



WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, APRIL 11, 2022 - 7:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM
(LIMITED IN-PERSON ATTENDANCE)

- I. **CALL TO ORDER.**
- II. **INVOCATION:** Minister Daphne Moseby, Mt. Shiloh Missionary Baptist Church.
- III. **PLEDGE OF ALLEGIANCE.**
- IV. **WELCOME.**
- V. **APPROVAL OF AGENDA.**
- VI. **PROCLAMATIONS:**
 1. Pastor Mattie Jones Smith-Payton.
 2. Pitt Community College: National Community College Month.
 3. Volunteer Appreciation Week.
- VII. **PUBLIC HEARINGS:**
 1. Carroll Crossing, Section 3, Phase 1 Annexation.
 2. Forbes Property Rezoning.
- VIII. **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.*
- IX. **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. Approval of the following sets of Council Meeting Minutes:
 - March 14, 2022 Regular Meeting Minutes.
 2. Audit Contract for fiscal year 2021 – 2022.
 3. Budget Amendment 2021-2022-6.

X. OLD BUSINESS:

1. MS4 Stormwater Management Plan.
2. Ange Street Sidewalk Extension.
3. Human Relations Board Appointments.
4. Classification/Pay Study and Update of Town Personnel Policy.

XI. NEW BUSINESS:

1. Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP).
2. Rural Transformation Grant Funds.

XII. OTHER AGENDA ITEMS:

1. Discuss dogs being held on chains. (Councilman Moore).
2. Main and Mill Intersection Crosswalk. (Councilman Moore).
3. Backyard Cleanup Day for Seniors. (Councilman Moore).
4. Discussion on Post Office. (Councilman Moore).
5. Discussion on Board of Adjustment. (Councilman Moore).
6. Stormwater Workshop – set a date.
7. Town Manager’s Performance Review – set a date.
8. Discussion of Town’s 125th Quasquicentennial Anniversary Activities.

XIII. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS.

XIV. REPORTS FROM DEPARTMENT HEADS.

XV. ANNOUNCEMENTS:

1. Town Offices Closed: April 15, 2022 for the Good Friday Holiday.
2. Planning and Zoning Board Meeting: Monday, April 18, 2022 @ 7:00 pm - Town Hall Assembly Room.
3. Board of Adjustment Meeting: Tuesday, April 19, 2022 @ 7:00 pm - Town Hall Assembly Room.
4. Town Council and Manager Budget Progress Meeting: Monday, April 25, 2022 @6:00 pm – Town Hall Executive Conference Room.
5. Recreation Advisory Board: Tuesday, April 26, 2022 @ 6:30 pm – Operation Center Training Room.
6. NCLM CityVision April 26-28, 2022 – Wilmington Convention Center.
7. Regular Town Council Meeting: Monday, May 9, 2022 @ 7:00 pm - Town Hall Assembly Room.
8. Town Council Budget Work Session #1: Tuesday, May 24, 2022 @ 6:00 pm - Town Hall Assembly Room.
9. Town Council Budget Work Session #2: Thursday, May 26, 2022 @ 6:00 pm - Town Hall Assembly Room.

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

XVII. ADJOURN.

SPECIAL NOTICE: *Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at (252) 756-2221 ext. 2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)*



PROCLAMATION

**PASTOR MATTIE ANN JONES SMITH-PAYTON
MAY 5, 1930 - MARCH 22, 2022**

WHEREAS, Pastor Mattie Payton, daughter of the late Johnny and Ethel Carr-Jones was born May 5, 1930. She departed this life on March 22, 2022, 10:53 am at Vidant Medical Center. She was preceded in death by her late husband of 68 years, Mr. Johnnie Smith, and Elder John B. Payton of five years; 2 sons, Jessie Ray Smith, and Thomas Rhodes; and 4 brothers Marvin "Buddy" Jones, Hugh Jones, Lymon Jones, Johnny "JJ" Jones, Jr.; and

WHEREAS, At an early age she joined Saint Rest United Holy Church and served on the Ministerial, Usher, Transportation, and Kitchen Committee, for over 20 years; and

WHEREAS, Dottie, as she was affectionally called, had a love for kids so much that she adopted three children and fostered over 100 children from the Pitt County Foster System. She attended W.H. Robinson High School and worked for the Pitt County School System for 20 years until she planted and founded the New Deliverance Holy Church, Ayden, NC in 1984, where she pastored until she retired from labor to reward; and

WHEREAS, She leaves to cherish her memories; 3 daughters: Brenda Smith of the home, Elder Edna Daniels (William), and Elder Shirley Moore (Jerry), all of Greenville, NC; 2 sons; Jerry Carroll of Washington, NC, Pastor Perry Smith of the home; 4 sisters: Mary Phillips (E.C.) of Greenville, NC, Fannie Baker, Mother Ada Carr both of Ayden, NC, Louise Harper of Winterville, NC, Mildred Duncan of California; 2 sister in-laws; Clydae Mae Smith, Mable Cousar, both of Winterville, NC; 16 grandchildren, 15 greatgrandchildren; 4 special God-children; Kalre "Peaches" Gibbs of Greenville, NC, Elder Roderick Ward of Jacksonville, NC, Carolyn of Greenville, NC, Brenda Williams of Wilson, NC; a host of nieces, nephews other relatives and friends; and

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby honor her contributions and legacy.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 29th day of March 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk



PROCLAMATION

PITT COMMUNITY COLLEGE: APRIL 2022 NATIONAL COMMUNITY COLLEGE MONTH

WHEREAS, Pitt Community College is located within the Town limits of Winterville; and,

WHEREAS, Pitt Community College educates and empowers people for success, with a culture of excellence and innovation, the college is a vital partner in the economic and workforce development of our community, and provides access to dynamic learning opportunities designed to foster personal enrichment, successful career preparation, and higher education transfer; and,

WHEREAS, Pitt Community College is one of 58 institutions comprising the NC Community College System, which provides high-quality, affordable and accessible educational opportunities to nearly 700,000 students annually in an effort to develop a globally-competent workforce and improve lives; and,

WHEREAS, Pitt Community College serves more than 20,000 curriculum and continuing education students annually and has proven itself to be a valuable source of higher education in Pitt County since it was established in March 1961; and,

WHEREAS, Pitt Community College has demonstrated exceptional dedication to helping students, particularly low-income students and students of color achieve their goals for academic success, personal growth and economic opportunity by fulfilling a three-year commitment to the Achieving the Dream National Network; and,

WHEREAS, Pitt Community College offers customized training to prepare a skilled local workforce capable of sustaining existing business and industry while attracting new ones and operates a Small Business Center to assist local entrepreneurs with getting their businesses started and operating efficiently; and,

WHEREAS, Pitt Community College is a leader in health care training in North Carolina, was recently deemed one of the nation's "Most Promising Places to Work" in community colleges by *Diverse: Issues in Higher Education* magazine, ranks among the nation's leaders in awarding associate degrees to African-Americans, and has been regularly designated a 'Military-Friendly Institution' in *GI Jobs* magazine; and,

WHEREAS, Pitt Community College made a \$228.1 million impact on the community during the 2019-2020 fiscal year and continually advances the business and education community while generating a positive return on investment to its major stakeholder groups; students, taxpayers, and society; and,

WHEREAS, Pitt Community College is committed to adhering to the NC Community College System's original mission of keeping the door open to all individuals seeking higher education and taking them from where they are educationally to where they want to go; and,

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby proclaim April 2022 as "Pitt Community College Month".

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 11th day of April 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk



PROCLAMATION

Volunteer Appreciation Week - April 17-23, 2022

WHEREAS, the celebration of Volunteer Appreciation Week, April 17-23, 2022, is a time to honor volunteers for the irreplaceable impact of their time and energy all year round; and

WHEREAS, Volunteer Appreciation Week is an opportunity to celebrate the impact of volunteer service and the power of volunteers to tackle society's greatest challenges, to build stronger communities and be a force that transforms the world; and

WHEREAS, Each year, we shine a light on the people and causes that inspire us to serve, recognizing and thanking volunteers who lend their time, talent and voice to make a difference in their communities; and

WHEREAS, Volunteer Appreciation Week was established in 1974 and has grown exponentially each year, with thousands of volunteer projects and special events scheduled throughout the week. Today, as people strive to lead lives that reflect their values, the expression of civic life has evolved; and

WHEREAS, all Americans are called to observe this week by volunteering in service projects across our country and pledging to make service a part of their daily lives; and

WHEREAS, experience teaches us that government alone cannot solve all of our nation's social problems, so we have focused on partnerships with businesses, faith-based organizations, non-profit organizations and individuals to make a difference; and

WHEREAS, the Town of Winterville believes that a tangible and sustained effort must be made to meet the diverse needs and challenges our residents may be facing because emergencies or economic crisis, and

WHEREAS, the Town of Winterville is committed to encouraging volunteerism among its employees, partners, businesses, organizations, and citizens; and

WHEREAS, volunteers are vital to our future as a caring and productive Town. Dozens of volunteers through non-profit charities and faith based organizations working in our community utilize their time and talents daily to make a difference in the lives of children, adults and the elderly, and

WHEREAS, on the celebration of Volunteer Appreciation Week, April 17-23, 2022, and

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby honor the volunteers.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 11th day of April 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: April 11, 2022

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Carroll Crossing, Section 3, Phase 1 – Annexation.

Action Requested: Hold the Public Hearing.

Attachment: Annexation Petition with Legal Description, Annexation Map, Certificate of Sufficiency, Adjacent Property Owner Notification, Public Hearing Notice, Draft Ordinance 22-O-041.

Prepared By: Bryan Jones, Planning Director

Date: 3/30/2022

ABSTRACT ROUTING:

TC: 4/4/2022

TM: 4/6/2022

Final: tlp - 4/6/2022

Supporting Documentation

Le & Lam Properties, property owner of Parcel 04819, is applying for annexation into the Town limits.

Location: Church Street Ext at its intersection with Jeremy Lane.

Size: 1.102 Acres

Zoned: R-8 CD

Annexation Process:

1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (2/14/2022).

2nd Council Meeting: Schedule a Public Hearing for the Annexation (3/14/2022).

3rd Council Meeting: Hold Public Hearing on the Annexation (4/11/2022).

Budgetary Impact: TBD.

Recommendation: Hold the Public Hearing.

PETITION REQUESTING ANNEXATION

Date: 1/03/2022

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:

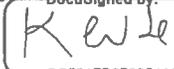
Description

Beginning at an iron pipe on the curved southern right-of-way of Jeremy Lane, said iron pipe being located S 54°56'58" E 67.86' from a Mag Nail located at the centerline intersection of Jeremy Lane and NCSR 1714 (Church Street). From the above described beginning, so located, running thence as follows:

With the curved southern right-of-way of Jeremy Lane an arc distance of 97.68', said curve to the right having a radius of 315.00' and a chord bearing S 70°14'44" E 97.29' to the point of tangency, thence S 61°21'44" E 131.06' to an existing iron pipe at the northwestern corner of Lot 22B, Carroll Crossing as recorded in Map Book 62, Page 195 of the Pitt County Register of Deeds, thence leaving the southern right-of-way of Jeremy Lane and with the western line of said Lot 22B, Carroll Crossing, S 09°00'47" W 195.72' to an existing iron pipe, thence N 62°05'36" W 264.24' to an iron pipe on the eastern right-of-way of NCSR 1714 (Church Street), thence with the eastern right-of-way of NCSR 1714 (Church Street), N 09°00'47" E 142.33' to the point of curvature, thence with a curve to the right an arc distance of 48.10', said curve having a radius of 30.00' and a chord bearing N 54°56'32" E 43.11' to the point of beginning containing 1.102 acres and being a portion of the property described in Deed Book 4049, Page 773 of the Pitt County Register of Deeds

Name Kevin H. Le, Member, Le & Lam Properties, LLC

Address 189 Blackwater Drive, Winterville, NC 28590

Signature 
DocuSigned by: CC521FB279054AB

Name Hally My Ngoc Lam, Member, Le & Lam Properties, LLC

Address P.O. Box 606, Greenville, NC 27835

Signature 
DocuSigned by: B55A113FFF6246B

CERTIFICATE OF SUFFICIENCY

**CARROLL CROSSING, SECTION 3, PHASE 1
PARCEL 04819**

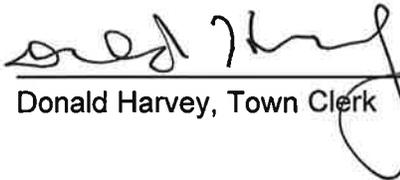
To the Town Council of the Town of Winterville, North Carolina:

I, Donald Harvey, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described herein, in accordance with NCGS 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Winterville this the 15th day of February 2022.

ATTEST:





Donald Harvey, Town Clerk

H & K PROPERTIES, LLC
1118 FALLING RIVER WALK
ROCKY MOUNT, NC 27804

FRANKLIN R FIELDS
ANDREA O FIELDS
2947 CHURCH ST EXT
WINTERVILLE NC 28590

KEITH HAIGHT
DIANA HAIGHT
226 B JEREMY LANE
WINTERVILLE, NC 28590

CAROLINA EASTERN HOMES
2012 SHEPARD STREET
MOREHEAD CITY, NC 28557

BETTY S FIELDS
3010 A KINSEY LP
WINTERVILLE NC 28590

LINDA V MCLAWHORN
2351 OLD CREEK RD
GREENVILLE, NC 27834

**NOTICE OF PUBLIC HEARING
Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, April 11, 2022 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, to hold a Public Hearing on the following annexation petition:

The Town of Winterville has received an annexation petition from the property owner to annex a portion of parcel 04819 (Carroll Crossing, Section 3, Phase 1).

Additional information is available by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 ext. 2358.

To maintain the safety of Town residents, Town Council, and Town Staff, the Winterville Town Council meeting will allow limited in-person attendance due to COVID-19 provisions and the meeting will be available electronically. The Agenda is available on the Town website at www.wintervillenc.com/agendas. The public is encouraged to watch the Town Council's meeting live on YouTube (www.wintervillenc.com/videos). Those that wish to address the Town Council during the Public Hearing should contact the Town Clerk at (252) 756-2221 ext. 2344 or via email to don.harvey@wintervillenc.com to register by **one business day before the meeting at 5:00 pm.**

Notes to Publisher:

Legal Advertisements
legals@apgenc.com
(252) 329-9521

Subject: Winterville Public Hearing – Carroll Crossing, Section 3, Phase 1 Annexation.

Please place the above legal advertisement in the Daily Reflector on Wednesday, March 30, 2022 and Wednesday, April 6, 2022. Should you have any questions please contact me.

Please forward the invoice and Affidavit of Publication to me to assist with payment.

Thanks,

Donald Harvey, NCCMC
Town Clerk
Town of Winterville
2571 Railroad Street/PO Box 1459
Winterville, NC 28590
(252) 756-2221 ext. 2344 – Phone
don.harvey@wintervillenc.com

Town of Winterville
Annexation Ordinance

Ordinance No: 22-O-041

Property Annexed: Portion of Parcel 04819 (Carroll Crossing, Section 3, Phase 1)

Ordinance Adopted: April 11, 2022

Effective Date: April 30, 2022

Mail to:

Town of Winterville
Attn: Planning Department
2571 Railroad Street
Winterville, NC 28590

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF WINTERVILLE, NORTH CAROLINA**

Carroll Crossing, Section 3, Phase 1 – Annexation (Portion of Parcel 04819)

WHEREAS, the Town Council has been petitioned under NCGS 160A-31 to annex the area described below; and

WHEREAS, the Town Council has, by resolution, directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of annexation was held at the Winterville Town Hall at 7:00 pm on April 11, 2022 after due notice was given by publication on March 30, 2022 and April 6, 2022; and

WHEREAS, the Town Council finds that the petition meets the requirements of NCGS 160A-31;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville, North Carolina that:

Section 1. By virtue of the authority granted by NCGS 160A-31, the following described territory is hereby annexed and made part of the Town of Winterville as of October 31, 2021:

Legal Description for Annexation
Carroll Crossing, Section 3, Phase 1 – Annexation
(Portion of Parcel 04819)

Beginning at an iron pipe on the curved southern right-of-way of Jeremy Lane, said iron pipe being located S 54° 56'58" E 67.86' from a Mag Nail located at the centerline intersection of Jeremy Lane and NCSR 1714 (Church Street). From the above described beginning, so located, running thence as follows:

With the curved southern right-of-way of Jeremy Lane an arc distance of 97.68', said curve to the right having a radius of 315.00' and a chord bearing S 70°14'44" E 97.29' to the point of tangency, thence S 61 °21 '44" E 131.06' to an existing iron pipe at the northwestern corner of Lot 228, Carroll Crossing as recorded in Map Book 62, Page 195 of the Pitt County Register of Deeds, thence leaving the southern right-of-way of Jeremy Lane and with the western line of said Lot 228, Carroll Crossing, S 09°00'47" W 195.72' to an existing iron pipe, thence N 62°05'36" W 264.24' to an iron pipe on the eastern right-of-way of NCSR 1714 (Church Street), thence with the eastern right-of-way of NCSR 1714 (Church Street), N 09°00'47" E 142.33' to the point of curvature, thence with a curve to the right an arc distance of 48.1 O', said curve having a radius of 30.00' and a chord bearing N 54 °56'32" E 43.11' to the point of beginning containing 1.102 acres and being a portion of the property described in Deed Book 4049, Page 773 of the Pitt County Register of Deeds.

Section 2. Upon and after April 30, 2022, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Winterville and shall be entitled to the same privileges and benefits as other parts of the Town of Winterville. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10.

Section 3. The Mayor of the Town of Winterville shall cause to be recorded in the Office of the Register of Deeds of Pitt County (MB _____ PG _____), and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such map shall also be delivered to the County Board of Elections, as required by NCGS 163-288.1.

Adopted this the 11th day of April 2022.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

North Carolina

Pitt County

I hereby certify that the foregoing is a true and accurate copy of an ordinance duly adopted by the Town Council of the Town of Winterville, North Carolina, at a meeting held on April 11, 2022 at 7 o'clock pm at the Town Hall in the Town of Winterville.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the official corporate seal of the Town of Winterville to be affixed, this _____ day of April 2022.

Donald Harvey, Town Clerk

North Carolina

Pitt County

I, Kristin L. Godley, a Notary Public, do hereby certify that Donald Harvey, Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purpose therein expressed.

WITNESS my hand and notarial seal this _____ day of April 2022.

Notary Public

My Commission Expires: **June 23, 2024**



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: April 11, 2022

Presenter: Bryan Jones, Planning Director

Item to be Considered

Subject: Forbes Property – Rezoning Request (Parcel 10614).

Action Requested: Hold the Public Hearing.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification to Adjacent Property Owners, Public Hearing Notice, Staff Report, and Draft Ordinance 22-O-042.

Prepared By: Bryan Jones, Planning Director

Date: 3/30/2022

ABSTRACT ROUTING:

TC: 4/4/2022

TM: 4/6/2022

Final: tlp - 4/6/2022

Supporting Documentation

Applicant: William Alfred Forbes, IV.

Location: Red Forbes Road south of its intersection with Forlines Road.

Parcel Number:10614

Site Data: 10.09 acres

Current Zoning District: AR

Proposed Zoning District: R-10

- ❖ Proposed Zoning Districts: R-10.
- ❖ Adjacent property owners were mailed notification of the rezoning request on January 31, 2022.
- ❖ Notification was posted on the site on January 27, 2022.
- ❖ Planning and Zoning Board unanimously recommended approval on February 21, 2022.
- ❖ Public Hearing notice was published in the Daily Reflector on Wednesday, March 30, 2022 and Wednesday, April 6, 2022.

Budgetary Impact: TBD.

Recommendation: Hold the Public Hearing.



**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: William Alfred Forbes, IV

Address: 42725 W. Alhonna Rd. Alhonna, FL 32702

Phone #: _____

Owner: Richard German

Address: 1000 Devonshire Dr. Trent Woods, NC 28562

Phone #: 252-671-1694

PROPERTY INFORMATION

Parcel #: 10614 Area (square feet or acres): 10.09

Current Land Use: AR

Location of Property: O Red Forbes Rd

ZONING REQUEST

Existing Zoning: AR Requested Zoning: R-10

Reason for zoning change: Single family dwelling

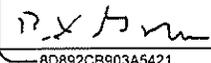
This application shall be accompanied by the following items:

- 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, Richard Gorman, 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 2 / 21 / 22.

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.

DocuSigned by:
 2/10/2022
Signature 8D892CB903A5421... 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, _____, being the Owner of the property described herein, do hereby authorize _____ as agent for the purpose of this application.

Signature Date

Sworn to and subscribed before me, this _____ day of _____, 20____.

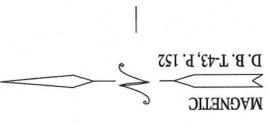
Notary Public

My Commission Expires:

I, HOOD RICHARDSON, CERTIFY THAT UNDER MY DIRECTION AND SUPERVISION, THIS MAP WAS DRAWN FROM AN ACTUAL LAND SURVEY USING DOCUMENTS OF RECORD AS SHOWN ON THIS MAP AND THAT THE ERROR OF CLOSURE IS 1:10,000 AS CALCULATED BY LATITUDES AND DEPARTURES. THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, NO DETERMINATION OTHER THAN AS IS SHOWN ON THIS MAP HAS BEEN MADE ABOUT G.S. 47-30, SECTION 3, (F), (11), DASHED LINES WITHOUT NOTATION ARE NOT SURVEYED. WITNESS MY HAND AND SEAL ON THIS 23RD DAY OF DECEMBER, 2021.



HOOD L. RICHARDSON, P.L.S. L-2522 - PROFESSIONAL CORE C-576
 THIS IS A SURVEY OF AN EXISTING PARCEL OF LAND.

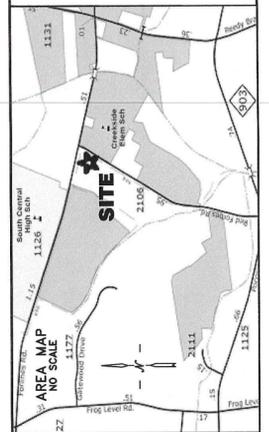


CURVE	RADIUS	ARC	DELTA	CHORD BEARING
C1	25.00'	36.62'	83°55'06"	N 85°10'58"W
C2	25.00'	39.28'	90°00'54"	S 01°46'32"W



LEGEND:
 ○ NEW 1/2"Ø IRON ROD
 ● FOUND 1" IRON PIPE
 ⊙ POINT
 ⊕ FOUND 1/2" IRON PIPE

GRAPHIC SCALE - FEET
 0 120 240 360



SURVEY FOR:
MANISH SETHI
 WINTERVILLE TOWNSHIP
 NORTH CAROLINA
 PITT COUNTY

SCALE: 1" = 120' SURVEY DATE: DECEMBER 23, 2021

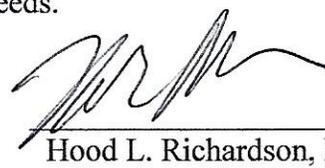
SURVEYED BY: HOOD RICHARDSON, P.A.
 LICENSE NO. 11225
 ENGINEER'S OFFICE
 1000 W. STATE STREET
 WASHINGTON, N.C. 27689
 PHONE: (252) 975-3472

Manish Sethi

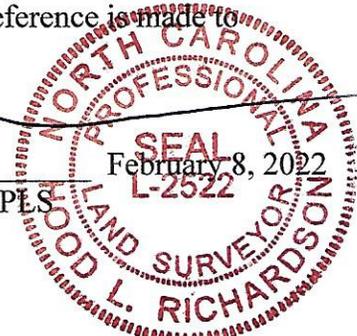
Rezoning Description

**Winterville
Pitt County**

BEGINNING at an iron pipe in the west right of way line of Red Forbes Road, the said iron pipe is located one tenth of a mile southwest of the said Red Forbes Road intersection with Forelines Road; thence North 55 degrees 49 minutes 50 seconds West 170.00 feet with the Phillip D. Ward line of record in Deed Book 77 at page 370 to an iron rod; thence continuing with the said Phillip D. Ward boundary line North 33 degrees 33 minutes 07 seconds East 227.97 feet to an iron rod; thence the following two calls with the Dorothy Green McRoy line of record in Deed Book X53 at page 209 to iron rods, North 67 degrees 29 minutes 26 seconds West 7.03 feet and North 67 degrees 30 minutes 00 seconds West; thence North 57 degrees 30 minutes 30 seconds West 150.00 feet with the Sidney R Spain line of record in Deed Book 90 at Page 461 to an iron rod; thence North 67 degrees 26 minutes 08 seconds West 149.98 feet with the Frank D. Bennett line of record in Deed Book 4061 at Page 865 to an iron pipe; thence North 67 degrees 33 minutes 52 seconds West 150.02 feet with the Donnie E. Wilson line of record in Deed Book W45 at Page 516 to an iron pipe; thence the following four calls with the Manchester Subdivision lines of Record in Map Book 55 at Page 53 to points in a ditch, South 23 degrees 00 minutes 37 seconds West 370.41 feet, South 36 degrees 16 minutes 06 seconds West 84.56 feet, South 46 degrees 52 minutes 12 seconds West 6.04 feet, and South 47 degrees 44 minutes 36 seconds West 198.69 feet; thence crossing the east end of the Ambleside Drive right of way South 46 degrees 46 minutes 32 seconds West 60.00 feet to a point in the said ditch; thence continuing with the said ditch and the said Manchester Subdivision lines the following three calls South 46 degrees 46 minutes 32 seconds West 120.00 feet, North 58 degrees 54 seconds 22 minutes West 97.71 feet and South 44 degrees 14 minutes 23 seconds West 187.74 feet; thence South 61 degrees 28 minutes 18 seconds East 491.13 feet to an iron pipe in the northwest corner of the Clyn Willard Barber lot of record in Deed Book 3753 at Page 823; thence North 34 degrees 13 minutes 28 seconds East 143.24 feet with the said Barber line to an iron pipe; thence North 35 degrees 52 minutes 25 seconds East 193.97 feet with the Clyn Willard Barber, Jr lot line of record in Deed Book K45 at Page 299 to an iron pipe; thence North 33 degrees 20 minutes 36 seconds East 299.29 feet with the William C. Glidewell, Jr lot of record in Deed Book Q47 at Page 684 and then the Ronald Harrell White lot of Record in Deed Book 73 at page 323 to an iron pipe; thence North 33 degrees 20 minutes 36 seconds East 150.00 with the William S. Highsmith lot line of record in Deed Book 232 at Page 488 to an iron rod; thence continuing with the said Highsmith lot line South 55 degrees 59 minutes 44 seconds East 406.40 feet to an iron rod in the said Red Forbes Road right of way line; thence with the said Red Forbes right of way line North 36 degrees 00 minutes 02 seconds East 69.85 feet to the BEGINNING: containing 10.09 acres according to a survey by Hood L. Richardson, PLS dated December 23, 2021 and titled "Survey for Manish Sethi". Reference is made to records with the Pitt County Register of Deeds.



Hood L. Richardson, PLS



WILLIAM ALFRED FORBES, IV
RICHARD FORBES GORMAN
ETAL
3560 LITTLESBURG ROAD
BLUEFIELD, WV 24701

ALEXIS C. EARLS
2499 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

FOUR SIDED TRIANGLE, LLC
PO BOX 735
WINTERVILLE NC 28590

AARON EDWARD SMITH
SPRIL DEMETRIS SMITH
2445 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

ANNIE L. KOONCE
LEROY KOONCE
2427 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

DONNIE ELBERT WISLON
LOIS TOLER WILSON
PO BOX 1547
WINTERVILLE, NC 28590

DOROTHY GREEN MCROY
2412 RED FORBES ROAD
WINTERVILLE, NC 28590

RONALD HARRELL WHITE
2460 RED FORBES ROAD
WINTERVILLE, NC 28590

JASON HIGGINSON
AMANDA HIGGINSON
2105 WINDCHIME COURT
WINTERVILLE, NC 28590

PITT COUNTY BOARD OF
EDUCATION
1717 WEST 5TH STREET
GREENVILLE, NC 27834

THERADLINE HENY FORBES
3560 LITTLESBURG ROAD
BLUEFIELD, WV 24701

MICHAEL DON PIKE
JUDITH WARREN PIKE
2485 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

STEPHON NEWKIRK
2457 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

HENRY M. LAMA
LEDA E. LAMA
2439 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

JULINE COX
2419 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

FRANK D. BENNETT
VIRGINIA B. BENNETT
533 FORLINES ROAD
WINTERVILLE, NC 28590

PHILLIP D WARD
2432 RED FORBES ROAD
WINTERVILLE, NC 28590

WILLIAM C. GLIDEWELL
JUDY STOX GLIDEWELL
PO BOX 1565
WINTERVILLE, NC 28590

JACQUELINE GAY BITNER
ROBERT L. BITNER
2513 RED FORBES ROAD
WINTERVILLE, NC 28590

BLAKE WILLIS
EMMA LYNN WILLS
2527 RED FORBES RD
WINTERVILLE, NC 28590

WILLIAM ALFRED FORBES, III
MARTHA S. FORBES
PO BOX 498B
BLUEFIELD, WV 24701

EULOGIO GALICIA SANCHEZ
509 AMBLESIDE DRIVE
WINTERVILLE, NC 28590

JOHN PAUL HARTNETT, JR
1588 TROLLEY ROAD
HANOVER, PA 17331

BRIAN B. UPCHURCH
1600 GLENSIDE DRIVE
GREENSBORO, NC 27405

BRITTANY H. BRADFORD
JAMES BRADFORD
2413 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

SIDNEY R. SPAIN, JR.
ALICE D. SPAIN
525 FORLINES ROAD
WINTERVILLE, NC 28590

WILLIAM S. HIGHSMITH
NELDA A. HIGHSMITH
2444 RED FORBES ROAD
WINTERVILLE, NC 28590

CLYNN WILLARD BARBER, JR
EDNA PARAMORE BARBER
2490 RED FORBES ROAD
WINTERVILLE, NC 28590

JAMES M. WARD
SHANYELLE L. WARD
2485 RED FORBES ROAD
WINTERVILLE, NC 28590

DEXTER RIGGS
2505 WESTMINSTER DRIVE
WINTERVILLE, NC 28590

**NOTICE OF PUBLIC HEARING
Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, April 11, 2022 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to hold a public hearing on the following request:

William Alfred Forbes, IV (property owner) has submitted a rezoning application to rezone Parcel 10614 (10.09 Acres) from Agricultural- Residential (AR) to R-10 Zoning District. The R-10 Residential District is a quiet, medium density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses.

Additional information is available by contacting bryan.jones@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 ext. 2358.

To maintain the safety of Town residents, Town Council, and Town Staff, the Winterville Town Council meeting will allow limited in-person attendance due to COVID-19 provisions and the meeting will be available electronically. The Agenda is available on the Town website at www.wintervillenc.com/agendas. The public is encouraged to watch the Town Council's meeting live on YouTube (www.wintervillenc.com/videos). Those that wish to address the Town Council during the Public Hearing should contact the Town Clerk at (252) 756-2221 ext. 2344 or via email to don.harvey@wintervillenc.com to register by **one business day before the meeting at 5:00 pm.**

Notes to Publisher:

Legal Advertisements
legals@apgenc.com
(252) 329-9521

Subject: Winterville Public Hearing – Forbes Property Rezoning.

Please place the above legal advertisement in the Daily Reflector on Wednesday, March 30, 2022 and Wednesday, April 6, 2022. Should you have any questions please contact me.

Please forward the invoice and Affidavit of Publication to me to assist with payment.

Thanks,

Donald Harvey, NCCMC
Town Clerk
Town of Winterville
2571 Railroad Street/PO Box 1459
Winterville, NC 28590
(252) 215-2344 – Phone
don.harvey@wintervillenc.com



**Town of Winterville Planning Department
Zoning Staff Report**

GENERAL INFORMATION

APPLICANT	William Alfred Forbes, IV
HEARING TYPE	Rezoning Request
REQUEST	Agricultural-Residential (AR) to R-10
CONDITIONS	n/a
LOCATION	Intersection of Red Forbes Road and Forlines Road
PARCEL ID NUMBER(S)	10614
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request on December 6, 2021. Notification was posted on site on December 1, 2021. 13 properties were mailed notification.
TRACT SIZE	10.09 acres
TOPOGRAPHY	Flat
VEGETATION	Cleared / Agricultural

SITE DATA

EXISTING USE	Agricultural / Vacant
---------------------	-----------------------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	AR	Single Family Residential
E	AR	Single Family Residential
W	R-10	Single Family Residential
S	AR	Agriculture/Vacant

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	AR	R-10
MAX DENSITY	n/a	n/a
TYPICAL USES	Low-density residential and agricultural uses; where urban development is expected.	(R-10) Medium Density; single-family residential; limited home occupations.



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	(50' Riparian Buffer along tributary off of Swift Creek) Stream feature located along northern property line.
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Subdivision plan required

**These regulations may not reflect all requirements for all situations. See the Town of Winterville Zoning Ordinance for all applicable regulations for site requirements for this zoning district.

LANDSCAPING & BUFFER REQUIREMENTS

Development must meet requirements of the Zoning Ordinance (Article X-A. Vegetation and Buffering Requirements).

TRANSPORTATION

STREET CLASSIFICATION	Red Forbes Rd– NCDOT Road Ambleside Drive – TOW Road
SITE ACCESS	All access must be designed and constructed to meet the Town of Winterville / NCDOT standards.
TRAFFIC COUNTS (per NCDOT Annual Average Daily Traffic Map)	Red Forbes Road - 900 Forlines Road – 4200 Ambleside Drive – n/a
TRIP GENERATION	N/A
SIDEWALKS	Required.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A
OTHER	N/A



IMPACT ANALYSIS

Land Use Compatibility

The proposed R-10 zoning districts would allow land uses that are compatible with the general character of the area.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as an Urban Neighborhood character area. The requested **R-10** zoning district is generally consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Suburban Residential - General Character:

- Low to medium density single family residential. This land use type was identified as one that is appropriate and valued. This flexible land use type is appropriate for many parts of the planning area.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is encouraged to discuss this proposed rezoning with owners of surrounding properties.

Staff Analysis

The 10.09-acre property is currently vacant. The property North of the request is zoned AR and is single family residential. West of the request is zoned R-10 and is single family residential. South of the request is zoned AR and is currently vacant. East of the property is zoned AR and is single family residential.

The R-10 District rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is generally compatible with the existing development and trends in the surrounding area. The proposed R-10 zoning district fall within the density recommendations provided within the Suburban Residential character area.

Staff Recommendation

Planning and Zoning Board unanimously recommended approval of the rezoning request on February 21, 2022.



Staff recommends **approval** of the rezoning request for the 10.09 acres from AR to R-10.

**AN ORDINANCE TO AMEND CHAPTER 155
ZONING ORDINANCE OF THE
CODE OF ORDINANCES OF THE
TOWN OF WINTERVILLE, NORTH CAROLINA
OFFICIAL ZONING MAP**

WHEREAS, William Alfred Forbes, IV. has requested amendment of the Zoning Ordinance of the Town of Winterville by rezoning of the property described herein of Agricultural Residential (AR) to R-10.

WHEREAS, a public hearing on the question of this zoning amendment was held, at the Winterville Town Hall at 7:00 p.m. on April 11, 2022, after due notice publication on March 30, 2022 and April 6, 2022; and

WHEREAS, due notice of said public hearing was also given by first class mail to the owners of all parcels, as shown on the County Tax Records, adjoining the parcel under consideration, certification of which has been to the Winterville Town Council; and

WHEREAS, due notice of said public hearing was also given by posting a rezoning request notice on the subject property;

WHEREAS, the Winterville Town Council finds that the proposed rezoning is in compliance with the Town of Winterville's Comprehensive Land Use Plan;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that:

Section 1. The Town of Winterville Zoning Ordinance, Official Zoning Map, is hereby amended by rezoning the following described track from AR to R-10.

Forbes Property, a 10.09-acre tract land located on **Red Forbes Road, Tax Parcel 10614** and being more particularly described in the legal description provided below.

Lying and being situate in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

**LEGAL DESCRIPTION OF PROPERTY
TO BE REZONED FROM AR TO R-10
WILLIAM ALRED FORBES, IV
(FORBES PROPERTY)
WINTERVILLE TOWNSHIP, PITT, NC**

BEGINNING at an iron pipe in the west right of way line of Red Forbes Road, the said iron pipe is located one tenth of a mile southwest of the said Red Forbes Road intersection with Forlines Road; thence North 55 degrees 49 minutes 50 seconds West 170.00 feet with the Phillip D. Ward line of record in Deed Book 77 at page 370 to an iron rod; thence continuing with the said Phillip D. Ward boundary line North 33 degrees 33 minutes 07 seconds East 227.97 feet to an iron rod; thence the following two calls with the Dorothy Green McRoy line of record in Deed Book X53 at page 209 to iron rods, North 67 degrees 29 minutes 26 seconds West 7.03 feet

and North 67 degrees 30 minutes 00 seconds West thence North 57 degrees 30 minutes 30 seconds West 150.00 feet with the Sidney R Spain line of record in Deed Book 90 at Page 461 to an iron rod; thence North 67 degrees 26 minutes 08 seconds West 149.98 feet with the Frank D. Bennett line of record in Deed Book 4061 at Page 865 to an iron pipe; thence North 67 degrees 33 minutes 52 seconds West 150.02 feet with the Donnie E. Wilson line of record in Deed Book W45 at Page 516 to an iron pipe; thence the following four calls with the Manchester Subdivision lines of Record in Map Book 55 at Page 53 to points in a ditch, South 23 degrees 00 minutes 37 seconds West 370.41 feet, South 36 degrees 16 minutes 06 seconds West 84.56 feet, South 46 degrees 52 minutes 12 seconds West 6.04 feet, and South 47 degrees 44 minutes 36 seconds West 198.69 feet; thence crossing the east end of the Ambleside Drive right of way South 46 degrees 46 minutes 32 seconds West 60.00 feet to a point in the said ditch; thence continuing with the said ditch and the said Manchester Subdivision lines the following three calls South 46 degrees 46 minutes 32 seconds West 120.00 feet, North 58 degrees 54 seconds 22 minutes West 97.71 feet and South 44 degrees 14 minutes 23 seconds West 187.74 feet: thence South 61 degrees 28 minutes 18 seconds East 491.13 feet to an iron pipe in the northwest corner of the Clyn Willard Barber lot of record in Deed Book 3753 at Page 823; thence North 34 degrees 13 minutes 28 seconds East 143.24 feet with the said Barber line to an iron pipe; thence North 35 degrees 52 minutes 25 seconds East 193.97 feet with the Clyn Willard Barber, Jr lot line of record in Deed Book K45 at Page 299 to an iron pipe; thence North 33 degrees 20 minutes 36 seconds East 299.29 feet with the William C. Glidewell, Jr lot of record in Deed Book Q47 at Page 684 and then the Ronald Harrell White lot of Record in Deed Book 73 at page 323 to an iron pipe; thence North 33 degrees 20 minutes 36 seconds East 150.00 with the William S. Highsmith lot line of record in Deed Book 232 at Page 488 to an iron rod; thence continuing with the said Highsmith lot line South 55 degrees 59 minutes 44 seconds East 406.40 feet to an iron rod in the said Red Forbes Road right of way line; thence with the said Red Forbes right of way line North 36 degrees 00 minutes 02 seconds East 69.85 feet to the BEGINNING: containing 10.09 acres according to a survey by Hood L. Richardson, PLS dated December 23, 2021 and titled "Survey for Manish Sethi". Reference is made to records with the Pitt County Register of Deeds.

End of Legal Description

Section 2. This action shall be shown on the Official Zoning Map.

Section 3. This ordinance shall become effective upon adoption.

Adopted this 11th day of April 2022.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: April 11, 2022

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Council Meeting Minutes.

Action Requested: Approval of Minutes.

Attachment: Draft Minutes of the Council meetings listed below.

Prepared By: Donald Harvey, Town Clerk

Date: 3/30/2022

ABSTRACT ROUTING:

TC: 4/4/2022

TM: 4/6/2022

Final: tlp - 4/6/2022

Supporting Documentation

Approval of the following set of Council Meeting Minutes:

- ❖ March 14, 2022 Regular Meeting Minutes.

Budgetary Impact: NA.

Recommendation: Approval of Minutes.



**WINTERVILLE TOWN COUNCIL
MONDAY, MARCH 14, 2022 – 7:00 PM
REGULAR MEETING MINUTES
(LIMITED IN-PERSON ATTENDANCE)**

The Winterville Town Council met in a Regular Meeting on the above date at 7:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Mark C. Smith, Mayor Pro Tem
Tony P. Moore, Councilman (absent)
Johnny Moye, Councilman
Paul A. Rice, Councilman
Veronica W. Roberson, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Ben Williams, Assistant Town Manager
Ryan Willhite, Police Chief
David Moore, Fire Chief
Robert Sutton, Electric Director
Anthony Bowers, Finance Director
Evan Johnston, Parks and Recreation Director
Bryan Jones, Planning Director
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

INVOCATION: Dr. Stephen Bonds gave the Invocation.

PLEDGE OF ALLEGIANCE: Mayor Hines led everyone in the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed the public.

APPROVAL OF AGENDA:

Motion made by Councilman Moye and seconded by Councilwoman Roberson to approve the agenda. Motion carried unanimously, 4-0.

PROCLAMATIONS: Town Clerk Harvey summarized the following Proclamations with comments from Town Manager Parker:



PROCLAMATION
Month and Week of the Young Child

WHEREAS, the Martin-Pitt Partnership for Children, in conjunction with the North Carolina Association for the Education of Young Children (NCAEYC) and National Association for the Education of Young Children (NAEYC), are celebrating the Week of the Young Child, April 2-8, 2022; and

WHEREAS, these organizations are working to promote and inspire high quality early childhood experiences for our city's youngest citizens, that can provide a foundation of learning and success for children in the Town of Winterville; and

WHEREAS, teachers and others who work with or on behalf of young children birth through age five, who make a difference in the lives of young children in the Town of Winterville deserve thanks and recognition; and

WHEREAS, public policies that support early learning for all young children are crucial to young children's futures and to the prosperity of our society; and

WHEREAS, all young children and their families across the country and in the Town of Winterville deserve access to high-quality early education and care; and

WHEREAS, in recognizing and supporting the people, programs, and policies that are committed to high-quality early childhood education as the right choice for kids; and

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville, do hereby proclaim April 2022 as "Month of the Young Child" and April 2-8, 2022 as "Week of the Young Child" in the Town of Winterville and commend observance to all citizens; and

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 14th day of March 2022.

Richard E. Hines, Mayor

Attest

Donald Harvey, Town Clerk

The Older Americans Act Nutrition Program Anniversary 2022:



PROCLAMATION
CELEBRATING THE 50TH ANNIVERSARY
OLDER AMERICANS ACT NUTRITION PROGRAM 2022

WHEREAS, fifty years ago, on March 22, 1972, President Nixon signed into law a measure that amended the Older Americans Act of 1965 to include a national nutrition program for individuals 60 years and older; and

WHEREAS, for five decades, this landmark law has helped to fund community-based organizations – like Meals on Wheels – and it is still the only federal program designed specifically to meet the nutritional and social needs of older adults; and

WHEREAS, this year, Meals on Wheels programs from across the country are joining together for the March for Meals awareness campaign to celebrate 50 years of success and garner the support needed to ensure these critical programs can continue to address food insecurity and malnutrition, combat social isolation, enable independence, and improve health for years to come; and

WHEREAS, Council on Aging's Meals on Wheels programs – both congregate and home-delivered, in Winterville have served our communities admirably for over 40 years; and

WHEREAS, volunteers for Council on Aging's Meals on Wheels programs in Winterville are the backbone of the program and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and

WHEREAS, Council on Aging's Meals on Wheels programs in Winterville provide nutritious meals to seniors throughout Winterville that help them maintain their health and independence, thereby helping to prevent unnecessary falls, hospitalizations and/or premature institutionalization; and

WHEREAS, Council on Aging's Meals on Wheels programs in Winterville provide a powerful opportunity for social connection for millions of seniors to help combat the negative health effects and economic consequences of loneliness and isolation; and

WHEREAS, Council on Aging's Meals on Wheels programs in Winterville deserve recognition for the heroic contributions and essential services they have provided amid the COVID-19 pandemic and will continue to provide to local communities, our State and our Nation long after it is over; and

WHEREAS, the senior population is increasing substantially, and action is needed now to support local Meals on Wheels programs through federal, state and local funding; volunteering; donations; and raising awareness to ensure these vital services can continue to be delivered for another 50 years; and

NOW, THEREFORE, I Richard E. Hines, Mayor of the Town of Winterville do hereby proclaim March 2022 as a month celebrating the 50th anniversary of the Older Americans Act Nutrition program and urge every community member to take this month to honor Council on Aging's Meals on Wheels programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national celebration can enrich our entire community and help combat senior hunger and isolation in America.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 14th day of March 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

Town of Winterville 125th Anniversary (Quasquicentennial):



PROCLAMATION

TOWN OF WINTERVILLE 125TH ANNIVERSARY (QUASQUICENTENNIAL)

WHEREAS, the Town of Winterville was incorporated by the General Assembly of North Carolina on March 3, 1897; and

WHEREAS, the Town of Winterville owes its beginnings to a cotton planter and to the railroad in the closing decades of the 19th century; and

WHEREAS, in the forward looking vision and leadership of Amos Graves Cox, who saw opportunity and enterprise, a community grew around the manufacturing of that cotton planter and other commodities; and

WHEREAS, other persons were drawn to the growing community to take advantage of the increasing opportunities - inventors, manufacturers, merchants, farmers, laborers, educators; and

WHEREAS, the town with a strong sense of community not only valued education but made it a priority and a reality for its children, black and white; and

WHEREAS, the town became the first industrial center of Pitt County, the first municipality with electric lights, and home of the first high school in Pitt County; and

WHEREAS, we express appreciation to our first Mayor, James R. Johnson, the first Commissioners – Rowan Cooper, C. O. Brown, and J. F. Harrington, and to all the women and men, black and white, who provided leadership and guidance to the successive generations who have called Winterville home; and

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby celebrate and proclaim the incorporation of the Town of Winterville by the North Carolina Legislature on March 3, 1897.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 14th day of March 2022.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

Women's History Month:



PROCLAMATION
Women's History Month

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have served our country courageously in the military; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which created a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

NOW, THEREFORE, I, Richard E. Hines, Mayor of the Town of Winterville hereby designate March as "Women's History Month" honoring the contribution and legacy of women.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 14th day of March 2022.

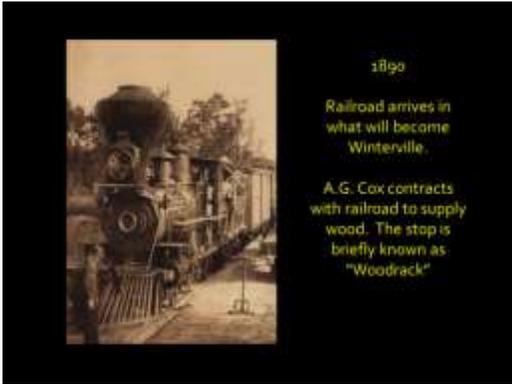
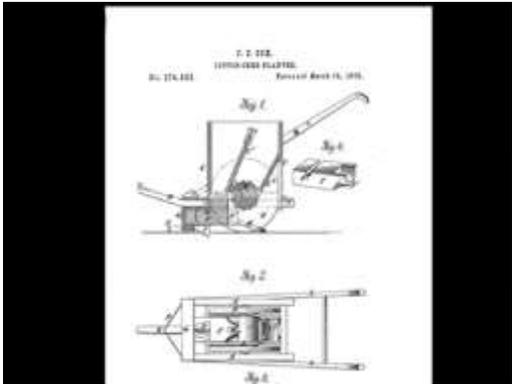
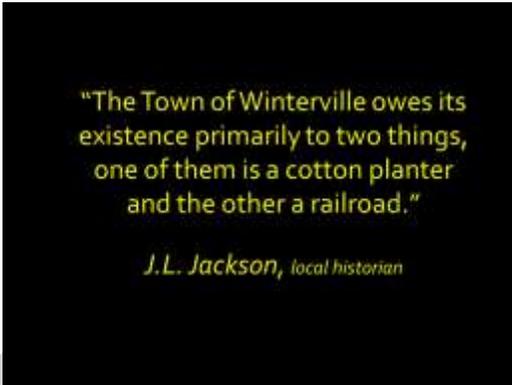
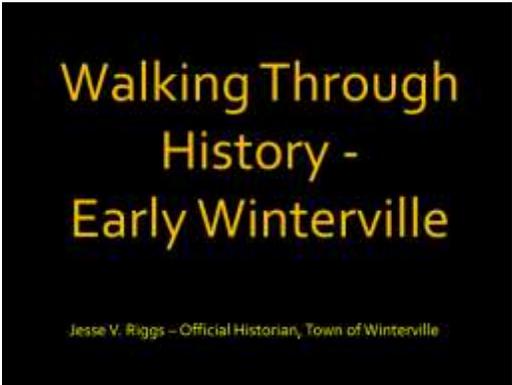
Richard E. Hines, Mayor

Attest:

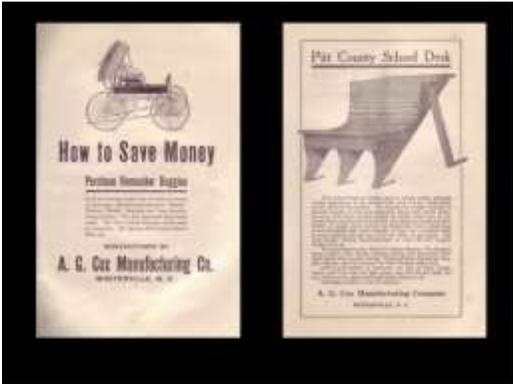
Donald Harvey, Town Clerk

PRESENTATIONS:

Town's History and 125th Quasquicentennial Anniversary: Jesse Riggs discussed and gave the following presentation.



- Cotton planters
- Fertilizer distributors
- Buggies
- Carts
- Wagons
- Coffins
- Plow saddles
- Cart saddles
- Corn meal
- Wheat flour
- Molasses
- Guano spreaders
- School desks



March 3, 1897 Town of Winterville is incorporated

... to be incorporated for the town of Winterville, N.C. ...

Section 1. That the town of Winterville, in the county of ...

Section 2. That the ...

Section 3. That the ...

Section 4. That the ...

Section 5. That the ...

Section 6. That the ...

Section 7. That the ...

Section 8. That the ...

Section 9. That the ...

Section 10. That the ...

First Mayor and Commissioners – appointed by the Legislature

Mayor – James R. Johnson

Commissioners – Rowan Cooper
C. O. Brown
J. F. Harrington



1897

Citizens of Winterville vs Wilmington & Weldon Railroad Company

"Petitioners demand a freight and passenger depot..."

An average of 7 tons of freight per day handled at the Winterville stop.

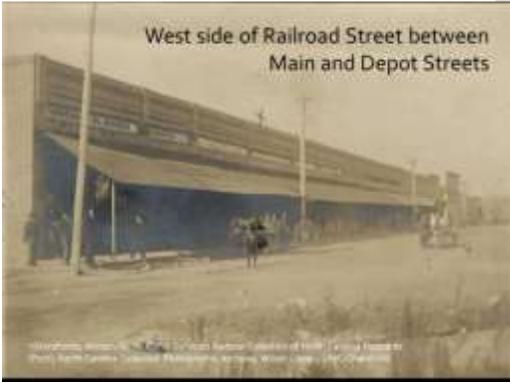




A. G. Cox Manufacturing Company
 Winterville Canning Factory
 Hunsucker Carriage Company
 Moye & Kittrell Lumber Plant
 Winterville Wire Fence Factory
 Pitt County Oil Company
 Winterville Cotton Oil Company & Gin
 Winterville Cigar Company
 Winterville Brick Company
 East Carolina Electric Company - mfg "electric plants"
 Simon Moye's Ice House
 Winterville Garage Company
 Bicycle Shop (Albert Dow Cox)
 Little Africa Hotel

1897
 2 stores in town
 1913
 10 Merchants in Town
 5 Cotton Buyers

B. F. Manning Dry Goods
 D. B. Forrest & Brother's Dry Goods
 Dr. B. T. Cox Drug Store
 Harrington & Barbor Grocery and General Store
 L. N. Dempsey Hay and Feed Store
 Weathingtons Meat Market & Grocery
 Moye & Kittrell Soda Fountain
 Bank of Winterville
 Winterville Telephone Company - in A. W. Ange Store
 Henderson Telephone Company - in B. T. Cox Drug Store
 Braxton Millinery Shop
 Mary Harding & Co. Millinery
 M. T. Speir Dry Goods and Clothing
 Winterville Laundry



West side of Railroad Street between Main and Depot Streets



A. W. Ange Store

If You Are Looking for Quality

WE WILL PROVE IT TO YOU

Dress Goods, Hats, Caps
 All kinds of Wearing Apparel

Notions
 Ladies' Goods of Fashion

Fabric Supplies
 100-1000 Yds. - 10000

Sewing Machines
 and Sewing Machine Parts in
 the Largest Stock in

A. W. Ange & Co.
 Winterville, North Carolina

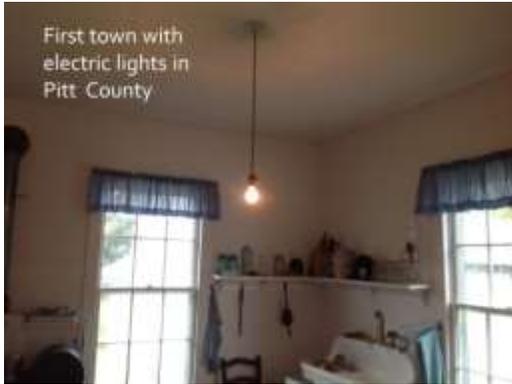
A. W. Ange & Co.
General Merchandise
 WINTERVILLE, N. C.

Sells Hardware, Groceries, Dry Goods, and Sewing Machines, and also carries a full line of notions, stationery, and books. Also carries a full line of ladies' and children's clothing, and a complete stock of men's and boys' clothing. Also carries a full line of shoes, hats, caps, and accessories. Also carries a full line of furniture, and other household goods. Also carries a full line of sporting goods, and other miscellaneous items.

SOLELY BY FRANCHISE
A. W. ANGE & CO.
 WINTERVILLE, N. C.



Braxton Millinery Shop



W. H. Robinson School also traces its beginnings back to 1900. The school is later named for Principal William H. Robinson.



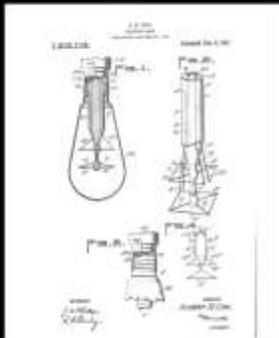
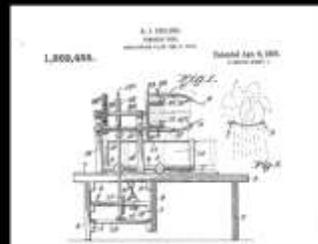
"New buildings in our town are so numerous we can make no special mention. Suffice it to say that we are in a regular boom."

Eastern Reflector – March 28, 1902

"It is surprisingly strange how every enterprise in Winterville succeeds. Whether it is owing to the unusual thrift and energy displayed or strictly good morals of our people we are unable to say, but that we are fortunate goes beyond question."

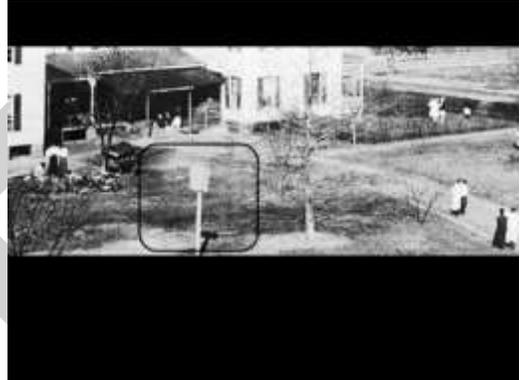
Eastern Reflector – March 5, 1901

Alfred J. Collins – Patented an early Tobacco Tier - 1918



Albert Dow Cox
Multi-filament Electric Light Bulb - 1917





1887-1902	James R. Johnson	1929-1932	F. McCoy Trap
1903-1904	Joseph M. Row	1933-1934	J. B. Cox
1904-1905	James R. Johnson	1934-1935	Joseph Leonard Hodgson
1905-1906	Raymond Giffin Chapman	1934-1940	Wayland L. Hunsacker
1906-1907	Richard Hugh Hunsacker	1940-1941	Enoch W. Boston
1907-1908	James R. Johnson	1941-1943	Woodrow Washington
1908-1909	J. S. Ross	1943-1947	Wayland L. Hunsacker
1910-1916	Raymond Giffin Chapman	1947-1948	Cedric Donald Langston
1916-1918	Enoch Warren Boston	1948-1961	Burley L. Tucker
1918-1919	Rudolph Croom	1961-1981	Walter A. Dail
1919-1920	George Lee Boske	1981-1983	E. C. Hines
1920-1923	Joseph Olin Harris	1993-1997	Linwood Kilpatrick
1923-1924	Enoch Warren Boston	1997-2021	Douglas A. Jackson
1923-1929	Fountain F. Cox	2021-	Richard C. Hines

Mat Nelson-de Jesus made comments adding to the history including the fact that she is the great grandniece of Godfrey Mills.

PUBLIC HEARINGS:

Villa Grande, Phase 3 Rezoning Request: Planning Director Jones gave the request with the following presentation:

VILLA GRANDE, PHASE 3 REZONING REQUEST

Presenter:
Bryan Jones,
Planning Director



- **Applicant:** Nolan Commercial Contractors, Inc.
- **Location:** Red Forbes Road east of its intersection with NC 903 S.
- **Parcel Numbers:** 82582, 80704, 19880
- **Site Data:** 22.733 acres
- **Current Zoning District:** Agricultural Residential (AR)
- **Proposed Zoning District:** R-10



- Notification was posted on the site on December 29, 2021.
- Adjacent property owners were mailed notification of the Public Hearing on March 1, 2022.
- Notice of the public hearing was published in the Daily Reflector on March 3, 2022 and March 9, 2022.



2. Carroll Crossing, Section 3, Phase 1: Set Public Hearing for Annexation Request.
3. Forbes Property Rezoning: Set Public Hearing Date.
4. Release and Refund of Taxes.
5. Budget Amendment 2021-2022-5.

Motion made by Councilwoman Roberson and seconded by Mayor Pro Tem Smith to approve the consent agenda. Motion carried unanimously, 4-0.

OLD BUSINESS:

Human Relations Board Appointments: Town Manager Parker noted that Section II of the approved HRB By-Laws outlines the membership and attendance components. The Mayor and each Councilmember appoints one person to the HRB. Terms of office are outlined as follows:

The term of office for each WHRC member shall be as follows:

- All members will serve a two-year staggered term;
- No member shall serve more than three (3) consecutive terms;
- Each member shall hold office until the qualification and appointment of his/her successor or until one (1) year has lapsed since the expiration of the term for which the member was appointed, which first occurs; and
- In order to establish staggered terms, the original voting members of the WHRC shall be appointed as follows:
 - Two members for a one-year term.
 - Two members for a two-year term.
 - Two members for a three-year term.
- Thereafter, each newly appointed voting member shall serve for a two-year term.

Council may also appoint up to two (2) high school and (2) college/university (non-voting) student representatives. Finally, Council shall appoint one Council members to be the Council liaison to the HRB. Staff stands ready to assist as needed.

Mayor Hines asked Council to put names forward. Mayor Hines nominated Shantel Hawkins; Councilwoman Roberson nominated Brandy Harrell; Council Rice nominated himself. Other members of Council were not prepared to make a nomination at this time.

NEW BUSINESS:

Old Tar Road Widening Project Electric Engineering Contract: Electric Director Sutton noted that during the January 14, 2022 Town Council Meeting, Council gave approval for staff to enter contract negotiations with Utility Engineering for the Old Tar Road Widening Project (NC DOT Project U-2187). Negotiations promptly began and an estimate of \$197,908 for the total project was a direct product of the process.

Councilman Moyer asked if the Town had any costs from the earlier work? Electric Director Sutton said we did, and we hope to glean some information for that effort.

Mayor Hines asked for any further discussion or any more questions. Hearing none what is Council's pleasure.

Motion made by Mayor Pro Tem Smith and seconded by Councilman Moyer to approve the Old Tar Road Widening Project Electric Engineering Contract estimate of \$197,908 with Utility Engineering. Motion carried unanimously, 4-0.

NCLM Voting Delegate: Town Clerk Harvey noted that the nomination period for the 2022-2023 Board of Directors is now open and will run through March 31, 2022. Once again, NCLM will hold an electronic voting process for board elections. During CityVision, to be held April 26-28 in Wilmington, League members will attend the annual business meeting where the 2022-2023 electronic Board of Directors election results will be announced.

Each member municipality shall designate one voting delegate who is eligible to cast a single vote for the 2022-2023 League Board of Directors in advance of the annual business meeting. The Council needs to designate a member as the Voting Delegate for the Town to ensure delivery of electronic ballot and voting instructions by April 15, 2022.

Motion made by Councilwoman Roberson and seconded by Mayor Pro Tem Smith to designate Mayor Hines as the Town's delegate, and if needed, Councilman Moye as the Alternate Delegate. Motion carried unanimously, 4-0.

Human Resource Additions/Restructuring: Town Manager Parker noted that during the Vision Setting Meeting, a lengthy discussion was held regarding the state of positions and human resource items. During that meeting she reported that she would be requesting some additional and/or restructured positions and discussed the addition of a Human Resource Director. She officially requested approval of the following: Creation of a Human Resources Director position – Grade 25 – Salary range – \$66,924-\$100,386.

Merge the interim Part-Time Permit Tech position in Inspections/GIS and the Part-Time Finance Position into a full-time Customer Service Representative Position that will work both in Finance and Inspections/GIS. This is requesting the addition of a full-time position to Staff. This position is Grade 11 with a Salary range - \$33,802-\$48,604.

The Executive Staff/HR position will be restructured as an Executive Staff Assistant position. That position is a Grade 16 with a Salary range - \$43,136-\$64,711. Said position will be the same as there are several duties that can be added on the Executive Staff Assistant side that will compensate for the HR Assistant duties being removed.

Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to approve the Human Resource Additions and Restructuring as presented by Town Manager Parker. Motion carried unanimously, 4-0.

Classification and Pay Study and Update of Town Personnel Policy: During the Vision Setting Meeting, Town Manager Parker reported that the Town needed an updated Classification/Pay Study to determine how competitive the Town's position classifications and pay are comparatively speaking. She requested that Council approve the project concept and direct her to move forward working with the North Carolina League of Municipalities with finding and securing a quote. She also reported the Town needed an updated Personnel Policy to ensure that they are up to date and in compliance with all applicable laws, regulations and policies related to Human Resources. She requested that Council approve the project concept and direct her to move forward working with the North Carolina League of Municipalities with finding and securing a quote.

Motion made by Councilman Moye and seconded by Councilman Rice to approve the Classification and Pay Study and Update of the Town Personnel Policy project concept and to move forward working with the North Carolina League of Municipalities with finding and securing a quote. Motion carried unanimously, 4-0.

OTHER AGENDA ITEMS:

Stormwater Workshop: Council has stated that holding a public workshop on stormwater was a priority item in recent months. We have yet to settle on a date that works for the majority of the Council. Therefore, Staff proposes the following choices: Tuesday, April 19, 2022 – 6:00 pm; Thursday, April 21, 2022 – 6:00 pm; Tuesday, April 26, 2022 – 6:00 pm; or Thursday, April 28, 2022 – 6:00 pm.

Mayor Hines said we must uphold our duties, set date, look into May for dates. Staff will look into May to find a suitable date.

Discussion of Town's Quasiquicentennial Anniversary Activities: Council and Staff discussed possible activities and general dates. It was noted that the committee of citizens working on the anniversary would be meeting on Monday, March 28, 2022 at 6:00 pm in the Town Hall Assembly Room.

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:

Councilwoman Roberson noted that the Library Board will need a representative when her existing term expires. Councilman Moye asked if the representative must be a Council member. It was noted that they did not have to be.

Town Manager Parker said the Strategic Plan efforts with Planning Director Jones' help was being investigated.

Councilman Moye asked about the Newsletter and social media making mention of waste disposal special item, pickups, and related information.

ANNOUNCEMENTS: Town Clerk Harvey gave the following announcements:

1. Recreation Advisory Board: Tuesday, March 15, 2022 @ 6:30 pm – Operation Center Training Room.
2. Planning and Zoning Board Meeting: Monday, March 21, 2022 @ 7:00 pm - Town Hall Assembly Room.
3. Board of Adjustment Meeting: Tuesday, March 22, 2022 @ 7:00 pm - Town Hall Assembly Room.
4. Easter Eggstravaganza: Saturday, April 2, 2022; 11:00 am – 1:00 pm; Winterville Recreation Park.
5. Town Offices Closed: April 15, 2022 for the Good Friday Holiday.
6. Town Council and Manager Budget Progress Meeting: Monday, April 25, 2022 @6:00 pm – Town Hall Executive Conference Room.
7. NCLM CityVision April 26-28, 2022 – Wilmington Convention Center.
8. Town Council Budget Work Session: Tuesday, May 24, 2022 @ 6:00 pm - Town Hall Assembly Room.
9. Town Council Budget Work Session: Thursday, May 26, 2022 @ 6:00 pm - Town Hall Assembly Room

Police Chief Willhite reported that they had spent time in the Blackstone and area. He also reported that they had identified 25 junk vehicles during the month with a goal of 1 per day. Also, there were 30 citations or warnings issued on East Main Street. Councilman Moye asked what happens if junk cars cannot pay for fees or disposal with owner costs.

REPORTS FROM THE TOWN ATTORNEY, MAYOR, AND TOWN COUNCIL, AND TOWN MANAGER:

Attorney Lassiter: Noted that the Sweepstakes case had been closed and there is a closed session tonight.

Councilwoman Roberson: None.

Councilman Rice: None.

Mayor Pro Tem Smith: None.

Councilman Moyer: Noted he received a call from Blackstone area, and they are doing a petition for speed bumps.

Manager Parker: None.

Mayor Hines: Discussed the importance of Women's history.

Motion made by Councilman Moyer and seconded by Councilwoman Roberson to go into Closed Session (NCGS § 143-318.11. (a) (5) (ii) 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 (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.). Motion carried unanimously, 4-0.

CLOSED SESSION:

Motion made by Councilwoman Roberson and seconded by Councilman Moyer to return to Open Session. Motion carried unanimously, 4-0.

Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to approve an increase of compensation for Attorney Lassiter from \$200 per hour to \$250 per hour. Motion carried unanimously, 4-0.

ADJOURN:

Motion made by Mayor Pro Tem Smith and seconded by Councilwoman Roberson to adjourn the meeting. Motion carried unanimously, 4-0. Meeting adjourned at 8:28 pm.

Adopted this the 11th day of April 2022.

Richard E. Hines, Mayor Pro Tem

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: April 11, 2022

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Audit Contract for Fiscal Year 2021 – 2022.

Action Requested: Approve the audit contract with Carr, Riggs, and Ingram, LLC.

Attachment: Contract and Engagement letter.

Prepared By: Anthony Bowers, Finance Director

Date: 3/31/2022

ABSTRACT ROUTING:

TC: 4/4/2022

TM: 4/6/2022

Final: tlp - 4/6/2022

Supporting Documentation

Each year the Town Council must approve the contract with the audit firm that it uses for its independent review of the Town's Finances. We are recommending that we use CRI out of Goldsboro. This will be the fifth full year for the Goldsboro team. Mr. Jordan and his staff are highly recognized in the state and are used to review other audits in the state.

Budgetary Impact: This is accounted for in the operating budget for the Finance Department. The value of the contract is \$\$42,500.

Recommendation: Approve the Contract.

The	Governing Board Town Council
of	Primary Government Unit Town of Winterville, North Carolina
and	Discretely Presented Component Unit (DPCU) (if applicable) N/A

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name Carr, Riggs & Ingram, PLLC
	Auditor Address PO Box 10588, Goldsboro, NC 27532-0588

Hereinafter referred to as Auditor

for	Fiscal Year Ending 06/30/22	Audit Report Due Date 10/31/22
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Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period. The auditor shall perform a Single Audit if required by Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) or the State Single Audit Implementation Act. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.
- If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.
6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.)[G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC Staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC Staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC Staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the primary government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit's governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor's presentation to the government unit's governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a "Response to the Auditor's Findings, Recommendations, and Fiscal Matters," if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitted-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will be not be approved.

Financial statements were prepared by: Auditor Governmental Unit Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name: **Title and Unit / Company:** **Email Address:**

OR Not Applicable (Identification of SKE Individual not applicable for GAAS-only audit or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. Should the 75% cap provided below conflict with the cap calculated by LGC Staff based on the billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

Primary Government Unit	Town of Winterville, North Carolina
Audit Fee	\$ 36,000
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$ 6,000
All Other Non-Attest Services	\$ 500
75% Cap for Interim Invoice Approval <i>(not applicable to hospital contracts)</i>	\$ 31,875.00

DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval <i>(not applicable to hospital contracts)</i>	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Carr, Riggs & Ingram, PLLC	
Authorized Firm Representative (typed or printed)* Michael C. Jordan	Signature*
Date* 03/29/20	Email Address* mjordan@cricpa.com

GOVERNMENTAL UNIT

Governmental Unit* Town of Winterville, North Carolina	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)* Richard E. Hines, Mayor	Signature*
Date	Email Address ricky.hines@wintervillenc.com

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed) Anthony B. Bowers	Signature*
Date of Pre-Audit Certificate*	Email Address* anthony.bowers@wintervillenc.com

**SIGNATURE PAGE – DPCU
(complete only if applicable)**

DISCRETELY PRESENTED COMPONENT UNIT

DPCU* N/A	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all
required signatures prior to submission.

PRINT



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: April 11, 2022

Presenter: Anthony Bowers, Finance Director

Item to be Considered

Subject: Budget Amendment 2020-2021-6

Action Requested: Approve the Budget Amendment.

Attachment: Budget Amendment 2020-20201-6.

Prepared By: Anthony Bowers, Finance Director

Date: 4/5/2022

ABSTRACT ROUTING:

TC: 4/5/2022

TM: 4/6/2022

Final: tlp - 4/6/2022

Supporting Documentation

This is the sixth budget amendment for the 2021-2022 Fiscal Year.

The first item addresses the cost of the Pay Study and Classification contract with the MAPS Group. They are the preferred partner selected by the NC League of Municipalities.

The second item is to appropriate funds to cover residential and commercial development on our Electric System. The Electric Director is recommending that we will need \$735,300 in order to cover the cost.

The third item addresses several concerns related to the Sewer Fund. We have had some major failures in the system and with equipment. We have also discovered that we did not have backup pumps for many of the Town's sewer lift stations. The total cost is split over four line items; Maintenance and Repair of Equipment, Vehicles, Contracted Services, and supplies and materials in the amount of \$165,000.

Budgetary Impact: The total budget amendment is \$917,800.

Recommendation: Approve the Budget Amendment.

BUDGET ORDINANCE AMENDMENT 21-22-6

BE IT ORDAINED by the Governing Board of the Town of Winterville, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

SECTION 1. Revenues are to be changed as follows:

LINE ITEM DESCRIPTION				Fund	Increase	Decrease
Fund Balance	10	3831		General Fund	17,500	
Fund Balance	60	3831		Electric Fund	735,300	
Fund Balance	62	3831		Sewer Fund	165,000	

Total \$ 917,800 \$ -

SECTION 2. Appropriations are to be changed as follows:

LINE ITEM DESCRIPTION			Department	Fund	Increase	Decrease
Contracted Service	10412003	4233	Human Resources	General	17,500	
Capital Outlay	60801000	7150		Electric Fund	735,300	
Maintenance and Repair of Equipment	62732020	4225		Sewer Fund	15,000	
Maintenance and Repair of Vehicles	62732020	4226		Sewer Fund	20,000	
Supplies and Materials	62732020	4230		Sewer Fund	80,000	
Contracted Service	62732020	4233		Sewer Fund	50,000	

Total \$ 917,800 \$ -

Adopted the 11th day of April 2022.

Mayor

Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: MS4 Stormwater Management Plan – Task Order #32.

Action Requested: Approval of Amendment to Task Order #32

Attachment: Winterville Amendment to TO #32.

Prepared By: Terri L. Parker, Town Manager

Date: 4/7/2022

ABSTRACT ROUTING:

TC: 4/7/2022

TM: 4/7/2022

Final: tlp - 4/7/2022

Supporting Documentation

MS4 Stormwater Management Plan.

An update from a meeting concerning the on-going efforts between Wooten and Winterville. Below are the updates and documents related to Task Order No. 32 (MS4 Stormwater Management Plan).

Project Summary:

In an effort to return to compliance with the Town's MS4 Stormwater permit, Wooten was secured to assist in drafting a Stormwater Management Plan. While work is underway on the report, the State of North Carolina is requiring all entities in the Neuse and Tar-Pamlico river basins to review and update their stormwater ordinance.

Current Need:

An amendment has been provided to allow Winterville (via email on 2/11/2022) to Amend our TO #32 contract to include the time and resources to update the ordinance as part of the larger MS4 Report project. We need this executed Amendment to proceed with the additional work.

Budgetary Impact: Amendment - \$6,000. Original Task Order - \$28,500 Total - \$34,500.

Recommendation: Approval Amendment to Task Order.

This is **EXHIBIT K**, consisting of 2 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services – Task Order Edition** dated **September 10, 2015**.

Amendment to Task Order No. 32

1. Background Data:

- a. Effective Date of Task Order Agreement: July 15, 2021
- b. Owner: Town of Winterville, NC
- c. Engineer: L.E. Wooten and Company dba The Wooten Company
- d. Specific Project: MS4 Audit Response and Stormwater Management Plan (SWMP)

2. Description of Modifications

- a. Engineer shall perform the following Additional Services:
Neuse Basin Ordinance: The Wooten Company will coordinate and draft language to allow the Town to integrate the Neuse/Tar Pamlico Stormwater Management Program into their Stormwater Management Plan and local administrative review.
- b. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional compensation: **\$ 6,000.00**
- c. The schedule for rendering services under this Task Order is modified as follows:
This work will be completed prior to March 10, 2022

3. Task Order Summary (Reference only)

- a. Original Task Order amount: \$ 28,500.00
- b. Net change for prior amendments: \$ N/A
- c. This amendment amount: \$ 6,000.00
- d. Adjusted Task Order amount: \$ 34,500.00

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this, or previous Amendments remain in effect. The Effective Date of this Amendment is **February 14, 2022**.

OWNER:

ENGINEER:

Name: Town of Winterville, NC

Name: L.E. Wooten and Company dba
The Wooten Company

By: Terri L. Parker

By: Gary D. Hartong, PE

Signature: _____

Signature: _____

Title: Town Manager

Title: President

Date Signed: _____

Date Signed: 2/11/2022



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Ange Street Sidewalk Extension

Action Requested: Approval of Task Order No. 35.

Attachment: Winterville TO #35 - Ange Street Sidewalk with Wooten Company and Cost Estimate.

Prepared By: Terri L. Parker, Town Manager

Date: 4/7/2022

ABSTRACT ROUTING:

TC: 4/7/2022

TM: 4/7/2022

Final: tlp - 4/7/2022

Supporting Documentation

Ange Street Sidewalk Extension.

Project Summary:

The Town of Winterville has expressed an interest in installing new sidewalk along Ange Street between Sylvania and Blount streets (see schematic attached). This work will tie into existing sidewalks surrounding the block and will require the fill of a NCDOT ditch along with new catch basin(s) and a culvert pipe under Ange Street. ADA compliant ramps will be installed for Blount Street, Barrel Drive, and Sylvania Street. The push for this is to attempt to time the construction during the summer school schedule to avoid interruptions to school traffic. Per Town request, an initial estimate was provide via email (2/10/2022). Additional request was made to formalize this into a Task Order (see attached).

Current Need:

A Task Order has been provided to Winterville for the extent of this work. Wooten Company needs an executed contract to proceed with the work.

Budgetary Impact: \$34,250 total project.

Recommendation: Approve Task Order No. 35.

Task Order No. 35 – Town of Winterville – Ange Street Sidewalk

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated **September 10, 2015** ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data
 - A. Title: Ange Street Sidewalk
 - B. Description: Engineer will provide services (as noted in Section 2) for engineering design of approximately 525-feet of 5' concrete sidewalk along Ange Street connecting to the sidewalks of Sylvania and East Blount Streets. Additionally, Engineer shall work with NCDOT to curb and drain the edge of pavement on west side of Ange Street. Project is funded with local funds.

2. Services of Engineer
 - Design Services
 - Bidding or Negotiating Services
 - Part-time Construction Admin. And Resident Project Representative Services

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: **No modifications.**

4. Times for Rendering Services

<u>Phase</u>	<u>Completion Date</u>
Engineering Design Completion	June 15, 2022
Construction Administration / RPR Services Completion	1 month. after NTP

5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Estimated Compensation for Services</i>
Engineering Design/Survey	<i>Lump Sum</i>	\$ 18,500.00
Construction Admin./RPR	<i>Hourly Rate</i>	\$ 15,750.00
TOTAL ESTIMATE		\$ 34,250.00

B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

C. Estimated Ceiling Fees will not be exceeded without written consent of the Owner.

- 6. Consultants: **None.**
- 7. Other Modifications to Agreement: **None.**
- 8. Attachments: **Appendix 1, Schedule of Fees**
- 9. Documents Incorporated By Reference: **None.**
- 10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____.

OWNER:

Town of Winterville, NC

By (Signature): _____

Typed Name: Terri L. Parker

Title: Town Manager

ENGINEER:

**L.E. Wooten & Company dba
The Wooten Company**

By (Signature): 

Typed Name: W. Brian Johnson, PE

Title: Vice President

Engineer License or Firm's
Certificate No. F-0115
State of: North Carolina

**DESIGNATED REPRESENTATIVE FOR
TASK ORDER:**

Typed Name: Terri L. Parker

Title: Town Manager

Address: P. O. Box 1459
Winterville, NC 28590

E-Mail
Address: Terri.Parker@wintervillenc.com

Phone: (252) 756-2221

Fax: (252) 321-8455

**DESIGNATED REPRESENTATIVE FOR
TASK ORDER:**

Typed Name: William A. Larsen, PE

Title: Project Manager

Address: 301 W. 14th Street
Greenville, NC 27834

E-Mail
Address: wlarsen@thewootencompany.com

Phone: (252) 757-1096

Fax: (252) 757-3221

This is **Appendix 1, Engineer's Standard Hourly Rates**, referred to in and part of the Short Form of Agreement between Owner and Engineer for Professional Services.

Engineer's Standard Hourly Rates

A. Standard Hourly Rates:

1. Standard Hourly Rates are set forth in this Appendix 2 and include salaries and wages paid to personnel in each billing class plus the cost of customary and statutory benefits, general and administrative overhead, non-project operating costs, and operating margin or profit.
2. The Standard Hourly Rates apply only as specified in Paragraphs 2.01, 2.02, and 2.03, and are subject to annual review and adjustment.

Wage Category	Hourly Billing Rate
Engineer I	\$ 108
Engineer II	\$ 137
Engineer III	\$ 163
Engineer IV	\$ 194
Engineer V	\$ 235
Architect II	\$ 141
Designer I	\$ 75
Designer II	\$ 95
Designer III	\$ 117
Designer IV	\$ 142
Construction Admin I	\$ 112
Construction Admin II	\$ 170
Construction Admin III	\$ 210
Construction Observer / Resident Project Representative	\$ 102
Utility Coordinator II	\$ 125
Utility Coordinator III	\$ 160
Survey Technician I	\$ 50
Survey Technician II	\$ 65
Survey Technician III	\$ 85
Survey Technician IV	\$ 120
Surveyor II	\$ 110
Surveyor III	\$ 129
Surveyor IV	\$ 174
GIS Analyst II	\$ 83
GIS Analyst III	\$ 117
GIS Analyst IV	\$ 122
Funding Coordinator I	\$ 116
Funding Coordinator II	\$ 131
Funding Coordinator III	\$ 141
Community Development Coordinator	\$ 133
Project Assistant	\$ 79
Reimbursables: Mileage will be billed at the current IRS Standard Mileage Rate, Subcontracted Services and other expenses at cost plus 10%.	
Annual adjustments are made on July 1st of each year. The above hourly rates reflect current rates for the period through June 30, 2022. Hourly billing rates will change next on July 1, 2022 to reflect Direct Payroll Costs (salaries) being paid at that time.	
<i>Effective Rates July 1, 2021 through June 30, 2022</i>	



**ESTIMATE
OF
PROBABLE CONSTRUCTION COST
for the
Town of Winterville
Ange Street Sidewalk Extension**

2/10/2022

Item No.	Description	Units	Unit Price	Quantities	Total Extended Price
Grading Work Items					
1	New Concrete Sidewalk	SF	\$15.00	2,500	\$ 37,500.00
2	Handicapped Ramps w/ ADA Warning Pad	EA	\$2,750.00	4	\$ 11,000.00
3	Concrete and Geotechnical Testing Allowance	LS	\$1,500.00	1	\$ 1,500.00
Erosion Control Work Items					
4	Erosion Control	LS	\$2,500.00	1	\$ 2,500.00
5	Clean-up and Seeding	LS	\$2,500.00	1	\$ 2,500.00
Miscellaneous Work Items					
6	Strip Topsoil	SY	\$5.00	1,120	\$ 5,600.00
7	Backfill Existing Ditch	CY	\$20.00	420	\$ 8,400.00
8	Undercut	CY	\$30.00	15	\$ 450.00
9	Select Fill	CY	\$40.00	15	\$ 600.00
10	Relocate Signs	EA	\$75.00	2	\$ 150.00
11	New 24" Standard Curb and Gutter	LF	\$55.00	400	\$ 22,000.00
12	NCDOT Pavement Patching and Stiping	SY	\$150.00	240	\$ 36,000.00
13	Catch Basin	EA	\$3,500.00	1	\$ 3,500.00
14	New 18-inch Culvert Pipe	LF	\$125.00	50	\$ 6,250.00
Construction Total					\$ 137,950.00
Contingency (20%)					\$ 27,590.00
Engineering Design & Bidding					\$ 18,500.00
Construction Admin. (1.5 Months)					\$ 7,000.00
Construction Observation (1 Months Part Time)					\$ 8,750.00
Total Base Bid Project Cost					\$ 199,790.00

Note: Cost are estimated for projects bid in 2022.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Human Relations Board Appointments.

Action Requested: Appointment of Remaining Members to the Human Relations Board.

Attachment: None

Prepared By: Terri L. Parker, Town Manager

Date: 3/30/2022

ABSTRACT ROUTING:

TC: 4/4/2022

TM: 4/7/2022

Final: tlp - 4/7/2022

Supporting Documentation

Section II of the Approve HRB By-Laws outlines the membership and attendance components. The Mayor and each Councilmember appoints one person to the HRB. Terms of office are outlined as follows:

The term of office for each WHRC member shall be as follows:

- All members will serve a two-year staggered term;
- No member shall serve more than three (3) consecutive terms;
- Each member shall hold office until the qualification and appointment of his/her successor or until one (1) year has lapsed since the expiration of the term for which the member was appointed, which first occurs; and
- In order to establish staggered terms, the original voting members of the WHRC shall be appointed as follows:
 - Two members for a one-year term.
 - Two members for a two-year term.
 - Two members for a three-year term.
- Thereafter, each newly appointed voting member shall serve for a two-year term.

Council may also appoint up to two (2) high school and (2) college/university (non-voting) student representatives. Finally, Council shall appoint one Council members to be the Council liaison to the HRB.

At the last meeting Mayor Hines nominated Shantel Hawkins, Councilwoman Roberson nominated Brandy Harrell, and Councilman Rice nominated himself.

Staff stands ready to assist as needed.

Budgetary Impact: TBD.

Recommendation: Complete Nominations so Council can Approve members.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Classification/Pay Study.

Action Requested: Approval to Move Forward with Working with the NCLM.

Attachment: Copy of Contract with NCLM.

Prepared By: Terri L. Parker, Town Manager

Date: 3/30/2022

ABSTRACT ROUTING:

TC: 4/4/2022

TM: 3/9/2022

Final: tlp - 3/9/2022

Supporting Documentation

During the Vision Setting Meeting, the Council was informed of the need for an updated Classification/Pay Study to determine how competitive the Town's position classifications and pay are comparatively speaking. I contacted the NCLM to get them to send me a quote and subsequent contract with the MAPS Group (one of the League's Preferred Partners). Staff hereby requests approval of the Contract with the NCLM for the above-stated services.

Budgetary Impact: \$15,684 plus certain itemized expenses at \$25 an hour, estimated to be approximately \$1,500.

Recommendation: Approve Contract

March 15, 2022

Ms. Terri Parker
Town Manager
Town of Winterville
2571 Railroad Street
Winterville, NC 28590

Dear Terri:

We are pleased to be able to offer the enclosed Memorandum of Agreement to the Town of Winterville to perform the specified personnel services as described herein.

This contract will be performed through an agreement between the North Carolina League of Municipalities and the MAPS Group. This private consulting firm consists of former and current practicing human resource and management professionals in the public sector who specialize in human resource and general management. They are, or have been, employed in management positions at the state and municipal level of government and undertake consulting assignments for the North Carolina League of Municipalities.

I will have overall responsibility for this project to determine that all contractual obligations of this study are successfully met.

If you have any questions or need clarification on any item contained within our Memorandum of Agreement, please contact me at the League Office.

Sincerely,

Heather James/kb

Heather James
Human Resources Consultant

HJ/kb
Enclosures

cc: The MAPS Group

MEMORANDUM OF AGREEMENT

PERSONNEL SERVICE

TOWN OF WINTERVILLE

THIS AGREEMENT is made and entered into this ____ day of _____, 2022 by and between the North Carolina League of Municipalities, an unincorporated association, hereinafter called "League", and the Town of Winterville, an incorporated municipality hereinafter called "Town."

WITNESSETH

In consideration of the amounts of money hereinafter agreed to be paid, and in consideration of the other conditions hereinafter agreed to by the Town of Winterville, the League offers to perform the following services:

Scope of Services

The League agrees to provide through its subcontractor The MAPS Group the services described and set forth in Attachment "A", Scope of Services, which is incorporated into and made a part of the Memorandum of Agreement by reference.

Time for Performance

The time for performance will be approximately three (3) months. The contract can begin in July 2022.

Cost

The fee for the proposed work is fifteen thousand six hundred eighty-four dollars (\$15,684.00). In addition, the Town will be billed for actual itemized expenses for mileage, meals, lodging, printing and supplies and actual travel time at \$25.00 per hour (estimated at no more than \$1500.00).

In consideration of the services performed by the League, the Town agrees to abide by and perform the following:

The MAPS Group will bill the Town for one payment of \$3921 at the beginning of the study; another payment of the same amount upon completion of the interviews; another payment of the same amount upon completion of the first draft of the study; and a final payment of the same amount plus actual itemized expenses and travel time when the study is completed. The Town agrees to remit payment to The MAPS Group upon receipt of each of the statements referred to above.

Execution

If this Memorandum of Agreement is not executed and returned to the League Office within thirty (30) days from the submission date, the time frame for performance may have to be renegotiated.

If the terms of this contract are acceptable, please sign two (2) copies and return one to the League office.

SUBMITTED BY:

ACCEPTED BY:

NORTH CAROLINA LEAGUE OF
MUNICIPALITIES

TOWN OF WINTERVILLE

Heather James/kl

Heather James
Human Resources Consultant

Name

3/15/2022
Submission Date

Title

Date

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

(Signature of Finance Officer)

ATTACHMENT "A"

SCOPE OF SERVICES

PAY AND CLASSIFICATION STUDY

SCOPE OF SERVICES

Objectives of Study

The primary purpose of this study is to conduct a comprehensive pay and classification study for the Town of Winterville to include the following work study objectives:

- To study and evaluate all positions covered by the NCLGERS within the Town for the purpose of determining the proper position classification and salary for each employee.
- To conduct a comprehensive salary survey of appropriate public and private sector organizations to determine that the Town's salaries, benefits and wages are competitive within the applicable job market.
- To prepare or update class specifications for each position class based upon current job duties and requirements, outlining appropriate ADA information.
- To prepare a pay plan for the Town as required to maintain a competitive system of salaries and wages.
- To identify those classes of positions that are "exempt" and "non-exempt" in compliance with the Fair Labor Standards Act (F.L.S.A.) of 1983 as amended in 1985.
- To review and make recommendations concerning the effectiveness of the Town's overall compensation system including compression issues.

Study Work Components

A. Preparation of the Classification and Pay Plan

1. Conduct a comprehensive review of the Town's Personnel system for the purposes of staff orientation and to provide data and information to be used in the preparation of the classification and compensation data and related Personnel components.
2. Conduct a meeting with Town Manager and department heads to discuss the various work components of the study and to explain the study methodology and approach. At this meeting we will also discuss the appropriate labor market for surveying salary data and the project schedule.
3. Conduct orientation sessions with employees to cover the purposes and process of the study. These meetings help establish realistic expectations with employees and reduce mis-information. The meetings will cover:
 - * purposes of the study;
 - * steps in conducting the study;
 - * study methodology;
 - * what the study will and will not cover; and

- * answer any questions

4. Survey existing employee positions. This task will involve a review of the completed questionnaires, interviews with representative employees in each class, and conferences with each department head to review and verify information presented on the questionnaires and in the desk audits. The purpose of this task is to determine that The MAPS group obtains comprehensive, factual, and accurate data and information. This task also resolves any conflicting information or data.

5. Following the review and field audit of existing employee positions, class specifications (often called job descriptions) will be prepared. These class specifications will be written to comply with OSHA and ADA regulations. The MAPS Group will use the following factors to classify jobs:

- * Difficulty, complexity, and variety of work
- * Education and experience requirements of the job
- * Nature and extent of public contact
- * Physical effort and hazards; and
- * Supervision given and received.

B. Development of the Pay Plan

1. A survey of salary plans will be performed utilizing public sector jurisdictions and other organizations for the purpose of recommending wage and salary schedules that are competitive and sufficient to attract and retain qualified employees. The identification of competitive organizations will be made by the Town in consultation with The MAPS Group. The salary survey will request hiring and maximum salaries for each position surveyed.

2. A comprehensive analysis of the salary survey will be prepared.

3. Following analyses of all inputs considered previously in Study Components A and B, all classes of positions will be allocated to the recommended salary schedule.

C. Preparation of the Employee Allocation List

1. Following completion of the classification plan and compensation schedule, an allocation list will be prepared showing employees by name, present classification, proposed classification, present salary grade, proposed salary grade, recommended salary, and proposed increase amount (if applicable).

2. Costs for implementation options of the plan will be provided. Up to three optional implementation strategies will be provided with graphs illustrating impact of each option on salary compression as well as costs. Options will be designed specifically to address compression if needed and desired.

If more than three options are needed, there will an additional charge of \$250 per additional option.

FLSA Status

As part of this study, the MAPS Group will identify and recommend positions that the Town may consider Exempt from the Wage and Hour Provisions of the Fair Labor Standards Act.

Personnel Policy

The MAPS Group will review and make recommendations for updating the Town's personnel policy to be consistent with modern and effective human resource management and current laws and regulations. The personnel policy is reviewed for policy versus procedural language and is recommended to meet a balance of providing guidance without including unnecessarily restrictive or detailed procedures. If needed, a new policy will be provided.

Communication with the Town

During the study, MAPS principals will be available to Town management to clarify any steps, current stage of the study, or other issues related to the study by phone and email. In addition, while MAPS principals are on site for orientation and/or interviews, personal consultations are available as necessary to the study. A draft of the study will be sent to management for review and MAPS will make one visit to discuss management reactions to the study prior to finalizing it. After the draft review, the MAPS Group will make a presentation to the Town Council and then return once more to respond for discussion and questions with the Council. Any additional trips will require additional fees.

Involvement of Town Staff

Town staff members will be required to complete position description questionnaires for each position, prepare organization charts, participate in interviews if selected (all department directors will be interviewed), provide current employee data including copies of current salary plan and employee information by department with name, current classification, current grade, date of hire, date of entry to current position, and current annual salary. These last components are needed for calculating the costs of implementation options.

Results of the Study

The study will result in the publication and delivery to the Town of fifteen (15) copies of the report to include the classification plan, class specifications, compensation plan, and implementation costs. The MAPS representative will formally present the study to the Town Council/Board and be available to respond to questions.

Plan Maintenance

Once the study is complete and implemented, the MAPS Group will provide assistance to Town staff on maintenance of the plan including the classification of new or revised positions, market revisions to the pay plan and other assistance as needed. The MAPS Group will provide telephone consultation and will classify new or revised positions as needed for up to five years following the study for \$200 per position. Additional work may be performed on a maintenance contract.

In addition, the MAPS Group will provide the Town with a linked spreadsheet that will allow for market adjustments (cost of living increases) to automatically update the salary schedule and class listings and provide the Town with a digital copy of all class specifications and policies.

Project Staff

The project staff will be assigned in consultation with the Town.

VITA
REBECCA L. VEAZEY

BORN: Durham County, North Carolina

EDUCATION:

Southern High School, Durham, N. C.
B. A. Speech and Education - University of North Carolina at Chapel Hill
M. P. A. - University of North Carolina at Chapel Hill
Municipal Administration Course, Institute of Government
Group Facilitation and Consultation Course, Institute of Government

CAREER PROGRESSION:

President, The MAPS Group (Management and Personnel Services) - a consulting group providing personnel, organization development, training, and management services for local governments, 1995 to present
Principal, the MAPS Group
Human Resources Director, Durham County
Director of Personnel, Town of Cary (Cary's first Personnel Director)
Personnel Officer, Town of Chapel Hill
Training Specialist, Town of Greensboro

PROFESSIONAL ACTIVITIES:

International Personnel Management Association (IPMA). Lifetime Achievement Award 2010. Active in N. C. Chapter including serving as Treasurer, on program committee for state chapter for three years, on Regional program committee one year, and chairperson of Finance Strategic Planning Committee.
Organization of Municipal Personnel Officers (OMPO), Life Member Award, Board Member, President, and Immediate Past President.
North Carolina League of Municipalities, Board of Directors, 1985-1987.
American Society for Training and Development, Triangle Chapter member.
Facilitation and Organization Development Group, (FODG) founding member
Systems Thinking in Government Group

COMMUNITY AND OTHER ACTIVITIES:

U. N. C. General Alumni Association, Board of Directors
U. N. C. Master of Public Administration Alumni Association, Past President
Local Government Employees Federal Credit Union, founding member, Loan Committee Chairperson, and member of the Board of Directors
United Way Campaign Chair, Durham County and Town of Cary

EXPERIENCE:

Conducting classification and pay studies for municipalities, counties, councils of governments, housing authorities, and other non-profit organizations.

Facilitating/leading the development and implementation of performance management, compensation philosophy and performance pay programs as both an internal and external consultant.

Experience (continued)

Serving as facilitator at strategic planning and team building retreats for staffs, boards, and elected officials. Also, providing on-going developmental facilitation to assist an organization with team building; organization development; planned change; development of mission, vision, and values; development of compensation philosophies; leadership development; or other issues.

Developing and conducting management and supervisory training on a variety of topics including leadership, coaching and feedback, conducting performance reviews, principles of supervision, communications skills, motivation techniques, legal issues in supervision, hiring the right person, effective grievance and disciplinary actions administration, conflict resolution, facilitation skills, and a number of other topics. This includes designing and updating materials and teaching and coordinating the School of Government's comprehensive Effective Supervisory Management Program since 2002.

Administering assessment instruments and providing interpretation and feedback or training; instruments include EQ-I (Emotional Intelligence Quotient), Myers Briggs, Styles of Management Inventory, Johari Window (Personnel Relations Inventory), Leadership Profile System, Ego State Assessment, FIRO B, etc.

Developing and conducting assessment centers and serving as an assessor for the purpose of selection, promotion, succession planning, and professional development for Police Chiefs, Fire Chiefs, HR Directors, Assistant Town Managers, Planning Directors, Finance Directors, etc.

Conducting recruitment and selection processes focused on assessing management excellence in candidates.

Establishing and revising policies and programs on a variety of personnel topics including writing personnel policies, establishing recruitment and selection procedures, developing performance review forms and procedures, and problem-solving employee relations issues and grievances.

Speaking on a variety of personnel and management topics at the School of Government, NCLM Convention, IPMA (international and state conferences), Area Health Education Centers, parks and recreation conferences, and for other groups.

Teaching personnel administration course to students in the MPA Program at UNC-G and in a six weeks seminar at NCSU, and teaching a seminar on facilitation skills to students in the MPA Program at UNC.

CLIENTS ON CONSULTANT PROJECTS:

Municipalities:

Apex
Atlantic Beach
Bald Head Island
Banner Elk
Blowing Rock
Boone
Brevard
Butner
Carrboro
Carthage
Charlotte
Chapel Hill
Claremont
Clayton
Clinton
Concord
Creedmoor
Duck
Elon
Forest City
Franklin
Fuquay Varina
Garner
Gibsonville
Goldsboro
Harrisburg
Henderson
Hendersonville
Hertford
Holden Beach
Holly Springs
Hudson
Laurel Park
Lowell
Morrisville
Mount Pleasant
Nags Head
Oak Island
Ocean Isle Beach
Pinehurst
Red Springs
Reidsville
Saluda
Selma
Shalotte
Spindale
Sylva
Topsail Beach
Wallace
Weaverville
Weldon

Wendell
Williamston

Counties:

Alleghany
Anson
Winterville
Caldwell
Cherokee
Clay
Dare
Harnett
Hyde
Iredell
Mitchell
Nash
Northampton
Orange
Perquimans
Person
Rowan
Rutherford
Tyrrell
Vance
Wake County Sheriff's Office
Wilkes

Councils of Government:

Albemarle Commission
Centralina Council of Governments
Isothermal Planning and Development
Kerr Tar Council of Governments
Land of Sky
Triangle J Council of Governments
Western Piedmont COG

Housing Authorities:

Benson
Mount Airy
North Wilkesboro
Smithfield

Other Nonprofit/Governmental Agencies:

Contentnea Metropolitan Sewerage District
Davidson Water
School of Government
North Carolina League of Municipalities
Raleigh Durham International Airport
Tuckaseegee Water and Sewer Authority



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP).

Action Requested: Approval of Task Order No. 34.

Attachment: Winterville Task Order No 34 Agreement with Wooten Company.

Prepared By: Terri L. Parker, Town Manager

Date: 4/7/2022

ABSTRACT ROUTING:

TC: 4/7/2022

TM: 4/7/2022

Final: tjp - 4/7/2022

Supporting Documentation

Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP).

Project Summary:

In an effort to return to compliance with the Town's Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) reports for the Town's Drinking Water System, Wooten has provided a new Task Order for our services.

Current Need:

A Task Order has been provided to Winterville (via email on 11/12/2021) for the extent of this work.

Budgetary Impact: RRA - \$8,000 ERP - \$16,850 Total - \$24,850

Recommendation: Approve Task Order No. 34.

Task Order No. 34 – Town of Winterville

In accordance with Paragraph 1.01 of the Agreement between Owner and Engineer for Professional Services – Task Order Edition, dated September 10, 2015 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

A. Title: **Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) for Drinking Water System**

B. Description: The Town of Winterville, N.C. (Town) provides potable water service to approximately 5 square miles of service area within and adjacent to the Town limits. The Town utilizes groundwater, via three (3) groundwater wells to compliment 2 system interconnections with GUC to serve the needs of its service area. Water is treated at the wells or by GUC and then pumped throughout the distribution system. The Town has one (1) elevated storage tank, providing a total system storage capacity of 0.500 MG. The distribution system consists of approximately 68 miles of water lines ranging in size from 2 inch to 12 inches.

America's Water Infrastructure Act (AWIA) was signed into law in October 2018. Among its provisions, the law requires drinking water utilities serving more than 3,300 people to develop or update a Risk and Resilience Assessment (RRA) and an Emergency Response Plan (ERP). The RRA and ERP are required to be reviewed and revised every 5 years.

This scope of work outlines tasks The Wooten Company (Wooten)(Consultant) would perform to develop a Risk and Resilience Assessment (RRA) report for the Town. The RRA report will include (1) information on the system and contact information for utility staff responsible for the operation and maintenance of the system, (2) inventory of assets in the water system and brief description of the countermeasures employed by the utility to protect the assets, and (3) a risk assessment summary report generated using the EPA's VSAT WEB 2.0 program. The program helps to assess the utility's resilience by calculating an all-hazards Utility Resiliency Index (URI), which measures the capacity of the utility to respond to and recover from an incident. The program is also used to calculate a quantitative risk (threat x vulnerability x consequence) for various assets and cost/risk reduction comparison for countermeasures to reduce the risks identified.

Upon receiving the information from the Town detailed below, Wooten will utilize the VSAT WEB 2.0 software to conduct the risk and resilience assessment. Upon completion of the RRA report, the deliverable will be sent to the Town for review and approval. The Town will need to perform the EPA on-line certification process

indicating the Town has an RAA completed. Six months after that on-line certification, the Town will need to complete/update their ERP, incorporating RAA information. The ERP will include (1) an introduction that summarizes the RRA and compares it against local emergency plans, (2) information on the system and contact information for utility staff responsible for the operation and maintenance of the system, (3) resilience strategies and resources, (4) emergency plans and procedures and list of critical equipment, (5) mitigative actions and procedures to less the impact of a threat, and (6) threat detection strategies.

RRAs and ERPs are required to be reviewed and updated, if applicable, every five (5) years, and certification of these updates must be submitted to the EPA. It is our understanding that certifications of the RRA report, which can only be submitted to the EPA through a utility employee, **is due on June 30, 2021.** The certification of the ERP **is due on December 30, 2021 but must be completed within six months of the RRA certification.** We are pleased to assist the Town in the risk assessment and will prepare the RRA conforming to the 2018 America's Water Infrastructure Act (AWIA) requirements. The following scope of work is proposed for completing this task order.

C. Number of Construction Contracts

The Specific Project is anticipated to be constructed under 1 Construction Contracts.

2. Services of Engineer

Design Services

Scope of Services: Risk and Resilience Assessment

Kickoff Meeting, System Tours, and Information Gathering

- a. A kickoff meeting will be held between Wooten and the Town to discuss the EPA and State requirements for the RRA and ERP as well as the Town's expectations for the reports. Topics of discussion will include defining the Town's emergency response team members to be listed in the report. The emergency response team is a list of emergency response team members as well as their key roles and responsibilities in these emergencies (emergency response lead, public information, security, etc.). The experience of the staff will also be discussed to evaluate how many of the staff are cross trained in critical operations and maintenance or are available as staff backup. Topics of discussion will also include reviewing existing emergency procedures the Town may have, such as: drought response plan, flooding response plan, power outage response plan, hazardous materials (hazmat) response plan, local hazard mitigation plans, health and safety plans, existing emergency operation and management plans, or any plans related to the 2002 Bioterrorism Preparedness and Response Act.
- b. Wooten will gather information regarding the Town's water system to perform Task 2. To that effort, the scope includes tours of the Town's water facilities, which is estimated to be multiple days of engineering and Town staff effort. Following the tour, Wooten

will complete a formal request of information from the Town regarding the water system.

- c. Upon receipt of the information from the Town, Wooten and the Town will identify and discuss malevolent and natural hazard threats to the various water system components. As part of this effort, the current ability to respond to these threats in terms of preparation before the threat, active response during the threat, and recovery from the threat will also be discussed. The categories below are used as inputs to the risk assessment detailed in Task 2:

- Physical Barriers (i.e., fences, locked gates, and doors)
- Source Water
- Pipes and Constructed Conveyances, Water Collection, and Intake
- Pretreatment and Treatment
- Storage and Distribution Facilities
- Electronic, Computer, or other Automated Systems (including the security of such systems)
- Monitoring Practices
- Financial Infrastructure
- The Use, Storage, or Handling of Chemicals
- The Operation and Maintenance of the Utility

Cybersecurity is one of the main threats to be addressed as municipalities and local governments are at high risk of being targets of cyber threats. We **will not** perform a detail evaluation of the Town's cybersecurity, as this requires outside consultation that exceeds the requirements of 2018 AWIA. Instead, information will be gathered regarding the preventative and reactionary measures the Town employs against cyber threats. Preventative measures may include the presence of network firewalls, user authentication, and regular staff education on cyber threats. Reactionary measures may include antivirus software, backups of critical systems, and emergency procedures in place for if the network is breached by a cyber threat. This information is used in assessing vulnerability in the EPA's VSAT program.

Prepare Risk and Resilience Assessment

- a. Based on the information gathered via the previous tasks, Wooten will complete the Vulnerability Self-Assessment Tool (VSAT) tool on the EPA website. This tool will produce a risk assessment summary report that identifies the highest risks to mission-critical operations.
- b. Wooten will prepare the RRA report in the format outlined below. The outline for the RRA report is provided below:
- i. Introduction
 - ii. System and Contact Information
 - iii. Water System Inventory and Current System Measures
 - iv. Risk Assessment Report from VSAT WEB 2.0
 - v. Report Summary

- c. Wooten will submit the RRA report to the Town and address minor comments.
- d. Upon approval of report, the Town will perform the certification.

Review of Draft by City and Address Comments

- a. Wooten will submit the RRA report to the Town water utility’s staff for review and comments. The RRA report will be revised based on these comments.
- b. Upon approval of report, the Town will perform the certification. At that time, we can further discuss if the Town is looking for assistance on the associated Emergency Response Plan under a future task order.

Completing Tasks 1 – 3 above will result in an RRA report that meets the minimum requirements as set out by the 2018 AWIA. Additional task to complete the ERP are listed below.

Scope of Services: Emergency Response Plan

Information Gathering and Evaluation

- a. Wooten will identify state regulatory requirements for ERPs, if applicable.
- b. Wooten will utilize information regarding the Town’s water system from the RRA tasks for the ERP. Wooten will also complete a formal request of information from the Town regarding the water system to categorize by capability the resources requested, deployed, and used in incidents. This is key in identifying resource gaps.
- c. Areas of significant risk identified in the RRA will be compared against the existing local emergency plans and standard operating procedures (SOPs) that the Town provides. This scope does not include new procedures that cover areas of significant risk from the RRA not currently addressed with existing local plans.
- d. Wooten will identify local emergency planning committees (LEPCs), emergency management agencies, regional mutual aid partners, and other response partners for coordination in Task 6.

Coordinate with LEPCs and Response Partners

- a. Wooten will coordinate meetings between the Town and LEPCs and other response partners. These meetings will set up procedures and agreements between the attendants and involve discussion of procedures within the ERP.
- b. Partnering with stakeholders like LEPCs allows all parties to understand response processes and procedures used during a drinking water incident. This ensures a utility’s ERP includes any chemicals used by the water system and that the water system has access to Tier 2 hazardous chemical inventory data.

Write the Emergency Response Plan

- a. Based on the information gathered via the previous tasks, Wooten will prepare the ERP in the format outlined below. The outline for the ERP is provided below:
 - i. Introduction
 - ii. Utility Information
 - iii. Resilience Strategies

- iv. Emergency Plans and Procedures
 - v. Mitigation Actions
 - vi. Detection Strategies
- b. Wooten will submit the ERP to the Town and address minor comments by the Town, as needed.
 - c. Upon approval of report, the Town will perform the certification.

Review of Draft by City and Address Comments

- a. Wooten will submit the ERP to the Town water utility’s staff for review and comments. The ERP will be revised based on these comments.
- b. Upon approval of report, the Town will perform the certification.

3. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following: **No modifications.**

4. Times for Rendering Services

Engineer will present the Survey and Deliverables within two (2) months from the execution of this agreement.

5. Payments to Engineer

- A. Owner shall pay Engineer for services rendered as follows:

Phase No.	Phase Description	Basis of Payment	Fee
Task 1: RRA	Prepare Risk & Resilience Assessment	Lump Sum	\$8,000
Task 2: ERP	Write Emergency Response Plan	Lump Sum	\$16,850
Total:			\$24,850

- B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

6. Consultants: **None.**

7. Other Modifications to Agreement: **None.**

8. Attachments: **Hourly Rate Schedule**

9. Documents Incorporated By Reference: **None.**

10. Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is September 9, 2021.

OWNER:

Town of Winterville, NC

By (Signature): _____

Typed Name: Terri L. Parker

Title: Town Manager

ENGINEER:

**L.E. Wooten & Company dba
The Wooten Company**

By (Signature): 

Typed Name: W. Brian Johnson, PE

Title: Vice-President

Engineer License or Firm's
Certificate No. F-0115
State of: North Carolina

**DESIGNATED REPRESENTATIVE FOR
TASK ORDER:**

Typed Name: Terri L. Parker

Title: Town Manager

Address: P. O. Box 1459
Winterville, NC 28590

E-Mail Address: Terri.Parker@wintervillenc.com

Phone: (252) 756-2221

Fax: (252) 321-8455

**DESIGNATED REPRESENTATIVE FOR
TASK ORDER:**

Typed Name: William A. Larsen, PE

Title: Project Manager

Address: 310 W. 14th Street
Greenville, NC 27834

E-Mail Address: wlarsen@thewootencompany.com

Phone: (252) 757-1096

Fax: (252) 757-3221



SCHEDULE OF FEES
Hourly Rates for Wage Categories

Wage Category	Hourly Billing Rate
Engineer I	\$ 108
Engineer II	\$ 137
Engineer III	\$ 163
Engineer IV	\$ 194
Engineer V	\$ 235
Architect II	\$ 141
Designer I	\$ 75
Designer II	\$ 95
Designer III	\$ 117
Designer IV	\$ 142
Construction Admin I	\$ 112
Construction Admin II	\$ 170
Construction Admin III	\$ 210
Construction Observer / Resident Project Representative	\$ 102
Utility Coordinator II	\$ 125
Utility Coordinator III	\$ 160
Survey Technician I	\$ 50
Survey Technician II	\$ 65
Survey Technician III	\$ 85
Survey Technician IV	\$ 120
Surveyor II	\$ 110
Surveyor III	\$ 129
Surveyor IV	\$ 174
GIS Analyst II	\$ 83
GIS Analyst III	\$ 117
GIS Analyst IV	\$ 122
Funding Coordinator I	\$ 116
Funding Coordinator II	\$ 131
Funding Coordinator III	\$ 141
Community Development Coordinator	\$ 133
Project Assistant	\$ 79

Reimbursables: Mileage will be billed at the current IRS Standard Mileage Rate, Subcontracted Services and other expenses at cost plus 10%.

Annual adjustments are made on July 1st of each year. The above hourly rates reflect current rates for the period through June 30, 2022. Hourly billing rates will change next on July 1, 2022 to reflect Direct Payroll Costs (salaries) being paid at that time.

Effective Rates July 1, 2021 through June 30, 2022



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Rural Transformation Grant Funds.

Action Requested: Approval to Move Forward with Grant Application.

Attachment: None.

Prepared By: Terri L. Parker, Town Manager

Date: 4/7/2022

ABSTRACT ROUTING:

TC: 4/7/2022

TM: 4/7/2022

Final: tlp - 4/7/2022

Supporting Documentation

Rural Transformation Grant Funds.

The Fund, created by the North Carolina General Assembly in Session Law 2021-180 (S.105), has an available pool of \$48 million for grantmaking in the four categories described below.

Rural Transformation Grants can support:

- Main Street and downtown investment and revitalization efforts;
- Initiatives that help create resilient neighborhoods;
- Community enhancements that spur economic growth;
- Professional development and education programs to build local government capacity

As North Carolina recovers from the COVID-19 pandemic and applies lessons from the public health emergency to improve community resiliency, the Rural Transformation Grant Fund offers a new resource to local government leaders as they guide their communities toward a brighter future.

Staff would like Council's approval to submit a grant application for funds for the development (Phase I) of the Town's Market property.

Budgetary Impact: TBD.

Recommendation: Approval to Submit a Grant Application.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Other Items

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Stormwater Workshop Update.

Action Requested: Set a Date for Said Workshop.

Attachment: None.

Prepared By: Terri L. Parker, Town Manager

Date: 4/7/2022

ABSTRACT ROUTING:

TC: 4/7/2022

TM: 4/7/2022

Final: tlp - 4/7/2022

Supporting Documentation

Council has stated that holding a public workshop on stormwater was a priority item in recent months. We have yet to settle on a date that works for the majority of the Council.

Therefore, Staff proposes the following choices:

Tuesday, May 10, 2022 – 6:00 pm

Thursday, May 12, 2022 – 6:00 pm

Tuesday, May 17, 2022 – 6:00 pm

Thursday, May 19, 2022 – 6:00 pm

Staff stands ready to assist as needed.

Budgetary Impact: TBD.

Recommendation: None.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Other Items

Meeting Date: April 11, 2022

Presenter: Terri L. Parker, Town Manager

Item to be Considered

Subject: Setting Date and Time for Town Manager Performance Review.

Action Requested: Set a Date and Time.

Attachment: None.

Prepared By: Terri L. Parker, Town Manager

Date: 4/7/2022

ABSTRACT ROUTING:

TC: 4/7/2022

TM: 4/7/2022

Final: tlp - 4/7/2022

Supporting Documentation

It is that time again. Last year we help the Town Manager's Performance Review before the Budget Update Meeting. I would suggest if everyone's schedule permits, we set this meeting for 5:00 pm on Monday, April 25, 2020 in the Town Hall Executive Conference.

Budgetary Impact: TBD.

Recommendation: None.