGHT-OF-WAY
 - EIP = EXISTING IRON PIPE
 - EIS = EXISTING IRON STAKE
 - SIP = SET IRON PIPE
 - ECM = EXISTING CONCRETE MONUMENT
 - C/L = CENTERLINE
 - DB = DEED BOOK
 - NPS = NO POINT SET
 - EPKN = EXISTING PARKER KALON NAIL
 - - - = NOT TO SCALE



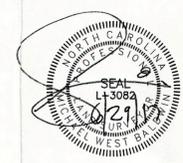
TAX PARCEL #07840
TAX MAP #4674-55-8362
A PORTION OF TAX PARCEL #07841
TAX MAP #4674-55-3958
A PORTION OF TAX PARCEL #24482
TAX MAP #4674-45-3983

CAROLINA EASTERN HOMES, LLC

REFERENCE: DEED BOOK 3192, PAGE 406 OF THE
PITT COUNTY REGISTER OF DEEDS

WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: HAPPY TRAIL FARMS, LLC
ADDRESS: P.O. BOX 1863
GREENVILLE, NC 27835
PHONE: 252-916-9028



CLDSURE CHECK BOUNDARY
CHECKED: MAH DATE: 06/19/2017

ENGINEERING - SURVEYING - PLANNING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27609 252.756.1390	SURVEYED: N/A	APPROVED: MWB
	DRAWN: MAH	DATE: 06/29/2017
	CHECKED: MWB	SCALE: 1" = 100'

Y:\DRAWINGS\2015 Drawings\15-117 CHURCH ST EXT SUBDIVISION REZONING MAP.dwg Thu, Jun 29, 2017 1:28pm MHERREION



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 11, 2017

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Tax Settlement 2016-2017.

Action Requested: Accept the tax settlement for 2015-2016 fiscal year.

Attachments: Certified Tax settlement.

Prepared By: Anthony Bowers, Finance Director

Date: 8/31/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

The State of North Carolina requires that each year the Tax Collector of a given municipality provide a settlement to the Governing Board. The settlement statement gives the Town Council a look at the collection, discoveries, and adjustment for the previous year.

Budgetary Impact: N/A.

Recommendation: Accept the Tax Settlement

**Town of Winterville
Tax Settlement
2016-2017
As of June 30, 2017**

Charges to The Tax Collector

Original Levy	\$3,200,852.56
Discoveries	\$33,791.40
Interest	\$5,315.60
Total	\$3,239,959.56

Credit to Tax Collector

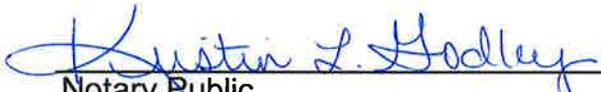
Revenues From Taxes	\$3,250,000.70
Releases	\$3,271.75
Uncollected/Insolvent	\$23,110.95
Overpayment/Refunds	(\$36,423.84)
Total	\$3,239,959.56

Respectfully Submitted,



Kiesha B. Chavis, Tax Collector

Sworn to and subscribed before me, this 31st day of July 2017.



Notary Public

June 23, 2019
My Commission Expires:





**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 11, 2017

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Charge the Tax Collector with collection of the 2017-2018 tax levy.

Action Requested: Charge the Tax Collector.

Attachments: N/A.

Prepared By: Anthony Bowers, Finance Director

Date: 8/31/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

The State of North Carolina requires that each year the Tax Collector be charged with the collection of the tax levy for taxes. This year the levy is \$ \$3,296,367.47

Budgetary Impact: \$3,296,367.47

Recommendation: Charge the Tax Collector with collection of the 2017-2018 tax levy.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item to be Considered

Subject: Reappoint Planning & Zoning Members with Expired Terms.

Action Requested: Reappoint Margie Crawford & Willie Lee Hines to Planning and Zoning Board.

Attachments: N/A.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Reappointments:

Margie Crawford: Term Expiration- 6/30/2020.

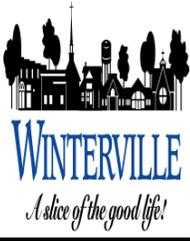
Willie Lee Hines: Term Expiration- 6/30/2020.

* The Planning and Zoning Board shall consist of ten (10) regular members and two (2) alternate members. Eight (8) of the regular members and one (1) alternate member shall reside within the corporate limits of the town at the time of their appointment. They shall be appointed by the Council. Two (2) of the regular members and one (1) alternate member shall reside outside of the corporate limits of the town, but within the limits of the extraterritorial jurisdiction (ETJ) of the town at the time of their appointment. They shall be appointed by the County Board of Commissioners.

* With the reappointment of Margie Crawford and Willie Lee Hines the Planning and Zoning Boards have eight (8) regular, corporate (Town Limit) members and one (1) regular ETJ member. One (1) regular ETJ member, one (1) alternate ETJ member, and one (1) corporate (Town Limit) alternate member positions remain open.

Budgetary Impact: N/A.

Recommendation: Reappoint Margie Crawford and Willie Lee Hines to three (3) year terms.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 11, 2017

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Budget Amendment 2017-2018-02.

Action Requested: Approve the budget amendment.

Attachments: Budget Amendment 17-18-02.

Prepared By: Anthony Bowers, Finance Director

Date: 8/28/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

This is the second budget amendment for the 2017-2018 Fiscal Year.

This amendment addresses two (2) items that were unknown at the time the budget was written. The first item addresses the increase in worker comp insurance. The major reason for the increase is due to adding position and changes in salaries over time. We will need an additional \$17,000 to cover the additional cost. These costs will be covered with the use of fund balance.

The second item is to allow the Police Department to purchase items from funds in the Unauthorized Substance Reserve (Asset Forfeiture) account. The amount needed will be used to purchase ballistic shields and mounted lights.

Budgetary Impact: The total budget amendment is \$21,400.

Recommendation: Approve the Budget Amendment



**Winterville Town Council
August 14, 2017
Special Meeting Minutes**

The Winterville Town Council met in a Special Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Douglas A. Jackson presiding. The meeting called to order, followed by the invocation by Councilwoman Roberson, which was followed by the Pledge of Allegiance. The following were present:

Mayor Douglas A. Jackson
Mayor Pro-Tem Mark Smith
Councilwoman Veronica Roberson
Councilman Johnny Moyer
Councilman John Hill
Terri L. Parker, Town Manager
Ben Williams, Assistant Town Manager
Anthony Bowers, Finance Director
Amy P. Barrow, Acting Town Clerk

APPROVAL OF AGENDA: Mayor Jackson requested approval of the Agenda.

Motion made by Councilman Hill and seconded by Councilman Moyer to approve the Agenda as presented. The motion carried unanimously.

PUBLIC HEARING:

MPO Adopt the revised Comprehensive Transportation Plan Highway Map. The stated purpose of the Public Hearing is to have the Town adopt the Resolution to have the Metropolitan Planning Organization (MPO) adopt the Comprehensive Transportation Plan Highway Map as presented. Assistant Manager Williams introduced Ryan Purtle, Transportation Planner Greenville Urban Area MPO.

Mayor Jackson declared the public hearing is open and asked for those who were in favor to come forward and speak.

Ryan Purtle stated that the Comprehensive Transportation Plan (CTP) is a five (5) map comprised packet of the MPO as a whole. The presented Highway Map is a thirty (30) year plan of desired plans moving forward. Planner Purtle reported that there are three (3) different categories applicable to this Plan: needs improvement, existing roads, or recommended to be built, along with different classifications freeway, expressway, boulevard, major thoroughfare and micro thoroughfare.

Manager Parker requested clarification on whether some of the Town projects that were high on the list are not on the list now due to Department of Transportation (DOT) already working on the projects. Planner Purtle explained that is correct such as Laurie Ellis Road Extension and Boyd Street are currently underway. He further stated that the Laurie Ellis Road Extension is still on the map as a recommendation; however, has not been built yet already has money set for the project.

Mayor Pro-Tem Smith asked when the Laurie Ellis Road Extension project was to begin. Assistant Manager Williams reported that work on the extension is supposed to begin in March 2018. He stated he would verify the proposed end date. Mayor Pro-Tem Smith wanted to know if the extension would be four (4) lanes, as well as, curb and gutter. Assistant Manager Williams confirmed the extension would be four (4) lane divided, and curb and gutter.

Assistant Manager Williams went on to explain that the CTP Map is typically updated every five (5) years; however, due to an updated traffic model that is going through this map will be revisited in two (2) years.

Councilman Moye asked if work would be done on the section (Vernon White Road intersections) between Mill Street back to Evans (Old Tar Road). Assistant Manager Williams stated there were some discussions about including utility line and roadway improvements on the Eastside of Mill Street in the Laurie Ellis Road Extension project. He further reported that due to the Railroad, some utility situation and some right-of-way acquisition that would have to occur for relocation of the utilities before the project could begin, a decision was made to eliminate that portion of the project to move ahead with the Laurie Ellis Road Extension. Assistant Manager Williams stated that the Mill Street improvements will occur at a later date, possibly with other thoroughfare projects. He further stated that he will inquire with NCDOT to coordinate and get Mill Street, Vernon White Road and Winterville Parkway area on the schedule and get a time-frame. Councilman Moye asked if the Town would be responsible for handling the items that needed to be done for the project to begin. Assistant Manager Williams confirmed the Town Staff would be responsible for the utility relocation aspect of the project.

Mayor Pro-Tem Smith asked if there any NCDOT plans to make repairs on Laurie Ellis Road in the near future. He stated the road is in bad shape. Manager Parker and Assistant Manager Williams indicated a call would be made to the NCDOT to confirm when and if the road would be repaired. Assistant Manager Williams stated there would be some improvements on the pavement. Mayor Pro-Tem Smith explained his area of concern is from Mellon Downs all the way to Church Street Extension. Assistant Manager Williams reiterated that the road needs repairs due to a lot of construction activity including dump trucks. He stated that Staff will touch base with DOT to keep them up to date on when the subdivisions are near completion.

Mayor Pro-Tem Smith stated that he noticed Cooper Street under the "Needs Improvement" section of the Map and wanted to know what the future plans were for Cooper Street and a timetable on when the projects would happen. Assistant Manager Williams stated three (3) lanes (turn lane), sidewalks and curb and gutter. Manager Parker and Assistant Manager Williams state that they believed the plans were for the very distant future. Planner Purtle reiterated that the current plan is a thirty (30) year plan that is revised every five (5) years. He reported that the main objective is that the map shows areas that need improvement and then that funnels down to the Metropolitan Transportation Plan, which funnels down to the ten (10) year improvement plan with the State. Planner Purtle stated that the main goals are to get the projects in the State's Transportation Improvement Program, which is updated every two (2) years. Mayor Pro-Tem Smith went on to state Winterville is surrounding by State Roads such as, Cooper, Main, Mill Street, Vernon White, Laurie Ellis Road and these roads are not in great shape.

Councilwoman Roberson inquired about planned Forlines Road improvements, since that would be the exit for Winterville on the new By-Pass. Manager Parker stated she believed there is a plan in place for improvements to Forlines Road. Assistant Manager Williams reiterated that Forlines Road is on the plan along with a Land Use Plan in the Southwest By-Pass corridor that includes the corridor coming into Town. Planner Purtle informed everyone of plans for the Firetower Road extension as follows:

It goes between the Sam's Club and the Community College. Reedy Branch Road and down Forlines Road all the way to the By-Pass will be part of the Firetower Road project. Firetower Road will meet at Reedy Branch Road and from there to Forlines Road in the proposed plan. May be some changes based on environment; however, that is the current plan. Firetower Road will go straight across to Warren Drive (small access road in between Sam's and Community College) to Reedy Branch Road.

Mayor Jackson stated there was talk previously about Firetower Road going behind Reedy Branch Church and tying into Forlines Road. Ryan Purtle stated the current plan will utilize the existing Reedy Branch Road and not go behind the Church.

Councilman Moye stated that Vernon White Road coming from Evans (Old Tar Road) to the stop sign at Mill Street to Highway 11; traffic is terrible in the mornings and the afternoons. He stated that there needs to be some upgrading at that intersection. Planner Purtle said the intersection is in the thirty (30) year plan as a priority to improve the intersection. Assistant Manager Williams reiterated that the intersection is on the plan and updated model information will lead toward what kind of plan will be used to improve the intersection. Councilman Moye wanted clarification as to whether there was a current plan for the intersection. Assistant Manager Williams explained that a plan had not been designed yet for the intersection. Councilwoman Roberson stated there have already been several accidents over time since that road has been built. Councilman Moye also asked about the other end of Vernon White Road that intersects with Old Tar Road and stated how it is difficult for anyone to merge onto Old Tar Road. Assistant Manager Williams stated that intersection would be realigned with the Old Tar Road widening project. He reported that the "T" intersection will become a four (4) way intersection meeting with Tabard Road going into the Canterbury Subdivision and right-of-way acquisition for the Old Tar widening project is scheduled for 2019.

Mayor Jackson declared the public hearing closed.

Motion made by Councilman Moye and seconded by Councilwoman Roberson to accept the recommendation. The motion carried unanimously.

Manager Parker welcomed Planner Ryan Purtle to the MPO and look forward to working together.

CDBG Infrastructure funds application submittal. Assistant Manager Williams explained the stated purpose of this Public Hearing is to satisfy the criteria for applying to the Community Development Block Grant (CDBG) Infrastructure Program administered through the State to assist with repair/replace water and sewer lines in town. He stated that the target areas in Town did income surveys last year; however, Staff did not submit the application due to low scores. Staff has been able to obtain additional surveys this year. He did report that two (2) streets were eliminated, Main and Grimes Street, due to the low scoring to try to strengthen the application. Assistant Manager Williams read through the following script:

***TOWN OF WINTERVILLE, NC
2017 CDBG-I Grant Application***

Public Hearing Meeting Script

August 14, 2017

Town of Winterville, NC

This public hearing on August 14, 2017 will provide an explanation and description of the 2017 North Carolina Department of Environmental Quality (NCDEQ) Community Development Block – Infrastructure Grant (CDBG-I).

We are present to discuss the purpose of the public hearing for the Town of Winterville's CDBG-I funding application. The purpose of the public hearing is to obtain citizen's views and to allow response from the public to funding proposals and answer any questions posed by citizens. This public hearing will cover the Town's community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town's CDBG-I funding application to the state of the North Carolina.

The Town proposes to request funding from NCDEQ'S CDBG-I program for 2017 CDBG-I Water and Sewer Improvements. The purpose of the CDBG-I grant program is:

To improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- *To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.*
- *To perform eligible activities.*
- *To minimize displacement, and*
- *Provide displacement assistance as necessary.*

For the fiscal year of the CDBG-I funding available for Fall 2017 is expected to be \$21 million. The maximum available grant is \$2.0 million over a 3-year period. Applications for funding will be received September 30, 2017.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund two activities: water and sewer infrastructure, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure activities, including, but not limited to the, following:

Water:

- *Projects that resolve water loss in distribution systems.*
- *Projects that extend public water to areas with contaminated wells.*
- *Projects that extend water lines to areas with dry wells.*
- *Projects that assist with low water pressure in public water systems.*
- *Projects that regionalize two or more water systems.*
- *Project that rehabilitate or replace a water treatment plant.*

Wastewater:

- *Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.*
- *Projects that extend public sewer to areas with failed septic tanks.*
- *Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.*

The Town is seeking an amount in CDBG-I funds not to exceed \$2,000,000 for Water and Sewer System Improvements. The purpose of the Town's request is to replace and rehabilitate water and sewer lines.

The project proposed by the Town of Winterville is identified in the Capital Improvement Plan 2016. Informal community meetings were held in the project area to inform citizens of the potential project, and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the Town of Winterville has been determined to have an Income Survey Area LMI of 51%. The project area includes portions of Hammond St., Myrtle St., Tyson St., Blount St., Jones St., and Railroad St.

The range of activities covered by the CDBG-I funds for the 2017 CDBG-I Water and Sewer System Improvements includes:

- *Construction.*
- *Environmental Review*
- *Engineering Design*
- *Construction Administration and observation.*
- *Legal activities.*
- *Surveying.*
- *Grant Administration.*

If Town of Winterville is awarded a CDBG-I grant, the Town is required to adhere to federal procurement requirements and other federal regulations which include:

- *American with Disabilities Act/Section 504 Survey*
- *Davis-Bacon & Related Labor Acts*

- *Adoption/Submittal of a Citizen's Participation Plan*
- *Adoption/Submittal of an Equal Opportunity Plan*
- *Adoption/Submittal of a Fair Housing Plan*
- *Adoption/Submittal of a Language Access Plan*
- *Adoption/Submittal of a Relocation Assistance Plan*
- *Adoption/Submittal of a Section 3 Plan*
- *Excess Force Provision*

The State of North Carolina requires that if the Town of Winterville receives CDBG grant funding that the town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. If no displacement and relocation will occur as a result of the proposed CDBG grant activity, then the Town of Winterville confirms that during this public hearing.

The Town will submit its CDBG-I application for the 2017 CDBG-I Water and Sewer System Improvements on September 30, 2017. The CDBG-I application will be available for review during normal business hours at 2571 Railroad Street, Winterville, NC 28590. Additional information is available from the Town Manager's Office located at 2571 Railroad Street, Winterville, NC 28590.

Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within 10 business days or by August 24, 2017 and a written response to the written complaints and/or grievances will be sent by the Town within 10 business days, where practicable.

We open the floor for comments and questions about the CDBG program, and about the proposed project.

Councilwoman Roberson questioned who would administer the grant. Assistant Manager Williams explained a combination of Finance Director Bowers, Consultant, Assistant Manager Williams and CDBG Staff that would administer any grant. Councilwoman Roberson wanted to know what consultant group is being used on the project. Assistant Manager Williams stated currently using Rivers & Associates on preparing the application for the grant; whoever, is awarded the project for design and construction administration would also be included in that contract scope grant administration. Councilwoman Roberson asked if Rivers & Associates made proposals for the grant preparation. Assistant Manager Williams stated currently Rivers & Associates is working pro bono on the project.

Mayor Jackson declared the public hearing open.

Councilman Moye asked if the Town had applied for this previously. Assistant Manager Williams reminded Council that Staff made an effort to submit the application last year; however, due to the lack of response from the income surveys, which is a largest component of the project, the Town opted not to turn in an application for that funding cycle. He stated that had the Town submitted the application

last year it would not have met the threshold, but Staff has modified the project area to increase the low to moderate-income percentages, which increases the Town's scoring needed to submit the application. Councilman Moyer asked if our citizens who have a part in the process with completing income surveys, income would become public. Assistant Manager Williams went on to explain that citizens income would not be subject to the freedom of information act, income information is anonymous when submitted in the application.

Councilman Hill asked Assistant Manager Williams if Staff has received a significant number of surveys to submit with the application this year. Assistant Manager Williams stated Staff feels the submittal is significantly more competitive; however, just not sure what other areas will be submitting. He reported that some of the areas that submitted last year had 100% of the project area was low to moderate income, which is a "grand slam". He said the Town has about 70% of the project area as low to moderate income for submittal this year. Assistant Manager Williams explained the grant is based on the scoring, and not based on a geographic area. There is one (1) grant per applicant.

Councilwoman Roberson offered to assist Staff with speaking with some of the residents, since she knows many of the residents. Assistant Manager Williams reiterated that Staff will continue to work on the process for the next month and a half before submitting the grant application.

Councilman Moyer asked if the grant is awarded to the Town is the money ear-marked toward the sewer or the water. Assistant Manager Williams exclaimed the money would be for both sewer and water. He also wanted to know if these areas are upgraded will that assist with flooding issues. Assistant Manager Williams stated the upgrades will not impact stormwater only water and sewer and will not help with flooding issues.

Mayor Jackson closed the public hearing.

Motion made by Councilwoman Roberson and seconded by Councilman Hill to approve submittal of CDBG application. The motion carried unanimously.

ITEMS FOR DISCUSSION:

Resolution of Reimbursement – Recreation Vehicles.

Motion made by Mayor Pro-Tem Smith and seconded by Councilman Hill to approve the resolution of reimbursement for recreation vehicles. The motion carried unanimously.

Engineering Services Agreement for Church Street Pump Station Rehabilitation – Rivers & Associates, Inc. Assistant Manager Williams spoke to Council about Church Street Lift Station replacement of control panel approved a contract for Dibble & Pledger to design and bid construction administration for the replacement of the Church Street Lift Station panel. He reported that Staff was able to acquire some Golden Leaf money to do some additional improvements at the lift station. Assistant Manager Williams stated that the item before Council is to approve the amended Engineering contract with the electrical engineer Dibble & Pledger to include the additional improvements that will be funded through the Golden Leaf funds. He reported the additional engineering fees is \$30,736.00 bringing the total engineering cost to \$43,336.00.

Mayor Jackson asked if a repair to the line from Church Street Lift Station to Highway 11, is included in the project. Assistant Manager Williams explained that Staff worked diligently in probably the hottest week of the year, to replace the force main from Church Street Lift Station to Highway 11

Motion made by Mayor Pro-Tem Smith and seconded by Councilman Hill to approve the amended engineering contract for Church Street Pump Station Rehabilitation. The motion carried unanimously.

Councilman Moyer asked Manager Parker with where the extra funds would come from for the project. Assistant Manager Williams stated the additional engineering fees were factored into the Golden Leaf estimate including the construction and engineering.

Motion made by Councilman Hill and seconded by Councilman Moyer. The motion carried unanimously.

Adopted this the 11th day of September, 2017.

Douglas A. Jackson, Mayor

ATTEST:

Amy P. Barrow, Acting Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Meeting Date: September 11, 2017
Presenter: Terri L. Parker, Town Manager

Item Section: Old Business

Item to be Considered

Subject: Request from Gary Brock (406 Vernon White Road) for Reimbursement of Water and Sewer Fees.

Action Requested: Council Direction.

Attachments: Copy of Mr. Brock's Request.

Prepared By: Terri L. Parker, Town Manager

Date: 9/7/2017

ABSTRACT ROUTING:

TC FD TM 9/7/2017 Final 9/7/2017

Supporting Documentation

Mr. Gary Brock who is building a home at 406 Vernon White Road is requesting a reimbursement of fees. Council is aware of this situation and Staff requests direction on the request.

Budgetary Impact: Reimbursement is outlined in Mr. Brock's request.

Recommendation: N/A.

August 31, 2017

Ms. Terri L. Parker
Town Manager
Town of Winterville

Re: 406 Vernon White Road

Ms. Parker and Town of Winterville Council

My wife and I are requesting the reimbursement of Town of Winterville sewage connection fees in the amount of \$4,953.29 and recombination and annexation map expenses totaling \$850.00. The fee and expense reimbursement request totals \$5,803.29.

Background:

The Town of Winterville issued a building permit on May 5, 2017 with an approved septic tank issued by Pitt County Environmental Health for 406 Vernon White Road. 406 Vernon White Road is located within the Winterville ETJ and as of this date has not been formally annexed into the Town of Winterville.

Issues:

Upon request for a water connection by Biggs Construction, Inc. on May 12th subsequent to the May 5th building permit issuance, the Town of Winterville informed us that to obtain water connection we would be required to petition the Town of Winterville for annexation. On or about May 18th we were further informed by the Town of Winterville that we would be required to connect to the Town of Winterville sewage system even though we had an approved Pitt County Septic Tank permit. We were further informed that due to the subdivision of .9 acres from 8 acres and the non-compliance of the remaining back lot with the ordinance which requires a 30 ft road frontage as opposed to a 10 ft. road frontage, we would be required to recombine the lots.

Basis for request:

Based on Town of Winterville Ordinances, it appears it is not a requirement to be annexed into the Town of Winterville to obtain water connection. Further, based on Town of Winterville ordinances, it appears the Town allows a permitted septic tank in lieu of sewer connection. It is noted the Town of Winterville approved the building permit with the approved Pitt County septic tank permit.

The Town of Winterville did not provide us with the option to petition the Town Council for water connection approval without being annexed into the Town of Winterville. Also pursuant to Town of Winterville practices it appears we could have petitioned to Planning and Zoning for a variance of the required 30 ft. road frontage, which if approved would have negated the necessity for the recombination maps. The Town of Winterville did not provide us with the option to petition Planning and Zoning for a road frontage variance.

(1) Town of Winterville Code Title V Chapter 52.23 states: No connection of any water or sewer line or system outside of town shall be made to any part of the town water or sewer system without special permission of and on terms as the Board shall prescribe. The Town of Winterville did not disclose that we could petition the Winterville Council for water connection without being annexed. We did not need sewer connection due to the approved septic tank permit.

(2) Town of Winterville Code Title V Chapter 52.43 states: Water shall not be furnished to consumers outside the town except at the terms and conditions as may be approved in each case by the Board. The Town of Winterville did not disclose that we could petition the Winterville Council for water connection without being annexed. Once again sewer connection was not necessary as an approved septic tank permit had been issued.

(3) Town of Winterville Code Title V Chapter 52.68 states: Where a proposed building is to be located and constructed where connection cannot be reasonably made with the public sewer line, the owner may install a septic tank or privy, the specifications of which have been approved by the State Board of Health and a permit issued therefore by the Town Clerk. We do not believe that \$10,943.29 (\$5,990.00 sewage grinder pump system – required by the Town of Winterville + \$4,953.29 connection fees) is a reasonable connection. The cost plus construction budget for the septic tank for 406 Vernon White Road is \$4,000.00.

(4) The single family residences on either side of 406 Vernon White Road, 398 Vernon White Road and 414 Vernon White Road, are not in the Town of Winterville, have septic systems and have Town of Winterville water connection.

Based on #1 - #4 we respectfully request the Town Council to approve the reimbursement of \$5,803.29 of incurred expenses either by direct remittance or in the form of a property tax credit.



Ellen Buck



PITT COUNTY
 ENVIRONMENTAL HEALTH
 1717 W. 5th Street
 Greenville, NC 27834-1696
 Office (252) 902-3200
 Fax (252) 902-3208

Call to meet 1 day ahead
 IMPROVEMENT PERMIT

Type of Inspection: Evaluation for a New Septic System
 Appointment Requested: Yes
 Date Site Ready: 3/27/2017
 Fees Paid: Yes

Application Date: 03/24/2017

Project Number: PRJ2017-117337

Application Number: WLS2017-105351

Applicant:
 BIGGS CONSTRUCTION
 PO BOX 3621
 GREENVILLE, NC 27858
 Eddie Biggs
 (252) 714-8718

Owner:
 JACK THOMAS BROCK
 BROCK LAVERNE JOYNER
 414 VERNON WHITE RD
 WINTERVILLE, NC 28590

Site Address: 406 Vernon White Rd.

Tax Parcel #(s): 83616
~~53424~~

Subdivision Name:

Lot #:

Block/Phase:

Directions to Site: Directions - Total Distance: 5.96; Start at 1717 W 5th ST.; Go north on HOSPITAL DR toward W 6TH ST; Turn right on W 6TH ST; Turn right on S MEMORIAL DR; Continue on WINTERVILLE PK; Continue on NC 11 S; Turn left on VERNON WHITE RD; Finish at 0 VERNON WHITE RD - DIRECTLY BESIDE 398 VERNON WHITE RD, on the right; LOT WILL BE FLAGGED/STAKED

Date of Evaluation 4-11-17

System Type 2C

Tank Size 1000 gal

Nitrification Field 1200 ft sq Equiv.

Pump Tank N/A gal unless becomes needed

Trench Bottom Depth 12 in

Grease Trap N/A gal

Estimated Flow 480 gpd

Remarks: System and repair Areas Flagged 4-12-17. see
Construction Authorization sketch for details.
Install 4-75' x 3' 25% Reduc. Type drainlines with
trench bottoms 12" below ground. Cover with
6"-8" soil cap.

Permit Reference #'s -

An Authorization to Construct a wastewater system must be obtained from Environmental Health before construction of the wastewater system begins. Depending on the system design, an additional fee may be charged before the Authorization to Construct can be issued.

Date Issued: 4-21-17 Environmental Health Specialist Mark W. Murray, R.E.H.S.

(GS130A-335) This Improvement Permit is subject to revocation if the site is altered or if the site plan or intended use change.

Improvement Permit Valid No Expiration Five (5) Years

(WINTERVILLE)
 No Flood
 No Backup
 (232)
 5/24/17



PITT COUNTY
ENVIRONMENTAL HEALTH
 1717 W. 5th Street
 Greenville, NC 27834-1696
 Office (252) 902-3200
 Fax (252) 902-3208

APPLICATION FOR IMPROVEMENT PERMIT

Type of Inspection: Evaluation for a New Septic System
 Appointment Requested: Yes
 Date Site Ready: 3/27/2017
 Fees Paid: Yes

Application Date: 03/24/2017 Project Number: PRJ2017-117337 Application Number: WLS2017-105351

Applicant:
 BIGGS CONSTRUCTION
 PO BOX 3621
 GREENVILLE, NC 27858

(252) 714-8718

Owner:
 JACK THOMAS BROCK
 BROCK LAVERNE JOYNER
 414 VERNON WHITE RD
 WINTERVILLE, NC 28590

Site Address:

Tax Parcel #(s): 53424 83616

Subdivision Name:

Lot #: Block/Phase:

Directions to Site: Directions - Total Distance: 5.96; Start at 1717 W 5th ST.; Go north on HOSPITAL DR toward W 6TH ST; Turn right on W 6TH ST; Turn right on S MEMORIAL DR; Continue on WINTERVILLE PK; Continue on NC 11 S; Turn left on VERNON WHITE RD; Finish at 0 VERNON WHITE RD - DIRECTLY BESIDE 398 VERNON WHITE RD, on the right; LOT WILL BE FLAGGED/STAKED

Water Supply: Winterville

Are there any existing wells or springs on this property? No

Type Use: House

If Residential Proposed # of Bedrooms: 4 Existing # of Bedrooms:

If Commercial # of Children: # of Employees: # of Seats:

- Does the site contain any previously identified jurisdictional wetlands? No
- Does the site contain any existing wastewater systems? No
- Is any wastewater going to be generated on the site other than domestic sewage? No
- Is the site subject to approval by any other public agency? Yes
- Are there any known easements or right-of-ways on this property? No

I have read this application and certify that the information provided herein is true, complete and correct. Authorized county and state officials are granted right of entry to conduct necessary inspections to determine compliance with applicable laws and rules. I understand that I am solely responsible for the proper identification and labeling of all property lines and corners and making the site accessible so that a complete site evaluation can be performed. If the information in the application for an Improvement Permit is falsified, changed, or the site is altered, then the Improvement Permit and Authorization to Construct shall become invalid.

Edmund D. Bygg

 Applicant's Signature

Date: 3/24/17

Application Valid for Six (6) Months

- Received 3-27-17. Applicant called me same day. <mmw>
- Visited 4-11-17 <mmw>
- re-visit 4-12-17 (Flags) Flagged stream buffer, SYS, & Repair Area <mmw>
- on hold for survey of flags 4-12-17 to 4-20-17. Applicant applied for CA w/ only Tank location surveyed (white) <mmw>
- ISSUED IP & CA same date 4-21-17 <mmw>

CONSTRUCTION AUTHORIZATION

Pitt County Env Health WLS2017-105351

1717 W. 5th Street, Greenville, NC 27834-1696 Office (252) 902-3200, Fax (252) 902-3208



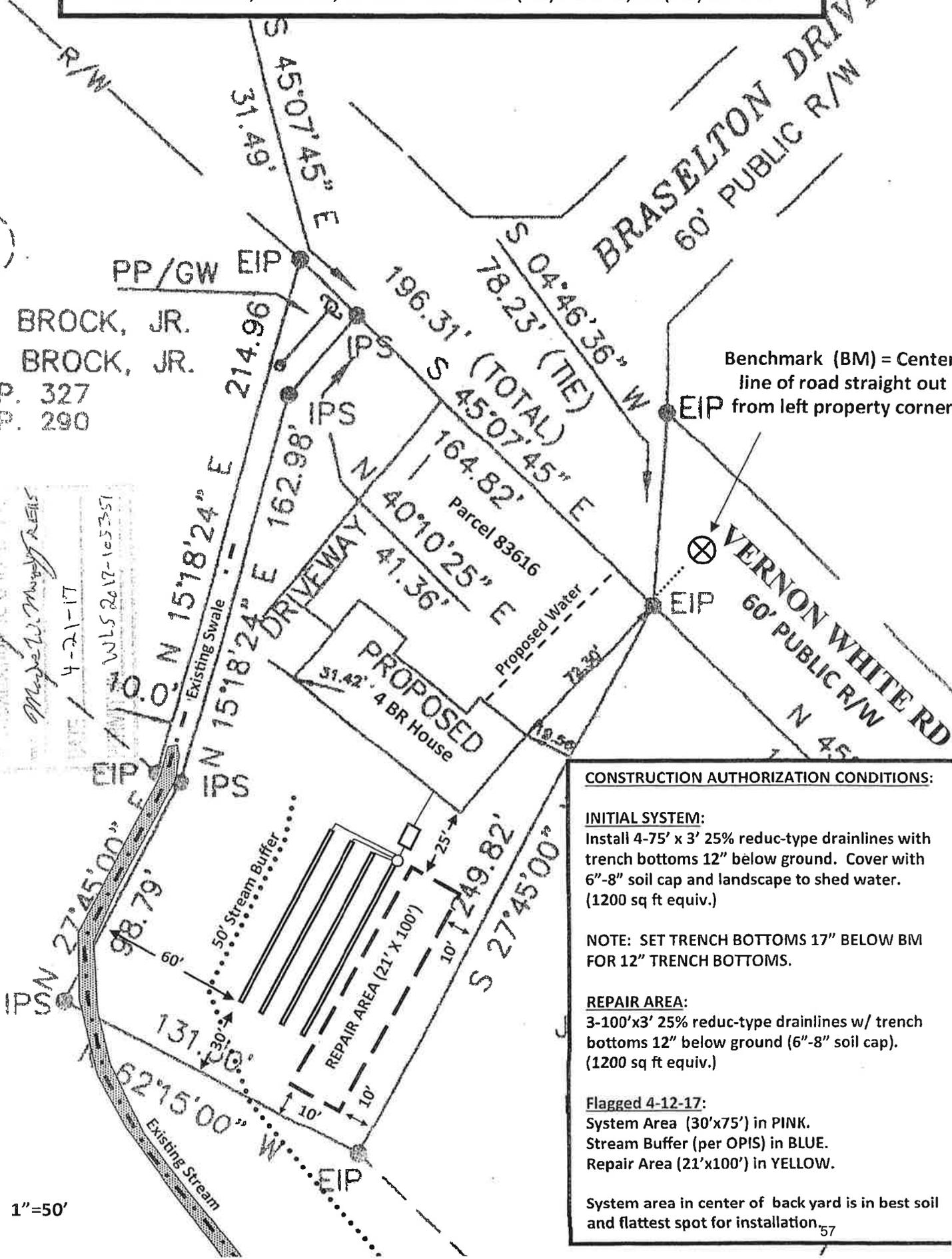
3

W. L. BROCK, JR.
 A. M. BROCK, JR.
 52, P. 327
 45, P. 290

Made W. Murphy A.E.I.S.

4-21-17

WLS 2017-105351



Benchmark (BM) = Center line of road straight out from left property corner

CONSTRUCTION AUTHORIZATION CONDITIONS:

INITIAL SYSTEM:
 Install 4-75' x 3' 25% reduc-type drainlines with trench bottoms 12" below ground. Cover with 6"-8" soil cap and landscape to shed water. (1200 sq ft equiv.)

NOTE: SET TRENCH BOTTOMS 17" BELOW BM FOR 12" TRENCH BOTTOMS.

REPAIR AREA:
 3-100'x3' 25% reduc-type drainlines w/ trench bottoms 12" below ground (6"-8" soil cap). (1200 sq ft equiv.)

Flagged 4-12-17:
 System Area (30'x75') in PINK.
 Stream Buffer (per OPIS) in BLUE.
 Repair Area (21'x100') in YELLOW.

System area in center of back yard is in best soil and flattest spot for installation.

SCALE: 1"=50'

STALLINGS CO.

PRECAST CONCRETE PRODUCTS
MANUFACTURING & INSTALLATIONS

P: 252-756-0267 P.O.Box 3972 www.stallingscompany.com
F: 252-321-8440 Greenville, NC 27836 info@stallingsco.com

Estimate

Date	Estimate #
7/19/2017	367

BIGGS CONSTRUCTION COMPANY
P O Box 3621
Greenville NC 27836

NC Certification #5024, Grade IV

Project

Vernon White Rd.

Description	Qty	Cost	Total
<p>Install a STEP tank system to include a 2hp 220 grinder pump, 220 panel installed by our certified electrician, forcemain to the road and tied into city connection, MH ring and cover, and all necessary parts for system.</p> <p>This system will meet the requirements of the Town of Winterville and will be inspected as needed</p>		5,990.00	5,990.00

Note: Fencing, Landscaping, Plumbing, Tree removal, Electrical from building, Damage to concrete drives or underground utilities NOT included.
De-watering and or shoring hole not included.

Thank you very much for your time and consideration.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon write orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by workers compensation and liability insurance.

Subtotal

\$5,990.00

Sales Tax (7.0%)

\$0.00

Total

\$5,990.00

Eddie Biggs
 (252) 714-8718

Parcel #83616

406 Vernon White Road

Water service = \$450 for ¾"

Sewer Service = \$3,953.29 *

Acreage Fee = \$810

Access Fee (Tap) = \$3,143.29

3953.29
 # 1000.00

✓ TOTAL = \$4,403.29

✓ CMSD = \$1,000 ✗

4953.29

TAP FEE BREAKDOWN

<u>Item</u>	<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Cost</u>
1	6	HR Supervisor truck	\$ 16.50	\$ 99.00
2	6	HR Crew Cab truck w/ trailer	\$ 21.60	\$ 129.60
3	6	HR Mini excavator	\$ 70.00	\$ 420.00
4	1	HR Director	\$ 50.99	\$ 50.99
5	6	HR Supervisor	\$ 37.17	\$ 223.02
6	18	HR Laborer	\$ 24.81	\$ 446.58
7	1	LS Materials	\$ 1744.10	\$ 1744.10
8	1	TN 57 Stone	\$ 30.00	\$ 30.00
Total				\$ 3,143.29

Town of Winterville

JUL 24 2017

PAID

RECEIPT DATE 07-24-17 No. 591132

RECEIVED FROM Biggs Construction (Pd by Ellen Brock) \$ 4,403.29

Four thousand four hundred three and 29/100 DOLLARS

FOR RENT
 FOR \$450 WA bp, \$810 SW fee, \$3143.29 SW bp

ACCOUNT	<u>4403.29</u>	<input type="radio"/> CASH	# <u>9229</u>
PAYMENT	<u>4403.29</u>	<input checked="" type="radio"/> CHECK	FROM _____ TO <u>406 Vernon White Rd Parcel B3616</u>
BAL. DUE	<u>—</u>	<input type="radio"/> MONEY ORDER	BY <u>Allen</u>
		<input type="radio"/> CREDIT CARD	

3-11

Town of Winterville

JUL 24 2017

RECEIPT DATE 07-24-17 No. 591133

RECEIVED FROM Biggs Construction (Pd by Ellen Brock) \$ 1000.00

One thousand and no/100 DOLLARS

FOR RENT
 FOR CMSD

ACCOUNT	<u>1000.00</u>	<input type="radio"/> CASH	# <u>9230</u>
PAYMENT	<u>1000.00</u>	<input checked="" type="radio"/> CHECK	FROM _____ TO <u>406 Vernon White Rd Parcel B3616</u>
BAL. DUE	<u>—</u>	<input type="radio"/> MONEY ORDER	BY <u>Allen</u>
		<input type="radio"/> CREDIT CARD	

3-11

Customer Name

Gary & Ellen Brock

Location of Lot/House

Vernon White Rd.

Item	Original Estimate	Change Orders	Total Estimated
01 Lot	0.00		0.00
02 Building Preparation			
02 Building Preparation:02.01 Lot Surveying & Engineering	300.00		300.00
02 Building Preparation:02.02 Site Work	3000.00		3000.00
02 Building Preparation:02.03 Bldg Permits & Tap Fees	1000.00		1000.00
02 Building Preparation:02.04 Builders Risk Insurance	400.00		400.00
02 Building Preparation:02.05 Pest Control	500.00		500.00
02 Building Preparation:02.06 Plans			0.00
02 Building Preparation:02.07 Utilities	2500.00		2500.00
03 Foundation			
03 Foundation:03.01 Labor - Dig	1200.00		1200.00
03 Foundation:03.02 Labor - Mason	1960.00		1960.00
03 Foundation:03.03 Concrete	2300.00		2300.00
03 Foundation:03.04 Sand/Backfill	2000.00		2000.00
03 Foundation:03.05 Rock			0.00
03 Foundation:03.06 Labor-Concrete Slab	2800.00		2800.00
03 Foundation:03.07 Concrete Slab	4200.00		4200.00
04 Materials			
04 Materials:04.01 Building Materials	59000.00		59000.00
04 Materials:04.02 Brick	6176.00		6176.00
04 Materials:04.03 Labor - Brick Mason	9965.00		9965.00
04 Materials:04.04 Labor - Roof Shingles	2000.00		2000.00
04 Materials:04.05 Framing	14140.00		14140.00
04 Materials:04.06 Roofing Materials			0.00
04 Materials:04.07 Trim Materials			0.00
04 Materials:04.08 Stonework	8640.00		8640.00
05 Components			
05 Components:05.01 Plumbing Labor	7575.00		7575.00
05 Components:05.02 Heating & Air	11650.00		11650.00
05 Components:05.03 Elec. Rough In & Labor	9419.00		9419.00
05 Components:05.04 Insulation	3853.00		3853.00
05 Components:05.05 Sheetrock	8422.00		8422.00
05 Components:05.06 Interior Trim	5573.00		5573.00
05 Components:05.07 Interior Painting	7959.00		7959.00
05 Components:05.08 Vinyl Siding	2200.00		2200.00
05 Components:05.08 Vinyl Siding:05.08.01 Labor - Vinyl Siding	4425.00		4425.00
05 Components:05.09 Gutters	1500.00		1500.00

Item	Original Estimate	Change Orders	Total Estimated
06 Porch			
06 Porch:06.01 Steel			0.00
06 Porch:06.02 Porch - Concrete			0.00
06 Porch:06.03 Porch - Labor			0.00
06 Porch:06.04 Rails Vinyl/Iron			0.00
06 Porch:06.05 Brick			0.00
06 Porch:06.06 Screen Porch Labor			0.00
06 Porch:06.07 Porch Materials			0.00
07 Fireplace			0.00
08 Tile Labor			0.00
09 Garage & Driveway			
09 Garage & Driveway:09.01 Garage concrete	1053.00		1053.00
09 Garage & Driveway:09.02 Garage Labor	630.00		630.00
09 Garage & Driveway:09.03 Garage Doors	2000.00		2000.00
09 Garage & Driveway:09.04 Driveway Concrete	3510.00		3510.00
09 Garage & Driveway:09.05 Driveway Labor	2500.00		2500.00
09 Garage & Driveway:09.06 Labor - Dig			0.00
09 Garage & Driveway:09.07 Garage Trim			0.00
10 Wooddeck			0.00
11 Septic Tank	4000.00		4000.00
12 Other			
12 Other:12.01 Portable Toilet	360.00		360.00
12 Other:12.02 Exterior Cleanup	1200.00		1200.00
12 Other:12.03 Maid Service	500.00		500.00
12 Other:12.04 Miscellaneous			0.00
12 Other:12.05 Loan Origination Fee			0.00
12 Other:12.06 Equipment Rental			0.00
12 Other:12.07 Maint. Fee			0.00
13 Allowances			
13 Allowances:13.01 Plumbing Fixtures	4088.00		4088.00
13 Allowances:13.02 Light Fixtures	2500.00		2500.00
13 Allowances:13.03 Cabinets & Tops	14000.00		14000.00
13 Allowances:13.04 Tile			0.00
13 Allowances:13.05 Carpet	3600.00		3600.00
13 Allowances:13.13 Vinyl Flooring	5170.00		5170.00
13 Allowances:13.07 Hardwood			0.00
13 Allowances:13.08 Wallpaper			0.00
13 Allowances:13.09 Central Vac/Sec/Stereo	500.00		500.00
13 Allowances:13.10 Appliances	6700.00		6700.00
13 Allowances:13.11 Landscaping	5000.00		5000.00
13 Allowances:13.11 Landscaping:13.11.1 Landscape/Sod			0.00
13 Allowances:13.11 Landscaping:13.11.2 Lawn Maintenance			0.00
13 Allowances:13.12 Bath Hardware	200.00		200.00



Biggs Construction, Inc.

Item	Original Estimate	Change Orders	Total Estimated
13 Allowances:13.16 Shower Hardware	800.00		800.00
13 Allowances:13.14 Irrigation			0.00
13 Allowances:13.15 Customer Specific Allow.			0.00
13 Allowances:13.24 Hardware			0.00
13 Allowances:13.17 Mirror & Glass	450.00		450.00
13 Allowances:13.18 Fence			0.00
13 Allowances:13.19 Patio Stamp Concrete			0.00
13 Allowances:13.20 Laminate Flooring			0.00
13 Allowances:13.21 Window Treatment			0.00
13 Allowances:13.22 Door Hardware	1000.00		1000.00
13 Allowances:13.23 Window Shutters			0.00
17 Furnishings			0.00
18 Pool			0.00
Total Estimated Cost			\$244,418.00
Percent Markup		10%	\$24,441.80
Estimated Cost + Markup			\$268,859.80

GARY J BROCK
ELLEN R BROCK
 5922 REEDY BRANCH RD
 WINTERVILLE, NC 28590

9232
66-1233/531

7/30/17
Date

Pay to the Order of: Coastal Carolina Survivors \$ 850.00
Eight hundred fifty & 00/100 Dollars

Select Bank & Trust
 Greenville, NC 27858

For: 1727 2012009 [Signature]

SELECT BANK & TRUST
603 64

FOR DEPOSIT ONLY
 COASTAL CAROLINA SURVIVORS PLLC
 BY ORDER OF
 SELECT BANK & TRUST OF NC



**Town of Winterville
Town Council
Agenda Abstract**

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item Section: Old Business

Item to be Considered

Subject: Permitted & Conditional Use Workshop Changes to Agricultural-Residential (A-R) District.

Action Requested: Accept Report and Council Direction if Applicable.

Attachments: A-R Compiled Motions During Workshop.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final

Supporting Documentation

The Winterville Planning and Zoning Board (P&Z) met with the Winterville Town Council to discuss changes to the A-R district. P&Z passed several motions as a recommendation for council to change selected A-R Permitted and Conditional Uses. The list below gives a quick overview of the changes. The attached document supplies a more detailed description. P&Z gave final overview of the list below at their April meeting and passed a motion as a recommendation to council.

Permitted Use Changes:

1. It is recommended that the “Class A Single Family” permitted use be removed as a permitted use within the A-R district.
2. It is recommended that the “Class B Single Family” permitted use be removed within the A-R district.
3. It is recommended that the “Shooting Ranges, Outdoor, Local Government Only” permitted use be removed within the A-R district.
4. It is recommended that the “Landscaping Services, Farm Supplies and Stables” permitted uses be removed within the A-R district- these uses are part of the “Farm Related Enterprises” category of uses.

Conditional Use Changes:

5. It is recommended that the “Class A Single Family” use to be added as a conditional use within the A-R district. Special Requirement 3 will still apply.
6. It is recommended that the “Refrigerator or Large Appliance Repairs” conditional use be removed as a use within the A-R district.

Budgetary Impact: N/A.

Recommendation: Send Staff back to work on the items left to complete on this matter.

Planning & Zoning and Town Council Workshop

February 21, 2017 @ 6:30.

The Winterville Town Council met with the Winterville Planning and Zoning Board (P&Z) on February 21, 2017 to discuss the Agricultural-Residential (AR) Zoning Districts Permitted and Conditional Uses. The following six (6) items were voted upon and were passed by the Planning and Zoning Board after discussion with the Winterville Town Council- these items serve as a recommendation for adoption by Town Council. The compiled list, below, along with any special requirements was presented to the Planning and Zoning for final approval at their April 17, 2017 Planning and Zoning Meeting. The Following received final approval from the P&Z Board for recommendation to council.

Permitted Use Changes: (4 Changes)

- 1.** It is recommended that the “Class A Single Family” permitted use be removed as a permitted use within the A-R district.
- 2.** It is recommended that the “Class B Single Family” permitted use be removed within the A-R district.
- 3.** It is recommended that the “Shooting Ranges, Outdoor, Local Government Only” permitted use be removed within the A-R district.
- 4.** It is recommended that the “Landscaping Services, Farm Supplies and Stables” permitted uses be removed within the A-R district- these uses are part of the “Farm Related Enterprises” category of uses.

Conditional Use Changes: (2 Changes)

- 5.** It is recommended that the “Class A Single Family” use to be added as a conditional use within the A-R district. Special Requirement 3 will still apply.

Special Requirement 3: (This Special Requirement Already Exist Within our Zoning Ordinance.)

SR 3. Class A Mobile Home on Individual Lot:

- a. The mobile home shall have a length not exceeding four times its width.
- b. The mobile home shall be at least 20 feet side.
- c. The pitch of the mobile home’s roof shall have a minimum vertical rise of two and two tenths feet for each twelve feet of horizontal run (2.2’ in 12’) and the roof shall be finished with a type of shingle that is commonly used in standard residential construction.
- d. The exterior siding shall consist predominantly of vinyl or aluminum horizontal lap siding (that does not exceed the reflectivity of gloss white paint), wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
- e. A continuous, permanent masonry foundation, unpierced except for required ventilation and access, shall be installed under the mobile home.

- f. The tongue, axles, transporting lights, and removable towing apparatus are removed subsequent to final placement.
 - g. The mobile home shall be placed on land owned by the owner of the mobile home. The mobile home shall be listed and taxed as real property.
 - h. The mobile home shall be oriented so that the longest measurement shall be no more than twenty (20) degrees from parallel to the front property line, except on corner lots. The front of the mobile home shall face the front property line. The front of the mobile home is that side which has an entrance door leading to a living room, foyer, or hall and is the longer dimension of the mobile home's sides.
- 6.** It is recommended that the “Refrigerator or Large Appliance Repairs” conditional use be removed as a use within the A-R district.

Definitions: These already exist within our Zoning Ordinance

Mobile Home. A dwelling unit that (i) is not constructed in accordance with the standards set forth in the North Carolina State Building Code, and (ii) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis, and (iii) exceeds forty (40) feet in length and eight (8) feet in width.

Mobile home, class “A”. A multi-sectional mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the additional criteria for Class “A” mobile homes contained in Article IX.

Mobile home, class “B”. A mobile home constructed after July 1, 1976 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect as the time of construction.

Mobile Home, class “C”. A mobile home which does not meet the Class “A” or Class “B” definitions.

Mobile home park. A lot(s) or tract(s) of land used or intended to be used, leased or rented for occupancy by mobile homes in conformity with the mobile home park provision of this Ordinance.

Mobile home park, non-conforming. A lot(s) or tract(s) of land used or intended to be used, leased or rented for occupancy by two (2) or more mobile homes sharing common ownership and/or facilities and which do not qualify as individual mobile homes on individual lots and which park is not in conformance with all the requirements for the initial establishment for a mobile home park as defined above.



**Town of Winterville
Town Council
Agenda Abstract**

Meeting Date: September 11, 2017
Presenter: Terri L. Parker, Town Manager

Item Section: New Business

Item to be Considered

Subject: Request Winterville Machine Works for Relocation of Storm Water Line.

Action Requested: Council Direction.

Attachments: Copy of Winterville Machine Work's Request.

Prepared By: Terri L. Parker, Town Manager

Date: 9/7/2017

ABSTRACT ROUTING:

TC FD TM 9/7/2017 Final 9/7/2017

Supporting Documentation

Winterville Machine Works is expanding their business on Mill Street and need a storm water line belonging to the Town relocated. WMW is requesting that the Town move the line and pay the associate costs of said relocation. Council is aware of this situation and Staff requests direction on the request.

Budgetary Impact: Relocation is in excess of \$50,000.

Recommendation: N/A.

August 15, 2017

Town of Winterville
2571 Rail Road Street
Winterville, N.C. 28759

Attn: Terri Parker

Dear Ms. Parker,

We are in the process of designing and building a 15,000 square foot building and discovered an underground storm drainage line in the middle of our property which we cannot build the proposed building. We meet with you and your Public Works department to find an alternate route for the storm water to travel.

There is a large expense in moving the drainage and we would like to meet with the Town Council to discuss the town paying for this change.

Yours truly,

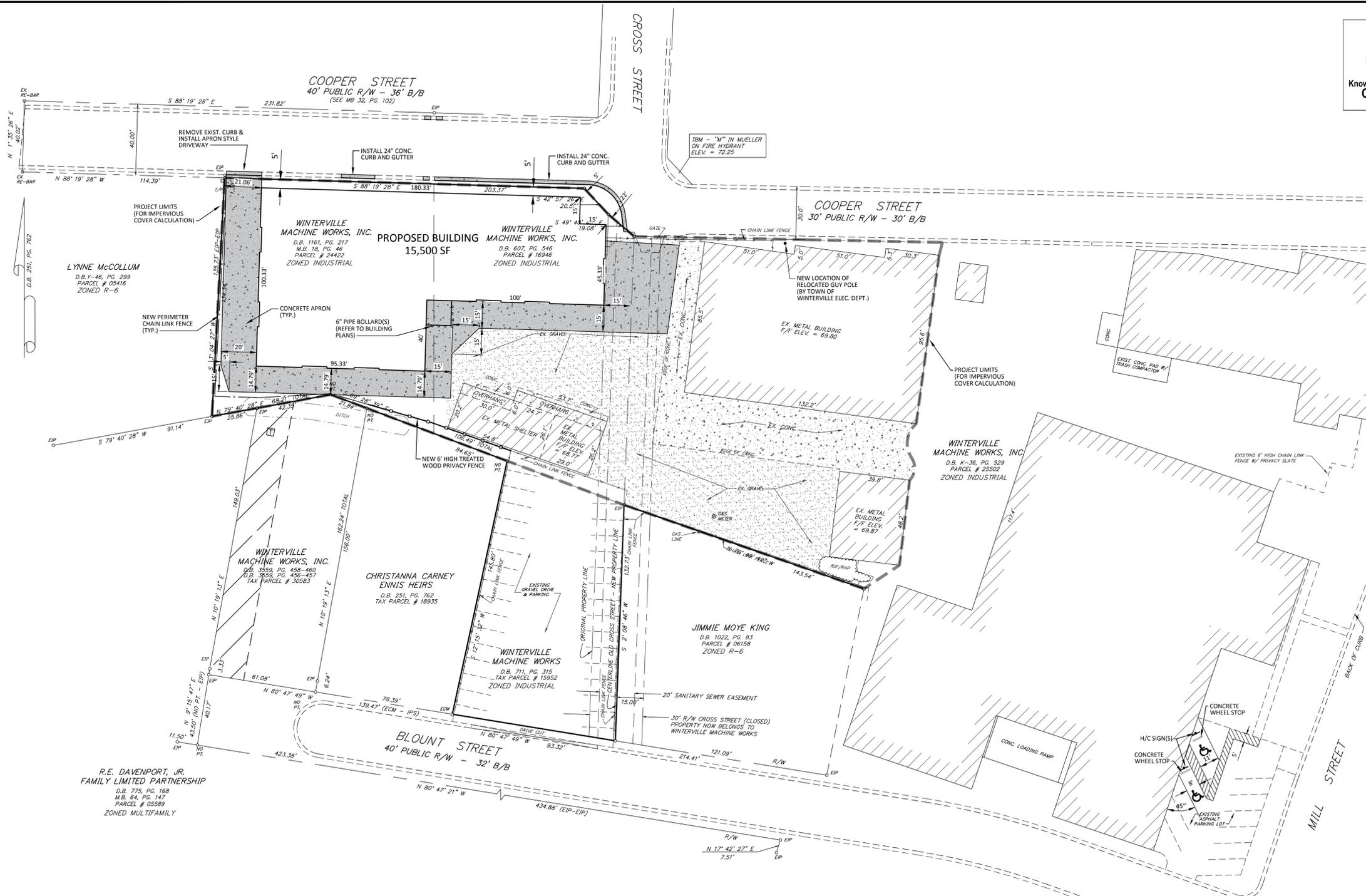
Ted Cox
Vice President
Winterville Machine Works, Inc.

cc: John Carroll
President
Winterville Machine Works, Inc.



REVISIONS:

#	DATE	DESCRIPTION
1	08/07/17	REVISED PER TOWN SITE PLAN REVIEW COMMENTS



Site Data

TOTAL ACRES IN SITE:	3.75± AC.
TAX MAP NUMBER:	4675
TAX PARCEL NUMBER:	24422, 16946, 30583, 15952, 25502, 13012
CURRENT ZONING:	INDUSTRIAL
ACREAGE IN COMMON AREA:	NONE
ACREAGE IN RECREATION AREA(S) AND THE LIKE:	NONE
TOTAL NUMBER OF UNITS / BEDROOMS:	NONE
GROSS FLOOR AREA (ALL PARCELS):	56,075 S.F. (EXISTING)
BUILDING LOT COVERAGE (ALL PARCELS):	34.3% EXIST., 43.8% PROPOSED
BUILDING HEIGHT IN FT. & STORIES:	16' (1 STORY)
TOTAL NO. OF PARKING SPACES REQUIRED:	24 SPACES (INCL. 1 HC)
TOTAL NO. OF PARKING SPACES PROVIDED:	39 SPACES (INCL. 2 HC)
TOTAL SQ. FEET OF EXIST. IMPERVIOUS AREA:	47,152 SF
(EXISTING/DEMOLITION)	3,557 SF
TOTAL SQ. FEET OF PROP. IMPERVIOUS AREA:	57,022 SF
(PROJECT LIMITS)	
DISTURBED ACREAGE:	30,539 SF (0.70 AC)
(PROJECT LIMITS)	
REFERENCES:	DEED BOOK 607, PAGE 546 DEED BOOK 1361, PAGE 217 MAP BOOK 18, PAGE 46 DEED BOOK 607, PAGE 546
ADDRESS:	204 CROSS STREET AND 88 COOPER STREET

- ### General Notes:
- CONTACT NORTH CAROLINA ONE-CALL CENTER, INC. (NC ONE-CALL) AT 811 TO HAVE ALL UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING.
 - ALL REQUIRED IMPROVEMENTS SHALL CONFORM TO THE TOWN OF WINTERVILLE MANUAL OF STANDARD DESIGNS AND DETAILS.
 - CONTRACTOR SHALL NOTIFY TOWN OF WINTERVILLE PUBLIC WORKS DEPARTMENT 48 HOURS PRIOR TO MAKING CONNECTIONS TO EXISTING STORM DRAINS LOCATED WITHIN PUBLIC STORM DRAINAGE EASEMENTS OR RIGHT-OF-WAY.
 - NO PORTIONS OF THIS PROPERTY ARE LOCATED IN A FLOOD ZONE (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN), ZONE X SHADDED (AREA OF 0.2% ANNUAL CHANCE FLOOD) AND ZONE AE (AREA DETERMINED TO BE INSIDE THE 1% ANNUAL CHANCE FLOOD) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 3720467500K, EFFECTIVE JULY 7, 2014.
 - PAVEMENT SECTION FOR ASPHALT PATCH SHALL BE 8" CABC AND 3" ASPHALT SURFACE COURSE.
 - THIS PROJECT DISTURBS LESS THAN 1.0 ACRES AND ADDS LESS THAN 20,000 SF OF NEW IMPERVIOUS GROUND COVER. STORMWATER MANAGEMENT AND EROSION CONTROL PLAN APPROVALS ARE NOT REQUIRED FOR THIS PROJECT.
 - REFUSE COLLECTION SHALL BE PROVIDED BY PRIVATE SERVICE.
 - ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
 - SITE SHALL MEET ALL RELATED ACCESSIBILITY CODE REQUIREMENTS.
 - ANY FUTURE PROJECTS ON THIS SITE WHICH CREATE ADDITIONAL IMPERVIOUS AREA SHOULD BE REVIEWED AND INCLUDE THE INCREASE IN IMPERVIOUS AREA FROM THIS PROJECT IN THE ACCOUNTING TOWARDS THE 20,000 SF THRESHOLD AS LISTED IN THE TOWN OF WINTERVILLE MANUAL OF STANDARD DESIGNS AND DETAILS.
 - ALL UNUSED DRIVEWAYS MUST BE CLOSED IN ACCORDANCE WITH TOWN OF WINTERVILLE MSDS.
 - A RECOMBINATION OF PARCELS 24422 AND 16946 IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
 - OFF-STREET LOADING SPACE IS PROVIDED IN THE INTERNAL SITE AREA AND IS ACCESSED FROM THE COOPER STREET DRIVEWAY.

Parking Requirements:

PARKING REQUIRED:	MANUFACTURING, INDUSTRIAL WAREHOUSING & WHOLESALING (70 EMPLOYEES)	24 SPACES
REQUIRED HANDICAP PARKING:		1 SPACE

SHEET INDEX

Sheet No. C-1	Site Plan
Sheet No. C-2	Demolition Plan
Sheet No. C-3	Grading, Drainage & Utility Plan

Survey
Gary S. Miller & Associates, P.A.
1 Sheet

Survey Note:

BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON WAS PREPARED BY GARY S. MILLER & ASSOCIATES, P.A., AS SHOWN ON DRAWING ENTITLED WINTERVILLE MACHINE WORKS, INC., DATED AUGUST 14, 2017, ATTACHED TO THIS DRAWING SET FOR REFERENCE.

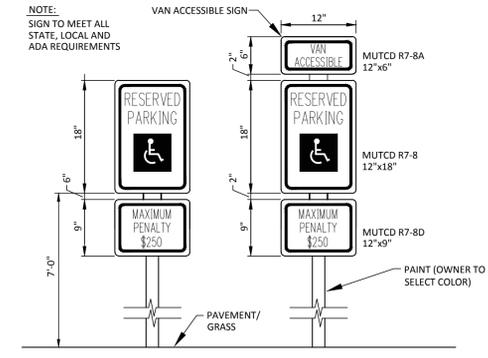
Owner / Developer

WINTERVILLE MACHINE WORKS, INC.
2672 MILL STREET
WINTERVILLE, NC 28590
PHONE: (252) 756-2130



LEGEND:

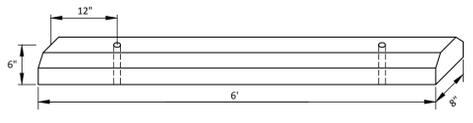
EXISTING	PROPOSED
EIP - EXISTING IRON PIPE	
IPS - IRON PIPE SET	
NO PT. - NO POINT	
ECM - EXISTING CONCRETE MONUMENT	
R/W - RIGHT OF WAY	
B/C - BACK OF CURB TO BACK OF CURB	
P/P - POWER POLE	
G/R - GUY ROLL	
C/B - CATCH BASIN	
TBM - TEMPORARY BENCHMARK	
F/F - FINISHED FLOOR	
C/O - CLEANOUT	
OPR - CORRUGATED PLASTIC PIPE	
F/H - FIRE HYDRANT	
D/I - DROP INLET	
O/H - OVERHEAD ELECTRIC	
T/P - TELEPHONE PEDESTAL	
DRIP INLET	
CHAINLINK FENCE	
SILT FENCE	
LIMIT OF DISTURBANCE	
WATER MAIN/SERVICE	
FIRE MAIN/SERVICE	
SANITARY SEWER MAIN/SERVICE	
OVERHEAD ELECTRIC	
STORM SEWER	
DRIP INLET	
ROCK INLET SEDIMENT TRAP	
DEMOL & REMOVE	
CONCRETE	
ASPHALT PAVEMENT PATCH	



ACCESSIBLE PARKING SIGN

NOT TO SCALE

NOTES:
1. MOUNT POST IN SIDEWALK. PROVIDE PROTECTION FOR POST.
2. PAINT STEEL/METAL POST TO MATCH BUILDING.



CONCRETE WHEEL STOP

NOT TO SCALE

NOTES:
1. WHEEL STOPS SHALL BE PAINTED "SAFETY YELLOW"
2. WHEEL STOPS SHALL BE INSTALLED 2' FROM EDGE OF OBSTRUCTION, EDGE OF PAVEMENT, OR FACE OF CURB



SITE PLAN

WINTERVILLE MACHINE WORKS

204 Cross Street and 88 Cooper Street
Town of Winterville, Pitt County, North Carolina



9/6/17

NC License P-1109

ARK CONSULTING GROUP, PLLC
ENGINEERS & PLANNERS

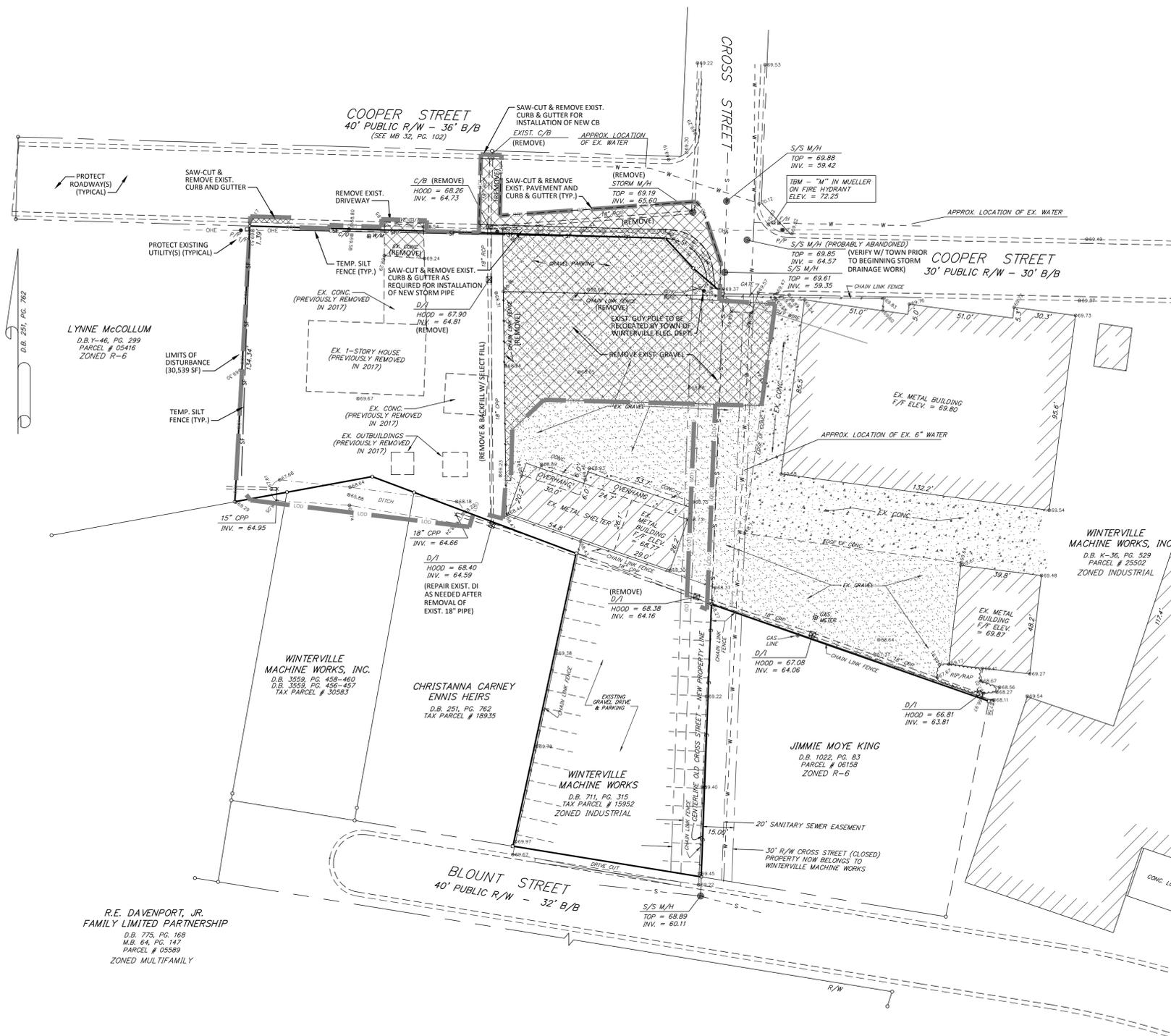
2755-B Charles Blvd.
Greenville, NC 27858
(252) 558-0888
www.arkconsultinggroup.com

Project Manager:	BCF
Drawn By:	EW
Checked By:	BTO
Project Number:	17036
Drawing Number:	D-1117

Date: 08-17-2017

LEGEND:

EXISTING	PROPOSED
<ul style="list-style-type: none"> IP - EXISTING IRON PIPE IPS - IRON PIPE SET NO PT. = NO POINT ECM = EXISTING CONCRETE MONUMENT R/W = RIGHT OF WAY B/B = BACK OF CURB TO BACK OF CURB P/P = POWER POLE G/P = GUY POLE C/B = CATCH BASIN TBM = TEMPORARY BENCHMARK F/F = FINISHED FLOOR C/D = CLEANOUT CP = CORRUGATED PLASTIC PIPE F/H = FIRE HYDRANT D/I = DROP INLET O/H = OVERHEAD T/P = TELEPHONE PEDESTAL DI = DROP INLET RI = ROCK INLET SEDIMENT TRAP DEM & REM = DEMO & REMOVE CONC = CONCRETE ASP = ASPHALT PAVEMENT PATCH 	<ul style="list-style-type: none"> SF = LI = W = F =



Demolition Notes:

- CONTRACTOR SHALL CONTACT NORTH CAROLINA ONE-CALL CENTER (NC 811) BY DIALING 811 OR 1-800-632-4949 AT LEAST 72 HOURS IN ADVANCE OF ANY LAND DISTURBING ACTIVITY OR DIGGING AND HAVE ALL UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING.
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL LOCAL AND STATE PERMITS REQUIRED FOR DEMOLITION WORK.
- THE CONTRACTOR SHALL INDEMNIFY AND HOLD HARMLESS THE OWNER AND/OR ENGINEER FOR ANY AND ALL INJURIES AND/OR DAMAGES TO PERSONNEL, EQUIPMENT AND/OR EXISTING FACILITIES IN THE DEMOLITION AND CONSTRUCTION DESCRIBED IN THE PLANS AND SPECIFICATIONS.
- EXISTING CONDITIONS AS DEPICTED ON THESE PLANS ARE GENERAL AND ILLUSTRATIVE IN NATURE AND DO NOT INCLUDE MECHANICAL, ELECTRICAL AND MISCELLANEOUS STRUCTURES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO EXAMINE THE SITE AND BE FAMILIAR WITH EXISTING CONDITIONS PRIOR TO BIDDING ON THE DEMOLITION WORK FOR THIS PROJECT. IF CONDITIONS ENCOUNTERED DURING EXAMINATION ARE SIGNIFICANTLY DIFFERENT THAN THOSE SHOWN, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY.
- ALL DEMOLITION WASTE AND DEBRIS SHALL BE REMOVED BY THE CONTRACTOR AND DISPOSED OF IN A STATE APPROVED WASTE SITE AND IN ACCORDANCE WITH ALL LOCAL AND STATE CODES AND PERMIT REQUIREMENTS.
- THE BURNING OF CLEARED MATERIAL AND DEBRIS SHALL NOT BE ALLOWED UNLESS CONTRACTOR GETS WRITTEN AUTHORIZATION FROM THE LOCAL AUTHORITIES.
- ASBESTOS OR HAZARDOUS MATERIALS, IF FOUND ON SITE, SHALL BE REMOVED BY A LICENSED HAZARDOUS MATERIALS CONTRACTOR. CONTRACTOR SHALL NOTIFY OWNER IMMEDIATELY IF HAZARDOUS MATERIALS ARE ENCOUNTERED.
- CONTRACTOR SHALL PROTECT ALL CORNER PINS, MONUMENTS, PROPERTY CORNERS, AND BENCHMARKS DURING DEMOLITION ACTIVITIES. IF DISTURBED, CONTRACTOR SHALL HAVE DISTURBED ITEMS RESET BY A LICENSED SURVEYOR AT NO ADDITIONAL COST TO THE OWNER.
- CONTRACTOR SHALL ADHERE TO ALL LOCAL, STATE, FEDERAL, AND OSHA REGULATIONS WHEN OPERATING DEMOLITION EQUIPMENT AROUND UTILITIES.
- CONTRACTOR SHALL PROVIDE AND MAINTAIN TRAFFIC CONTROL MEASURES IN ACCORDANCE WITH THE NCDOT AND TOWN OF WINTERVILLE STANDARDS WHEN WORKING IN AND/OR ALONG STREETS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN APPROVAL AND COORDINATE WITH THE TOWN OF WINTERVILLE REGARDING THE NEED, EXTENT, AND LIMITATIONS ASSOCIATED WITH INSTALLING AND MAINTAINING TRAFFIC CONTROL MEASURES.
- CONTRACTOR SHALL PROTECT AT ALL TIMES ADJACENT STRUCTURES AND ITEMS FROM DAMAGE DUE TO DEMOLITION OR CONSTRUCTION ACTIVITIES.
- CONTRACTOR SHALL REMOVE EXISTING VEGETATION AND IMPROVEMENTS WITHIN LIMITS OF DISTURBANCE AS INDICATED ON THE PLAN.
- EXISTING IMPROVEMENTS OUTSIDE OF CONSTRUCTION LIMITS OR THOSE INDICATED TO REMAIN SHALL BE PROTECTED.

Erosion Control Provisions

- NO PERSON MAY INITIATE A LAND DISTURBING ACTIVITY BEFORE EROSION CONTROL MEASURES HAVE BEEN INSTALLED.
- SEED OR OTHERWISE PROVIDE GROUND COVER DEVICES OR STRUCTURES SUFFICIENT TO RESTRAIN EROSION FOR ALL EXPOSED SLOPES WITHIN 7 DAYS OF COMPLETION OF ANY PHASE OF GRADING ON PERIMETER AREAS AND SLOPES STEEPER THAN 3:1. ALL OTHER AREAS SHALL BE STABILIZED WITHIN 14 DAYS.
- CONTRACTOR SHALL INSPECT AND MAINTAIN AS NEEDED ALL EROSION CONTROL DEVICES ON A WEEKLY BASIS AND AFTER EACH MAJOR STORM EVENT. FAILURE TO KEEP ALL EROSION CONTROL DEVICES IN PROPER WORKING ORDER MAY RESULT IN A STOP WORK ORDER OR CIVIL PENALTIES UP TO \$5,000.00 PER DAY OF VIOLATION.
- THE TOWN OF WINTERVILLE RESERVES THE RIGHT TO REQUIRE ADDITIONAL EROSION CONTROL MEASURES SHOULD THE PLAN OR ITS IMPLEMENTATION PROVE TO BE INADEQUATE.
- EROSION CONTROL MEASURES SHALL BE MAINTAINED AND INSPECTED ON A REGULAR BASIS TO ENSURE PROPER FUNCTION.
- PLEASE BE ADVISED OF THE RULES TO PROTECT AND MAINTAIN EXISTING BUFFERS ALONG WATERCOURSES IN THE NEUSE AND TAR/PAMLICO RIVER BASINS. THESE RULES ARE ENFORCED BY THE DIVISION OF WATER QUALITY (DWQ). DIRECT ANY QUESTIONS ABOUT THE APPLICABILITY OF THESE RULES TO YOUR PROJECT TO THE REGIONAL WATER QUALITY SUPERVISOR, WASHINGTON REGIONAL OFFICE AT (252) 946-6481.
- ACCEPTANCE AND APPROVAL OF THIS PLAN IS CONDITIONED UPON YOUR COMPLIANCE WITH FEDERAL AND STATE WATER QUALITY LAWS, REGULATION AND RULES. IN ADDITION LOCAL CITY AND COUNTY ORDINANCES OR RULES MAY ALSO APPLY TO THIS LAND DISTURBING ACTIVITY. APPROVAL BY THE CITY DOES NOT SUPERSEDE ANY OTHER PERMIT OR APPROVAL.
- INSTALL ROCK INLET SEDIMENT TRAPS AROUND ALL CATCH BASINS, DROP INLETS, AND YARD INLETS.
- EXISTING GRAVEL ON SITE SHALL SERVE AS A TEMPORARY CONSTRUCTION ENTRANCE.

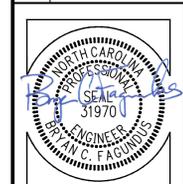
NO.	DATE	REVISIONS:
1	09/07/17	REVISED PER TOWN SITE PLAN REVIEW COMMENTS



DEMOLITION PLAN

WINTERVILLE MACHINE WORKS

204 Cross Street and 88 Cooper Street
Town of Winterville, Pitt County, North Carolina



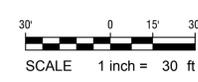
ARK CONSULTING GROUP, P.L.L.C.
ENGINEERS & PLANNERS

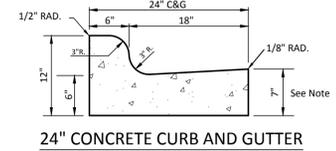
7755-B Charles Blvd.
Greenville, NC 27858
(252) 558-0888
www.arkconsultinggroup.com

Project Manager:	BCF
Drawn By:	EW
Checked By:	BTO
Project Number:	17036
Drawing Number:	D-1117

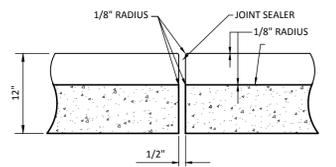
C-2

Date: 08-17-2017

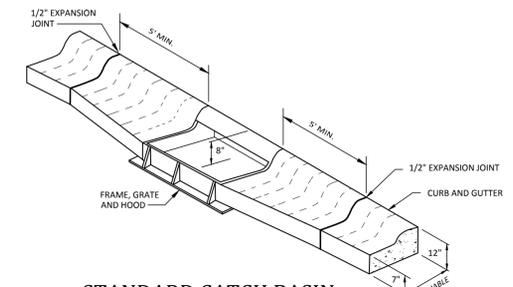




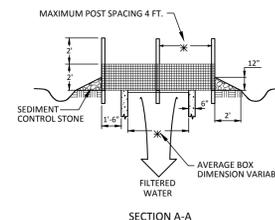
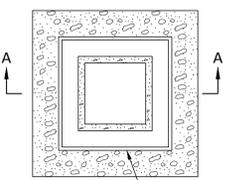
24" CONCRETE CURB AND GUTTER



CURB AND GUTTER DETAIL
NTS



STANDARD CATCH BASIN
FRAME IN CURB AND GUTTER
(NOT TO SCALE)



SECTION A-A
MULTI-DIRECTIONAL FLOW

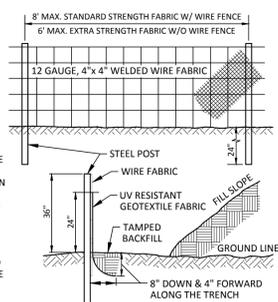
ROCK INLET SEDIMENT TRAP
(NOT TO SCALE)

GENERAL NOTES:
 Contraction Joints Shall Be Spaced At 10' Intervals, Except That a 15' Spacing May Be Used When a Machine is Used or When Satisfactory Support For The Face Form Can Be Obtained Without The Use Of Templates at 10' Intervals. Joint Spacing May Be Altered By The Engineer To Prevent Uncontrolled Cracking.
 Contraction Joints May Be Installed By The Use Of Templates Or Formed By Other Approved Methods. Where Such Joints Are Not Formed By Templates, A Minimum Depth Of 1 1/2" Shall Be Obtained.
 All Contraction Joints Shall Be Filled With Joint Filler.
 Expansion Joints Shall Be Spaced At 90' Intervals, And Adjacent To All Rigid Objects.
 All Curb and Gutters Are To Be Poured With Class "A" Concrete. (3000 PSI)
 Flexible Forms Are To Be Used When Radii Is Less Than 200.

Grading & Utility Notes:

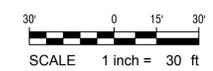
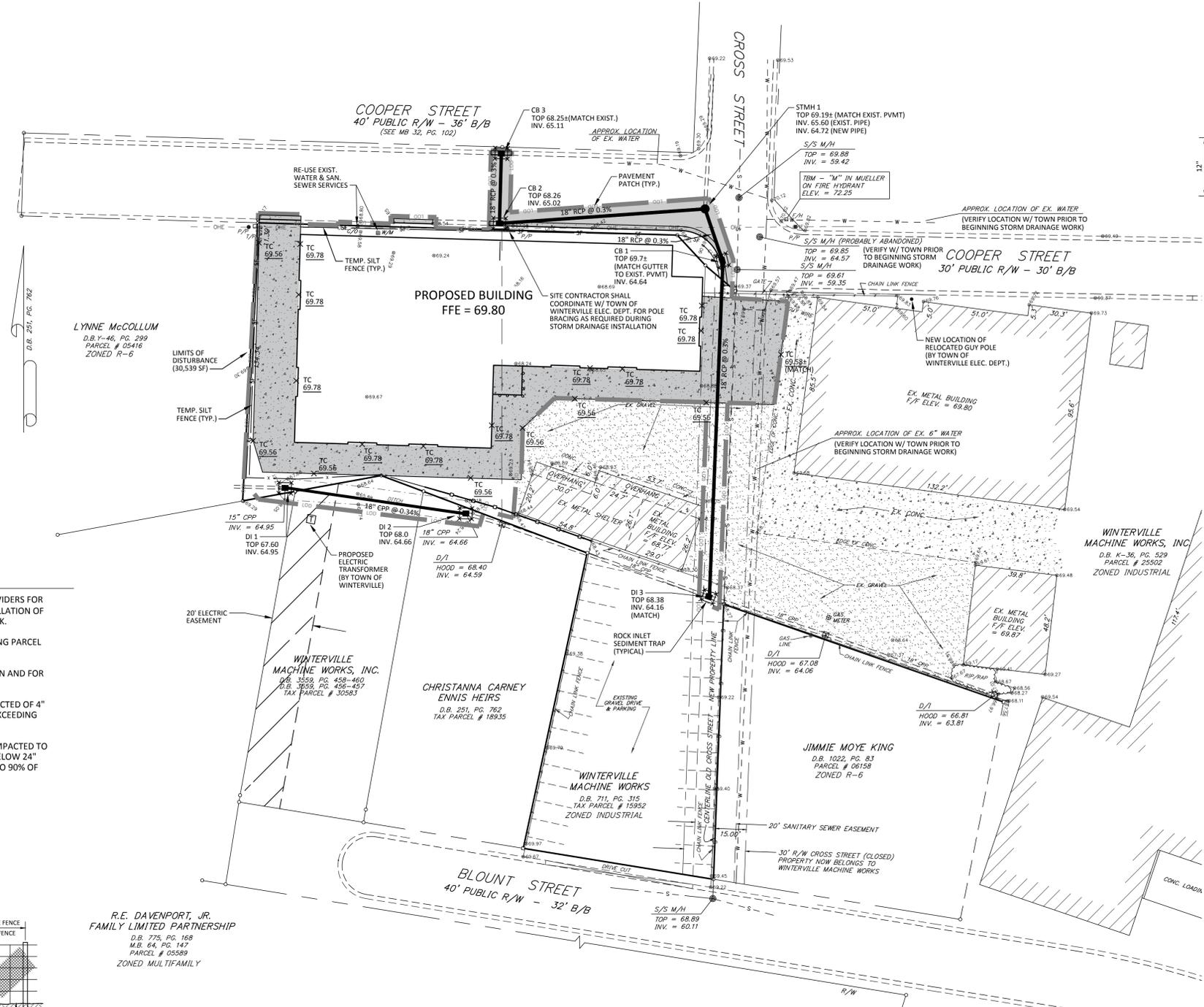
- CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH UTILITY PROVIDERS FOR THE RELOCATION / ABANDONMENT OF EXISTING UTILITIES AND INSTALLATION OF NEW UTILITY SERVICES AS WELL AS FEES ASSOCIATED WITH SUCH WORK.
- EXISTING WATER AND SANITARY SEWER SERVICE CONNECTIONS SERVING PARCEL NO. 24422 SHALL BE RE-USED TO SERVE THE PROPOSED BUILDING.
- COORDINATE WITH MEP PLANS FOR ELECTRICAL SERVICE INFORMATION AND FOR CONNECTION DETAILS WITH BUILDING PLUMBING.
- CONCRETE APRONS AROUND PROPOSED BUILDING SHALL BE CONSTRUCTED OF 4" THICK 3,500 PSI CONCRETE. PROVIDE TOOLED CONTRACTION JOINTS NOT EXCEEDING 10' SPACING IN ANY DIRECTION.
- ALL BUILDING, SIDEWALK, AND PAVEMENT SUB-GRADES SHALL BE COMPACTED TO 98% OF ASTM D698 TO A DEPTH OF 24" AND TO 95% OF ASTM D698 BELOW 24" DEPTHS. ALL OTHER NON-STRUCTURAL AREAS SHALL BE COMPACTED TO 90% OF ASTM D698.

NOTES:
 INSPECT SEDIMENT FENCES AT LEAST ONCE A WEEK AND AFTER EACH RAINFALL. MAKE ANY REQUIRED REPAIRS IMMEDIATELY.
 SHOULD THE FABRIC OF A SEDIMENT FENCE COLLAPSE, TEAR, DECOMPOSE OR BECOME INEFFECTIVE, REPLACE IT PROMPTLY.
 REMOVE SEDIMENT DEPOSITS AS NECESSARY TO PROVIDE ADEQUATE STORAGE VOLUME FOR THE NEXT RAIN AND TO REDUCE PRESSURE ON THE FENCE. TAKE CARE TO AVOID UNDERMINING THE FENCE DURING CLEANOUT.
 REMOVE ALL FENCING MATERIALS AND UNSTABLE SEDIMENT DEPOSITS AND BRING THE AREA TO GRADE AND STABILIZE IT AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.



TEMPORARY SILT FENCE
(NOT TO SCALE)

R.E. DAVENPORT, JR.
 FAMILY LIMITED PARTNERSHIP
 D.B. 775, PG. 168
 M.B. 64, PG. 147
 PARCEL # 05589
 ZONED MULTIFAMILY



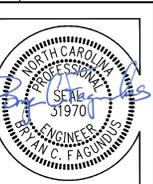
COMMENTS

#	DATE	REVISION
1	08/06/17	REVISED PER TOWN SITE PLAN REVIEW COMMENTS

REVISIONS:



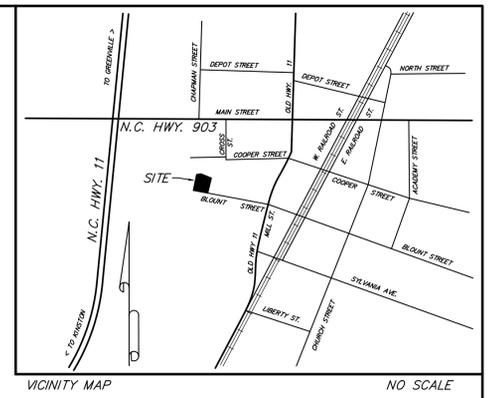
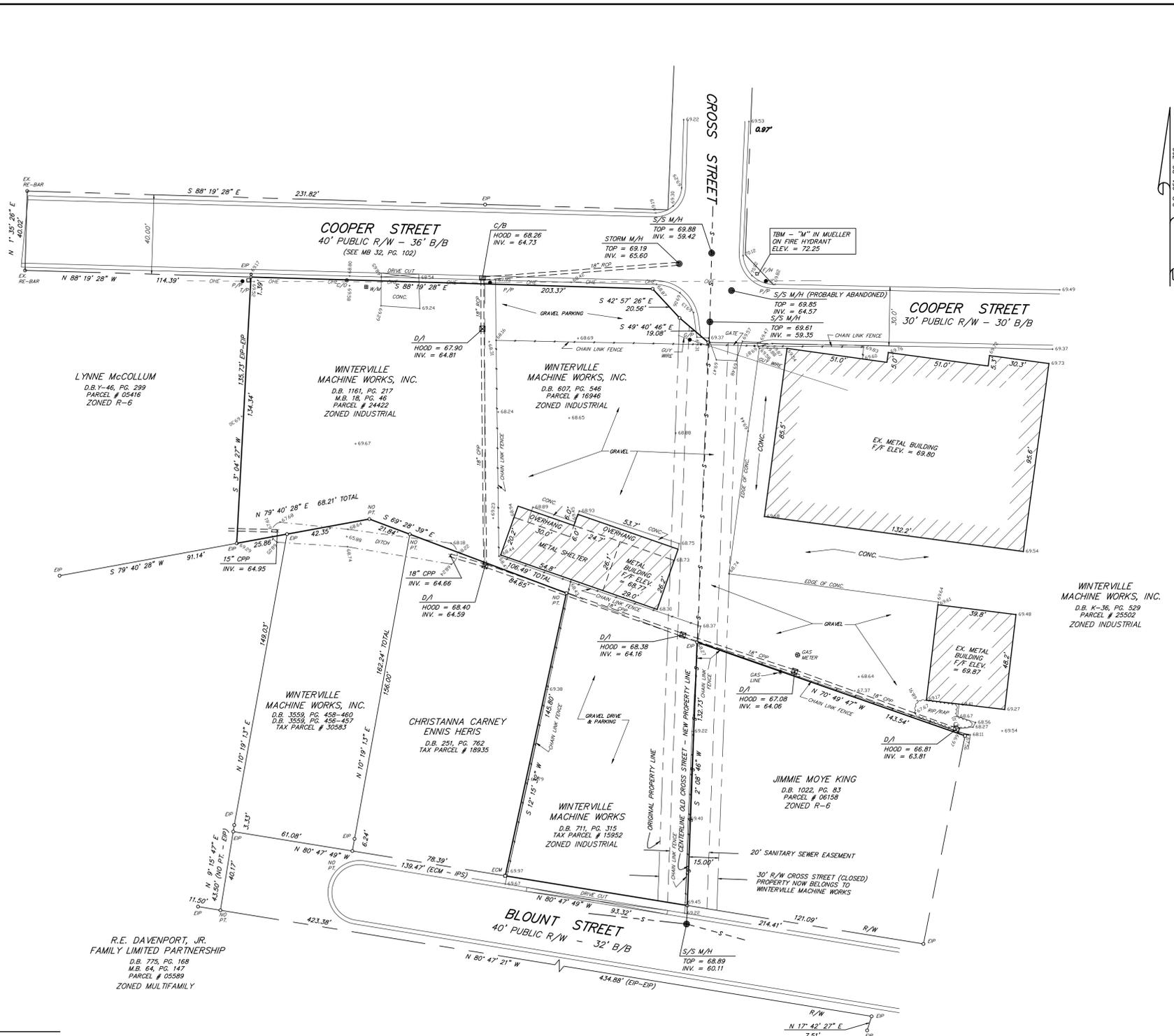
SITE GRADING, DRAINAGE & UTILITY PLAN
WINTERVILLE MACHINE WORKS
 204 Cross Street and 88 Cooper Street
 Town of Winterville, Pitt County, North Carolina



Project Manager: BCF
 Drawn By: EW
 Checked By: BTO
 Project Number: 17036
 Drawing Number: D-1117

Project Manager: BCF
 Drawn By: EW
 Checked By: BTO
 Project Number: 17036
 Drawing Number: D-1117

Date: 08-17-2017



LYNNE McCOLLUM
D.B. Y-46, PG. 299
PARCEL # 05416
ZONED R-6

WINTERVILLE MACHINE WORKS, INC.
D.B. 1161, PG. 217
M.B. 18, PG. 48
PARCEL # 24422
ZONED INDUSTRIAL

WINTERVILLE MACHINE WORKS, INC.
D.B. 607, PG. 546
PARCEL # 16946
ZONED INDUSTRIAL

WINTERVILLE MACHINE WORKS, INC.
D.B. K-36, PG. 529
PARCEL # 25502
ZONED INDUSTRIAL

WINTERVILLE MACHINE WORKS, INC.
D.B. 3559, PG. 458-460
D.B. 3559, PG. 458-457
TAX PARCEL # 30583

CHRISTANNA CARNEY ENNIS HERIS
D.B. 251, PG. 762
TAX PARCEL # 18935

WINTERVILLE MACHINE WORKS
D.B. 711, PG. 315
TAX PARCEL # 15952
ZONED INDUSTRIAL

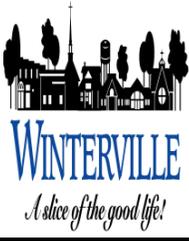
JIMMIE MOYE KING
D.B. 1022, PG. 83
PARCEL # 06158
ZONED R-6

R.E. DAVENPORT, JR.
FAMILY LIMITED PARTNERSHIP
D.B. 775, PG. 168
M.B. 64, PG. 147
PARCEL # 05589
ZONED MULTIFAMILY

- NOTES:**
- ELEVATIONS SHOWN ARE NAVD 88 DATUM FROM NCGS MONUMENT "CONCRETE".
 - THIS PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA. COMMUNITY PANEL # 3720467500K, EFFECTIVE DATE: 07-07-2014, ZONE X.
 - NO 811 CALL WAS MADE THIS DATE.

- LEGEND:**
- EIP - EXISTING IRON PIPE
 - IPS - IRON PIPE SET
 - NO PT. - NO POINT
 - EDM - EXISTING CONCRETE MONUMENT
 - R/W - RIGHT OF WAY
 - B/B - BACK OF CURB TO BACK OF CURB
 - P/P - POWER POLE
 - C/P - CATCH BASIN
 - TBM - TEMPORARY BENCHMARK
 - F/F - FINISHED FLOOR
 - C/O - CLEANOUT
 - CPP - CORRUGATED PLASTIC PIPE
 - F/H - FIRE HYDRANT
 - D/I - DROP INLET
 - O/H - OVERHEAD
 - T/P - TELEPHONE PEDESTAL

	<p align="center">SURVEYOR'S CERTIFICATION</p> <p>I, GARY S. MILLER, CERTIFY THAT THE TOPOGRAPHICAL SURVEY, AND HORIZONTAL AND VERTICAL CONTROL SHOWN HEREON WERE COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION, THAT THE TOPOGRAPHICAL SURVEY WAS PERFORMED TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS AS APPLICABLE, THAT THE TOPOGRAPHIC DATA WAS OBTAINED ON <u>AUGUST 1, 2017</u>, THAT THE SURVEY WAS COMPLETED ON <u>AUGUST 1, 2017</u>, THAT THE CONTOURS SHOWN AS BROKEN LINES MAY NOT MEET THE STATED STANDARD; THAT VERTICAL CONTROL WAS ESTABLISHED AT THE SITE TO THE CLASS "A" STANDARD; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE "STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600).</p> <p>WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS <u>10th</u> DAY OF <u>AUGUST</u>, 20 <u>17</u></p> <p align="center"><i>G. S. Miller</i></p> <p>SIGNED <u>GARY S. MILLER, PROFESSIONAL LAND SURVEYOR</u> REG. NO. L-2562</p>		<p>REFERENCE: DEED BK. K-36, PG. 529 PARCEL # 25502 DEED BK. 711, PG. 315 PARCEL # 15952 DEED BK. 607, PG. 546 PARCEL # 16946 DEED BK. 1161, PG. 217 PARCEL # 24422 MAP BK. 18, PG. 46 WO 17163 FB 371</p>		<p>Bar Scale</p>	<p>PARTIAL BOUNDARY AND TOPOGRAPHICAL SURVEY FOR WINTERVILLE MACHINE WORKS, INC. WINTERVILLE, WINTERVILLE TOWNSHIP PITT COUNTY, NORTH CAROLINA</p>							
	<p>OWNER(S) WINTERVILLE MACHINE WORKS, INC. ADDRESS P.O. BOX 520 WINTERVILLE, NC 28590 PHONE</p>		<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>DATE</th> <th>EXPLANATION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		DATE	EXPLANATION							<p>SCALE: 1" = 30' WO 17163</p> <p align="right">AUGUST 10, 2017 FB 371</p>
DATE	EXPLANATION												



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 11, 2017

Presenter: Ben Williams, Assistant Town
Manager and Keen Lassiter, Town Attorney

Item to be Considered

Subject: Discussion and Approval of NITSA Agreement with Duke Energy Progress.

Action Requested: Approval of DRAFT Agreement Subject to Town Attorney's Approval.

Attachments: Copy of DRAFT NITSA Agreement.

Prepared By: Terri L. Parker, Town Manager

Date: 9/7/2017

ABSTRACT ROUTING:

TC

FD

TM 9/7/2017

Final 9/7/2017

Supporting Documentation

Approval of Updated Network Integration Transmission Service Agreement (NITSA) between the Town and Duke Energy Progress: Attached please find a copy of the DRAFT NITSA Agreement which reflects an effective date of January 1, 2018 when the Town's Power Purchase Agreement with NTE Carolinas begins.

As you will recall, the NITSA agreement outlines the "wheeling" charges that Duke Energy Progress will charge the Town of Winterville for delivering energy purchased or generated from NTE Carolinas to a specific point of delivery on the Greenville Utilities electric system. As similar Third Party Agreement with Greenville Utilities will be forthcoming in the near future.

The Town Attorney and Summit Utility Advisors have reviewed the document. Randy Haley has approved said DRAFT.

Budgetary Impact: Costs are outlined in the DRAFT NITSA.

Recommendation: Discuss and approve subject to the Town Attorney's approval.

OATT SERVICE AGREEMENT NO. 321
SERVICE AGREEMENT
FOR
NETWORK INTEGRATION TRANSMISSION SERVICE
BETWEEN
DUKE ENERGY PROGRESS, LLC
AND
THE TOWN OF WINTERVILLE, NC

DRAFT

SERVICE AGREEMENT FOR NETWORK INTEGRATION TRANSMISSION SERVICE

1.0 PARTIES

This Service Agreement, dated as of January 1, 2018, is entered into, by and between **Duke Energy Progress, LLC** (“Transmission Provider”), and **The Town of Winterville, NC** (“Transmission Customer”) sometimes hereinafter referred to individually as “Party” and collectively as “Parties”.

2.0 COMPLETED APPLICATION

The Transmission Customer has been determined to have submitted a Completed Application for Network Integration Transmission Service under Transmission Provider’s Open Access Transmission Tariff (the “Tariff”).

If the corporate identity or name of Transmission Customer is to change during the term of this Service Agreement, Transmission Customer shall notify Transmission Provider as soon as possible after learning of said projected change. In such event Transmission Provider may in its reasonable discretion require a new Application for Network Integration Transmission Service and/or the execution of an appropriate amendment of this Service Agreement.

3.0 TERM

Unless the Federal Energy Regulatory Commission (“FERC” or the “Commission”) orders a different date for commencement of service, service under this Service Agreement shall commence on the later of: (1) the date the conditions precedent to receiving service set forth in Section 29.1 of the Tariff are met, or (2) January 1, 2018. Service under this Service Agreement shall be for a term of five (5) years from the date service commences. If the Service Agreement is not terminated by the Transmission Provider or the Transmission Customer, the Service Agreement will automatically renew for successive five year terms. The Service Agreement may be terminated at the end of each successive five year term by the Transmission Provider or the Transmission Customer by giving notice of such termination in writing at least one year prior to the end of the renewal period.

4.0 EFFECT OF ISO/RTO PARTICIPATION

This Service Agreement and the Attachments thereto (collectively, the “Service Agreement” or “Agreement”), have been developed by the Parties in the context of transmission service provided pursuant to the Tariff and the Commission’s open access requirements under Order No. 888 and Order No. 890. Were the Transmission Provider to join a Regional Transmission Organization (“RTO”) (which term includes an independent system operator), the Transmission Provider is permitted to assign this service agreement to the RTO, in which case transmission service would be provided to the Transmission Customer pursuant to the rates, terms and conditions of the open access transmission tariff of the RTO (“RTO OATT”), and other terms, conditions, rules and/or

protocols of the RTO. The Parties further agree that in the event of a material inconsistency or conflict between the RTO OATT or such other terms, conditions, rules and/or protocols of the RTO and the Service Agreement, that the Service Agreement may require amendment to account for such changed circumstance. In such event, at the request of either Party or the RTO, the Transmission Customer and the RTO (and the Transmission Provider, if appropriate) shall enter into good faith negotiations to amend the Service Agreement in a manner such that the transmission service is provided in accordance with the RTO OATT and such other terms, conditions, rules and/or protocols. If the Transmission Customer and the RTO (and the Transmission Provider if appropriate) cannot agree on the necessary revisions the Transmission Customer may request that the RTO (and the Transmission Provider, if appropriate) file unexecuted amended Service Agreement with the Commission pursuant to Section 205 of the Federal Power Act such that the transmission service thereunder comports with the RTO OATT and such other terms, conditions rules and/or protocols of the RTO and the Transmission Provider shall support the Transmission Customer's right to request such filing. By agreeing to the procedure set forth above, neither Party waives any rights it might otherwise have with respect to the Service Agreement under the Federal Power Act.

5.0 NATURE OF SERVICE TO BE FURNISHED

The Transmission Provider agrees to provide, and the Transmission Customer agrees to take and pay, for Network Integration Transmission Service in accordance with the provisions of Part III of the Tariff and this Service Agreement as they may be amended from time to time. Neither Party shall be deemed, by virtue of having entered into this Service Agreement, to have agreed to diminish or enhance the rights of either Party with regard to the Commission's comparability policies, provided that the foregoing clause shall be construed in a manner most consistent with each Party performing its obligations hereunder.

6.0 NOTICES

Any notice or request made to or by either Party regarding this Service Agreement shall be made to the representative of the other Party as indicated below.

Transmission Provider:

Duke Energy Progress, LLC
Attn: Jim Eckelkamp, Transmission Contracts Sr. Analyst
3401 Hillsborough St.
Raleigh, NC 27607
Phone Number: (919) 546-7706
E-Mail Address: james.eckelkamp@duke-energy.com

Transmission Customer:

The Town of Winterville, North Carolina
Attn: Town Manager
PO Box 1459
2571 Railroad Street
Winterville, NC 28590
Phone: (252) 215-2340
E-Mail: terri.parker@wintervillenc.com

Bills for Service hereunder shall be sent to

The Town of Winterville, North Carolina
Attn: Town Administrator
PO Box 1459
2571 Railroad Street
Winterville, NC 28590
Phone: (252) 756-2221
E-Mail: anthony.bowers@wintervillenc.com

7.0 INCORPORATION OF OTHER DOCUMENTS

The Tariff, Attachment A hereto (Specifications for Network Integration Transmission Service), Attachment B hereto (Load Forecast), Attachment C hereto (Delivery Points), Attachment D hereto (Loss Due to Early Retirement), Attachment E hereto, (the Network Operating Agreement), and Attachment F hereto (Other Charges) are incorporated herein and made a part hereof.

To the extent that any provisions in the Tariff or this Service Agreement are ambiguous or inconsistent, any such ambiguity or inconsistency will be resolved in the following priority: the Tariff, the Service Agreement (including Attachments).

8.0 BILLINGS AND BILLING ADJUSTMENTS

8.1 The Transmission Provider will have the right to adjust or revise any bill rendered under the Tariff no later than eighteen (18) months after the date the bill was rendered. Any billing adjustment will be in writing and will state the specific basis for the adjustment. An Adjusted Bill will constitute a new bill in regard to the adjusted components for all purposes of the Tariff and this Service Agreement.

8.2 The Transmission Customer may, in good faith, challenge the correctness of any bill and any adjusted or revised bills. The Transmission Customer’s challenge of any bill rendered under the Tariff may include the appropriateness of all charges thereunder. Unless otherwise agreed in writing by the Parties, the Transmission Customer’s challenge must be presented no later than eighteen (18) months following the date such bill is received. Any billing challenge will be in writing and will state the specific basis for the challenge. Billing challenges are limited in

scope to the correctness of any bill and appropriateness of any charge. The Transmission Provider shall respond in writing to any such billing challenge within ninety (90) days. Billing challenges shall be treated as disputes pursuant to Section 7.3 of the Tariff.

- 8.3 Refunds or additional charges that are a result of an adjustment, revision, or billing challenge will include interest calculated at the rate set forth in 18 C.F.R. § 35.19a (a)(2)(iii).

9.0 AUDITS

- 9.1 In addition to the bill challenge rights set forth in Section 8.2, the Transmission Customer shall also have audit rights as set forth in this Section 9.0. The Transmission Customer shall conduct any such audit within eighteen (18) months from the date of the rendering of any bill under the Tariff. The Transmission Provider and the Transmission Customer will each have the right, upon reasonable notice, to inspect or audit each other's accounts and records supporting the bills for service under the Tariff during such calendar year. Such audit will be performed to the extent necessary to verify the correctness of any bill and the appropriateness of all charges thereunder. The audited Party shall provide or cause to be provided all information that the auditing Party may reasonably request to substantiate all billings, adjustments or revisions to billings for service under the Tariff. Any such audit will be conducted, upon reasonable written notice, during normal business hours at the offices where such accounts and records are maintained or at a location mutually agreeable to the Parties. The audited Party shall provide to the auditing Party reasonable office accommodations to conduct the audit. Those qualified personnel identified upon reasonable written notice by the auditing Party will be permitted to conduct audits. The audited Party will be entitled to review the audit report and any supporting materials at the conclusion of the audit and prior to finalization. The accounts and records for any calendar year shall not be subject to more than one (1) audit by a Party.
- 9.2 Notwithstanding the above, if the Transmission Provider renders a billing adjustment or revision and the audit for the affected calendar year has been conducted, then the Transmission Customer may conduct an audit of the billing adjustment or revision within ninety (90) days after the adjustment is rendered and challenge such adjustment no later than one hundred and fifty (150) days after the adjustment is rendered.
- 9.3 With the exception of quantifiable changes in the amounts of the billings, the audit report, supporting materials, and all other audit results of all such audits shall be kept confidential by the Parties and shall not be released to any other party without the express written consent of the other Party.

10.0 DELIVERY POINTS

The Transmission Customer Delivery Points shall be the points of connection between the Transmission Provider's facilities and the facilities of the Transmission Customer.

11.0 ADJUSTMENT FOR LOSSES

To the extent any Delivery Point is at a voltage level less than 69 kV or the metering point(s) is (are) remote from the Delivery Point, the load associated with such Delivery Point used for the calculation of the Network Integration Transmission Service charge shall be adjusted for the losses associated with: (i) the Transmission Provider's applicable distribution facilities; and/or (ii) the Transmission Customer's distribution and transmission facilities, as applicable. Such loss compensation factors shall be as mutually agreed upon by the Parties. To the extent the Parties cannot agree on any such factors, the Dispute Resolution Procedures in Section 12 of the Tariff may be invoked to resolve the disagreement.

12.0 NO WAIVERS

Failure of a Party to enforce any provision of this Service Agreement will not be construed as a waiver of such provision, and will not affect the validity of the Service Agreement or the right of either Party subsequently to enforce any provision of the Service Agreement. Any waiver at any time by either Party of its rights with respect to the other Party, or with respect to any matter arising in connection with this Service Agreement, will not be considered a waiver with respect to any subsequent matter. Failure of a Party to resort to any legal remedy or to exercise any one or more alternative remedies will not affect such Party's right subsequently to resort to any one or more of such rights or remedies on account of any such grounds then existing, or which may subsequently occur.

13.0 ACCEPTANCE BY FERC

The Parties recognize that this Service Agreement must be filed with the FERC and is subject to the jurisdiction of that Commission. Transmission Provider shall have the right to make a unilateral filing with the Commission to modify this Service Agreement with respect to any rates, terms and conditions, charges, classifications of service, rule or regulation under section 205 or any other applicable provision of the Federal Power Act and the Commission's rules and regulations thereunder, and Transmission Customer shall have the right to make a unilateral filing with the Commission to modify this Service Agreement pursuant to section 206 or any other applicable provision of the Federal Power Act and FERC's rules and regulations thereunder; provided that each Party shall have the right to protest any such filing by the other Party and to participate fully in any proceeding before FERC in which such modifications may be considered. Nothing in this Service Agreement shall limit the rights of the Parties or of the Commission under section 205 or 206 of the Federal Power Act and FERC's rules and regulations thereunder, except to the extent that the Parties otherwise mutually agree as provided herein.

[Signatures on following page]

DRAFT

IN WITNESS WHEREOF, the Parties have caused this Service Agreement to be executed by their respective authorized officials.

Transmission Provider:

DUKE ENERGY PROGRESS, LLC

Signature: _____

By: Sam Holeman

Title: VP Transmission System Planning and Ops

Date: _____

Transmission Customer:

TOWN OF WINTERVILLE, NC

Signature: _____

By:

Title: Mayor of the Town of Winterville, NC

Date: _____

**Attachment A
Specifications For
Network Integration Transmission Service**

1.0 Term of Network Service:

As specified in Section 3.0 of the Service Agreement for Network Integration Transmission Service.

2.0 Description of Capacity and/or Energy to be Transmitted by Transmission Provider across the Transmission Provider's Transmission System (Including Electric Control Area in which the Transaction Originates):

Firm capacity and energy delivered to the Transmission Provider's Transmission System in the amount of: (i) the sum of hourly metered load(s) at the metering location, compensated, where applicable, for losses on (a) the Transmission Customer's facilities to the extent the metering is remote from the Delivery Point and (b) the Transmission Provider's distribution facilities to the extent such Delivery Point is served from such facilities; plus (ii) real power losses on the Transmission Provider's Transmission System as set forth in Section 28.5 of the Tariff. The listing of the Transmission Customer's Delivery Points, as may be amended from time to time, is set forth in Attachment C to the Service Agreement. Detailed information about each of the Transmission Customer's Delivery Points shall be set forth in Delivery Point Data Sheets, executed by the Parties, substantially in the form set forth in Attachment C to the Service Agreement.

3.0 Resources:

Note: Changes or additions to Network Resources to serve Transmission Customer load growth shall be treated as a "Designation of New Network Resources" pursuant to Section 30.2 of the Transmission Provider's Tariff.

3.1 Network Resources – Owned Generation

Description of Resource: N/A

Capacity of Resource: N/A

Control Area in Which Resource is Located: N/A

Designated Interface(s): N/A

3.2 Network Resources -- Contracts

1) Wholesale Power Purchase Agreement By And Between Town of Winterville, North Carolina And NTE Energy dated January 1, 2018.

Term of Resource: Twenty (20) years

Capacity of Resource: The Transmission Customer is a full requirements customer of NTE Energy.

Control Area in Which Resource is Located: N/A

Designated Interfaces: DUK/CPL

“Designated Interfaces” shall mean the interface(s) between an adjacent Control Area and the Transmission Provider’s Control Area that serves as an entry point for energy from resources utilized by Transmission Customer pursuant to the designated Network Resource that are not located in the Transmission Provider’s Control Area into the Transmission Provider’s Control Area for the purpose of serving the Transmission Customer’s Network Load. Such designation shall not prevent the Transmission Customer from exercising all rights conferred by Section 30.8 of the Tariff.

4.0 **Network Load**

The Network Load is the demand and energy requirement for the Transmission Customer at the Delivery Points connected to the Transmission Provider’s transmission and distribution system, as set forth in Attachment C, as may be amended from time to time.

- 4.1 Transmission Customer’s load growth shall not be treated as “New Network_Load” pursuant to Section 31.2 of the Transmission Provider’s Tariff. Transmission Customer’s estimated load growth shall be reflected in the annual updates of forecasted Network Load provided pursuant to Section 31.6 of the Transmission Provider’s Tariff.
- 4.2 For purposes of calculating the Transmission Customer’s Network Load, load served by generating resources that utilize the transmission or distribution facilities of the Transmission Customer to reach load (“behind-the-meter generation”) shall be included in the Transmission Customer’s Network Load to the extent permitted by FERC policy, provided, however, that if FERC’s policy with respect to the treatment of load served by “behind-the-meter generation” is modified (as a result of judicial review of FERC Order No. 888, or otherwise), the treatment accorded Transmission Customer load served by such generation shall be conformed to FERC’s modified treatment.
- 4.3 For purposes of calculating the Transmission Customer’s load, Network Load shall not include load served by generating resources located “behind the second meter” that is unknown to the Transmission Customer (*i.e.*, generation that does not utilize the transmission or distribution system of a wholesale transmission customer to reach load or does not operate in synchronization with the Transmission Provider’s transmission

system), provided, however, that the calculation of Transmission Customer's load will be revised to include such load if: (i) FERC rules in a contested proceeding that load served by generation located behind the second meter must be included in a Transmission Customer's Network Load (and such ruling has been upheld on appeal, if any); and (ii) Transmission Provider includes all such load on its own system as part of its Firm Network Service for Self in the Denominator for Wholesale Transmission.

5.0 **Designation of Party Subject to Reciprocal Service Obligation:**

The Transmission Customer.

6.0 **Service Under this Agreement May be Subject to Some Combination of the Charges Detailed Below.**

The appropriate charges for individual transactions will be determined in accordance with the terms and conditions of the Tariff.

6.1 **Transmission Charge:**

As per the Tariff, Part III Section 34.

6.2 **Facilities Study Charge:**

Not Applicable.

6.3 **Direct Assignment Facilities Charge:**

As per the Tariff and Commission approval of charges for Direct Assignment Facilities pursuant to Section 205 of the Federal Power Act.

6.4 **Ancillary Services Charge:**

Schedule 1, Scheduling, System Control and Dispatch Service: The charges for Scheduling, System Control and Dispatch Service are as provided per the Tariff, Schedule 1.

Schedule 2, Reactive Supply and Voltage Control from Generation Sources Service: The charges for Reactive Supply and Voltage Control from Generation Sources Service are provided per the Tariff, Schedule 2. The Transmission Customer may satisfy all or part of its obligation through self-provision or purchases from generating facilities under the control of the Control Area operator.

Schedule 3, Regulation and Frequency Response Service: Regulation and Frequency Response Service: The charges for Regulation and Frequency Response Service are provided per the Tariff, Schedule 3. The Transmission Customer may satisfy all or part of its obligation through

self-provision or purchases from generating facilities under the control of the Control Area operator.

Schedule 4, Energy Imbalance Service: Transmission Customer must either purchase Energy Imbalance Service from the Transmission Provider or make alternative comparable arrangements to satisfy its Energy Imbalance Service obligations. The charges for this service are as provided per the Tariff, Schedule 4.

Transmission Customer has elected to purchase Energy Imbalance Service from the Transmission Provider.

Schedule 5, Operating Reserve - Spinning Reserve Service: The Transmission Customer must either purchase **Operating Reserve - Spinning Reserve Service** from the Transmission Provider or make alternative comparable arrangements to satisfy its Operating Reserve - Spinning Reserve Service obligations. The charges for this service are as provided per the Tariff, Schedule 5.

Schedule 6, Operating Reserve - Supplemental Reserve Service: The Transmission Customer must either purchase **Operating Reserve - Supplemental Reserve Service** from the Transmission Provider or make alternative comparable arrangements to satisfy its Operating Reserve Supplemental Service obligations. The charges for this service are as provided per the Tariff, Schedule 6.

6.5 Loss Compensation Service:

The Transmission Customer may elect to (1) supply the capacity and/or energy necessary to compensate the Transmission Provider for losses which occur across transmission facilities, or (2) receive an amount of electricity at Delivery Points that is reduced by the amount of losses incurred by the Transmission Provider.

6.6 Redispatch Charges:

As per the Tariff, Part III Section 34.4.

6.7 Distribution Rates:

None.

7.0 **Change in Control Area**

7.1 Nothing in this Agreement shall be construed as requiring that Transmission Customer load remain part of the Transmission Provider control area load for the duration of this Agreement. Transmission Customer retains the right to arrange for its load to become a part of the electrical control area of another control area operator during the term of

this Agreement, should Transmission Customer determine such action to be in its interest.

- 7.2 Transmission Provider will assist Transmission Customer in identifying technical requirements for accomplishing a transfer by Transmission Customer of its load to a different electrical control area (*e.g.*, through dynamic scheduling) and will agree to amend this Agreement, as and to the extent necessary, to accommodate such a transfer.

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**Attachment B
10 Year Load Forecast**

Winterville			
Year	Summer (MW)	Winter (MW)	Energy (MWh)
2018	13.8	13.5	56,645.00
2019	14.0	13.7	57,551.00
2020	14.3	13.8	58,530.00
2021	14.6	14.2	59,583.00
2022	14.8	14.5	60,656.00
2023	15.0	14.7	61,747.00
2024	15.3	15.0	62,859.00
2025	15.6	15.3	64,053.00
2026	15.9	15.6	65,270.00
2027	16.2	16.1	65,510.00

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**Attachment C
Delivery Points**

**Town of Winterville's Delivery
Points**

Vernon White 115 kV

Old Tar Road 34.5 kV

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Attachment D Loss Due to Early Retirement

A Delivery Point may be terminated by either Transmission Provider or Transmission Customer upon reasonable notice.¹ In the event that the termination of the Delivery Point results in the Early Retirement (as defined in Section 3.a below) of any of the Transmission Provider's facilities identified in the list of Delivery Points below or any of the Transmission Customer's facilities interconnected with such Transmission Provider's facilities, the Transmission Provider or the Transmission Customer, as applicable, shall be responsible for paying to the other party a Loss Due to Early Retirement ("LDER") calculated as follows:

1. If Transmission Provider is the initiator of the termination of the Delivery Point, Transmission Provider shall be responsible for paying to Transmission Customer any LDER incurred by Transmission Customer involving Transmission Customer's facilities interconnected with Transmission Provider's facilities at the Delivery Point. In such event, Transmission Customer's LDER shall consist of the sum of (a) the net book value of the Transmission Customer's facilities interconnected with Transmission Provider's facilities at the Delivery Point, plus actual cost of removal, less any actual salvage value, all as calculated using Transmission Customer's standard accounting practices, and (b) Transmission Customer's Reintegration Costs.

Reintegration Costs shall include the direct labor costs (plus a reasonable percentage for regular employee fringe benefits and a reasonable percentage for engineering and supervision, cost of use of equipment, cost of materials, and miscellaneous expenses) that Transmission Customer incurs in connecting, by the most practical and direct route, (a) the Transmission Customer's lines that were previously connected with the terminated Delivery Point with (b) the Delivery Point that replaces the terminated Delivery Point. Reintegration Costs will be calculated consistent with the standard methodology being used by the Transmission Customer at that time for calculations of this kind.

2. If Transmission Customer is the initiator of the termination of the Delivery Point, Transmission Customer shall be responsible for paying to Transmission Provider any LDER incurred by Transmission Provider involving the Transmission Provider facilities identified in the list of Delivery Points below. In such event, Transmission Provider's LDER shall consist of the net book value of the Transmission Provider's facilities covered by these distribution rates, plus actual

¹ For purposes of this Attachment D, "termination" of a Delivery Point means the Transmission Customer's permanent removal of all load from the point of electrical connection or at the voltage specified in the name of the Delivery Points in the list below.

cost of removal, less any actual salvage value, all as calculated using Transmission Provider's standard accounting practices.

3. Definitions

- a. A retirement shall be deemed to result in an "Early Retirement" for LDER purposes if the LDER, calculated as set forth in sections 1 and 2 herein, exceeds 20% of the sum of (a) the original cost of the asset(s) (including any additions or retirements) for which the LDER is calculated (b) actual removal costs, and (c), in the case of a termination initiated by the Transmission Provider, Reintegration Costs.
- b. For LDER calculation purposes, "net book value" of an asset represents the original cost of the asset (including any additions or retirements) less actual accumulated depreciation for the asset as reflected in the fixed assets system of the impacted entity.

4. Billing Provisions. After the Delivery Point is terminated, the Transmission Provider or Transmission Customer, as applicable, shall render a bill to the other party for the Transmission Provider's or Transmission Customer's LDER (excluding the actual cost of removal and actual salvage value), and, if applicable, the Transmission Customer's Reintegration Costs. After the facilities at the Delivery Point have been removed, the Transmission Provider or Transmission Customer, as applicable, shall render a bill to the other party for the Transmission Provider's or Transmission Customer's actual cost of removal and actual salvage value. Bills rendered hereunder shall be subject to the Billing and Payment provisions of Section 7 of the Tariff.

Attachment E Network Operating Agreement

1.0 Control Area Requirements

The Transmission Customer shall: (i) operate as a Control Area under applicable standards of the North American Electric Reliability Corporation (“NERC”), and SERC Reliability Corporation (“SERC”) or any of their successors; (ii) satisfy its Control Area requirements, including all necessary Ancillary Services, by contracting with the Transmission Provider; or (iii) satisfy its Control Area requirements, including all necessary Ancillary Services, by contracting with other entities, consistent with Good Utility Practice, which satisfies NERC and SERC requirements. The Transmission Customer shall plan, construct, operate, and maintain its facilities and system in accordance with Good Utility Practice, which shall include, but not be limited to, all applicable standards of NERC and SERC as they may be modified from time to time, and any generally accepted practices in the region.

2.0 Network Operating Committee

- (a) The Transmission Provider and the Transmission Customer shall each appoint a member and an alternate to a Network Operating Committee, and so notify the other Party of such appointment in writing. Such appointments may be changed at any time by similar notice. Each member and alternate shall be a responsible person working with the day to day operations of their respective system. The Network Operating Committee shall meet as necessary to carry out the duties set forth herein. The Network Operating Committee shall also represent the Parties in all other operational matters not identified below that may be delegated to it by mutual agreement of the Parties. The Network Operating Committee shall hold meetings at the request of either Party, at a time and place agreed upon by the members of the Network Operating Committee.
- (b) The Network Operating Committee shall coordinate operating criteria for the Parties’ respective responsibilities under the Tariff, and this Service Agreement including: (i) operate and maintain equipment necessary for integrating the Transmission Customer within the Transmission Provider’s Transmission System (including, but not limited to, remote terminal units, metering, communications equipment and relaying equipment); (ii) transfer data, as necessary and as applicable, between the Transmission Provider and the Transmission Customer (including, but not limited to, heat rates and operational characteristics of Network Resources, generation schedules for units outside the Transmission Provider’s Transmission System, interchange schedules, unit outputs for redispatch required under Section 33 of the Tariff, voltage schedules, loss factors, and other real time data); (iii) use software programs required for data links and constraint dispatching; (iv) exchange data on forecasted loads

and resources necessary for long-term planning; (v) address any other technical and operational considerations required for implementation of Part III of the Tariff, including scheduling protocols; and (vi) the development and implementation of communications protocols and procedures for the exchange of scheduling information. The Network Operating Committee shall have no power to amend or alter the provisions of this Service Agreement. The Network Operating Committee shall use the standards set forth in the FCR document as may be amended from time to time. The Network Operating Committee shall establish procedures: (i) to establish and verify initial and continuous compliance with the FCR, including the implementation of revised FCR provisions; and (ii) to correct failures to comply in a timely manner.

3.0 Network Operating Committee Agreements

- (a) Each Party shall cooperate in providing to the Network Operating Committee all information required in the performance of the Network Operating Committee's duties. All decisions and agreements, if any, made by the Network Operating Committee shall be evidenced in a writing approved by each member of the Operating Committee, and shall be in accordance with the Tariff and this Service Agreement.
- (b) Disputes within the Network Operating Committee shall be resolved in accordance with the Dispute Resolution Procedures in the Tariff.

4.0 Redispatch Procedures

- (a) The Transmission Provider may implement redispatch procedures in accordance with Section 33.2 of the Tariff. If the Transmission Provider has redispatch procedures that have been accepted for filing and permitted to go into effect by the Federal Energy Regulatory Commission ("FERC" or the "Commission"), those procedures will be adhered to by the Transmission Provider and the Transmission Customer in any instance in which redispatch is implemented. Until such time as the FERC has permitted the Transmission Provider's redispatch procedures to go into effect, redispatch will require mutual consent by both the Transmission Provider and the Transmission Customer. The Transmission Customer shall respond immediately to requests for redispatch from the Transmission Provider's system operator.
- (b) The Transmission Customer will submit to the Transmission Provider verifiable cost data for its Network Resources, which estimates the cost to the Transmission Customer of changing the generation output of each of its Network Resources. This cost data will be used, along with similar data for the Transmission Provider's resources, as the basis for least-cost redispatch. If the Transmission Customer experiences changes to its costs, the Transmission Customer will submit those changes to the

Transmission Provider's system operator. With respect to data provided by the Transmission Customer pursuant to this subsection, the Transmission Provider agrees that (i) its operations personnel will treat all such data as confidential and will disclose the data only to those Transmission Provider personnel who require the information in order to carry out the redispatch function, and (ii) under no circumstances will the Transmission Provider disclose the data to personnel engaged in Transmission Provider's merchant function or to any other marketer.

- (c) The Transmission Customer may audit, at its own expense, redispatch events (such as the cause or necessity of the redispatch) during normal business hours following reasonable notice to the Transmission Provider. Either the Transmission Customer or the Transmission Provider may request an audit of the other Party's cost data. Any audit of cost data will be performed by an independent agent at the requesting Party's cost. Such independent agent will be required to keep all cost data confidential.
- (d) Once redispatch has been implemented, the Transmission Provider will book in a separate account the redispatch costs incurred by the Transmission Provider and the Transmission Customer based on the submitted cost data. The Transmission Provider and all Transmission Customers will each bear a proportional share of the total redispatch costs based on their then current Load Ratio Shares. The redispatch charge or credit, as appropriate, will be reflected on the Transmission Customer's monthly bill.

5.0 Metering

- (a) Unless otherwise agreed and except as provided in Section 3(b), the Transmission Provider will be responsible for the installation, operation, maintenance, repair and replacement of all metering equipment necessary to provide Network Integration Service. The charge for such equipment and service shall be as set forth in the Network Service Agreement. All metering equipment shall conform to Good Utility Practice and, if it is electrically located in the Transmission Provider's Control Area, the standards and practices of the Transmission Provider's Control Area. Prior to installation of any metering equipment by the Transmission Customer or its agents, the Transmission Provider and the Transmission Customer shall review the metering equipment to ensure conformance with such standards or practices.
- (b) Unless otherwise agreed, electric capacity and energy received by the Transmission Provider from the Transmission Customer will be measured by meters installed and maintained by the Transmission Customer at the Transmission Customer's Network Resources if such Network Resources are electrically located within the Transmission Provider's Control Area. When measurement is made at any location other than a point of receipt,

suitable adjustment for losses between the point of measurement and the point of receipt will be agreed upon in writing between the Parties hereto and will be applied to all measurements so made. Metered receipts used in billing and accounting hereunder will in all cases include adjustment for such losses.

- (c) Electric capacity and energy delivered to the Transmission Customer's points of delivery by the Transmission Provider will be measured by meters installed at the points of delivery. When measurement is made at any location other than a point of delivery, suitable adjustment for losses between the point of measurement and the point of delivery will be agreed upon in writing between the Parties hereto and will be applied to all measurements so made. Metered receipts used in billings and accounting hereunder will in all cases include adjustments for such losses.
- (d) Meters at the Transmission Customer's Network Resources and Network Loads will be tested at least biennially. In addition, the Transmission Customer will, upon request of the Transmission Provider, test any of its meters at its Network Resources or Network Loads used for determining the receipt or delivery of capacity and energy by the Transmission Provider. Representatives of the Transmission Provider will be afforded an opportunity to witness such tests. In the event the test shows the meter to be inaccurate, the Transmission Customer will make any necessary adjustments, repairs or replacements thereon.
- (e) In the event any meter used to measure capacity and energy fails to register or is found to be inaccurate, appropriate billing adjustments, based on the best information available, will be agreed upon by the Parties hereto. Any meter tested and found to be not more than two percent above or below normal will be considered to be correct and accurate insofar as correction of billing is concerned. If, as a result of any test, a meter is found to register in excess of two percent either above or below normal, then the reading of such meter previously taken will be corrected according to the percentage of inaccuracy so found, but no correction will extend beyond ninety days prior to the day on which inaccuracy is discovered by such test.
- (f) The Transmission Provider will have the right to install suitable metering equipment at any Point(s) of Receipt or Delivery, as herein provided for the purpose of checking the meters installed by the Transmission Customer.
- (g) The Transmission Customer will read the meters owned by it, except as may be mutually agreed, and will furnish to the Transmission Provider all meter readings and other information required for operations and for billing purposes. Such information will remain available to the Transmission Provider for 3 years.

6.0 Control Area and Data Equipment

- (a) Unless otherwise agreed the Transmission Provider will be responsible for the installation, modification, operation, maintenance, repair and replacement of all data acquisition equipment, protection equipment, and any other associated equipment and software, which may be required by either Party for the Transmission Customer to operate in accordance with its choice under Section 1.0 of this NOA. The charge for such equipment and service shall be set forth in the Network Service Agreement. Such equipment shall conform to Good Utility Practice and, if the Transmission Customer is electrically located within the Transmission Provider's Control Area, the standards and practices of the Transmission Provider's Control Area. Prior to installation of any such equipment by Transmission Customer or its agents, the Transmission Provider and the Transmission Customer shall review the equipment and software required by this Section to ensure conformance with such standards or practices.
- (b) The selection of real time telemetry and data to be received by the Transmission Provider's Energy Control Center and the Transmission Customer shall be at the reasonable discretion of the Transmission Provider's Control Area, as deemed necessary for reliability, security, economics, and/or monitoring of system operations. This telemetry includes, but is not limited to, loads, line flows, voltages, generator output, and breaker status at any of the Transmission Customer's transmission facilities. To the extent telemetry is required that is not available, the Transmission Customer shall, at its own expense, install any metering equipment data acquisition equipment, or other equipment and software necessary for the telemetry to be received by the Transmission Provider's Energy Control Center.
- (c) Each Party shall be responsible for implementing any computer modifications or changes required to its own computer system(s) as necessary to implement this Section.
- (d) The Transmission Customer agrees that, if it seeks to dynamically schedule resources supplied from outside the DEP Control Area to the Transmission Customer's Network Load, it will utilize and implement a scheduling scheme suitable to the Transmission Provider. The Transmission Customer will be responsible for the provision of scheduling information (including the calculation of any dynamic value(s) used for scheduling and for any real-time modification of such dynamic scheduling value(s) which may be necessary) in order to coordinate the Transmission Customer's supply of energy from Network Resources outside the DEP Control Area with other designated and non-designated Network Resources, which may be scheduled from time to time, to serve a portion of the Transmission Customer's load.

- (e) To the extent that data required to determine the scheduling information pursuant to Section 6.0(d) above are not available for whatever reason (*e.g.*, meter failure or communications failure), or based on reasonable engineering judgment are deemed inaccurate, the Transmission Customer may use reasonable procedures, consistent with Good Utility Practice, to estimate such unavailable or inaccurate data.
- (f) The dynamic scheduling arrangements will be deemed to be in a state of successful operation if the dynamic scheduling information necessary for system operations is being made available to the Transmission Provider and other entities as required by agreement of the Parties (“Successful Operation”). The Parties agree that because of technical operating realities, Successful Operation will not result in the dynamic scheduling information being one hundred percent (100%) accurate. The Parties agree, however, that so long as the dynamic scheduling arrangements yield dynamic scheduling information that appears to the operating representatives of the Parties to be adequate for continuing operational purposes, the state of Successful Operation shall be deemed to exist. If sudden discontinuities or other atypical trends appear in the dynamic scheduling information which cause either Party’s system operator to question the operational validity of such information, the Transmission Customer may, on its own initiative, and shall, at the request of the Transmission Provider, investigate the cause of the observed discontinuities or atypical trends. If such investigation reveals a condition that the Parties agree renders the dynamic scheduling information inadequate for continuing operational purposes, the dynamic scheduling arrangements will be deemed inoperable from the time the condition is determined to have first occurred, or absent the ability to make a determination at the time the investigation was initiated, until the condition is resolved.

7.0 Operating Requirements

- (a) The Transmission Customer shall operate or cause to be operated its generating resources in a manner consistent with that of the Transmission Provider, following voltage schedules, utilizing free governor response, meeting power factor requirements at the point of interconnection with the Transmission Provider’s system, and other such criteria required by NERC or SERC, or any of their successors, and consistently adhered to by the Transmission Provider.
- (b) Insofar as practicable, the Transmission Provider and the Transmission Customer shall protect, operate, and maintain their respective systems so as to avoid or minimize the likelihood of disturbances which might cause impairment of service on the system(s) of the other. The Parties, consistent with Good Utility Practice, shall implement load shedding programs to maintain the reliability and integrity of the Transmission

System, as provided in Section 33.6 of the Tariff. Load shedding shall include: (i) automatic load shedding by under frequency device; and (ii) manual load shedding. The Transmission Provider will implement load shedding to maintain the relative sizes of load served, unless otherwise required by circumstances beyond the control of the Transmission Provider or the Transmission Customer. Automatic load shedding devices will operate without notice.

- (c) The Transmission Customer shall, at its own expense, provide, operate, and maintain in service high-speed, underfrequency load shedding equipment. The Transmission Customer will install underfrequency devices consistent with requirements of NERC and SERC (or their successors). The Transmission Customer will install underfrequency relays to disconnect automatically approximately thirty percent (30%) of its Network Load in a manner consistent with that followed by the Transmission Provider, which is three steps of approximately ten percent (10%) each at frequency set points of 59.3 Hertz, 59.0 Hertz and 58.5 Hertz. If additional load shedding above that already installed should become necessary, the Transmission Customer's installation of the required underfrequency relays shall be completed on a schedule agreed to by the Network Operating Committee. The Network Operating Committee may review the amount of load that would be disconnected automatically and make such adjustments and changes as necessary.
- (d) In the event the Transmission Provider reasonably modifies the load shedding system in accordance with Good Utility Practice and NERC or SERC requirements, the Transmission Customer shall, at its expense, make changes to its equipment and setting of such equipment, as required. The Transmission Customer shall test and inspect the load shedding equipment within ninety (90) days of taking Network Integration Transmission Service under the Tariff and thereafter in accordance with Good Utility Practice, but no more often than the Transmission Provider, and provide a written report to the Transmission Provider. The Transmission Provider may request a test of the load shedding equipment with reasonable written notice at the expense of the Transmission Provider. If the Transmission Customer installs automatic load shedding equipment, the Transmission Provider shall provide to the Transmission Customer a written report upon each test of the Transmission Provider's automatic load shedding equipment. The Parties will, upon request, provide each other with copies of NERC compliance reports, as they relate to the NERC Planning Standards on underfrequency load shedding.

8.0 Operational Information

- (a) The Transmission Customer shall provide by September 1 of each year the Transmission Customer's Network Resource Availability Forecast (*e.g.*, all planned resource outages, including off-line and on-line dates) for the

following year. Such forecast shall be made in accordance with Good Utility Practice. The Transmission Customer shall inform the Transmission Provider, in a timely manner, of any changes to the Transmission Customer's Network Resource Availability Forecast. In the event that the Transmission Provider determines, in compliance with its rights and responsibilities under Section 28.2 of the Tariff, that such forecast cannot be accommodated due to a transmission constraint on its Transmission System, then the Transmission Provider shall notify the Network Operating Committee which shall meet to resolve the matter. If the Network Operating Committee is unable to resolve the matter in a timely fashion, then the Dispute Resolution Procedures set forth in Section 12 of the Tariff shall apply.

- (b) The Transmission Customer shall provide, at least thirty-six (36) hours in advance of every calendar day, the Transmission Customer's best forecast of any planned transmission or Network Resource outage(s) and other operating information reasonably required by the Transmission Provider to provide Transmission Service under the Service Agreement. In the event that such planned outages cannot be accommodated due to a transmission constraint on the Transmission Provider's Transmission System and the Network Operating Committee cannot agree on remedial measures, the provisions of Section 33 of the Tariff will be implemented.
- (c) The Transmission Provider and the Transmission Customer shall notify and coordinate with the other Party prior to the commencement of any work by either Party (or contractors or agents performing on their behalf) which may directly or indirectly have an adverse effect on the other Party.
- (d) All information provided by either Party to the other under this Section shall be treated as confidential.

9.0 Network Planning

In order for the Transmission Provider to plan, on an ongoing basis, to meet the Transmission Customer's requirements for Network Integration Transmission Service, the Transmission Customer shall provide annually to the Transmission Provider, by September 1 of each year, updated information (current year and 10-year projection) for Network Loads and Network Resources, as well as any other information reasonably necessary to plan for Network Integration Transmission Service. This type of information is consistent with the Transmission Provider's information requirements for planning to serve its Native Load Customers. The data will be provided in a format consistent with that used by the Transmission Provider.

10.0 Character of Service

Power and energy delivered under the Service Agreement shall be delivered as three-phase alternating current at a frequency of approximately sixty (60) Hertz, and at the nominal voltages at the Points of Delivery and Points of Receipt.

11.0 Transfer of Power and Energy Through Other Systems

Since the Transmission Provider's Transmission System is, and will be, directly and indirectly connected with other electric systems, it is recognized that, because of the physical and electrical characteristics of the facilities involved, electric capacity and energy delivered under the Service Agreement will flow through such other systems. The Parties agree to advise other electric systems as deemed appropriate of such scheduled transfers and to attempt to maintain good relationships with affected third parties. The Parties further agree that the Transmission Customer will be responsible for making arrangements, suitable to the Transmission Provider, with neighboring transmission providers as necessary for the scheduling and delivery to the Transmission Provider's Control Area of electric capacity and energy from any other designated or non-designated Network Resources of the Transmission Customer that are (or will be) located outside the Transmission Provider's Control Area.

**Attachment F
Other Charges**

POD and Leased Communication Line Charges:

\$700 monthly charge for current transformers, potential transformers, meters and associated equipment located at the Vernon White Delivery Point and meter and associated devices at the Old Tar Road Delivery Point. \$150 monthly charge for leased communications lines and associated equipment to both Delivery Points.

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**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item to be Considered

Subject: Coopers Pointe Section 8, Phase 2 Final Plat.

Action Requested: Approve Coopers Pointe Section 8, Phase 2 Final Plat.

Attachments: Final Plat Map.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Coopers Pointe Section 8, Phase 2:

Location: near the Corner of Laurie Ellis Road and Ange Street. Last Section of Coopers Pointe (as proposed/ expected.)

Size: 7.36 Acres

Zone: R-15.

Total Residential Lots Created: 13.

Area reserved for recreation space: 0.7803 Acres. (This subdivision dedicated recreation space instead of the fee in lieu of dedication.)

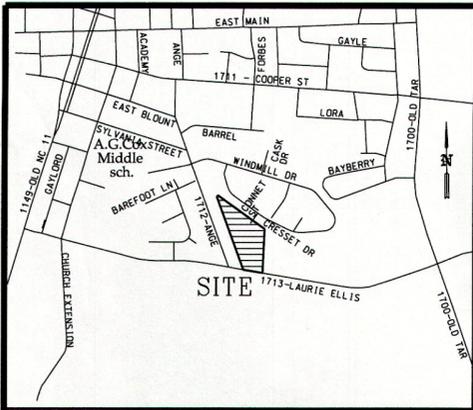
Budgetary Impact: TBD.

Recommendation: Approve Coopers Pointe Section 8, Phase 2 Final Plat.

SITE DATA

TOTAL AREA IN TRACT.....7.356 AC
 NO. OF LOTS CREATED.....15
 CURRENT ZONING.....R-15
 LINEAR FEET IN STREETS.....599 LF
 AREA IN PARKS OR RECREATION.....1.1113 AC
 MAXIMUM IMPERVIOUS AREA.....
 3.996 SF PER LOT

RECEIVED
 AUG 02 2017
 BY SDB



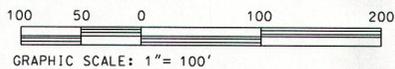
VICINITY MAP
 NOT TO SCALE

CURVE DATA

C1	C2	C3
R=120.00' Δ=47°44'47" L=116.04' CH=N12°58'14"E 111.57'	R=20.00' Δ=286°28'44" L=27.59' CH=N54°14'26"W 25.45'	R=64.00' Δ=89°31'29" L=109.33' CH=N44°48'55"W 96.51'
C4	C5	C6
R=64.00' Δ=89°31'29" L=92.77' CH=N45°38'48"E 84.86'	R=64.00' Δ=89°31'29" L=56.78' CH=S67°24'25"E 54.94'	R=64.00' Δ=89°31'29" L=30.45' CH=S28°21'32"E 30.16'
C7	C8	C9
R=180.00' Δ=31°49'52" L=35.17' CH=S09°08'00"E 35.11'	R=180.00' Δ=31°49'52" L=76.33' CH=S08°36'44"W 75.76'	R=180.00' Δ=31°49'52" L=62.55' CH=S30°42'58"W 62.24'

NOTES

- AREAS CALCULATED BY COORDINATE GEOMETRY.
- MINIMUM BUILDING SETBACK LINES:
FRONT - 25'
SIDE - 10'
REAR - 20'
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM. REF: FIRM 3720467400J. CID # 370193, MAP DATED JAN. 2, 2004.
- IRONS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
- DIMENSIONS ON 100' FUTURE THROUGHFARE FROM NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- DRAINAGE SWALES TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- ALL UTILITY AND DRAINAGE EASEMENTS ARE CENTERED ON LINES AS INSTALLED UNLESS OTHERWISE NOTED.
- THE DESIGNATION OVER WATER, SANITARY SEWER, DRAINAGE, AND ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, DRAINAGE, AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, ILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRDACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE TOWN OF WINTERVILLE.
- BMP MAINTENANCE AGREEMENT FOR SWALES RECORDED IN DEED BOOK 3441, PAGE 829, HOME OWNERS ASSOCIATION DOCUMENT RECORDED IN DEED BOOK 3441, PAGE 799, RESTRICTIVE COVENANTS RECORDED IN DEED BOOK 3441, PAGE 804, MAINTENANCE AGREEMENT FOR DRY DETENTION RECORDED IN DEED BOOK 3441, PAGE 831.



FOR REVIEW ONLY

SHEET 1 OF 1 A PORTION OF PARCEL NO. 82617

MAP FOR RECORD
COOPER'S POINTE
 SECTION 8, PHASE 2

REFERENCE: A PORTION OF THE PROPERTY RECORDED IN DEED BOOK 3344, PAGE 432 OF THE PITT COUNTY REGISTRY

WINTERVILLE, WINTERVILLE TWP., PITT CO., N.C.

OWNER: BILL CLARK HOMES OF GREENVILLE, LLC
 ADDRESS: 200 E. ARLINGTON BLVD.
 GREENVILLE, NC 27858
 PHONE: (252) 355-5805

STROUD ENGINEERING, P.A.
 107-B COMMERCE ST.
 GREENVILLE, NC 27858
 (252) 756-9352
 LICENSE NO. C-0647

SURVEYED: HOB/DTB	APPROVED: HOB/DTB
DRAWN: DTB	DATE: 04/19/16
CHECKED: HOB/DTB	SCALE: 1" = 100'

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN. THAT THE PROPERTY IS WITHIN THE SUBDIVISION JURISDICTION OF THE TOWN OF WINTERVILLE AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT AND HEREBY ESTABLISH ALL LOTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND EASEMENTS TO PUBLIC USE.

OWNER	DATE

CERTIFICATE OF FINAL APPROVAL

APPROVED FOR RECORDING BY THE TOWN COUNCIL OF THE TOWN OF WINTERVILLE, N.C. ON THIS THE ____ DAY OF ____ 20__ PURSUANT TO AUTHORITY OF SECTION 154-13 IN THE SUBDIVISION REGULATIONS.

MAYOR OF WINTERVILLE
 DATE

CERTIFICATE OF APPROVAL BY THE PLANNING BOARD

I HEREBY CERTIFY THAT THIS FINAL PLAT WAS RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD OF THE TOWN OF WINTERVILLE ON THE ____ DAY OF ____ 20__.

CHAIRMAN, WINTERVILLE PLANNING BOARD
 DATE

CERTIFICATE OF SURVEY ACCURACY

I, _____, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM MAPS AND DEEDS REFERENCED HEREON; THAT THE RATIO OF PRECISION IS 1:26,553;

THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THAT THIS PLAT MEETS THE REQUIREMENTS OF G.S. 47-30 SECTION F (11) (c); THAT THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

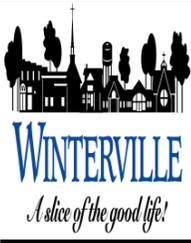
WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE ____ DAY OF ____ 2017.

PROFESSIONAL LAND SURVEYOR L-_____

NORTH CAROLINA, PITT COUNTY
 I, _____, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER
 DATE _____

PROJECT NO. P1544-001



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 11, 2017

Presenter: Robert Sutton, Electric Director

Item to be Considered

Subject: Approval of Contract for Public Works/Electric Pre Engineered Building Addition.

Action Requested: Approve contract with Designco Construction, Inc.

Attachments: Final Bid Tab.

Prepared By: Robert Sutton, Electric Director

Date: 8/25/2017

ABSTRACT ROUTING:

TC

FD

TM tlp – 9/11/2017

Final tlp – 9/11/2017

Supporting Documentation

Bids were received for the Public Works/Electric Pre Engineered Building Addition project on August 24. Designco Construction, Inc. was the low bidder with a total bid of \$309,500. This price includes the base bid, Alternate #1, and Alternate #2.

Staff proposes to proceed with the base bid and both alternates. The base bid includes expanding the Public Works Shop by five (5) bays, with three (3) fully enclosed and heated. The total square footage of the expansion is 6,250 SF and the cost is \$217,500.

One (1) bay will be utilized by the Electric Department and the rest will be utilized by the Public Works Department. Alternate #1 is a one (1) bay expansion of the existing Electric Department Shop. Alternate #1 includes an 840 SF addition and is \$55,000. Alternate #2 includes a concrete pad for materials storage that will replace the storage taken up by the building expansion. Alternate #2 costs \$25,000. These additions should provide enough operating and storage space for the Town's operations departments for many years to come. Staff recommends award of the contract for the base bid and both alternatives.

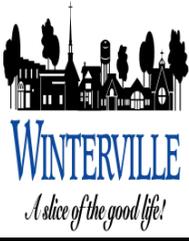
Budgetary Impact: Total project cost is \$309,500. Staff had budget \$306,200 for this project which was approved in this fiscal year's budget. Staff will transfer the remaining \$3,300 from other line items within the Public Buildings fund in order to cover the overage.

Recommendation: Approval and award of contract to Designco Construction for base bid and both alternates.

TOWN OF WINTERVILLE
WINTERVILLE, NORTH CAROLINA
BID PROPOSALS FOR PUBLIC WORKS SHOP ADDITION
BID TABULATION AUGUST 2017

DESCRIPTION	Designco Construction, Inc. 920 Woodridge Park Rd, Suite A Greenville, NC 27834	Custom Building Co. PO Box 781 Greenville, NC 27834	T.D. Goodwin Construction 3505 Whichard Rd. Greenville, NC 27858
Base Bid	\$217,500.00	\$222,335.00	\$229,350.00
Alternate #1	\$55,000.00	\$54,305.00	\$61,200.00
Alternate #2	\$25,000.00	\$26,527.00	\$26,300.00
Civil/Site Design Allowance	\$12,000.00	\$12,000.00	\$12,000.00

PROJECT TOTAL: **\$309,500.00** **\$315,167.00** **\$328,850.00**



**Town of Winterville
Town Council
Agenda Abstract**

Meeting Date: September 11, 2017

Presenter: Terri L. Parker, Town Manager

Item Section: New Business

Item to be Considered

Subject: Designation of Voting Delegate and Alternate Voting Delegate for 2017 Annual North Carolina League of Municipalities (NCLM) Business Meeting.

Action Requested: Designate One (1) Voting Delegate and One (1) Alternate Voting Delegate.

Attachments: N/A.

Prepared By: Terri L. Parker, Town Manager

Date: 9/7/2017

ABSTRACT ROUTING:

TC

FD

TM 9/7/2017

Final 9/7/2017

Supporting Documentation

The 2017 NCLM Annual Conference will convene in September, 2017 at the Convention Center in Greenville, NC. Under the League Constitution and the voting procedure established by the League Board of Directors, each member municipality sending delegates to the Annual Conference is required to designate one voting delegate and one alternate voting delegate. The vote of the Town of Winterville at the League's Annual Business Meeting may be cast only by a designated voting delegate or alternate voting delegate.

VOTING DELEGATES MAY PICK UP THEIR VOTING CARDS FROM THE LEAGUE'S VOTING CREDENTIALS DESK LOCATED IN THE ON-SITE CONFERENCE REGISTRATION AREA **PRIOR TO THE START OF THE ANNUAL BUSINESS MEETING.**

Budgetary Impact: N/A.

Recommendation: Appoint one (1) Voting Delegate and one (1) Alternate Voting Delegate member for the NCLM Annual Business Meeting.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 11, 2017

Presenter: Ben Williams, Assistant Town
Manager

Item to be Considered

Subject: Town of Winterville Water – Wellhead Protection Plan.

Action Requested: Adoption of Wellhead Protection Plan.

Attachments: DRAFT 2017 Wellhead Protection Plan w/o appendices.

Prepared By: Ben Williams, Assistant Town Manager

Date: 9/5/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Staff and a consultant have developed a Wellhead Protection Program. This is a voluntary program intended to assist in protecting the system's water supply from contamination, and to identify vulnerable areas around groundwater wells called the "Wellhead Protection Areas". The program will aid in making residents and businesses aware that chemicals and other pollutants spilled or dumped in the vicinity of the "Wellhead Protection Areas" can be drawn into the well, possibly contaminating the system's drinking water supply.

Budgetary Impact: N/A.

Recommendation: Adopt DRAFT Wellhead Protection Plan.

WELLHEAD PROTECTION PLAN



**Winterville Public Utilities
Pitt County
PWS ID # 04-74-040**

**Mr. Travis Welborn, PE
Town of Winterville
Public Works Director
Phone: 252-215-2427
Fax: 252-215-2466
2936 Church Street
Winterville, North Carolina 28590**

August 25, 2017



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BACKGROUND

In 1986, Safe Water Drinking Act (SWDA) amendments added Section 1428, "State Programs to Establish Wellhead Protection Areas", which requires each state to develop a program to "protect wellhead areas within their jurisdiction from contaminants which may have any adverse effects on the health of persons." The term wellhead protection area is defined in the law as "the surface and subsurface area surrounding a water well or well field, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field." North Carolina's Environmental Protection Agency (EPA) approved Wellhead Protection Program (WHPP) provides technical support to local governments and public water supply systems in their endeavors to develop and implement their own Wellhead Protection Plans.

North Carolina's objective in developing a protection plan is to provide a process for public water system operators to learn more about their groundwater systems and how to protect them. Wellhead Protection Plans allow communities to take charge of protecting the quality of their drinking water by identifying and carefully managing areas that supply groundwater to their public wells.

Regulations of the **Division of Water Resources (DWR), under the Department of Environment Quality** require wellhead protection measures for any public water supply wells to be used as a community or non-transient, non-community water system to meet the following requirements:

- (1) The well shall be located on a lot so that the area within 100 feet of the well shall be owned or controlled by the person supplying the water. The supplier of water shall be able to protect the well lot from potential sources of pollution and to construct landscape features for drainage and diversion of pollution.
- (2) The minimum horizontal separation between the well and known potential sources of pollution shall be as follows:
 - (a) 100 feet from any sanitary sewage disposal system, sewer, or a sewer pipe unless the sewer is constructed of water main materials and joints, in which case the sewer pipe shall be at least 50 feet from the well;
 - (b) 200 feet from a subsurface sanitary sewage treatment and disposal system designed for 3000 or more gallons of wastewater a day flows, unless it is determined that the well water source utilizes a confined aquifer;
 - (c) 500 feet from a septage disposal site;
 - (d) 100 feet from buildings, mobile homes, permanent structures, animal houses or lots, or cultivated areas to which chemicals are applied;
 - (e) 100 feet from surface water;
 - (f) 100 feet from a chemical or petroleum fuel underground storage tank with secondary containment;

- (g) 500 feet from a chemical or petroleum fuel underground storage tank without secondary containment;
 - (h) 500 feet from the boundary of a ground water contamination area;
 - (i) 500 feet from a sanitary landfill or non-permitted non-hazardous solid waste disposal site;
 - (j) 1000 feet from a hazardous waste disposal site or in any location which conflicts with the North Carolina Hazardous Waste Management Rules cited as 15A NCAC 13A;
 - (k) 300 feet from a cemetery or burial ground; and
 - (l) 100 feet from any other potential source of pollution.
- (3) The Department may require greater separation distances or impose other protective measures then necessary to protect the well from pollution; the Department shall consider as follows:
- (a) The hazard or health risk associated with the source of pollution;
 - (b) The proximity of the potential source to the well;
 - (c) The type of material, facility or circumstance that poses the source or potential source of pollution;
 - (d) The volume or size of the source or potential source of pollution;
 - (e) Hydrogeological features of the site which could affect the movement of contaminants to the source water;
 - (f) The effect which well operation might have on the movement of contamination;
 - (g) The feasibility of providing additional separation distances or protective measures.
- (4) The lot shall be graded or sloped so that surface water is diverted away from the wellhead. The lot shall not be subject to flooding.
- (5) When the supplier of water is unable to locate water from any other approved source and when an existing well can no longer provide water that meets the requirement of this Subchapter, a representative of the Division may approve a smaller well lot and reduced separation distances for temporary use.

In addition, communities are encouraged to establish wellhead protection plans, which include the following:

- (1) The formation of a wellhead protection committee to establish and implement the wellhead protection program whose role it is to conduct a potential contaminant source inventory, provide options for the management of the WHP area, seek public input into the creation of the WHP plan, seek approval of the WHP program and to implement the WHP program;
- (2) Delineation of the contributing areas of the water sources;

- (3) Identification of potential contamination sources within the wellhead protection area;
- (4) Develop and implement wellhead protection area management actions to protect the water sources;
- (5) Develop an emergency contingency plan for alternative water supply sources in the event the groundwater supply becomes contaminated and emergency response planning for incidents that may impact water quality;
- (6) Development of a public education program;
- (7) Conduct new water source planning to insure the protection of new water source locations and to augment current supplies.

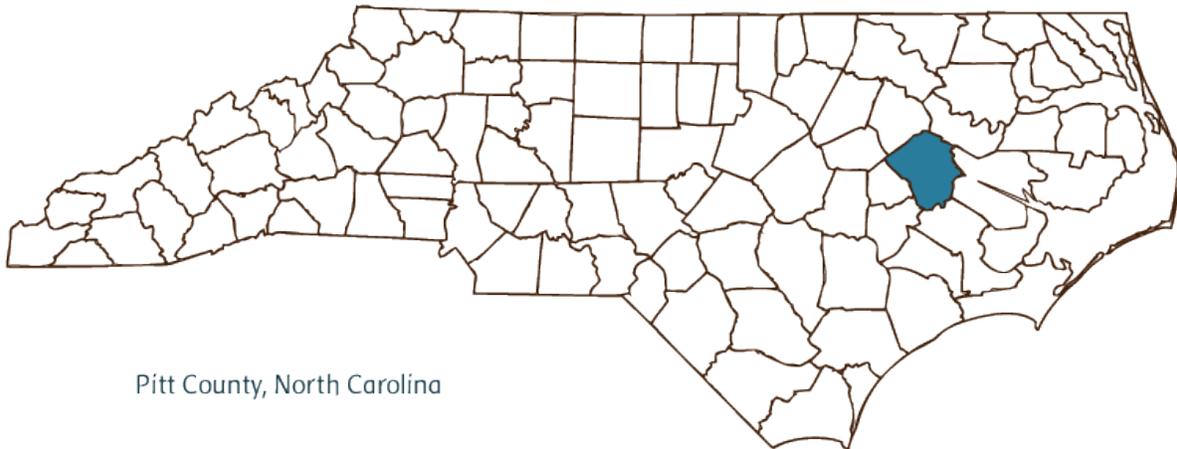
Wellhead protection for public water supply wells is a voluntary program, but water systems across the state are encouraged to take the above steps in protecting all groundwater sources.

The Public Water Supply Section (PWSS) provides the final approval for WHP Programs. The NC Wellhead Protection Program Coordinator is:

M. Gale Johnson, L.G.
Public Water Supply Section
1634 Mail Service Center
Raleigh, North Carolina 27699-1634
Phone: 919-707-9083
Fax: 919-715-4374

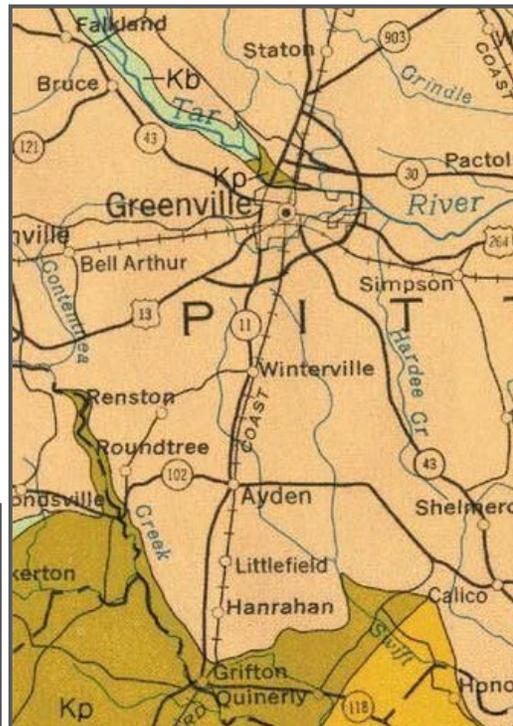
INTRODUCTION

The Town of Winterville is located in Pitt County, in the central coastal plain of North Carolina, just south of Greenville. While the town was officially chartered in 1897, Winterville was already a bustling manufacturing town and an important stop along the Atlantic Coastline Railroad. Manufacturing of wagons, fertilizer distributors, school desks and tobacco trucks took place in Winterville, as well as manufacture of a new cotton planter device of which several hundred were shipped into the Deep South each year. Today, Winterville is a close-knit community that maintains its small town charm with a population of approximately 9,269 residents (2010 census). The Town’s single largest employer is the Robert’s Company.



The center of Winterville is situated approximately 69 feet above mean sea level. The land surface is generally flat, but the elevation gradually drops moving towards the east and west where parts of the boundaries of the town limits are defined by the Fork Swamp and Swift Creek, respectively. The 1985 Geologic Map of North Carolina (excerpt centered on Winterville area to the right) shows that the near surface sediments consist of the Yorktown and Duplin formations (undivided) of the Tertiary geologic period. These formations are described below:

Tpy
YORKTOWN FORMATION AND DUPLIN FORMATION, UNDIVIDED
Yorktown Formation: Fossiliferous clay with varying amounts of fine-grained sand, bluish gray, shell material commonly concentrated in lenses; mainly in area north of Neuse River
Duplin Formation: Shelly, medium- to coarse-grained sand, sandy marl, and limestone, bluish gray; mainly in area south of Neuse River



The Town of Winterville has three (3) operational wells. Well #2 and Well #4 are screened in both the Black Creek and Upper Cape Fear aquifers. Well #3 is screened only in the Black Creek aquifer. Liquid chloramines are injected at the wellhead for disinfection prior to distribution. Well #2 and #4 are inspected daily, but Well #3 is only inspected once a month because it has not been converted to chloramines, and the Town has not been operating it. Table 1 summarizes the data for Winterville’s wells, from well records, permit data and literature searches. The water system uses one (1) 500,000 gallon elevated storage tank to pressurize the system. In 2016, the average daily use was 572,000 gallons, and the maximum daily use was 1,120,000 gallons.

Well	Location	Yield (gpm)	Depth	Intermittent Screened Depth (ft)	Total Screened ft.	Latitude	Longitude
Well #2	Church Street Ext	250	436	340 ft. - 345 ft. 358 ft. - 363 ft. 396 ft. - 406 ft. 412 ft. - 422 ft. 427 ft. - 432 ft.	35 ft.	35.512416	-77.404829
Well #3	Cannon Rd.	200	377	240 ft. - 248 ft. 256 ft. - 260 ft. 266 ft. - 270 ft. 278 ft. - 282 ft. 308 ft. - 312 ft. 316 ft. - 324 ft. 336 ft. - 340 ft. 344 ft. - 352 ft. 368 ft. - 372 ft.	48 ft.	35.532466	-77.389206
Well #4	Division St.	600	432	326 ft. - 336 ft. 359 ft. - 366 ft. 383 ft. - 396 ft. 413 ft. - 427 ft.	44 ft.	35.520833	-77.402222

Table 1. Winterville Well Data

Well #2 was constructed in 1976. Well #3 was constructed in 1962, but has not been used since 2011 when Winterville began purchasing water from Greenville Utilities Commission (GUC). Well #4 was constructed in 1991. Winterville was required to upgrade the disinfection systems at their wells in 2011, to switch from chlorine to chloramine disinfection so that the Town water would be compatible with water purchased from GUC. Winterville carried out the disinfection upgrades on all wells except Well #2, because it produced the least capacity, and because that capacity was no longer needed due to water purchases from GUC which averaged 366,000 gallons per day in 2016. Well records and data for the wells are located in the appendix. Each well is pumped less than 12 hours per day as required by state rules. Winterville had previously operated a well numbered Well #1, but it has since been properly abandoned.

Winterville’s wells are located in the “Dewatering Zone” designated by the Central Coastal Plain Capacity Use Area (CCPCUA) rule, and the Town holds Division of Water

Resources (DWR) permit number CU3121. The rule required incremental water withdrawal reductions from Cretaceous-age aquifers over a 15-county area of the coastal plain, starting in 2008. These aquifers were being overused such that they may fail to meet the area's water supply needs in the future, and this forced reduction expanded the need to locate alternative water sources. The permit requires that the town report monthly to the Division of Water Resources all water withdrawals, along with both static and pumping water levels. Specific capacity is the pumping rate in gallons per minute, divided by the draw down in feet. Draw down, or pumping water level is measured after the water has stabilized sometime after pumping. This information is provided to the state on an annual basis to insure groundwater levels are not being depleted too rapidly.

The approved CCPCUA base rate for withdrawal from Winterville's wells is 135,531,828 gallons per year. The Town's permit mandates reductions in withdrawals, and the current limit for the period from August 1, 2013 through July 31, 2018 is 90,354,552 gallons per year. The next reduction will begin on August 1, 2018, and will limit Winterville's water withdrawals from the Cretaceous-age aquifers to 45,177,276 gallons per year.

Winterville's water supply system has 68 miles of distribution line and approximately 3,931 customers. The system has a 12-inch interconnection to the Greenville Utilities Commission for the regular purchase of water, as well as a 10-inch interconnection to Bell Arthur Water for emergency water sales or purchases. The Town owns and operates a municipal sewage system supplying service to 3,726 customers. All of the wastewater is collected and then pumped to the Contentnea Metropolitan Sewerage District (CMSD) treatment plant in Grifton where it is treated and discharged into the Contentnea Creek.

I. THE PLANNING TEAM

A planning team has been formed to develop and implement the Wellhead Protection Plan for Winterville. The current members of the Wellhead Protection Committee (WPC) are as follows:

- Mr. Ben Williams, Assistant Town Manager, Town of Winterville
- Mr. Travis Welborn, Public Works Director, Town of Winterville
- Mr. Barry Speer, Distribution and System Superintendent, Town of Winterville
- Chairman of the Winterville Planning Board (and successors so titled)

The Assistant Town Manager and Town employees are responsible for implementing the program. They have accepted the recommendations made in the program by the WPC. The Town of Winterville will begin implementation of the program immediately following approval by the Public Water Supply Section of NCDEQ and will complete implementation within ninety (90) days.

Upon completion of the implementation phase of the WHP Plan, the individual responsible for implementation will submit notification to the Public Water Supply Section in accordance with the schedule set forth in the approved WHP Plan.

Purpose of the Wellhead Protection Plan

- Protect Winterville’s groundwater resource from contamination.
- Preserve the capital investment in the well by using public education and contingency planning to manage the Wellhead Protection Area (WHPA).
- Educate the served population and groundwater stakeholders in how to prevent groundwater contamination.

II. DELINEATING THE WELLHEAD PROTECTION AREA

Simply stated, the WHPA is the part of the landscape - above or below ground – which contributes water that will eventually reach the pumping well. If a contaminant reaches groundwater within the well system’s contribution area, the contaminant can move with the groundwater into the well. If the contributing area for the well is identified and management strategies are set in place to manage certain activities, the possibility that the well might become contaminated can be significantly reduced. This is the area where the wellhead protection (WHP) plan will apply.

The estimated average recharge rate is typically used to estimate the size of the WHPA for wells withdrawing water from unconfined surficial aquifers. However, the average recharge rate to confined and semi-confined aquifers of the coastal plain are, in general, small in comparison to the average recharge rate to unconfined surficial aquifers. WHPAs for wells withdrawing water from confined/semi-confined aquifers could potentially be unmanageably large if based on the recharge rate to these aquifers. Also, because the land area, in which recharge to a confined aquifer is derived, may be located many miles from the pumping well, accurate determination and management of WHPAs based on recharge presents numerous technical and jurisdictional difficulties in these types of aquifers. As a result, WHPAs for wells withdrawing water from confined/semi-confined coastal plain aquifers are often based on time of travel calculations. A time of travel calculation uses the rate of groundwater movement to estimate how long water or a contaminant will take to reach a well from a point within the aquifer.

In North Carolina, the WHPA for wells withdrawing water from certain confined aquifers encompasses the area surrounding the well for which the time of travel from the outer edge of the area to the well is 10 years. A 10-year period was selected to provide time to assess the potential impact of any groundwater contamination discovered within the WHPAs and for developing appropriate remediation and groundwater protection strategies for the water supply. A WHPA based on a longer time of travel may provide a greater degree of protection to the well and allow more advance warning to respond to a contamination incident within the WHPA, but it will also expand the area to manage under the WHP Plan.

WHPAs based on a 10 year time of travel from their outer edge to the pumping well can be estimated by using the groundwater velocity or by estimating the volume of the aquifer required to supply 10 years of withdrawals (i.e., the Aquifer Source Volume method). In this WHP Plan, the wellhead protection areas for Winterville’s wells were delineated using values from Table 1 (Step 2, Page 11) of The North Carolina Wellhead Protection Guidebook, shown below, based on well yields provided by Winterville.

Table 1. Recommended radii of WHPAs for wells withdrawing from semi-confined and highly confined aquifers.			
Well Yield Q¹ (gpm)	Maximum Permitted Withdrawal (Q_{MPW}²) (gallons)	Aquifer Thickness³ (ft)	Radius of WHPA (ft) (rounded)
50	36,000	25	1,000
100	72,000	50	1,000
200	144,000	50	1,500
500	360,000	75	2,000
1000	720,000	75	3,000
2000	1,440,000	100	3,500

¹ Maximum sustained well yield or maximum capacity of the pump, in gallons per minute. Read as “up to” the indicated value; e.g., for a well yield of 150 gpm, use line representing 200 gpm.
² Maximum Permitted Withdrawal (Q_{mpw}) based on 12 hours per day of pump operation.
³ Aquifer thickness is a value assumed on the basis of the pumping rate.

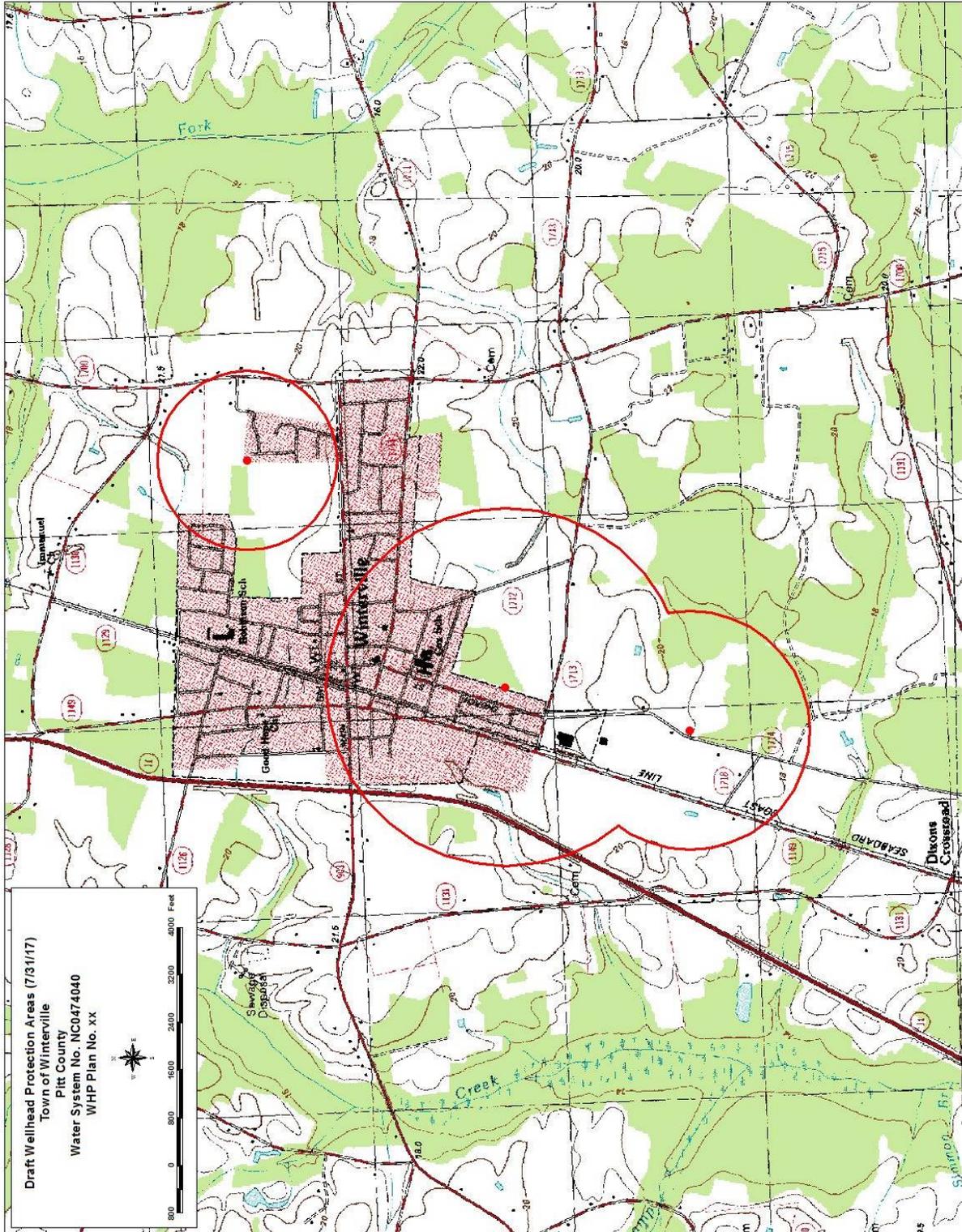
Table 2. Table 1 from The North Carolina Wellhead Protection Guidebook

The well yields for Winterville’s wells resulted in radii of 1,500 feet, 2,000 feet and 3,000 feet, based on the pumping rate (yield) of each well as shown in Table 1. The radius for each well WHPA is shown in Table 3. Once individual protection radii were determined, overlapping areas were combined to form one WHPA. Well #3 has a WHPA independent of the other wells. As a result of the determination, the Town of Winterville has two WHPAs to manage for potential contamination.

Well	Q (gal/min)	Radius of WHPA (ft.)
Well #2	250	2,000
Well #3	200	1,500
Well #4	600	3,000

Table 3. Winterville Well Delineation Data

Draft Wellhead Protection Area Map



III. INVENTORY OF POTENTIAL CONTAMINANT SOURCES

A *Potential Contaminant Source* (PCS) is any substance or activity that could adversely affect the quality of your drinking water supply. The PCS inventory is a complete listing, including mapped locations, of past and present land use activities within the wellhead protection areas (WHPAs) that threaten groundwater quality. Each of the potential contaminant sources that were identified was assigned a code according to the category into which it falls. The potential contaminant categories and corresponding codes are listed in Table 4.

PCS Categories	Map Code
Auto Repair/Sales	A
Retail/Parts	B
CERCLIS	C
UST	D
AST	E
Concrete Plant	F
Fire Stations	G
Medical Facility	H
Storage	I
Car Wash	J
Pesticide Storage	K
Maintenance Shop	L
Electrical Substation	M
Manufacturing	N
Recreational Facility	O
Pump Station	P
PCB Site	Q
Cleaning Chemicals Storage	R
Tier II	S
Other Hazardous Material Storage	T
Private Well	U
Septic System	V

Table 4. Potential Contaminant Source Categories

The inventory process begins by looking at the Source Water Assessment Program Report for the Town of Winterville. Information from sixteen (16) State and Federal Databases is combined into that report, and this information is used as a starting point to research files at the various state agencies. A description of each of the regulatory databases researched can be found in the Appendix.

Source Name	Susceptibility Rating
Well #2	Lower
Well #3	Lower
Well #4	Moderate

Table 5. SWAP Susceptibility Rating

NC SWAP Reports (Source Water Assessment and Protection) – The Source Water Assessment Program (SWAP) information is compiled by the Public Water Supply (PWS) Section from available electronic PCS databases with statewide coverage obtained from various State agencies. The SWAP information is an extremely valuable starting point for conducting a PCS inventory. However, it is not a comprehensive database of all PCSs. Because it includes only those databases with statewide coverage that are available to the PWS Section in an electronic format, PCS information specific to the area of interest may not be included. Databases (both hardcopy and electronic) maintained by local, county, state, and federal agencies may contain information about known PCSs occurring within the WHPA (e.g., areas of pesticide or fertilizer application, pesticide storage areas, landfills or dumps, inactive hazardous waste sites, underground storage tanks, above ground storage tanks, areas with septic systems, improperly constructed/abandoned wells, etc.) The NC SWAP Report was reviewed by the WPC and the Susceptibility for the town’s wells was ranked by the NC PWS Section as “lower” for two wells, and “moderate” for one, as shown in Table 5 above. Susceptibility is an indication of a water supply’s potential to become contaminated by the identified PCSs within the assessment area. All relevant information found in the SWAP report is reflected in the PCS Inventory Results. The Town of Winterville’s most recent (2017) SWAP Report can be accessed at the following website:

http://www.ncwater.org/files/swap/SWAP_Reports/0474040_4_24_2017_85_11.pdf

The WPC conducted a **windshield survey** of the WHPAs and identified each potential contamination source (PCS) facility or activity that might exist within each WHPA. Additional information was obtained regarding quantity and types of contaminants kept at the various sites and facilities. The PCS Data Charts show the sources identified during the inventory along with quantities and types of contaminants at the site. The PCS Inventory Maps show the location of each of the identified potential contaminant sources within the WHPAs. A list of example potential contamination sources by risk category is included in the appendix.

Septic Tanks/Municipal Sewer – The Town of Winterville utilizes a sanitary sewer collection system, owned and operated by Winterville, to dispose of waste. Some of the customers located in the ETJ of the Town utilize septic systems. The Pitt County Environmental Health Department is responsible for the inspection of all septic tanks in the County.

Abandoned Wells – The WPC has no knowledge of wells that exist within the WHPA that are no longer being used, and that have not been properly abandoned.

Pump Stations – There are five (5) sanitary sewer pump stations, owned and operated by the Town of Winterville, located within the WHPAs. Information on each is located in the appendix on the PCS Data Charts.

Several local, state and federal databases were searched. Information about the databases and contaminants located in each are provided in the appendix. A summary of the findings of this research is shown below.

Regulatory Agency Databases Researched for PCSs	
Database	Results
Animal Operations	None
CERCLIS Sites	One (1)
National Priority List Sites	None
Non-Discharge Permits	None
NPDES Permits	None
Old Landfill Sites	None
PCB Sites	One (1)
Pollution Incidents	Two (2)
RCRA Hazardous Waste Generators/Transporters	One (1)
RCRA TSD Sites	None
Septage Disposal Sites	None
Soil Remediation Sites	None
Solid Waste Facilities	None
Tier II Sites	None
UIC Permits	None
UST Permits	Two (2)

Table 6. Regulatory Agency Database PCSs per Type

Closed/Historic Pollution Incidents (UST Releases)

(Further information on the incidents below is located in the Appendix under Historic UST Releases Maps and Documentation. The following events do not appear on the current Potential Contaminant Sources Inventory or inventory maps as potential threats. Map codes are related to the Historic UST Releases Map in the Appendix.)

#38541/WA-27365 Hill Property (Frances) – 315 Cooper Street – On December 15, 2014, a 550 gallon UST containing heating oil was removed. Groundwater was encountered, but the contamination type filed was for soil only. A notice of No Further Action was issued on June 30, 2015. **(Map Code: HR-1)**

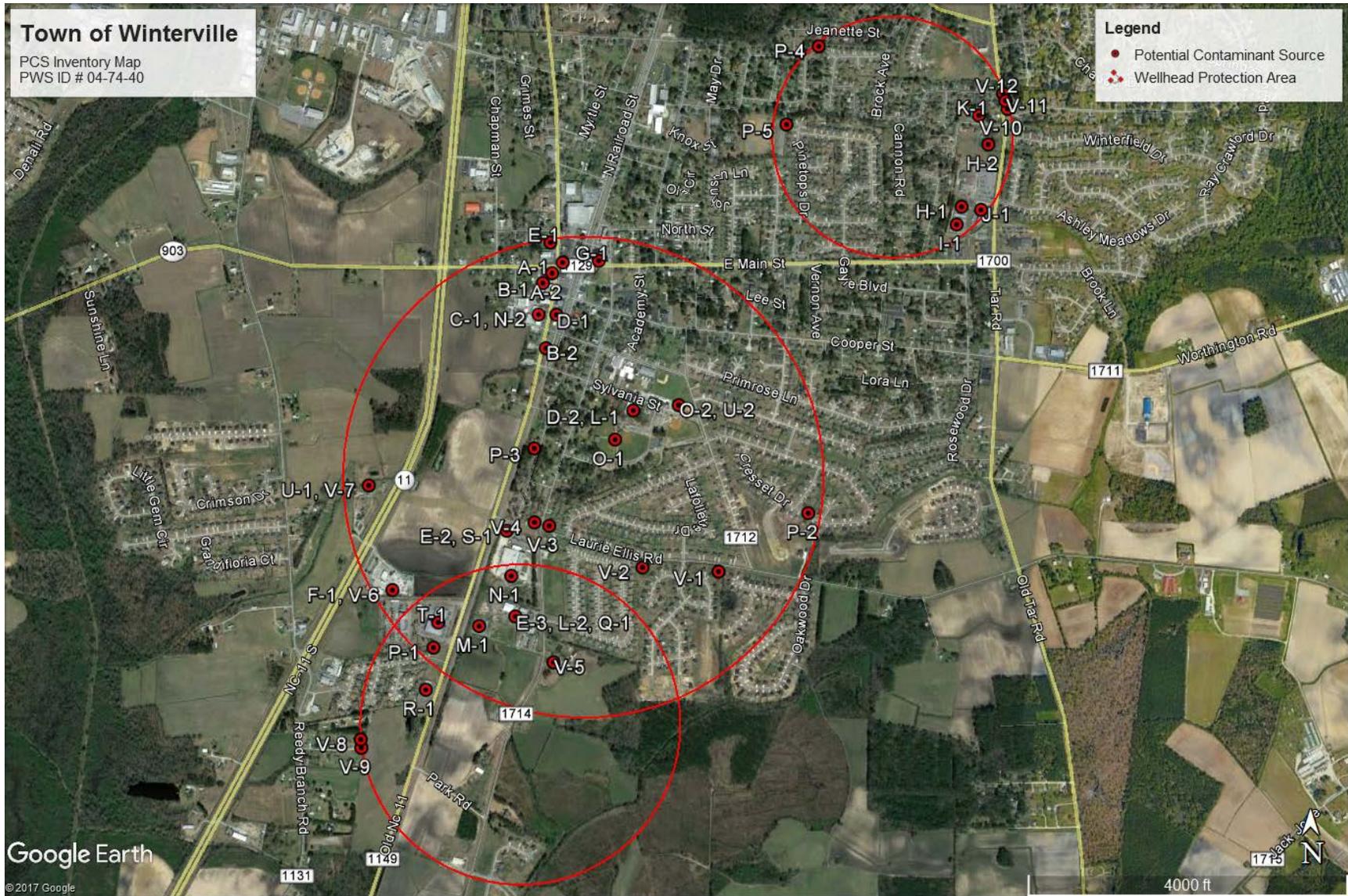
#13121/WA-1092 Pitt County Schools Maintenance Garage – East Sylvania Street – On March 3, 1993, gasoline/diesel/kerosene contamination of groundwater was discovered. Site cleanup occurred on March 30, 1993. A Notice of Regulatory Requirements was issued on May 20, 1993. The corrective action plan chosen was natural attenuation. The incident was later ranked as low risk. The incident was closed out on June 1, 2017. **(Map Code: HR-2)**

#22896/WA-1963 The Pantry #893 – 211 Mill Street – Incident and cleanup occurred on March 15, 2000. The incident was reported on August 13, 2000, and was eventually given a low risk rating. It was determined that groundwater contamination had occurred. A notice of No Further Action was issued on June 14, 2001. The incident was closed out on June 14, 2001. **(Map Code: HR-3)**

In addition to the windshield survey and regulatory agency database research, potential contaminant sources were researched by contacting fire department and county emergency services to identify past spills, leaks, or other potential sources.

The following table lists the potential sources of contamination in the Town of Winterville’s wellhead protection areas. Map codes were used in the table to identify the potential sources of contamination on the PCS inventory map. For more detailed information about each potential contaminant source, including information relevant in providing educational materials to owners, please the PCS Data Charts in the Appendix. The map codes used to identify each potential contaminant site category are detailed in Table 4.

Potential Contaminant Source Inventory: Maps and Table



WHPA	Type	Map Code	PCS Site	Physical Location
4	Auto Repair/Sale	A-1	Cars Plus	2617 Mill St.
4	Auto Repair/Sale	A-2	Almost New Auto	2630 Mill St.
4	Retail/Parts	B-1	Auto Zoom, LLC	186 Main St.
4	Retail/Parts	B-2	Showtime Wheels and Tires	2711 Mill St.
4	CERCLIS, Manufacturing	C-1, N-2	Winterville Machine Works	2672 Mill St.
4	UST	D-1	Winterville Food Mart/Kangaroo/BP	2671 Mill St.
4	UST, Maintenance Shop	D-2, L-1	Pitt Co. Maintenance Garage	300 Sylvania St.
4	AST	E-1	Residential	2594 Mill St.
4	AST Tier II	E-2, S-1	Ferrellgas Service Site	170 Laurie Ellis Rd.
2, 4	AST, Maintenance Shop, PCB Site	E-3, L-2, Q-1	Winterville Maintenance Garage	2914 Church St. Ext
4	Concrete Plant, Septic System	F-1, V-6	DPD Team Concrete Greenville	5039 NC-11 S.
4	Fire Station	G-1	Winterville Fire Dept.	2593 Railroad St.
3	Medical Facility	H-1	Animal Care East	2404 Winter Village Dr.
3	Medical Facility	H-2	Physicians East	4796 Old Tar Rd.
3	Storage	I-1	Winterville Mini Storage	2430 Winter Village Dr.
3	Carwash	J-1	Winterville Car Wash	4850 Old Tar Rd.
3	Pesticide Storage	K-1	Pestech of Greenville	597 Alma Dr.
2, 4	Electrical Substation	M-1	Electrical Substation	Behind Winterville Maintenance Garage and beside railroad
2, 4	Manufacturing	N-1	The Roberts Company	176 Laurie Ellis Rd.
4	Recreational Facility	O-1	Baseball Fields	Division St.
4	Recreational Facility, Private Well	O-2, U-2	Baseball Fields	Sylvania St.
2, 4	Pump Station	P-1	Winterville pump station #10	3034 Old Nc 11
4	Pump Station	P-2	Winterville pump station #21	2799 Cresset Dr.
4	Pump Station	P-3	Winterville pump station #5	2740 Gaylord St.
3	Pump Station	P-4	Winterville pump station #3	485 Hillcrest Ave.
3	Pump Station	P-5	Winterville pump station #19	2404 Pinetops Dr.
2	Cleaning Chemicals Storage	R-1	24 Restore	3060 Old Nc 11
2,4	Other Hazardous Materials Storage	T-1	Armed Forces Reserve Center	3000 Mill St.
4	Private Well, Septic System	U-1, V-7	Farm	5036 Winterville Parkway
4	Septic System	V-1	Residential	374 Laurie Ellis Rd.

4	Septic System	V-2	Residential	302 Laurie Ellis Rd.
4	Septic System	V-3	Residential	3107 Church St.
4	Septic System	V-4	Residential	3024 Church St.
2, 4	Septic System	V-5	Residential	2947 Church St. Ext
2	Septic System	V-8	Residential	143 Huggins Ln.
2	Septic System	V-9	Residential	139 Huggins Ln.
3	Septic System	V-10	Residential	611 Corbett St.
3	Septic System	V-11	Residential	4745 Old Tar Rd.
3	Septic System	V-12	Residential	4737 Old Tar Rd.
2, 4	Railroad		CSX Transportation Railroad	
4	Transportation Corridor		NC-11 S	

Table 7. Potential Contaminant Source Inventory Results

IV. RISK ANALYSIS

The potential contaminant sources were evaluated to determine the risk posed to the well. Proximity to the well and the risk category of each potential source were used to rank the risk posed to each well.

Each potential source was assigned a risk category of higher, moderate, or lower based on information adapted for the EPA (1993), and from the Oregon Wellhead Protection Program. Each potential contamination source was assigned a numerical “category” score to correspond with the risk category (e.g., higher-3, moderate-2, and lower-1). Each site of potential contamination was then assigned a “proximity” score calculated with the following equation:

$$\text{Proximity score} = 1 - (\text{distance from the well} / \text{radius of the WHPA})$$

The final potential contaminant source (PCS) ranking was obtained by multiplying the category score by the proximity score for each potential contaminant site. This resulted in a relative ranking of each PCS within a given WHPA based on the threat posed to the water supply or wells. This risk analysis provided information that was used to determine which water supply wells are at greater risk of contamination and which PCS should be considered first with regard to wellhead protection. Table 8 displays the potential risk of contamination to each individual well from highest probability to lowest.

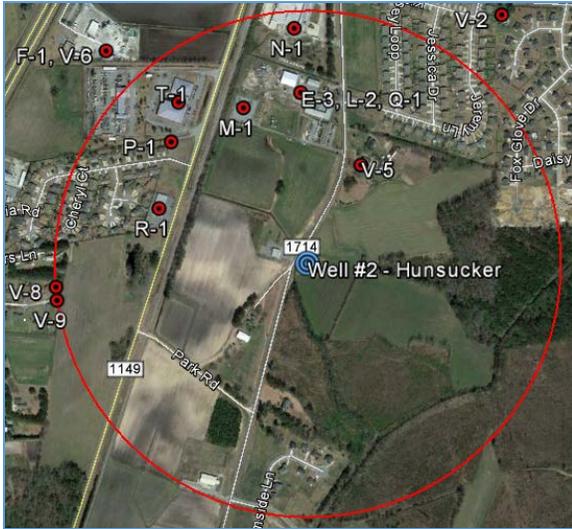
Well Site	Physical Location	Yield (gpm)	Total Risk Score (H to L)
Well #4	Division St.	600	20.67
Well #2	Church Street Ext	250	5.74
Well #3	Cannon Rd.	200	1.68

* Adapted from EPA (1993), and the Oregon Wellhead Protection Program

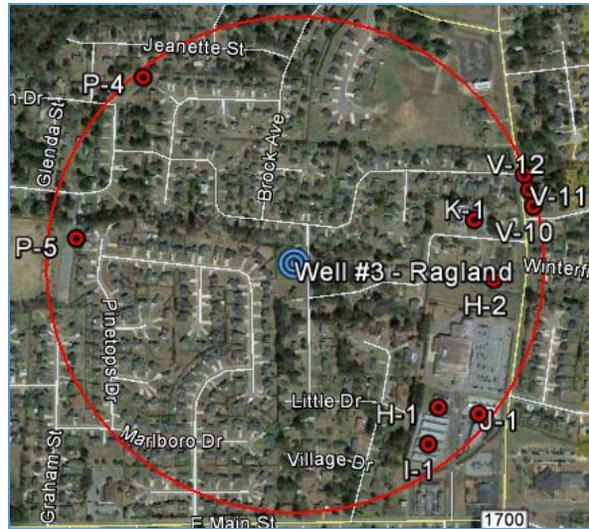
Table 8. Risk Assessment of Contamination to Individual Well Sites

According to the risk assessment, the wellhead protection area for Well #4 is at the highest risk of contamination.

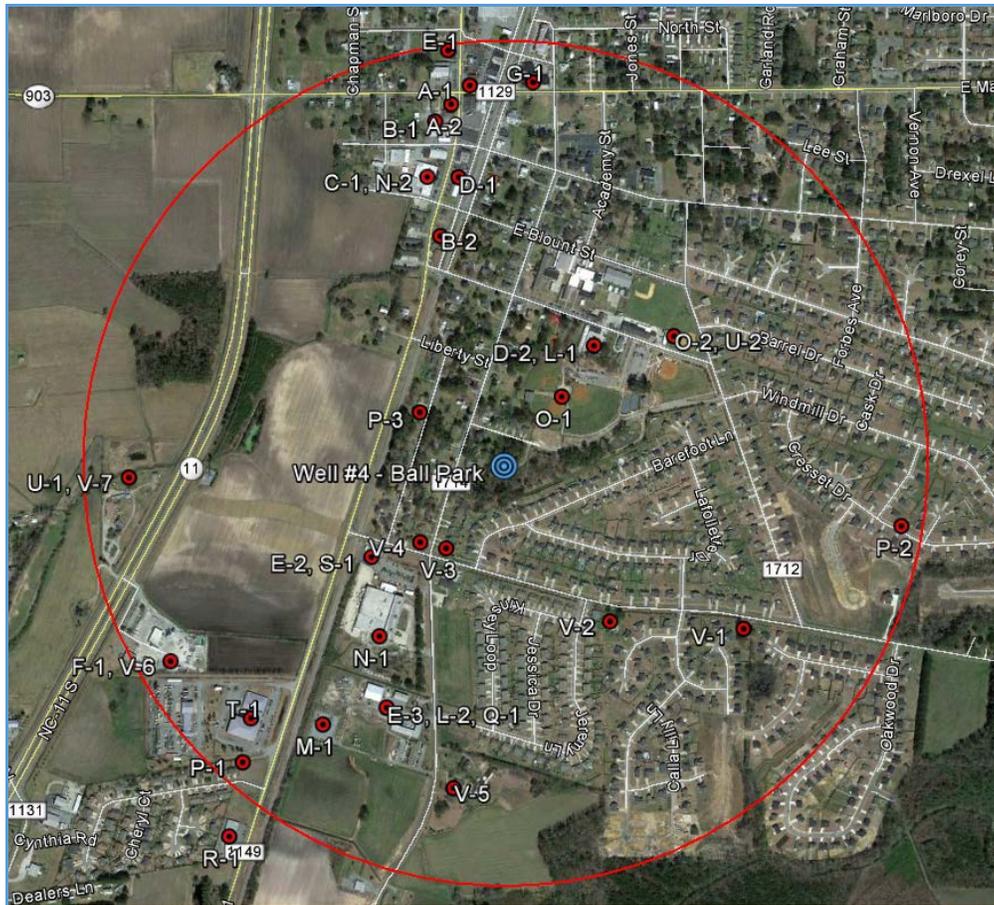
Images below show the delineated area of contribution for each well 2, 3 and 4 (based on Table 1 (Step 2, Page 11) of *The North Carolina Wellhead Protection Guidebook*) prior to overlapping areas being combined to form one WHPA.



Well #2



Well #3



Well #4

Tables 9 through 11 present the PCSs ranked according to their final score from highest to lowest for each well.

Well #2 Potential Contaminant Ranking

Map Code	PCS Site	Risk	Distance from Well	WHPA Radius	Proximity Score	Category Score*	Final Score
R-1	24 Restore	H	1245	2000	0.38	3	1.14
V-5	Residential Septic System	M	885	2000	0.56	2	1.12
M-1	Electrical Substation	H	1330	2000	0.34	3	1.02
E-3, L-2, Q-1	Winterville Maintenance Garage	H	1345	2000	0.33	3	0.99
T-1	Armed Forces Reserve Center	H	1560	2000	0.22	3	0.66
P-1	Pump Station #10	M	1440	2000	0.28	2	0.56
N-1	The Roberts Company	H	1855	2000	0.07	3	0.21
V-8	Residential Septic System	M	1990	2000	0.01	2	0.02
V-9	Residential Septic System	M	1990	2000	0.01	2	0.02

Total Risk Score **5.74**

* Adapted from EPA (1993), and the Oregon Wellhead Protection Program

Table 9. Well #2 Potential Contaminant Ranking from Highest to Lowest

Well #3 Potential Contaminant Ranking

Map Code	PCS Site	Risk	Distance from Well	WHPA Radius	Proximity Score	Category Score*	Final Score
K-1	Pestech of Greenville	H	1125	1500	0.25	3	0.75
P-5	Pump Station #19	M	1320	1500	0.12	2	0.24
H-2	Physicians East	L	1210	1500	0.19	1	0.19
H-1	Animal Care East	L	1220	1500	0.19	1	0.19
J-1	Winterville Car Wash	M	1430	1500	0.05	2	0.10
I-1	Winterville Mini Storage	L	1350	1500	0.10	1	0.10
P-4	Pump Station #3	M	1445	1500	0.04	2	0.08
V-10	Residential Septic System	M	1490	1500	0.01	2	0.01
V-11	Residential Septic System	M	1495	1500	0.00	2	0.01
V-12	Residential Septic System	M	1495	1500	0.00	2	0.01

Total Risk Score **1.68**

* Adapted from EPA (1993), and the Oregon Wellhead Protection Program

Table 10. Well #3 Potential Contaminant Ranking from Highest to Lowest

Well #4 Potential Contaminant Ranking

Map Code	PCS Site	Risk	Distance from Well	WHPA Radius	Proximity Score	Category Score*	Final Score
D-2, L-1	Pitt Co. Maintenance Garage	H	1070	3000	0.64	3	1.92
O-1	Baseball Fields	M	640	3000	0.79	2	1.58
P-3	Pump Station #5	M	705	3000	0.77	2	1.54
V-3	Residential Septic System	M	700	3000	0.77	2	1.54
N-1	The Roberts Company	H	1480	3000	0.51	3	1.53
V-4	Residential Septic System	M	790	3000	0.74	2	1.48
E-2, S-1	Ferrellgas Service Site	H	1130	3000	0.62	2	1.24
V-2	Residential Septic System	M	1320	3000	0.56	2	1.12
E-3, L-2, Q-1	Winterville Maintenance Garage	H	1885	3000	0.37	3	1.11
O-2	Baseball Fields	M	1520	3000	0.49	2	0.98
D-1	Winterville Food Mart	H	2070	3000	0.31	3	0.93
C-1, N-2	Winterville Machine Works	H	2120	3000	0.29	3	0.87
B-2	Showtime Wheels and Tires	M	1700	3000	0.43	2	0.86
M-1	Electrical Substation	H	2220	3000	0.26	3	0.78
V-1	Residential Septic System	M	2050	3000	0.32	2	0.64
T-1	Armed Forces Reserve Center	H	2460	3000	0.18	3	0.54
V-5	Residential Septic System	M	2295	3000	0.23	2	0.46
B-1	Auto Zoom	M	2490	3000	0.17	2	0.34
A-2	Almost New Auto	M	2600	3000	0.13	2	0.26
U-1, V-7	Residential Private Well & Septic System	M	2660	3000	0.11	2	0.22
A-1	Cars Plus	M	2710	3000	0.10	2	0.20
F-1, V-7	DPD Team Concrete	M	2735	3000	0.09	2	0.18
P-1	Pump Station #10	M	2785	3000	0.07	2	0.14
P-2	Pump Station #21	M	2850	3000	0.05	2	0.10
G-1	Winterville Fire Dept.	L	2735	3000	0.09	1	0.09
E-1	Residential AST	M	2970	3000	0.01	2	0.02

Total Risk Score **20.67**

* Adapted from EPA (1993), and the Oregon Wellhead Protection Program

Table 11. Well #4 Potential Contaminant Ranking from Highest to Lowest

Vulnerability Assessment

Based upon the risk assessment above, the following vulnerability assessment was derived for Winterville's permitted public drinking water supply wells. Taking into consideration the nature and number of PCSs and the overall score of each PCS from the risk assessment above, a ranking of the vulnerability of the water supply wells is as follows with the well at the highest risk being designated as number one:

1. Well #4 (Ballpark): Division Street
2. Well #2 (Hunsucker): Church Street Ext
3. Well #3 (Ragland): Cannon Road

The Source Water Assessment Plan (SWAP) report, developed by the Public Water Supply Section, lists the Inherent Vulnerability Rating, the Contaminant Rating, and the Susceptibility Rating for Well #4 (Ballpark), Well #2 (Hunsucker), and Well #3 (Ragland) as shown below:

Table 2. SWAP Results Summary

Source Name	Inherent Vulnerability Rating	Contaminant Rating	Susceptibility Rating
BALLPARK WELL	Lower	Higher	Moderate
HUNSUCKER WELL	Lower	Lower	Lower
RAGLAND WELL	Lower	Lower	Lower

Table 12. Table 2 from the 2017 SWAP report for Winterville

A full copy of the 2017 SWAP report for the Town of Winterville may be found on the Public Water Supply Section website at the following address:

http://www.ncwater.org/files/swap/SWAP_Reports/0474040_4_24_2017_85_11.pdf

V. MANAGING THE WELLHEAD PROTECTION AREA

Winterville has chosen public education as a non-regulatory approach to protecting the Wellhead Protection Areas. The Assistant Town Manager has primary responsibility for implementing the public education program; the alternate responsibility lies with the Town employees, as directed. The Wellhead Protection Committee may be consulted as required. The PCS Data Chart, found in the Appendix, lists owner contact information for the identified potential contaminant sources within the WHPA for distribution of educational brochures on best management practices.

A Wellhead Protection Brochure and/or newsletter will be made available to each resident, business, agricultural operation and industry within the Wellhead Protection Areas. Copies of this brochure will be made available at Winterville Town Hall located at 2571 Railroad Street and other locations deemed necessary for public education on Wellhead Protection. In general, the brochure and/or newsletter will convey to each citizen/business the following information:

- An explanation of what groundwater is and the number of wells in their particular system,
- An explanation of the Wellhead Protection Program,
- Sources of groundwater pollution,
- Tips on protecting their water supply,
- Information on proper disposal of household hazardous wastes and oils (i.e., not disposed of through septic systems, pouring on the ground, or through regular garbage collection)
- Information on proper use of fertilizers, herbicides, and pesticides,
- Information on household hazardous waste collection opportunities,
- Information on proper maintenance of heating oil tanks and septic systems, and
- Phone numbers to contact for more information

The following management practices have been developed to meet current and future needs of managing multiple types of contaminants in the wellhead protection areas:

Waste Management Practices

The Town of Winterville will provide information to each business, industry, and farm located within the WHPA on waste handling practices, best management practices, standard operating procedures, and waste oil disposal methods which could be employed to reduce the potential for ground water contamination. Winterville will also provide information regarding the North Carolina Division of Environmental Assistance and Customer Service (DEACS) to each business located within the WHPA. Owners/operators of potential contamination source will be encouraged to contact DEACS. DEACS provides free technical and other non-regulatory assistance to reduce the amount of waste released into the air and water and on the land. DEACS serves as a central repository for waste reduction and pollution prevention information. DEACS emphasizes waste reduction through pollution prevention, encourages companies and government agencies to go beyond compliance, and provides information about the environmental permitting process. This information is provided at no charge to North Carolina businesses, industries, government agencies, and the general public upon request. For additional information, DEACS may be contacted at (919) 707-8100 or (877) 858-0368. A copy of the most recently released advertisement for DEACS services can be found in the Appendix.

The Town of Winterville contracts with Waste Industries for curb side pick-up of household waste one day each week (Wednesday). Limbs and yard debris are picked up and disposed of by Town personnel.

The Pitt County Solid Waste & Recycling department provides solid waste and recycling services to county residents through the operation of fourteen (14) centers located across the county in unincorporated areas. More detailed information relating to recycling and solid waste may be found at: <https://www.pittcountync.gov/430/Solid-Waste-Recycling>. A listing of all Pitt County Collection Sites can be found in the Appendix.

Personnel Training

Personnel at the Town of Winterville will be educated on wellhead protection and steps they can take to reduce the potential for contamination (e.g., information about best management practices, standard operating procedures, waste handling practices, etc.). In addition, staff will be trained on how to handle contamination events. Winterville will also contact the DEACS to investigate steps that can be made to reduce the amount of waste released into the air, water, and land at Winterville owned and/or managed facilities.

Improperly Constructed or Abandoned Wells

In the instance that an improperly constructed or abandoned well is discovered and identified within the WHPAs, the owner will be provided information regarding the threat posed to the water supply by these wells. Owners of improperly constructed or abandoned wells will be encouraged to have these wells properly abandoned in accordance with state well construction standards found in 15A NCAC 2C, "Criteria and Standards Applicable to Water Supply and Certain Other Wells". If information exists that a well is improperly constructed or is contributing to the contamination of groundwater, the Town of Winterville will notify the Ground Water Protection Section of the NC Division of Environmental Quality.

Underground Storage Tanks

A regulated UST system is any underground storage tank and associated piping that contains petroleum (including gasoline, diesel and used oil) or a hazardous substance as defined by the State rules (15A NCAC 2N). Tanks containing heating oil for use on the premises where stored are not regulated.

All owners/operator of regulated underground storage tanks (USTs) and other facilities subject to federal and/or state regulations located within the WHPAs will be requested to supply documentation that their facility is in compliance with said regulation. Operators of USTs will be asked to supply the Town of Winterville with a copy of their UST permit. If any UST sites are found to be non-compliant, the Underground Storage Tank Section of the NC Division of Waste Management of DEQ will be notified.

If an abandoned UST site is found, the Town of Winterville will contact the North Carolina Division of Waste Management, UST Section, to determine if a closure report was submitted demonstrating that no soil or groundwater contamination was identified during the removal of USTs. If a closure report was not submitted, the UST Section will be notified of the location of the facility within the WHPA and its proximity to a public water supply well.

For soil or ground-water contamination incidents occurring within the WHPA, the Town of Winterville will contact the State agencies with oversight responsibilities for remediation to

determine if remediation efforts are proceeding in a timely fashion and in accordance with any schedules established by these agencies. Through this process, the Town will bring to the attention of the State agencies, with oversight responsibilities for remediation, any failures by the responsible parties to comply with required monitoring and corrective action. The Town of Winterville will also notify the State agencies with oversight responsibilities for remediation of the location of the facility within the WHPA and its proximity to a public water supply well. Winterville will also contact the State agencies with oversight responsibilities for the contamination incidents and notify them of the locations of the sites issued notices of “No-Further-Action” occurring within the WHPA and will request a review of this assessment.

The Town of Winterville will notify any individual, industry, business, or government agency installing or planning to install a regulated underground storage tank within the WHPA of the following regulation: North Carolina Underground Storage Tank (UST) Regulation 15A NCAC 2N .0301 stipulates specific siting and secondary containment requirement for UST systems installed after January 1, 1991. The rule is summarized as follows:

- No UST system may be installed within 100 feet of a public water supply well or within 50 feet of any other well used for human consumption.
- Secondary containment is required for UST systems within 500 feet of a well serving a public water supply or within 100 feet of any other well used for human consumption.

Violations of this regulation will be reported to the Division of Waste Management, Underground Storage Tank Section. The UST Section will also be notified of the location of the facility within the WHPA and its proximity to a public water supply well or any other well used for human consumption.*

Above Ground Storage Tanks

*Owners/facilities with an underground buried storage capacity of more than 42,000 gallons of oil, or an aggregate aboveground storage capacity greater than 1,320 gallons of oil, or an aboveground storage capacity of a single container in excess of 660 gallons are subject to the Oil Pollution Prevention regulations contained in Federal Regulations found in 40 CFR 112. In most cases, these facilities must prepare and implement a Spill Prevention Control and Countermeasures (SPCC) Plan. The Town of Winterville will request a copy of the spill plan for each UST/AST facility located within the WHPA that require such a document. The North Carolina General Statutes require registration of any facilities storing more than 21,000 gallons of petroleum product. Facilities with subject storage capacity found not to be in compliance with this regulation will be notified of their regulatory responsibility under this regulation. The WPC should also notify the Division of Environmental Quality, Ground Water Section, if such facilities do not promptly come into compliance.

Residential, Municipal, and Industrial Wastewater Discharge

All farms, residents, businesses, and industries in the WHPA with septic tanks and home heating oil tanks will be distributed a copy of the Wellhead Protection Brochure tri-fold and any other information the Town of Winterville can obtain from federal, county and/or state agencies on proper septic tank and heating home oil tank maintenance. Winterville will obtain, maintain,

and/or develop standard operating procedures for the maintenance of any wastewater collection system (including pump stations) operating in any WHPA. Winterville will also obtain annual wastewater reports from owners of municipal wastewater collection systems providing services in WHPAs. Reports will be reviewed to ensure that adequate maintenance, including but not limited to the interior cleaning of sewage lines, is performed routinely to reduce the potential for sanitary sewer overflows as required by the NCWQCS permits. Sanitary sewer overflow information can be obtained from the Division of Environmental Quality, Water Quality Section, at the Washington Regional Office by calling (252) 946-6481.

The Town of Winterville will contact the Division of Water Quality regarding facilities permitted to discharge wastewater to the land surface (Non-NPDES Permitted Facilities) to determine if any such operations located within the WHPA are in compliance with applicable regulatory and permit requirements pertaining to environmental protection such as routine monitoring and reporting requirements. Notification will be made to the Division of Water Quality if it is determined that any facility has failed to maintain compliance with any regulatory and/or permit requirement pertaining to environmental protection such as routine monitoring and reporting requirements. Winterville does not discharge water or wastewater of any sort onto the land surface and therefore is not a Non-NPDES Permitted facility.

The Town of Winterville will contact the Division of Environmental Quality regarding facilities with NPDES permits to determine if all such NPDES discharges are in compliance with applicable regulatory and permit requirements pertaining to environmental protection such as routine monitoring and reporting requirements. Notification will be made to the Division of Environmental Quality if it is determined that the facility has failed to maintain compliance with any regulatory and/or permit requirements pertaining to environmental protection such as routine monitoring and reporting requirements.

Pesticide Handling and Disposal

The Town of Winterville will contact all facilities or agricultural operations within the WHPAs with pesticide storage or otherwise involved with the application of pesticides to ensure that they are pesticide operator licensed by the State of North Carolina and that proper records are maintained to ensure that all NC Pesticide Laws are adhered to. Winterville will provide information to these facilities or agricultural operations on waste handling practices, best management practices, standard operating procedures, and proper waste disposal methods which could be employed to reduce the potential for ground water contamination. These facilities will also be provided with information regarding the NC DEACS.

Animal Operations

The Town of Winterville will contact the Division of Environmental Quality (DEQ) regarding any lagoons or animal operations located within its WHPAs if they suspect they may contaminate the ground water supply. It will also determine if facilities are in compliance with any regulatory and/or permit requirements pertaining to environmental protection such as routine monitoring and reporting requirements. Notification will be made to the Division of Environmental Quality if it is determined that a facility has failed to maintain compliance with any regulatory and/or permit requirements pertaining to environmental protection such as routine

monitoring and reporting requirements. A Wellhead Protection Brochure (tri-fold) or a newsletter will be delivered to each animal operations facility. In addition to information on best management practices.

In the event of a spill, the Pitt County Emergency Coordinator will be contacted at the following number: **Pitt County Emergency Coordinator: (252) 902-3950.**

VI. EMERGENCY CONTINGENCY PLAN

The Public Works Director is the primary individual responsible for implementing contingency plans. The alternate responsibility lies with Town employees, as directed. The WPC may be involved in decision-making in the event that response actions are required. Winterville has a twelve (12) inch water distribution main interconnection with Greenville Utilities Commission (GUC) for water purchases and emergency services, as well as a ten (10) inch water distribution main interconnection with Bell Arthur Water for emergency water services.

Short Term Contingency Plan (less than 48 hours)

1. With the occurrence of a brief power outage through the interconnections with Greenville Utilities Commission and Bell Arthur Water, the Town of Winterville could supply the residents with water under emergency conditions indefinitely.
2. Minor contamination (e.g. sulfur dioxide, manganese, iron or bacterial contamination) would possibly require the following plan:
 - a. Minor or major flushing of the distribution system.
 - b. Possible valve closure from the elevated storage tanks and the water distribution system. Each of these would be a minor disruption of less than forty-eight (48) hours to water treatment and water distribution.
3. Distribution system problems (e.g. line breaks, pump problems) would be problems that could be remediated or rectified in less than forty-eight (48) hours. If problems extend beyond forty-eight (48) hours then the long-term contingency plan would be implemented.
4. In the event one well needs to be taken off-line, that well can be valved off and the other wells can be utilized for a long-term period with possible voluntary water restrictions.

Long Term Contingency Plan (greater than 48 hours)

Long term contingency would occur as a result of the following:

1. Severe contamination resulting in an accidental spill or long-term groundwater contamination event.

If there were evidence of contamination in any of the Town of Winterville's wells, they would immediately be taken off-line, and not returned to service until

it is determined that the water quality is in compliance with standards governing public water supplies. Customers of the Town of Winterville would be notified immediately by radio, television, and written notices delivered by hand, advising customers not to consume water until further notice. These actions would occur when/if it was determined that water supplied from a contaminated well had been pumped into the distribution system. The Public Water Supply Section of the NCDEQ would be notified and asked for assistance.

If it were determined the contaminated water had entered the distribution system, a systematic flushing of the system would commence as well as sampling to determine the extent of the contamination involved, and possible sources of contamination. Once sampling proved the distribution to be free of contamination and after consultation with the PWSS, the customers of the Town of Winterville would be notified that their water was safe for consumption. Depending on the extent of the contamination, the well shall be abandoned or brought up to standards meeting or exceeding NC Rules Governing Public Water. If the well could not be restored to use, other areas outside the WHPAs could be considered for a new well for public water supply.

2. If water from all wells at the Town of Winterville were determined to be contaminated, the Pitt County Emergency Coordinator would be contacted and bottled water would be provided until the problem could be corrected.
3. The Town of Winterville can receive water from Greenville Utilities Commission or Bell Arthur Water in case of an emergency.

Should a major oil or chemical spill occur within the Wellhead Protection Area, the Winterville Fire-Rescue-EMS Department and the Pitt County Emergency Coordinator will be notified first:

Police and Fire Department: 911
Pitt County Emergency Coordinator: (252) 902-3950

The potential contaminant source inventory may prove useful in determining source of contamination and providing emergency response contact information to customers. A list of Emergency Contact Resources and Information that may be used during emergency situations can be found in the Appendix.

VII. IMPLEMENTING, MAINTAINING, AND UPDATING THE WHP PLAN

Public Participation

This plan will be available for public review at any time by visiting the Winterville Town Hall. The Town of Winterville will post a notice in the local newspaper explaining to its customers what a Wellhead Protection Program is and how they have the opportunity to review the proposed WHPP and make comments. Any substantive comments received from the public will be considered for inclusion into the final version of the Town of Winterville WHPP. An

example of the Public Notification for the intended implementation of this Wellhead Protection Plan is located in the Appendix.

New Public Water Supply Wells

The Town of Winterville will amend its Wellhead Protection Plan to include any new wells added to its water system. The following steps will be taken to address any new wells added to the water system:

1. Develop a preliminary WHPA for the proposed well to determine the area of vulnerability.
2. Develop a containment source inventory for the preliminary WHPA.
3. Submit the information obtained in Steps 1 and 2 above to the Wellhead Protection Committee (WPC). Any information required by the Public Water Supply Section (PWSS) relating to the development and construction of new public water supply (PWS) wells must also be submitted.
4. If the WPC grants provisional approval of the proposed Wellhead Protection Plan, and the PWSS grants approval to construct or expand the PWS well or well system, then work may proceed with well construction.
5. Finalize the WHPA delineation for the new well.
6. Finalize the contaminant source inventory for the WHPA.
7. Submit finalized WHPA and contaminant source inventory to the WPC.
8. Once approval is received, implement any necessary regulatory and/or non-regulatory potential source management practices.
9. Submit the amended WHP Plan and all necessary supporting information to the Public Water Supply Section for review and approval.

Future Wellhead Protection

The Town of Winterville is aware that an effective local Wellhead Protection (WHP) Program is an ongoing process requiring monitoring of the Wellhead Protection Areas (WHPAs) and periodic review and updating of an approved WHP plan. Therefore, Winterville's WPC will monitor the Wellhead Protection Areas (WHPAs) for any new or previously unidentified potential contaminant sources (PCSs) and activities occurring within the approved WHPAs. The Town will amend the PCS inventory and other plan components (e.g. the management strategies, emergency contingency plan, etc.) as necessary to incorporate any new threats to the systems groundwater source drinking water. The Town will also fully update the WHP Plan whenever a new well is constructed for use with the Town's water supply system. The individual(s) responsible for implementation of the WHP Plan will submit notification to the Public Water Supply Section upon completion of the PCS inventory update or immediately following the completion of a major revision. Any amended or revised sections of the approved WHP Plan resulting from an update or revision will also be submitted upon completion.

APPENDIX

- Potential Contamination Sources by Risk Category
- Description of Regulatory Databases Researched for PCSs
- PCS Data Charts
- Winterville Emergency Contact Resources and Information
- Example of Public Notification
- Glossary of Acronyms and Abbreviations
- References
- Pitt County Solid Waste and Recycling Locations
- NC Division of Environmental Assistance and Customer Service (DEACS) Brochure
- Winterville Educational Tri-fold Brochure on Wellhead Protection
- Well Records
- Historic UST Releases Maps and Documentation



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: September 11, 2017

Presenter: Evan Johnston, Director of Parks & Recreation

Item to be Considered

Subject: Recreation Advisory Board Appointment.

Action Requested: Appoint Mr. Jared Lilly to fill Alternate position on the Recreation Advisory Board.

Attachments: Application on file, Jared Lilly.

Prepared By: Evan Johnston, Director of Parks & Recreation

Date: 9/5/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

The Recreation Advisory Board (RAB) has one (1) Alternate position that is currently vacant. At this time, there is one (1) application on file in which applicant noted interest in serving on the RAB.

Staff has reviewed the application on file and recommends Mr. Jared Lilly be appointed to the one (1) open Alternate position. Staff believes Mr. Lilly will make a great addition to the RAB!

Budgetary Impact: N/A.

Recommendation: Appoint Mr. Jared Lilly to Alternate position on the Recreation Advisory Board.

TOWN OF WINTERVILLE

Request for Appointments to Boards, Commissions and Committees of the Town of Winterville

Please indicate which board you are interested in serving on. If you are interested in more than one board, please list them by preference by using numbers (1, 2, 3, etc.)

- 3 Board of Adjustment
- 1 Recreation and Parks Advisory Board
- _____ Mid-East Commission
- 2 Planning and Zoning Board
- _____ Tree Board
- 4 Stormwater Advisory Committee

Name: Jared Lilly Home Phone Number: 757-291-0416
 Address: 2513 Colesbury Ct Business Phone Number: 252.756.7676
 Employed By: FAITH Assembly of God Occupation: kid's pastor
 Name of High School Attended: Woodside High School
 College or University Attended: Lee University
 How long have you been a resident of Winterville? 7 mo.
 Have you served on a board/commission of the town? () Yes () No

If yes, please indicate which one(s): _____

Current membership in organization and offices held: Member of Faith Assembly,
Member of Libertarian Party.

Past membership in organizations and offices held: _____

State why you feel you would be an asset to this board/commission. _____

I bring a millennial perspective with
a healthy respect to those who've gained
more wisdom than I.

Signature: Jared Lilly Date: 7-26-17

Please Return To: Town of Winterville Town Clerk's Office P.O. Box 1459 Winterville, NC 28590

This information requested below is optional.

Ethnic Group:	Sex: _____ Female _____ <input checked="" type="checkbox"/> Male
_____ African American	U.S. Citizenship: <input checked="" type="checkbox"/> Yes _____ No
_____ American Indian	Birth Date:
_____ Asian or Pacific Islander	<u>11-25-1992</u>
<input checked="" type="checkbox"/> Caucasian	
_____ Hispanic	

7/26/17
APB
RECEIVED



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: September 11, 2017

Presenter: Stephen, Economic Development
Planner

Item to be Considered

Subject: Board of Adjustment – Town Limits Member Appointment - Portia C. Willis.

Action Requested: Appoint Portia Willis to Board of Adjustment (Winterville Town Limits Resident).

Attachments: Application to Town Boards.

Prepared By: Stephen Penn, Economic Development Planner

Date: 8/23/2017

ABSTRACT ROUTING:

TC

FD

TM 9/6/2017

Final 9/6/2017

Supporting Documentation

Portia Willis to Board of Adjustment.

Portia Willis lives at 3010 B. Kinsey Loop Road, Winterville, NC 28590 (Within City Limits).

The Winterville Board of Adjustment shall be comprised of five members; four within the City Limits Member and one ETJ member by the County Commissioners of Pitt County.

There may also be one alternate City limits member and one alternate ETJ member.

We currently have three City limit members and one ETJ member. Portia will fill the fourth and final regular City limit member for the Board of Adjustment. Her term would begin immediately; Expiration date 6/30/2019.

Budgetary Impact: N/A.

Recommendation: Appoint Portia Willis to the Winterville Board of Adjustment.

TOWN OF WINTERVILLE

Request for Appointment to Boards, Commissions and Committees of the Town of Winterville

Please indicate which board you are interested in serving on. If you are interested in more than one board, please list them by preference by using numbers (1, 2, 3, etc.)

- 1 Board of Adjustment
2 Planning and Zoning Board
Recreation and Parks Advisory Board
Tree Board
Mid-East Commission
Stormwater Advisory Committee

Name: Portia C. Willis Home Phone Number: 252-367-0021
Address: 3010 B. Kinsey Loop Rd., Winterville, NC 28590 Business Phone Number: 252-364-2833, ext. 101
Employed By: Coastal Horizons Occupation: Substance Abuse Counselor
Name of High School Attended: J. H. Rose High School
College or University Attended: East Carolina University
How long have you been a resident of Winterville? 1 yr '12

Have you served on a board/commission of the town? (X) Yes () No

If yes, please indicate which one(s): I serve as secretary for the executive board for the Center for Family Violence Prevention
Current membership in organization and offices held: Secretary

Past membership in organizations and offices held: N/A

State why you feel you would be an asset to this board/commission. I would love the opportunity to bring a fresh perspective and valuable insight as a member of the board. I believe service to your community is a responsibility we all should share. Thank you for your consideration

Signature: Portia Willis Date: 6/30/17

Please Return To: Town of Winterville Town Clerk's Office P.O. Box 1459 Winterville, NC 28590

This information requested below is optional.

Form with fields for Ethnic Group (African American checked), Sex (Female checked), U.S. Citizenship (Yes checked), and Birth Date (06/15/1986).

6/30/2017 RECEIVED