



**WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, MARCH 13, 2023 - 7:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM**

- I. CALL TO ORDER.**
- II. INVOCATION.**
- III. PLEDGE OF ALLEGIANCE.**
- IV. WELCOME.**
- V. APPROVAL OF AGENDA.**
- VI. RECOGNITION OF NEW EMPLOYEES:**
 1. Brandon Echard, Electric Line Technician – 3rd Class, Electric Department.
- VII. PROCLAMATIONS:**
 1. Women’s History Month.
- VIII. PUBLIC HEARINGS:**
 1. Waterford Crossing Rezoning.
 2. Gray Point Motors Rezoning.
- IX. PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*
 1. Rebecca Caveness – Watermelon Festival
- X. CONSENT AGENDA:** *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*
 1. Approval of the following sets of Council Meeting Minutes:
 - January 23, 2023 Vision Setting Meeting Minutes; and
 - February 13, 2023 Regular Council Meeting Minutes.
 2. Budget Calendar Amendment.

3. DPD Properties II, LLC: Direct Town Clerk to Investigate the Sufficiency of the Annexation.
4. Church of the Open Door: Direct Town Clerk to Investigate the Sufficiency of the Annexation.
5. Aces for Autism: Direct Town Clerk to Investigate the Sufficiency of the Annexation.
6. Brookfield Section 4, Phase 1: Direct Town Clerk to Investigate the Sufficiency of the Annexation.
7. Audit Contract FY2022-2023.

XI. OLD BUSINESS:

1. Electric Rate Update.
2. Rules of Procedure.

XII. NEW BUSINESS:

1. 2023 Municipal Election
2. NCLM Board of Directors Elections.

XIII. OTHER AGENDA ITEMS:

1. Support Shriner's efforts financially for the Parade (Councilman Moore).

XIV. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:

XV. ANNOUNCEMENTS:

1. Planning and Zoning Board Meeting: Monday, March 20, 2023 @ 7:00 pm - Town Hall Assembly Room.
2. Board of Adjustment Meeting: Tuesday, March 21, 2023 @ 7:00 pm - Town Hall Assembly Room.
3. Human Relations Board Meeting: Thursday, March 23, 2023 @ 7:00 – Town Hall Executive Conference Room.
4. Recreation Advisory Board: Tuesday, March 28, 2023 @ 6:30 pm – Town Operations Center.
5. Town Manager Agenda Review Meeting, April 6, 2023 @ 4:00 pm – Town Hall Executive Conference Room.
6. Good Friday Holiday - Town Offices Closed: Friday, April 7, 2023.
7. Regular Town Council Meeting: Monday, April 10, 2023 @ 7:00 pm - Town Hall Assembly Room.

NOTE: Regular Town Council Meeting will be held at 6:00 pm starting on Monday, May 8, 2023.

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
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; and

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 13th day of March 20223.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: March 13, 2023

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Rezoning Request – Waterford Crossing.

Action Requested: Hold Public Hearing for the Rezoning Request.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification to Adjacent Property Owners, Notice of Public Hearing, Staff Report.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/7/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Applicant: Rachel Tyre (ENC Home Solutions, LLC)

Location: Railroad Street at its intersection with Worthington Road and Vernon White Road.

Parcel Numbers: 25765

Site Data: 13.5 acres

Current Zoning District: AR

Proposed Zoning District: R-6 CD

R-6 CD with the following conditions: All lots will be single-family residential; All lots will be a minimum of 7,000 SF; All homes will be a minimum of 1500 SF (Heated); The development will consist of vinyl exterior siding on all homes with some elevations consisting of brick or stone accents on the fronts; All homes will have garages; and All front yards will be sodded.

- ❖ Notification was posted on the site on December 30, 2022.
- ❖ Adjacent property owners were mailed notification of the rezoning request on January 3, 2023. (P&Z)
- ❖ Adjacent property owners were mailed notification of the rezoning's Public Hearing on February 27, 2023.
- ❖ Planning and Zoning Board voted 5-1 to recommend denial of the rezoning request on January 17, 2023.

Budgetary Impact: TBD.

Recommendation: Hold Public Hearing and Consider Rezoning Request.



**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: Rachael Tyre

Address: 505-E Red Banks Rd., Greenville, NC 27858

Phone #: 252-758-4663

Owner: ENC Home Solutions, LLC

Address: 505-E Red Banks Rd., Greenville, NC 27858

Phone #: 252-758-4663

PROPERTY INFORMATION

Parcel #: 25765 Area (square feet or acres): 13.5 acres

Current Land Use: Agricultural

Location of Property: Vernon White Rd. & Railroad Street Extension

ZONING REQUEST

Existing Zoning: AR - Agricultural-Residential Requested Zoning: R-6 - CUD - Residential

Reason for zoning change: The requested residential zoning (R-6) will allow for a higher density urban residential development in close proximity to downtown Winterville in general conformance with the Land Use Plan. The requested zoning also matches the existing zoning located immediately to the south of the property. Please see the attached document for the proposed conditions.

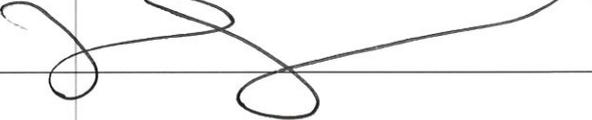
This application shall be accompanied by the following items:

- 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, Rachael Tyre, 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 01 / 22 / 2023.

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

Signature  Date 12/20/22

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:

Waterford Crossing Rezoning

Proposed Conditions:

- All lots will be single-family residential
- All lots will be a minimum of 7,000 SF.
- All homes will be a minimum of 1500 SF (Heated)
- The development will consist of vinyl exterior siding on all homes with some elevations consisting of brick or stone accents on the fronts.
- All homes will have garages
- All front yards will be sodded

REZONING MAP
FOR
WATERFORD CROSSING

Beginning at an existing iron pipe located in the southern right of way of Vernon White Road (NCSR 1310), said point being the northwest corner of the Town of Winterville property as recorded in Map Book 68, Page 157, thence leaving the southern right of way of Vernon White Road (NCSR 1310) and with the Town of Winterville property S 01-46-20 E, 432.26 feet, thence S 80-34-54 E, 137.36 feet to a point in the western right of way of Railroad Street Extension, said point being the southeast corner of the Town of Winterville property as recorded in Map Book 68, Page 157; thence leaving the Town of Winterville property and with the western right of way line of Railroad Street Extension S 17-06-56 W, 1319.39' feet to a point, said point being the northeast corner of the Betty Louise Bridgers property as recorded in Deed Book 2201, Page 382 and Map Book 22, Page 65, thence with the northern line of the Bridgers property N 72-43-04 W, 390.78 feet to a point in the eastern line of Waterford Subdivision – Section 3 Phase 1 & Section 4 as recorded in Map Book 51, Page 66; thence with the eastern line of Waterford Subdivision – Section 3 Phase 1 & Section 4 N 19-51-22 E, 1080.23 feet, thence N 01-09-48 E, 649.59 feet to the southern right of way of Vernon White Road (NCSR 1130), thence with the southern line of Vernon White Road S 75-41-58 E, 267.49 feet to the point of beginning containing 13.5 acres more or less.

REZONING MAP
FOR
WATERFORD CROSSING

Beginning at an existing iron pipe located in the southern right of way of Vernon White Road (NCSR 1310), said point being the northwest corner of the Town of Winterville property as recorded in Map Book 68, Page 157, thence leaving the southern right of way of Vernon White Road (NCSR 1310) and with the Town of Winterville property S 01-46-20 E, 432.26 feet, thence S 80-34-54 E, 137.36 feet to a point in the western right of way of Railroad Street Extension, said point being the southeast corner of the Town of Winterville property as recorded in Map Book 68, Page 157; thence leaving the Town of Winterville property and with the western right of way line of Railroad Street Extension S 17-06-56 W, 1319.39' feet to a point, said point being the northeast corner of the Betty Louise Bridgers property as recorded in Deed Book 2201, Page 382 and Map Book 22, Page 65, thence with the northern line of the Bridgers property N 72-43-04 W, 390.78 feet to a point in the eastern line of Waterford Subdivision – Section 3 Phase 1 & Section 4 as recorded in Map Book 51, Page 66; thence with the eastern line of Waterford Subdivision – Section 3 Phase 1 & Section 4 N 19-51-22 E, 1080.23 feet, thence N 01-09-48 E, 649.59 feet to the southern right of way of Vernon White Road (NCSR 1130), thence with the southern line of Vernon White Road S 75-41-58 E, 267.49 feet to the point of beginning containing 13.5 acres more or less.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Town Council
Rezoning Request- Public Hearing**

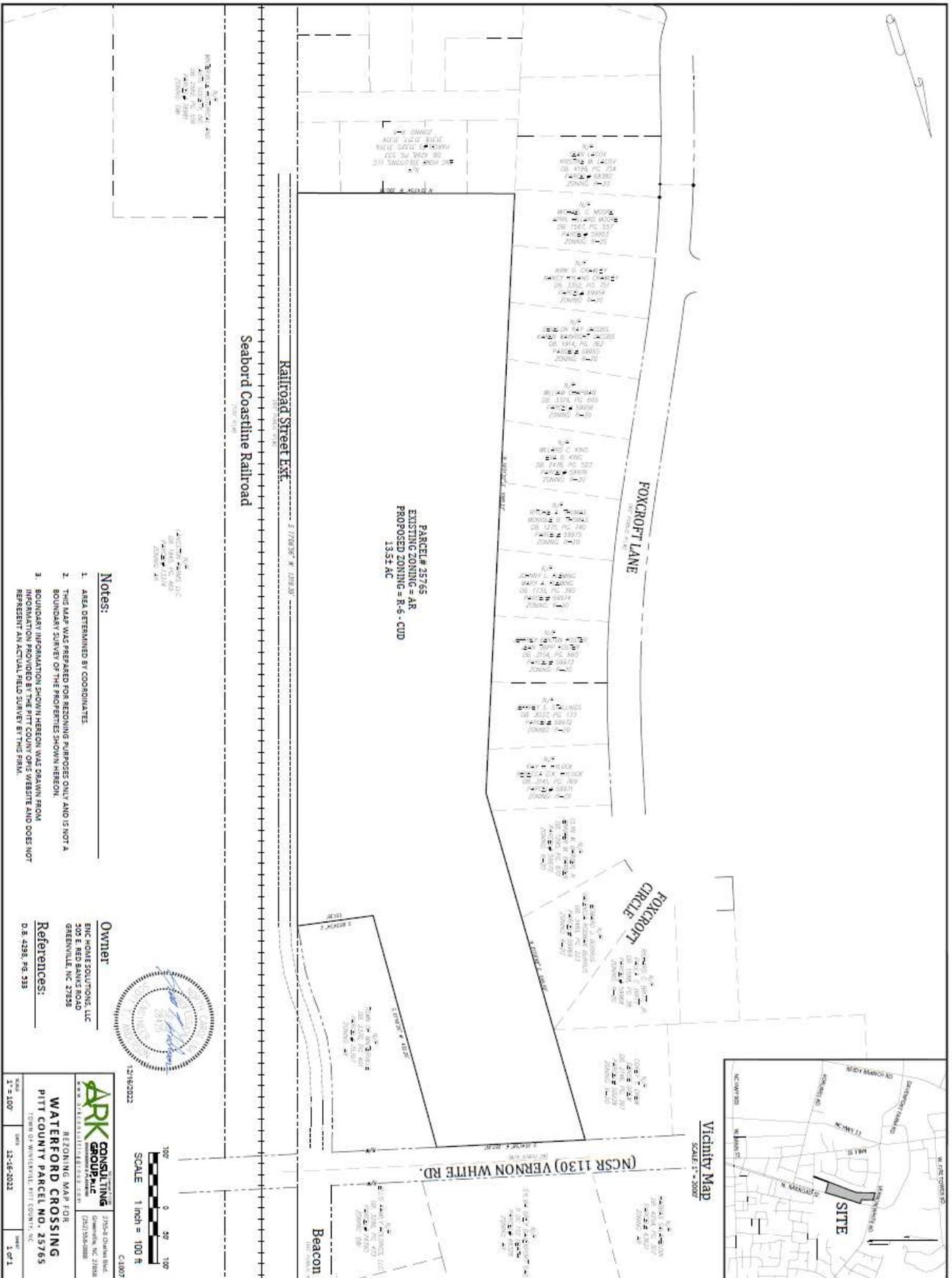
NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday, March 13, 2023** at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to hold a public hearing on the following request:

The applicant, Rachael Tyre, has submitted a rezoning application to rezone Parcel 25765 (13.5 Acres) as shown on the attached map from Agricultural Residential (AR) to R-6 CD. Per the application, the proposed conditional zoning district would have the following conditions: All lots will be single-family residential; All lots will be a minimum of 7,000 SF; All homes will be a minimum of 1500 SF (Heated); The development will consist of vinyl exterior siding on all homes with some elevations consisting of brick or stone accents on the fronts; All homes will have garages; and All front yards will be sodded.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 or at wintervillenc.com.

Citizens are encouraged to attend the hearing. Citizens may also view the hearing on the Winterville website at www.wintervillenc.com/videos . If for any reason you have difficulty accessing the Town's video page, please go to the Town's YouTube channel at: www.youtube.com/channel/UChejtVcuiD9O3_zzTrrBj4g .

The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.



PARCEL# 25765
 EXISTING ZONING = AR
 PROPOSED ZONING = R-6 - CUD
 1352 AC

Railroad Street Ext.
 Seaboard Coastline Railroad

FOX CROFT LANE

FOX CROFT CIRCLE

(NCSR 1130) VERNON WHITE RD.

Beacon 1

Notes:

1. AREA DETERMINED BY COORDINATES.
2. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
3. BOUNDARY INFORMATION SHOWN HEREON WAS TAKEN FROM REPRESENT AN ACTUAL FIELD SURVEY BY THIS FIRM.

Owner:

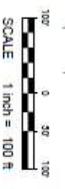
ERIC HOMAS SOLUTIONS, LLC
 505 E. RED BANKS ROAD
 GREENVILLE, NC 27339

References:

D.B. 4298, PG. 538



12/16/2022



ARK CONSULTING
 CONSULTING ENGINEERS
 3755-B CHURCH HILL
 GREENVILLE, NC 27206
 (252) 535-0888
 WWW.ARKCONSULTING.COM

REZONING MAP FOR
WATERFORD CROSSING
 PITT COUNTY PARCEL NO. 25765
 TOWN OF WATERFORD, PITT COUNTY, NC

DATE: 12-16-2022

SCALE: 1" = 100'

SHEET: 1 of 1



12/16/2022 12:16:22 PM - Project: Waterford Crossing - Parcel 25765 - Rezone to R-6 - CUD - Plat - 12/16/2022 - Surveyed by Eric Homas, Surveyor. Plotted by: 12/16/2022 12:16:22 PM

RACHAEL TYRE
505-E RED BANKS RD
GREENVILLE, NC 27858

SYLVIA GREY DAVENPORT DAIL
243 VERNON WHITE ROAD
WINTERVILLE, NC 28590

LANGSTON FARMS, LLC
3718 VEEZEY STREET NW
WASHINGTON, DC 20016

ROBIN GRIMES MURRAY
PO BOX 1043
WINTERVILLE, NC 28590

FELICIA T INGRAM
199 WORTHINGTON STREET
WINTERVILLE, NC 28590

PAUL A CUOMO
CELINE R CUOMO
2304 FOXCROFT PL
WINTERVILLE NC 28590

FEDERICO GASCO
253 FOXCROFT LN
WINTERVILLE, NC 28590

KIRK D CRAWLEY
NANCY HYLAND CRAWLEY
227 FOXCROFT LN
WINTERVILLE NC 28590

WILLARD C KING
EVA D KING
201 FOXCROFT LN
WINTERVILLE NC 28590

JEFFERY BENTON FOSTER
JEAN TRIPP FOSTER
175 FOXCROFT LN
WINTERVILLE NC 28590

ENC HOME SOULUTIONS LLC
505-E RED BANKS RD
GREENVILLE, NC 27858

ELLIS FAMILY HOLDINGS
324-A BEACON DRIVE
WINTERVILLE, NC 28590

WINTERVILLE HISTORICAL
AND ARTS SOCIETY, INC.
PO BOX 2014
WINTERVILLE, NC 28590

VINCENT ARMISTEAD
KAREN ARMISTEAD
PO BOX 2458
WINTERVILLE, NC 28590

QUEENIE WORTHINGTON
JAMES
PO BOX 1063
WINTERVILLE, NC 28590

DAVID BRUCE KOEN
ALLYSON ZHENGRONG WU
2305 FOXCROFT PL
WINTERVILLE, NC 28590

SEAN LACOV
KRISTINE M LACOV
245 FOXCROFT LN
WINTERVILLE NC 28590

DEVELON RAY JACOBS
KAREN WAINRIGHT JACOBS
219 FOXCROFT LN
WINTERVILLE NC 28590

RITCHIE A THOMAS
MONIQUE B THOMAS
193 FOXCROFT LN
WINTERVILLE, NC 28590

JEFFERY S STALLINGS
167 FOXCROFT LN
WINTERVILLE NC 28590

HABBAS SALAHELDIN
2225 VERNON WHITE ROAD
WINTERVILLE, NC 28590

JOHN CHARLES FOUNGER
5221 REEDY BRANCH RD
WINTERVILLE, NC 28590

BETTY LOUISE BRIDGES
19 POE ELKIN ROAD
CLARKTON, NC 28433

ANNA LOUISE PARKER
TERRY HOWARD
PO BOX 462
WINTERVILLE NC 28590

JENNE WARD DEE PATRICK
3202 MORTON LANE
GREENVILLE, NC 27834

PETER M STEIN
DIAN M STEIN
259 FOXCROFT LN
WINTERVILLE, NC 28590

MICHAEL G MOORE
APRIL HILLARD MOORE
237 FOXCROFT LN
WINTERVILLE, NC 28590

WILLIAM CHAPMAN
209 FOXCROFT LN
WINTERVILLE NC 28590

JOHNNY L FLEMING
MARY A FLEMING
185 FOXCROFT LN
WINTERVILLE NC 28590

RAY H HYLOCK
REBECCA D K HYLOCK
159 FOXCROFT LN
WINTERVILLE NC 28590

RUEBAN ROJAS HERRERA
136 WORTHINGTON ST
WINTERVILLE, NC 28590

HELEN SPINKS KING
PO BOX 1103
WINTERVILLE NC 28590

CLYNN W BARBER III
JENIFER M BARBER
151 FOXCROFT LAN
WINTERVILLE NC 28590

COREY T DREW
DENISE DREW
230 VERNON WHITE ROAD
WINTERVILLE, NC 28590

PERSON X P HEIRS
PO BOX 2196
WINTERVILLE, NC 28590

YVONNE SMITH WASHBURN
JAMAAL D WASHBURN
PO BOX 1521
WINTERVILLE, NC 28590

EDWARD J BURRUS
VALENCIA RODMAN BURRIS
2203 FOXCROFT CL
WINTERVILLE NC 28590

DAVID BLALOCK
MARTHA O BLALOCK
226 VERNON WHITE ROAD
WINTERVILLE NC 28590

LAURA WILLIAMS EDWARDS
HEIRS
2917 STOKES ROAD
GREENVILLE, NC 27834

CLIFTON ALAN HILL
JANICE HOYT HILL
133 FOXCROFT LN
WINTERVILLE NC 28590

RICHARD C BRITT JR
PAULA C BRITT
2204 FOXCROFT CL
WINTERVILLE NC 28590

**Notice of Public Hearing
Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday, March 13, 2023** at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to consider the following request:

The applicant, Rachael Tyre, has submitted a rezoning application to rezone Parcel 25765 (13.5 Acres) from Agricultural Residential (AR) to R-6 CD. Per the application, the proposed conditional zoning district would have the following conditions: All lots will be single-family residential; All lots will be a minimum of 7,000 SF; All homes will be a minimum of 1500 SF (Heated); The development will consist of vinyl exterior siding on all homes with some elevations consisting of brick or stone accents on the fronts; All homes will have garages; and All front yards will be sodded.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 or at wintervillenc.com.

Citizens are encouraged to attend the hearing. Citizens may also view the hearing on the Winterville website at www.wintervillenc.com/videos . If for any reason you have difficulty accessing the Town's video page, please go to the Town's YouTube channel at: www.youtube.com/channel/UChejtVcuiD9O3_zzTrrBj4g .

The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

Notes to Publisher:

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

Subject: Winterville Public Hearing – Waterford Crossing Rezoning.

Please place the above legal advertisement in the Daily Reflector on Wednesday, March 1, 2023 and Wednesday, March 8, 2023. Should you have any questions please contact me.

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

Thank you,

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	Rachael Tyre (ENC Home Solutions, LLC)
HEARING TYPE	Rezoning Request
REQUEST	R-6 Conditional District
CONDITIONS	All lots will be single-family residential; All lots will be a minimum of 7,000 SF; All homes will be a minimum of 1500 SF (Heated); The development will consist of vinyl exterior siding on all homes with some elevations consisting of brick or stone accents on the fronts; All homes will have garages; and All front yards will be sodded.
LOCATION	Railroad Street at its intersections with Worthington Road and Vernon White Road
PARCEL ID NUMBER(S)	25765
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request on January 3, 2023. Notification was posted on site on December 30, 2022. 41 properties were mailed notification.
TRACT SIZE	13.5 +/- acres
TOPOGRAPHY	Flat
VEGETATION	Agricultural/Vacant

SITE DATA

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

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	AR, OI	Single Family Residential, Medical Office, IRS Office, etc.
W	R-20	Single Family Residential
E	AR	Agricultural, Vacant, Wooded
S	R-6	Single Family Residential



ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	AR	R-6 CD
MAX DENSITY	2 per acre	5-6 per acre
TYPICAL USES	AR - Low-density residential and agricultural uses; where urban development is expected.	Higher density, single family residential.

SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
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	Vernon White Road – NCDOT Road Railroad Street – NCDOT Road Worthington Street – 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)	Vernon White Road– 5400 Railroad Street – 1400 Worthington Street - 770
TRIP GENERATION	N/A
SIDEWALKS	Required.



TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	TBD
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-6 CD** zoning district is generally consistent with this character area as defined by the future land use designation and will be within the density requirements (Urban Neighborhood allows up to 8 units per acre).

Comprehensive Land Use Plans - Recommendations & Implementation

Urban Neighborhood - General Character:

1. Somewhat higher density, predominantly single-family residential housing. Some attached housing and/or small scale commercial, retail, or restaurants allowed at select locations.

(Land Use) Policy 1: Encourage a balanced tax base while managing growth:

Strategy 1.1: Utilize the Future Land Use Map and character areas when considering land use decisions.

- Identified as Urban Neighborhood Character Area.

(Land Use) Policy 6: Support higher density housing options in strategic locations.

Strategy 6.1: Encourage housing options in locations within walking distance to of commercial and mixed-use areas.

- Property is located in close proximity to downtown and commercial properties along Beacon Drive.



(Economic Development) Policy 3: Reinforce the Town's identity as a family-friendly community.

Strategy 3.1: Support rezonings to residential used in the Urban Neighborhood areas identified on the Future Land Use Map.

- Property identified as Urban Neighborhood Character Area.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

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

Staff Analysis

The 13.5-acre property is currently vacant. The properties North of the request (across Vernon White Road) are zoned AR (single-family residential) and OI (medical office, IRS office, Financial office, etc.). West of the request is zoned R-20 consisting of a single-family residential development (Waterford). South of the request is zoned R-6 and consists of single-family residential. East of the property (across Railroad Street) is zoned AR and is partially wooded/vacant.

The R-6 CD rezoning request is consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is compatible with the existing development and trends in the surrounding area. There is existing R-6 zoning adjacent to the south. The proposed R-6 CD zoning district falls within the density recommendations provided within the Urban Neighborhood character area.

Staff Recommendation

Staff recommends **approval** of the rezoning request for the 13.5 acres from AR to R-6 CD.

Planning and Zoning Board voted 5-1 to recommend **denial** of the rezoning request on January 17, 2023.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Public Hearings

Meeting Date: March 13, 2023

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Gray Point Motors – Rezoning Request.

Action Requested: Hold Public Hearing for the Rezoning Request.

Attachment: Rezoning Application, Rezoning Map, Legal Description, Notification to Adjacent Property Owners, Notice of Public Hearing, Staff Report.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/7/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Applicant: Linda Brock Best.

Location: Chapman Street at its intersection with Depot Street.

Parcel Numbers: 20628 and 28376

Site Data: 3.17 acres

Current Zoning District: MR-CD

Proposed Zoning District: GB-CD

- ❖ Proposed Zoning Districts: General Business with the condition “to be able to build a used car dealership with a mechanic shop.”
- ❖ Adjacent property owners were mailed notification of the rezoning request on December 2, 2022. (P&Z).
- ❖ Adjacent property owners were mailed notification of the rezoning’s Public Hearing on February 27, 2023.
- ❖ Notification was posted on the site on December 2, 2022.
- ❖ Planning and Zoning Board voted 5-1 recommending denial of the rezoning request on January 17, 2023.

Budgetary Impact: TBD.

Recommendation: Hold Public Hearing and Consider Rezoning Request.



**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: Linda Brock Best
Address: 192 Hilltop Rd. Newport, NC 28570
Phone #: 252-723-4220
Owner: _____
Address: _____
Phone #: _____

PROPERTY INFORMATION

Parcel #: 20628 + 28376 Area (square feet or acres): 2.91 acres + .36 acres
Current Land Use: Open Field
Location of Property: 2576 Chapman St. Winterville, NC 28590

ZONING REQUEST

Existing Zoning: Multi-Family (MR) Requested Zoning: General Business (GB)
Reason for zoning change: To be able to build a used car dealership with a mechanic shop

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.

Staff Use Only

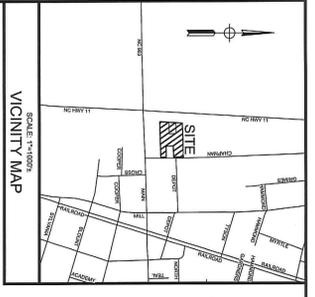
Appl. #: _____ Fee Amount _____ Date Paid _____

Planning Board Recommendation: APPROVED Meeting Date: _____
DENIED

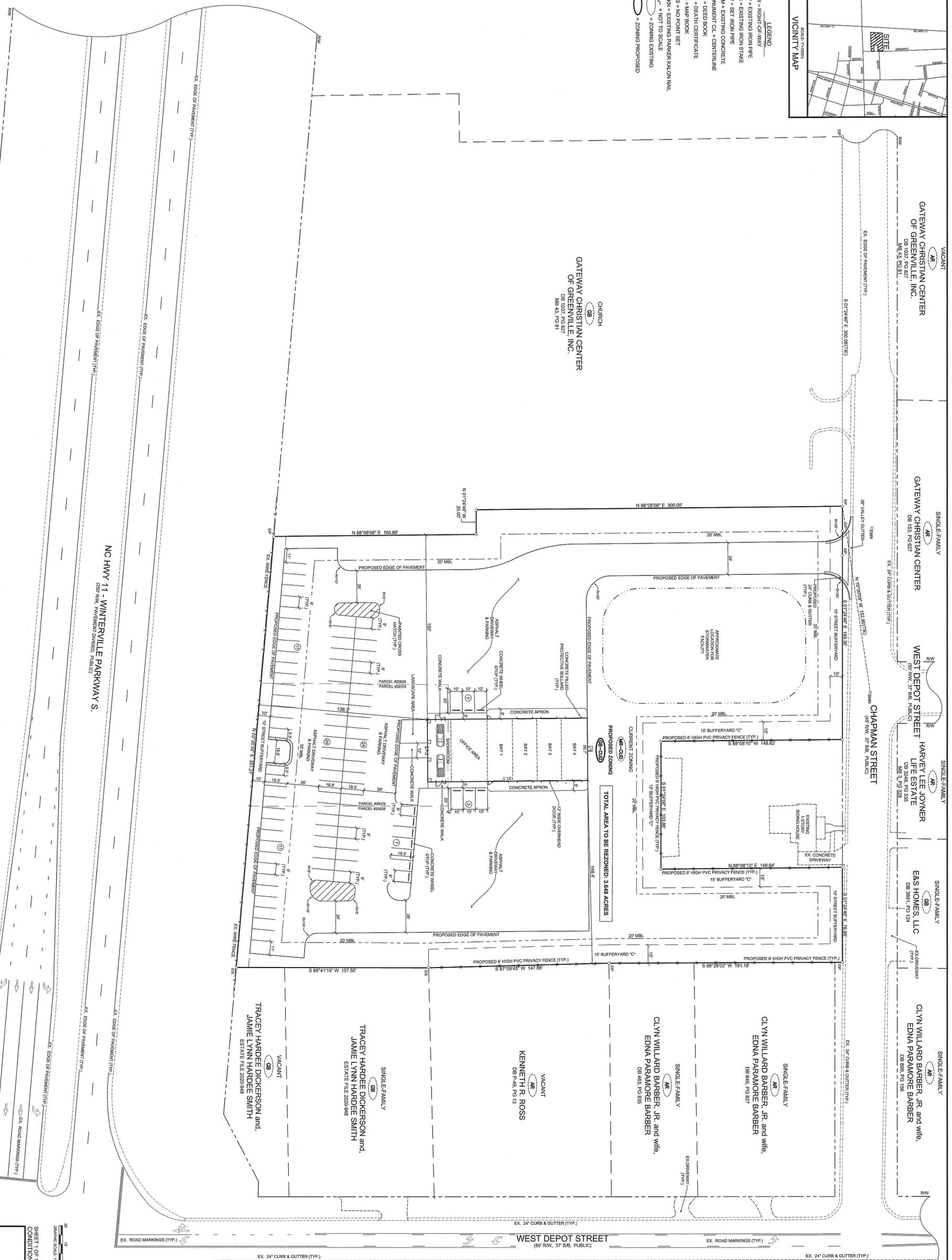
Conditions/Comments: _____

Board of Aldermen Decision: APPROVED Meeting Date: _____
DENIED

Conditions/Comments: _____



- LEGEND**
- RM = RIGHT-OF-WAY
 - EP = EXISTING IRON PIPE
 - ES = EXISTING IRON STAKE
 - SIP = SET IRON PIPE
 - ECM = EXISTING CONCRETE MONUMENT CL = CENTERLINE
 - DB = DEED BOOK
 - DC = DEATH CERTIFICATE
 - MB = MAP BOOK
 - NPS = NO POINT SET
 - SPN = EXISTING PARKER KALON WALL
 - NTS = NOT TO SCALE
 - = EXISTING
 - = ZONING PROPOSED



TOTAL AREA TO BE REZONED: 3,649 ACRES

NC HWY 11 - WINTERVILLE PARKWAY S.
 (250' RW, PAVEMENT STRIP, PUBLIC)

GRAY POINT MOTORS
 WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

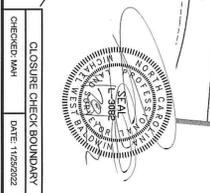
OWNER: **LINDA BEST BROCK and husband,**
 D. BROCK
 ADDRESS: 124 HOBSON BLDG
 NEWPORT, NC 28570
 PHONE: (252) 355-7783

REFERENCE ESTATE FILE 2013-481 OF THE PITT COUNTY
 CLERK OF COURTS OFFICE

SHEET 1 OF 1
 CONDITIONAL USE REZONING MAP
 TAX PARCEL #20228
 TAX PARCEL #23376

APPROVED: MMB
 DATE: 11/28/2022

CHECKED: MMB
 SCALE: 1" = 30'



CLOSURE CHECK ROUNDAY
 CHECKED: MMB
 DATE: 11/29/2022

Baldwin Design Consultants, PA
 124 HOBSON BLDG
 NEWPORT, NC 28570
 PHONE: (252) 355-7783
 EMAIL: admin@baldwindesign.com

Situated in Winterville Township, Pitt County, North Carolina more particularly described as follows: Beginning at an iron in the western right-of-way line of Chapman Street, said iron being the northeast corner of the Barber property; and running thence North 83 deg. 46 min. West 497 feet to an iron, said iron being the northwest corner of the Hardee property and NC HWY 11 right of way; thence running North 11 deg. 45 min. East 713 feet along the NC HWY 11 right of way to an iron, and thence running South 83 deg. 46 min. East 477 feet to an iron, said iron being located in the western right-of-way line of Chapman Street, and thence along the western right-of-way of Chapman Street in a South 06 deg. 44' West 150 feet to an iron; and thence North 83 deg. 45 min. West 150 feet to an iron; and thence South 06 deg. 44 min. West 100 feet to an iron; and then South 83 deg. 46 min. East 150 feet to an iron, said iron being in the western right-of-way of Chapman Street, and thence along the western right-of-way of Chapman Street in a southerly direction 80 feet to an iron, the point of beginning.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)215-2358
Fax (252)756-3109
www.wintervillenc.com

**Town Council
Rezoning Request- Public Hearing**

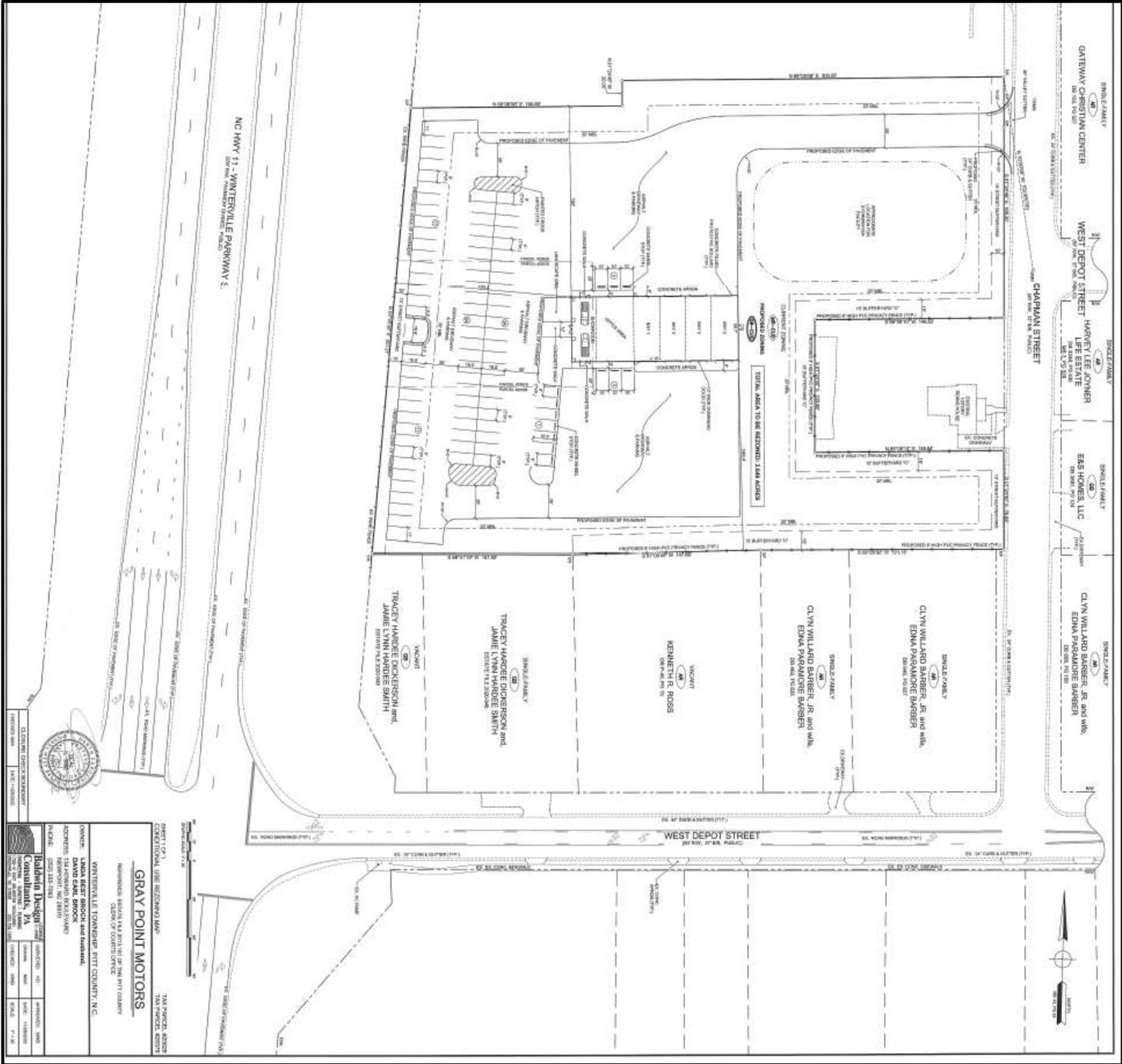
NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday March 13, 2023** at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to hold a public hearing on the following request:

Linda Brock Best c/o Baldwin Design Consultants has submitted a rezoning application to rezone Parcels 20628 and 28376 (3.27 Acres) as shown on the attached map from Multifamily Residential (MR-CD) to General Business (GB-CD). Per the application, the proposed conditional district is “to be able to build a used car dealership with a mechanic shop.”

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 or at wintervillenc.com.

Citizens are encouraged to attend the hearing. Citizens may also view the hearing on the Winterville website at www.wintervillenc.com/videos . If for any reason you have difficulty accessing the Town’s video page, please go to the Town’s YouTube channel at: www.youtube.com/channel/UChejtVcuiD9O3_zzTrrBj4g .

The public may submit written comments to the Town Clerk’s office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.



SHEET 1 OF 1
 CONVENTIONAL USE SECONDARY MAP
GRAY POINT MOTORS
 WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.
 OWNER: LINDA DEET BROOK and Business
 ADDRESS: 124 HUNTERS BLOSSOM WAY
 WINTERVILLE, NC 28591
 PREPARED BY: **Robbin Deaton**
 DATE: 12/15/2011

Clyn Willard Barber, Jr.
Edna Paramore Barber
2490 Red Forbes Road
Winterville NC 28590

R E Davenport Jr Family Ltd
Partnership
PO Box 66
Farmville, NC 27828

Soddy & Soddy Properties, LLC
5351 Reedy Branch Road
Winterville, NC 28590

Travis Oscar Hardee
Ellen Roebuck Hardee
5351 Reedy Branch Road
Winterville, NC 28590

Michael R. Weldin
Joyce H. Weldin
135 Depot Street
Winterville, NC 28590

Tracey Hardee Dickerson
Jamie Lynn Hardee Smith
4077 Blackjack Simpson Rd
Greenville, NC 27858

GKA, Inc
PO Box 611
Winterville, NC 28590

Linda Brock Best
David Earl Brock Heirs
134 Howard Blvd
Newport, NC 28570

E & S Homes, LLC
2579 Chapman Street
Winterville, NC 28590

Melinda Elizabeth Hines
121 Depot Street
Winterville, NC 28590

Jamie L. Keeter
Jean Anne Keeter
PO Box 14
Winterville, NC 28590

Harvey Lee Joyner Life Estate
Barbara Hines Joyner Life Estate
104 Depot Street
Winterville, NC 28590

Evelyn Jarvis Branch
PO Box 316
Winterville, NC 28590

Kenneth Ross
1711 Ross Lane
Greenville, NC 27834

Gateway Christian Center of
Greenville Inc.
PO Box 1329
Winterville, NC 28590

Walter Ashley Dail, Jr
Judith Rose Dail
PO Box 808
Winterville, NC 28590

**Notice of Public Hearing
Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday March 13, 2023** at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to consider the following request:

Linda Brock Best c/o Baldwin Design Consultants has submitted a rezoning application to rezone Parcels 20628 and 28376 (3.27 Acres) from Multifamily Residential (MR-CD) to General Business (GB-CD). Per the application, the proposed conditional district is “to be able to build a used car dealership with a mechanic shop.”

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The public may submit written comments to the Town Clerk’s office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.

Notes to Publisher:

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

Subject: Winterville Public Hearing – Linda Brock Best Rezoning.

Please place the above legal advertisement in the Daily Reflector on Wednesday, March 1, 2023 and Wednesday, March 8, 2023. Should you have any questions please contact me.

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

Thank you,

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	Linda Brock Bes
HEARING TYPE	Rezoning Request
REQUEST	General Business (GB) – Conditional District
CONDITIONS	Used car dealership with a mechanic shop.
LOCATION	Chapman Street / Depot Street
PARCEL ID NUMBER(S)	15006, 11636, 11638, 82096, 82094
PUBLIC NOTIFICATION	Adjacent property owners were mailed notification of the rezoning request on December 2, 2022. Notification was posted on site on December 2, 2022. 16 properties were mailed notification.
TRACT SIZE	3.17 +/- acres
TOPOGRAPHY	Flat
VEGETATION	Cleared

SITE DATA

EXISTING USE	Vacant/ Wooded
---------------------	----------------

ADJACENT PROPERTY	ZONING	ADJACENT LAND USE
N	GB	Church
W	GB	Agricultural
E	R-6/CB	Single Family Residential, Commercial
S	R-6/GB	Single Family Residential, Commercial

ZONING DISTRICT STANDARDS

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	MR-CD	GB-CD
MAX DENSITY	TBD	TBD
TYPICAL USES	MR- High-density residential neighborhoods.	Accommodates business that serve the traveling public, require large amounts of land and are not oriented to the pedestrian shopper.



SPECIAL INFORMATION

OVERLAY DISTRICT	N/A
ENVIRONMENTAL / SOILS	N/A
FLOODPLAIN	N/A
STREAMS	N/A
OTHER	If >1 acre is disturbed, site must meet Phase 2 stormwater requirements and provide Soil Erosion and Sedimentation Control Permit
SITE PLAN REQUIREMENTS	Site Plan / Construction 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	Chapman Street – TOW Street Church Street Ext – TOW Street
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)	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 GB-CD (used car dealership with a mechanic shop) zoning districts would not allow land uses that are compatible with the general character of the area. The property is in a location that serves as the primary entrance to downtown and as a walkable neighborhood with small-scale businesses.

Town of Winterville Comprehensive Land Use Plan Policies

The Future Land Use Map designates this property as a Mixed Use Center character area. Mixed Use Centers allow flexibility to respond to market demands by emphasizing the form of development over use or intensity. These areas feel made for people and have just a little “hustle and bustle” with some small town hospitality mixed in. The requested **GB-CD** zoning district *is not* consistent with this character area as defined by the future land use designation.

Comprehensive Land Use Plans - Recommendations & Implementation

Mixed Use Center - General Character:

1. Mix of commercial, retail, restaurants and service-oriented businesses, with a variety of residential options, including multi-family, townhomes, and upper-story residential. Offices also potentially on upper floors. Walkable places with a pedestrian-focused “downtown” feel.

(Downtown) Policy 1: Live/work/play downtown:

Strategy 1.1: Allow people to live near downtown Winterville, by encouraging and allowing more dense residential development within walking distance to downtown.

- The Small Area Study included in the Comprehensive Land Use Plan shows this property as ideal for residential infill.

Strategy 1.3: Expand office and commercial uses on the edges of downtown where there is limited conflict with established residential areas.

- The Land Use Plan shows the ideal area for commercial development within the downtown area is along Main Street.

STAFF ANALYSIS AND RECOMMENDATION



Community Outreach

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

Staff Analysis

The 3.17-acre property is currently vacant. The property North of the request is zoned GB (Gateway Church); West (across Winterville Pkwy) of the request is zoned GB (vacant/agricultural). South of the request is zoned R-6 and GB (existing single family residential and commercial). East of the property is zoned R-6 and CB (existing single family residential and commercial).

While some light commercial use *may* be appropriate, the proposed use of a used car dealership with a mechanic shop is not consistent with the Comprehensive Land Use Plan. Therefore, the rezoning request is not consistent with the intent and purpose of the Zoning Ordinance, the Future Land Use Plan and is not compatible with the existing development and trends in the surrounding area.

Staff Recommendation

Staff recommends **denial** of the rezoning request for the 3.17 acres from MR-CD to GB-CD.

Planning and Zoning Board recommended **denial** (5-1) of the request on January 17, 2023.



TOWN OF WINTERVILLE PUBLIC COMMENT APPLICATION

Name of Applicant: Rebecca Caveness

Date: 3/6/23

Address: 2214 Papa's Place, Greenville

Phone: 252.814.0192

Town Council Meeting Date Requesting to Provide Comment:

3/13/23

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

We would like to request funds from the Town for our 38th annual Watermelon Festival and provide an opportunity for the council to ask questions about this year's event.

Name(s) of Speaker(s):

(1) Rebecca Caveness, President of Festival Committee

(2) Heather Jackson, Chair of Festival Committee

(3) _____

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



Signature



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 13, 2023

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Council Meeting Minutes.

Action Requested: Approval of Minutes.

Attachment: Draft Minutes of the Council meeting listed below.

Prepared By: Donald Harvey, Town Clerk

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/6/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Approval of the following set of Council Meeting Minutes:

- January 23, 2023 Vision Setting Meeting Minutes; and
- February 13, 2023 Regular Council Meeting Minutes.

Budgetary Impact: NA.

Recommendation: Staff recommends Council approve the Minutes.



**WINTERVILLE TOWN COUNCIL
MONDAY, JANUARY 23, 2023 AT 6:00 PM
VISION SETTING MEETING**

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Johnny Moye, Mayor Pro Tem
Tony P. Moore, Councilman
Paul A. Rice, Councilman
Veronica W. Roberson, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Ryan Willhite, Police Chief
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Robert Sutton, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Bryan Jones, Planning Director
Donald Harvey, Town Clerk

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

WELCOME: Mayor Hines welcomed the public.

BLESSING: Mayor Hines gave the blessing.

BREAK FOR DINNER

APPROVAL OF AGENDA:

Manager Parker requested an amendment to the Agenda to add the Safe Routes to Schools Application.

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

ITEMS FOR DISCUSSION:

1. Safe Routes to Schools Application.



2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone: (252) 756-2221
www.wintervillenc.com

To Whom It May Concern:

It is my pleasure to write this letter in support of the application to the NC SRTS Non-Infrastructure Program being submitted to the NCDOT Safe Routes to School Program by the Town of Winterville with the Safe Communities Coalition of Pitt County and the Eastern Carolina Injury Prevention Program.

The Town fully supports the efforts of the Safe Routes to Schools Program. Their efforts in this non-infrastructure program prove exemplary by furthering community relationships with students, parents, law enforcement as well as local municipal agencies, school staff and administrations. They are proposing to do a 'Yeoman's' job in effectively encouraging and enabling more kids to walk and bicycle safely to schools.

If I can be of further service, please do not hesitate to contact me.

Respectfully submitted,

Richard E. Hines
Mayor

**A RESOLUTION OF SUPPORT AND ADMINISTRATON FOR AN
APPLICATION TO NCDOT FOR A SAFE ROUTES TO SCHOOLS GRANT**

WHEREAS, the North Carolina Department of Transportation is accepting applications for Safe Routes to Schools; and

WHEREAS, the Safe Routes to Schools program is a grant reimbursement program to provide improvements that can help make bicycling and walking to and from school a safe and healthy transportation alternative.; and

WHEREAS, the Winterville Town Council recognizes the importance of a balanced transportation network to the economic and social well-being of the community; and

WHEREAS, upon submitting Safe Routes to School Grant applications, a resolution expressing support for the application and willingness to administer the funds is needed from the Winterville Town Council; and

WHEREAS, the Town of Winterville will partner with the Safe Communities Coalition of Pitt County and the Eastern Carolina Injury Prevention Program to submit an application by the February 6, 2023 deadline for submission, and

WHEREAS, the Town of Winterville will be the lead agency partnering with the Safe Communities Coalition of Pitt County and the Eastern Carolina Injury Prevention Program and will support and administer the Safe Routes to School Grant; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville, North Carolina That: The Winterville Town Council adopts a resolution of support and administration for an application for a Safe Routes to School Grant Program.

Adopted this the 23rd day of January 2023.

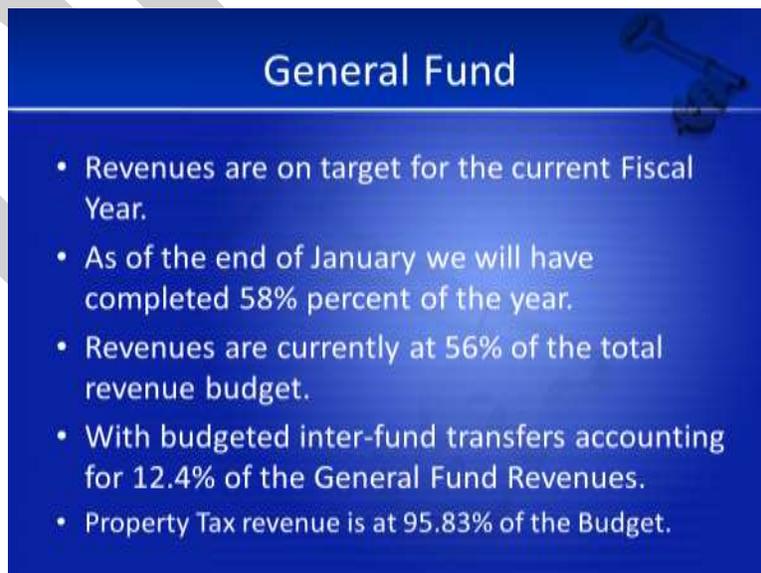
Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

Motion made by Councilman Moore and seconded by Mayor Pro Tem Moye to approve The Resolution and Letter of Support for the Safe Routes to Schools Application. Motion carried unanimously, 4-0.

2. State of the Budget - FY 2023-2024: Terri L. Parker, Town Manager; Anthony Bowers, Assistant Town Manager; and Jessica Manning, Finance Director.



General Fund

- Vehicle Property Tax is currently on target for what is expected for this time of the year. We are averaging about \$60,964 monthly, which is approximately \$9,000 more per month than last year.
- Local Option Sales Tax is currently 57.84% of the estimated Budget.
- Utility Franchise Taxes are on target with relation to budget estimates.
- GF is balanced with a \$507,102 Fund Balance appropriation. Up from \$37,500 PY.
- Balanced with Electric Fund cont. of \$650,000

Recreation Fund

- There is \$184,653 used from Retained Earnings to balance the Recreation Fund Budget.
- The Recreation Fund has collected 75% of budgeted revenues. Many of the program revenues are collected in the spring.
- 72% of Recreation Revenues are transferred from the General Fund.

Electric Fund

- The Electric Fund has sales revenues that are currently on target with expectations in the amount of \$6,663,921.
- Revenues are at 60% with 58% of the year billed.
- \$3,509,356 from Retained Earnings was used to balance the Electric Fund Budget.

Water Fund

- The Water Fund is on target with water sales at 50% for the year.
- Current sales are at \$781,962 for the year.
- The Water Fund used \$123,609 of Retained Earnings to balance the Budget.

Sewer Fund

- The Sewer Fund Sales are on target with \$1,212,088. Which is 52% of the sales budgeted for the year.
- This fund was balanced with \$390,940 from Retained Earnings.

Stormwater Fund

- Stormwater billings are \$257,321 or 50% of the Budget.
- There were \$37,061 from Retained Earnings used to balance the budget.

FY 2022-2023 Expenditures

- General Fund
- Recreation Fund
- Electric Fund
- Water Fund
- Sewer Fund
- Stormwater Fund

General Fund

- At this point in the year, we have had four Budget amendment changes in the General Fund Budget.
- I would expect at least two more Budget amendments before year-end.
- In the General Fund the Town has spent 49% of the funds that were appropriated.
- There are still capital outlay purchases to be made.

Recreation Fund

- The Recreation Fund is currently lower than normal, with 32% of the yearly appropriations having been spent.
- \$370,805 of the \$1,306,573 budgeted has been spent.
- Capital spending for Recreation this year is estimated at \$237,500.

Electric Fund

- The “Purchase for Resale” line item is ahead of target including a \$1,000,000 amendment for the first six months. \$2,878,405 of the \$5,500,000 has been spent. This is 52% of the budget for the year. Fluctuations in Natural Gas prices will continue to drive this line item. The total fund expenditure is at 58% of the appropriation for the year.
- The total Budget is \$10,818,251.

Water Fund

- The total expenditure is at 85% of the appropriation for the year.
- “Purchase for Resale” is at 48% of the Budget for the year with \$224,787 of the \$472,000 having been spent.
- The total Water Fund Budget is \$1,718,187.

Sewer Fund

- The Sewer Fund has currently spent 65% of its annual appropriation.
- CMSD expense is 31% of the Annual Budget.
- The total Sewer Fund Budget is \$2,893,294.

Stormwater Fund

- The Stormwater Fund has spent 43% of its annual appropriation of \$572,408
- The largest appropriation in the Stormwater Fund is contribution for services \$129,109.

Fund Balance Status

- Our unassigned Fund Balance as of 6-30-2022 was 118.44%. Up from 103.96% in 2021.
- The Town appropriated \$507,102 up from \$469,544 a \$37,588 increase to balance the Budget this year. Unassigned FB is \$10,797,410 or 62% of Annual Operating Expense.
- The Fund Balance percentage presented for the General Fund includes the Recreation Fund. The Recreation Reserve has \$159,782.

Fund Balance Status

- The Powell Bill Fund has a Fund Balance of \$479,559.
- The Electric Fund has Unrestricted Retained Earnings in the amount of \$7,725,400 or 72% of the Annual Operating Budget.
- The Water Fund has Retained Earnings in the amount of \$1,970,271 or 115% of the AOB.
- The Sewer Fund has RE in the amount of \$-467,175 or is -17% of the AOB. This is down from 45% last year. Last year during this time RE was at \$698,113.
- The Storm Water Fund has RE in the amount of \$1,130,028 or 1.98% of the AOB

Factors for Next Year

- We have one loan coming off the books this year. The Electric Fund has a payment ending in the amount of \$54,086 for an electric line truck payment.

Unfunded Commitments

- Old Tar Road widening, Utility and Pedestrian.
- CMSD Commitments.
- Pump Station Capacity Project \$5,750,000. Rate increase of \$5.00 per month per customer
- Annual debt service payment of \$262,500
- MS4 Stormwater - Staffing

Unfunded High Priorities

- Multipurpose Facility
- Multipurpose operation and maint. cost.
- Cemetery development and maint. cost.
- Ped. and St. Imp. Program, Downtown Parking
- Stormwater Railroad St. Project
- Fire Training Ground
- Electric Power Cost Adj. – Monitoring Closely
- Sanitation / Services
- Public Facility Improvements

Areas of Concern

- Focus on Street Improvements – Is the Council willing to establish a program outside of Powell Bill? 10-year program would or a flat amount annually. Powell Bill method is not keeping pace.
- Sanitation – We are projecting a loss of \$1.63 per resident per month. Sounds small but annualized that is \$78,000. That is nearly a cent on the Tax Rate.

Areas of Concern

- Railroad St. Stormwater Project – How does the Council want to move forward if we do not obtain grants. Roughly \$7,000,000 project. The Town has committed \$3.2 million. How would the Council like to fund the remaining? Private Loans, DWI Loan, Bonds
- Public Buildings – Public Works Facility, Electric Facility, Fire Training Ground, Fuel Station.
- Purchase of land for Utilities, Police Fire, & Rec

External Factors For Next Year

- Housing permits issued by the Planning Dept. decreased to 109 in 2022 down from 130 in 2021. Inventory will open up during next FY.
- The unemployment rate for Greenville is 3.7% up slightly from 3.4% for 2022.
- Sales Tax Revenue should be stable but are uncertain.

External Factors For Next Year

- Overall economists seem to be uncertain about growth potential for North Carolina next year. There are concerns over a potential recession. This creates uncertainty as to what that will do with housing and vehicles.
- The Federal Reserve is expected to roll out smaller interest rate increases to keep pace with inflation.
- The inflation rate is continuing to drive up cost of projects along with supply chain problems.

External Factors For Next Year

- The CPI for last 12 months was 6.5% according to the US Bureau of Labor Statics. 7.5% last year.
- Inflation rate for 2023 is expected to be 2.86% according to Statista and potentially 3.3% according to Market Watch.
- Sales and Use Tax has remained stable this year. We are at 58% of the budget, so we are on target.

External Factors For Next Year

- Expecting increases in Health Insurance in the 4% to 8% range.
- One Cent on the Current Tax Levy yields \$87,229.
- Markets expect the Federal Reserve to have a few small hikes in interest rates early in the year. Rates could hold steady for most of 2023 but will continue to be high.
- Cost of Living Raises

Council and Staff discussed the information presented and asked and fielded questions to provide a clear understanding of the financial status of the Town.

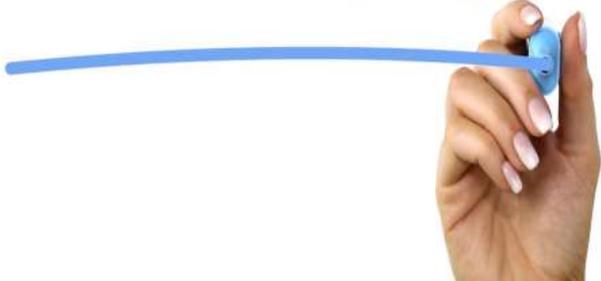
3. Council Vision Setting Process/Discussion – Town Manager Parker.

Town of Winterville Vision Setting Meeting

- ▶ Winterville Assembly Room
- ▶ 6:00 pm
- ▶ January 23, 2023



FUTURE



The
FUTURE
depends on
what we do
in the
PRESENT.
Mahatma Gandhi

PictureQuotes.com

2023 Vision Setting Meeting Goals/Projects – FY 2023-2024

-  Hiring Personnel/Increase Employee Diversity
-  Succession Planning
-  Focus on Downtown Redevelopment
 - Downtown Beautification
 - Planting
 - Water on the Square Plan
 - Lighting
-  Website Redesign - underway
-  Town App/Citizen Notification System – underway

2023 Vision Setting Meeting Goals/Projects – FY 2023-2024 (cont.)



Public Building Needs:

Town Hall

- Security upgrades (140)
- Devo. Design, Parking Plan, Dumpster
- Repair/Replace Walkway at Front Entrance
- Adding Sign to Assembly Room Steps and Walkway
- Front Lobby

Public Safety

- Roof (100-1300)
- Renovate Sleeping Quarters, Evidence Room, and Storage
- Repair Showers
- Clear Mechanical Room and Ductwork
- HVAC, Carpet, Paint

Library

- Front Steps
- Carpet, Paint
- Lighting
- Roof/HVAC leaks
- Automatic Door Repair (Underway)
- Backflow Preventor Vault Leaks

Operations Center

- Roof (75-80K)
- Clear/Repair Mechanical Room and Ductwork

Public Works

- Additional Space Needed (Indoor & Outdoor)

Electric

- Additional Space Needed (Indoor & Outdoor)

Fuel Pumps

- Replace Pumps
- Canopy/Shelter
- Concrete Pad
- Update Landscaping/Fencing

2023 Vision Setting Meeting Goals/Projects

- Needs to Meet Additional Town Growth
- Town Strategic Plan
- Multi-Purpose facility
- Additional Park facilities (including west side of Town)
- Additional lights at Hillcrest
- Walking trails/Sidewalks/Street Repair/Rebuilding
- Railroad Street/Nobel Canal Drainage Basin
- Stormwater Projects
- Utility Rate Structures/Utility Capacity/Rates
- Future/Amended Services



2023 Vision Setting Meeting

Closing Questions or Comments?

Council and Staff discussed the information presented and asked and fielded questions to provide a clear understanding of the future direction of the Town.

ADJOURN:

Motion made by Councilman Moore and seconded by Councilwoman Roberson to adjourn the meeting. Motion carried unanimously, 4-0. Meeting adjourned at 7:54 pm.

Adopted this the 13th day of March 2023.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

DRAFT



**WINTERVILLE TOWN COUNCIL
MONDAY, FEBRUARY 13, 2023 – 7:00 PM
REGULAR MEETING MINUTES**

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
Johnny Moye, Mayor Pro Tem
Tony P. Moore, Councilman
Paul A. Rice, Councilman
Veronica W. Roberson, Councilwoman (excused)
Brandy Harrell, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Ryan Willhite, Police Chief
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Robert Sutton, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Bryan Jones, Planning Director
Stephen Penn, Economic Development Director
Donald Harvey, Town Clerk

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

INVOCATION: Elder Melvin Tilley, Th.D., Mt. Zion FWB Church, Pinetown-Yeatesville Community, gave the Invocation.

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

WELCOME: Mayor Hines welcomed the public and recognized dignitaries present.

APPROVAL OF AGENDA:

Town Manager Parker noted amendments to the agenda.

Motion made by Councilman Moore and seconded by Mayor Pro Tem Moye to approve the amended agenda. Motion carried unanimously, 3-0. Motion carried, 3-0. Mayor Pro Tem Moye, Councilman Moore, and Councilman Rice voted to approve the motion.

INSTALLATION AND OATH OF OFFICE OF NEWLY APPOINTED TOWN OFFICIALS:

Councilwoman Brandy Harrell was sworn in by the Honorable Elizabeth Heath, Chief District Court Judge, 8th Judicial District.

Council took a short break.

PRESENTATIONS:

Don Rhodes, Chair and Dr. Ethan Lenker, Superintendent – Pitt Council Schools.

Dr. Lenker discussed the construction of the new building at AG Cox and thanked the Town for the SRO Assistance. Mr. Rhodes noted the good working relationship with Town.

RECOGNITION OF NEW EMPLOYEES:

Public Works Director McGuffin introduced Seth Garris, Utility Pump Maintenance Mechanic in the Public Works Department. Mr. Garris noted he was grateful to be here and meeting people.

PROCLAMATIONS: Town Clerk Harvey read the Black History Month Proclamation.

DRAFT



PROCLAMATION BLACK HISTORY MONTH

WHEREAS, much of the Town of Winterville's honor, strength and stature can be attributed to the diversity of cultures and traditions that are celebrated by the residents of this great region; and

WHEREAS, February has been designated as Black History Month in which we pause to reflect on the contributions of the African American community, and we recognize this year's Black History Month theme of "Black Health and Wellness"; and

WHEREAS, African Americans have played significant roles in the history of North Carolina State's economic, cultural, spiritual and political development while working tirelessly to maintain and promote their culture and history; and

WHEREAS, as a result of their determination, hard work, intelligence and perseverance, African Americans have worked tirelessly to maintain and promote a valuable and lasting contribution to the Town of Winterville, our state, and nation achieving exceptional success in all aspects of society including business, education, politics, economy, culture, science, arts, and history; and

WHEREAS, this observance affords special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation and community; and

WHEREAS, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty; and

WHEREAS, we join with all Americans in celebrating our diverse heritage and culture and continuing our efforts to protect democracy for all people, and recognizing the vital achievements of our local African American residents; and

NOW, THEREFORE, BE IT RESOLVED, that I do hereby proclaim the month of February 2023 as Black History Month and express special commendation to the dedicated volunteers who have labored so diligently to make this observance a reality in our community.

IN WITNESS WHEREOF, I do set my hand, and cause the seal of Winterville to be affixed this 13th day of February 2023.

Richard E. Hines, Mayor

Attest:

Donald Harvey, Town Clerk

PUBLIC HEARINGS:

Subdivision Ordinance Amendments: Planning Director Jones gave the following presentation.

Town of WINTERVILLE
A slice of the good life!

Town Council – February 13, 2023

Subdivision Ordinance Amendments

Presenter:
Bryan Jones,
Planning Director



Town of WINTERVILLE
A slice of the good life!

Subdivision Ordinance Amendments

Subdivision Ordinance Amendments Summary

- Amend Section 154.02 – Authority: update NC General Statute reference;
- Amend Section 154.13 – Approval Authority: propose minor subdivisions to be staff level approval;
- Amend Section 154.16 – Plat Submittal and Review Periods-Final Plats: propose changing requirements for minor subdivision final plat submittal requirements;
- Amend Section 154.17 – Effect of Approvals-Prerequisites: propose adding language to improve process of accepting physical improvements (i.e. public utilities, roads, etc.);
- Amend Section 154.21 – Connectivity and Appropriateness to Adjoining Property and Land Uses: adding language for required subdivision access points;
- Amend Article V – Guarantee of Required Improvements; Warranty Against Defects: amending language to require that all required improvements be installed prior to Final Plat approval;
- Amend Section 154.59 – Amendment: update NC General Statute reference;
- Amend Appendix 1 – Mapping Standards: improve formatting and update submittal requirements.



Staff Recommendation:

- Staff recommends approval of the proposed Subdivision Ordinance Requirements.
- Planning and Zoning Board unanimously recommended **approval** on January 17, 2023.



Mayor Hines declared the public hearing open, asked if anyone would like in opposition to the Subdivision Ordinance Amendments. No one spoke.

Mayor Hines asked if anyone would like to speak in favor of the Amendments. No one spoke.

Mayor Hines declared the Public hearing closed.

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

Motion made by Councilman Moore and seconded by Mayor Pro Tem Moyer to approve the Subdivision Ordinance Amendments. Motion carried unanimously, 4-0. Mayor Pro Tem Moyer, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted to approve the motion.

System Development Fees: Assistant Town Manager the following information.

At your December meeting The Wooten Company presented the Town Council with the calculations for charging developers fees associated with the increase demand. The Wooten Company established the legal amount which is limited to \$4,330 for water and sewer improvements for the Town of Winterville. This is an increase, and staff is recommending that we adopt the fee at 50% (\$2,165) of the allowable amount. You can find this on page 2 of the System Development Fee Analysis that you were provided. This will put the Town in the same price range as our neighbors. We were required to allow 45 days to pass from the presentation of the SDF Analysis before a rate can be adopted. We have advertised in The Daily Reflector on December 20th, 2022, and it was also advertised on January 17th, 2023. We have only received one call with a couple of questions from Landon Weaver with Bill Clark Homes. Once the public hearing is complete a vote can be taken to adopt the new system development fee.

Table 1. Maximum Allowable System Development Fees

Meter Size, Inches	Equivalent Ratio	Water Capacity Cost, \$/gallon	Sewer Capacity Cost, \$/gallon	Total Capacity Cost, \$/gallon	Total Capacity Cost, \$/connection ¹
5/8	1.0	\$4.01	\$8.02	\$12.03	\$4,330
3/4	1.5				\$6,490
1	2.5				\$10,820
1-1/2	5.0				\$21,650
2	8.0				\$34,640
3	16.0				\$69,290
4	25.0				\$108,270
6	50.0				\$216,540
8	80.0				\$346,460
10	115.0				\$498,040
12	215.0				\$931,120

¹ Based on 360-GPD use for a 5/8" residential connection.

For a 360-GPD residential (5/8" meter size) connection, the maximum allowable combined water and sewer SDF would be \$4,330. The unit cost takes into account \$3.6 million in accumulated depreciation for the existing infrastructure assets of \$15.0 million, for a net total cost of \$11.4 million eligible to recuperate from SDFs. The unit cost also accounts for the \$13.5 million in future infrastructure that may be recuperated from SDFs.

Commercial, institutional, and industrial connections, which require larger water meters, may be charged higher SDFs based on American Water Works Association (AWWA) – prescribed equivalent ratios or other approved rate adjustment factors. **Table 1** also shows SDFs for meters ranging in size from 1- to 12-inch. This analysis allows policymakers to make an informed decision when allocating system capacity costs between existing and new customers. It is expected that, at the rates listed in **Table 1**, water SDFs will generate \$2.0 million and sewer SDFs will generate \$4.7 million for a total of \$6.7 million over a five-year planning horizon, to support necessary water and sewer infrastructure rehabilitation and expansion. The rates listed in **Table 1** represent the maximum rate supported by the SDF analysis. The Town can elect to assess lower rates at the Town's discretion. As required by the legislation, the Town of Winterville will need to re-evaluate this analysis and proposed SDFs at a minimum every five years and make necessary fee adjustments.



Mayor Hines declared the public hearing open, asked if anyone would like to speak in opposition to the System Development Fees. No one spoke.

Mayor Hines asked if anyone would like to speak in favor of the System Development Fees. No one spoke.

Mayor Hines declared the Public hearing closed.

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

Motion made by Councilman Moore and seconded by Mayor Pro Tem Moye to approve the System Development Fees at \$2,165. Motion carried unanimously, 4-0. Mayor Pro Tem Moye, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion.

PUBLIC COMMENT: Mayor Hines read the Public Comment Policy.

1. Brandy Daniels, 2945 Foxglove Drive commented on the appointment process and progress with Police relations.
2. Senator Kandie Smith greeted Council and solicited their input for her efforts in Raleigh.

CONSENT AGENDA:

Councilman Moore requested that all Consent Agenda Items be removed except Item 1.

Items remaining on the Consent Agenda:

1. Approval of the following set of Council Meeting Minutes:
 - January 9, 2023 Regular Meeting Minutes.

Motion made by Councilman Moore and seconded by Councilwoman Harrell to approve the January 9, 2023 Regular Meeting Minutes. Motion carried unanimously, 4-0. Mayor Pro Tem Moye, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion.

Discussion and action continued on remaining Consent Agenda items.

2. Fee and Rate Schedule.

Motion made by Councilman Moore and seconded by Councilman Rice to approve the amended Rate and Fee Schedule. Motion carried unanimously, 4-0. Mayor Pro Tem Moye, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion.

3. ARP Policies.

Motion made by Councilman Moore and seconded by Councilman Rice to approve the ARP Policies. Motion carried unanimously, 4-0. Mayor Pro Tem Moye, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion

4. Budget Amendment 2022-2023-5 and Old Business Items 1. and 2. (Contract Amendment for Pump Station Redesign with Rivers and Associates. and Contract Amendment for General Services with Wooten Company.

Motion made by Councilman Moore and seconded by Councilman Rice to approve the Budget Amendment 2022-2023-5, Contract Amendment for Pump Station Redesign with Rivers and Associates; and Contract Amendment for General Services with Wooten Company. Motion carried unanimously, 4-0. Mayor Pro Tem Moye, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion.

5. & 6. Gray Point Motors Rezoning – Schedule Public Hearing – March 13, 2023 and Waterford Crossing Rezoning – Schedule Public Hearing – March 13, 2023.

Motion made by Councilman Moore and seconded by Councilman Rice to approve scheduling of Public Hearings on March 13, 2023 for Gray Point Motors Rezoning and Waterford Crossing Rezoning. Motion carried unanimously, 4-0. Mayor Pro Tem Moye, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion.

OLD BUSINESS:

3. Electric Rate Discussion:

Electric Director Sutton noted that gas rates are hedging down due to the mild winter. Councilman Moore said he wants a 20% reduction. Assistant Town Manager Bowers said the Town lost money last month and only budget amendments have helped. Town Manager Parker said we have lost money since July. Assistant Town Manager Bowers said cut-offs have been consistent between 55-60, all but 15 were back on the next day. Councilman Moore asked about the assistance payment card. Assistant Town Manager Bowers discussed the Town's assistance process; 9 helped to this point for a \$85 credit. We are still pushing and marketing the program. Mayor Hines said he met with officials and all are feeling the pinch, glad we have something in place. Mayor Pro Tem Moye asked is this the Greene Lamp Assistance. Assistant Town Manager Bowers said yes, and it is for only Winterville citizens. Mayor Hines said encourage people to participate. Assistant Town Manager Bowers we will work with qualifying citizens. Mayor Pro Tem Moye said this is \$85 for assistance. Assistant Town Manager Bowers yes, based on need and Greene Lamp is vetting applicants.

4. Discussion of Town Council Rules of Procedure:

Council and Staff discussed the present Rules of Procedure and if there is a desire and need to make any changes. It was noted that discussions over last several months suggest the need to modify or do away or some other need for guidance. A Policy versus Ordinances; has pros and cons. Vacancies has nuances. Council discussed the varieties of needs and directions to go. Council is to send their thoughts and ideas to Town Attorney Lassiter for him to pull together for further discussion, direction, and development.

NEW BUSINESS:

Councilman Moore brought up the idea of starting meetings at 6:00 pm. Mayor Pro Tem Moye asked if we should get input from citizens. Town Attorney Lassiter noted we would just need to get information out to the public in the normal processes.

Motion made by Councilman Moore and seconded by Councilman Rice to approve the change of the Regular Council Meeting to 6:00 pm starting May 6, 2023. Motion carried, 3-1. Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor and Mayor Pro Tem Moye opposed the motion.

Agenda Review Meeting: Town Manager Parker discussed having a session on the Thursday prior to the regular meeting to review and notify content on the Agenda. No decisions can be made.

Motion made by Councilman Moore and seconded by Councilman Rice to approve holding the agenda review meetings starting Thursday, March 9, 2023 at 4:00 pm.
Motion carried unanimously, 4-0. Mayor Pro Tem Moye, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion.

OTHER AGENDA ITEMS:

None

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:

Councilman Moore NCDOT conversation.

Councilman Moore Parking problems.

ANNOUNCEMENTS: Town Clerk Harvey gave the following announcements:

1. Planning and Zoning Board Meeting: Monday, February 20, 2023 @ 7:00 pm - Town Hall Assembly Room.
2. Board of Adjustment Meeting: Tuesday, February 21, 2023 @ 7:00 pm - Town Hall Assembly Room.
3. Human Relations Board Meeting: Thursday, February 23, 2023 @ 7:00 – Executive Conference Room.
4. Recreation Advisory Board: Tuesday, February 28, 2023 @ 6:30 pm – Operation Center.
5. Town Manager Agenda Review Meeting: Thursday, March 9, 2023 @ 4:00 pm – Town Hall Executive Conference Room.
6. Regular Town Council Meeting: Monday, March 13, 2023 @ 7:00 pm.

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

Attorney Lassiter: Reminder of Closed Session.

Councilwoman Harrell: Mention Drainage Grants she was aware that Town may be able to apply.

Mayor Pro Tem Moye: Wish a Happy Valentines to all.

Councilman Rice: Wish a Happy Valentines to all.

Councilman Moore: Wish a Happy Valentines to all.

Manager Parker: None

Mayor Hines: Thanks to Town Attorney Lassiter and that we are all here for the common cause.

Motion made by Councilman Moore and seconded by Councilman Rice to go into Closed Session.

NCGS § 143-318.11. (3). To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed

session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded

Motion carried unanimously, 4-0. Mayor Pro Tem Moyer, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion. Went into Closed Session at 9:26 pm.

ADJOURN:

Motion made by Councilwoman Harrell and seconded by Mayor Pro Tem Moyer to adjourn the meeting. Motion carried unanimously, 4-0. Mayor Pro Tem Moyer, Councilman Moore, Councilman Rice, and Councilwoman Harrell voted in favor of the motion. Meeting adjourned at 9:43 pm.

Adopted this the 13th day of March 2023.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

DRAFT



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 13, 2023

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: Budget Calendar Amendment.

Action Requested: Approval of Budget Calendar Amendment Minutes.

Attachment: Budget Calendar Amendment.

Prepared By: Donald Harvey, Town Clerk

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/6/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Approval of the Budget Calendar Amendment changing date of Town Council & Manager Progress Meeting to Monday, May 1, 2023 at 6:00 pm in Town Hall Executive Conference Room.

Budgetary Impact: NA.

Recommendation: Staff recommends Council approve the Budget Calendar Amendment.



TOWN OF WINTERVILLE

FY 2023-2024

BUDGET CALENDAR

DATE	DESCRIPTION	TIME	LOCATION
Monday, January 23, 2023	Town Council Vision Setting Meeting	6:00 pm	THAR
Monday, February 20, 2023	Distribution of Budget Worksheets to Management Team	NA	TMGR OFFICE
Friday, March 24, 2023	Management Team Recommendations Due	NA	TMGR OFFICE
Monday, May 1, 2023	Town Council & Manager Progress Meeting	6:00 pm	THECR
May 8-12, 2023	Manager Review with Management Team	N/A	TMGR OFFICE
Monday, May 22, 2023	Hand delivery of the Recommended Budget	N/A	NA
Tuesday, May 23, 2023	Town Council Budget Work Sessions	6:00 pm	THAR
Thursday, May 25, 2023	Town Council Budget Work Sessions	6:00 pm	THAR
Monday, June 5, 2023	Public Hearing	6:00 pm	THAR
Monday, June 12, 2023	Adoption of the FY 2023-2024 Budget Ordinance	6:00 pm	THAR
Friday, July 1, 2023	Fiscal Year Begins	NA	NA

THAR:
Town Hall Assembly Room
2571 Railroad Street
Winterville, NC 28590

THECR:
Executive Conference Room
2571 Railroad Street
Winterville, NC 28590

TMGR Office
Town Manager's Office
2571 Railroad Street
Winterville, NC 28590

DEPOT:
Winterville Train Depot
Railroad Street
Winterville, NC 28590

Approved by Town Council - 12/12/2023 / Amended – 03/13/2023
Please NOTE the times of the meetings vary.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 13, 2023

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: DPD Properties II, LLC. – Annexation.

Action Requested: Direct Town Clerk to Investigate the Sufficiency of Annexation.

Attachment: Annexation Petition with Legal Description, Annexation Map, Resolution Directing Clerk to investigate Sufficiency, Draft Certification of Sufficiency.

Prepared By: Stephen Penn, Planning & Economic Development Director

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/7/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

DPD Properties II, LLC., property owner of Parcel 60147, is applying for annexation into the Town limits.

Location: 2903 Storage Lane; North-eastern corner of Highway 11 and Reedy Branch Road.

Size: 9.68 Acres

Zoned: Industrial Zone.

Annexation Process:

1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (3/13/2023).

2nd Council Meeting: Schedule a Public Hearing for the Annexation (4/10/2023).

3rd Council Meeting: Hold Public Hearing on the Annexation (5/8/2023).

Budgetary Impact: TBD.

Recommendation: Staff recommends Council direct Town Clerk to Investigate Sufficiency of Annexation.

PETITION REQUESTING ANNEXATION

Date: 10/18/22

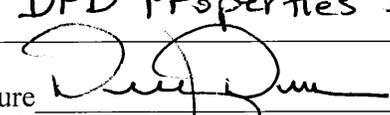
To the Mayor and Town Council of the Town of Winterville:

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:

Legal Description

Beginning at a right-of-way monument in the eastern right-of-way of NC Highway 11, said monument having coordinate values of N: 645,981.87' and E: 2,472,105.92', also being the POINT AND PLACE OF BEGINNING. Thence from THE POINT AND PLACE OF BEGINNING, continuing along the eastern right-of-way of NC Highway 11 N27°48'35"E a distance of 840.89 feet to a right-of-way monument, thence N62°59'31"W a distance of 29.39 feet to a right-of-way monument, thence N27°46'20"E a distance of 186.69 feet to a right-of-way monument, thence leaving the eastern right-of-way of NC Highway 11 S0°17'08"E a distance of 118.61 feet to an iron pipe, thence N89°16'03"E a distance of 311.81 feet to an iron pipe, thence S0°47'05"E a distance of 719.20 feet to an iron pipe, thence S79°32'51"W a distance of 404.05 feet to an iron pipe, thence N72°18'56"W a distance of 256.31 feet to an iron pipe, thence S21°00'25"W a distance of 141.92 feet to an iron pipe, thence N64°35'35"W a distance of 14.35 feet to an iron pipe, thence N64°35'35"W a distance of 77.45 feet to an right-of-way monument in the eastern right-of-way of NC Highway 11, being the POINT AND PLACE OF BEGINNING, containing 9.68 acres (421,830.1 square feet), more or less.

Name DPD Properties II Address P.O. Box 1639
Signature  Winterville NC 28590
DEREK P. DUNN MANAGER

Name _____ Address _____

Signature _____

Name _____ Address _____

Signature _____

NOTES:

1. AREA DETERMINED BY COORDINATES.
2. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS OTHERWISE NOTED.
3. NO POINT SET AT ANY CORNER.
4. THIS MAP WAS PREPARED FOR ANNEXATION PURPOSES ONLY. IT IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON, NOR TO BE USED FOR SALES OR CONVEYANCE.
5. CITY LIMITS WAS TAKEN FROM PITT COUNTY GEOGRAPHIC INFORMATION SYSTEM.
6. BOUNDARY INFORMATION OF SUBJECT PROPERTY WAS TAKEN FROM DEED AND MAP REFERENCES SHOWN HEREON. ALL CORNER IDENTIFICATION SHOWN ON THIS MAP WAS TAKEN FROM THE REFERENCED DEEDS AND PLATS. NO FIELD SURVEY WAS PERFORMED FOR THIS MAP.

REFERENCES:

- D.B. 3930 PG. 40
- D.B. 4292 PG. 69
- M.B. 88 PG. 38
- D.B. 3253 PG. 583
- D.B. 358 PG. 355
- M.B. 26 PG. 121
- D.B. 356 PG. 434
- D.B. 420 PG. 407
- D.B. 1200 PG. 824
- D.B. 2786 PG. 336
- M.B. 73 PG. 160

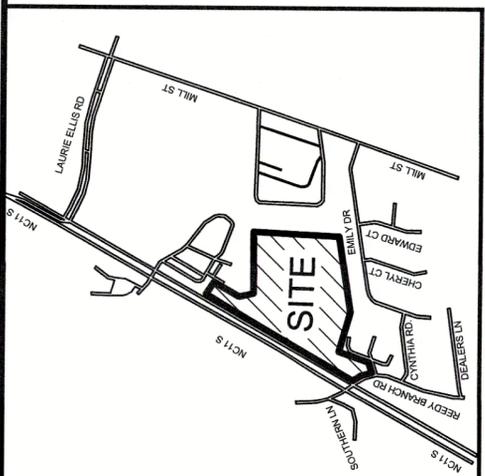
N/F
DMS PROPERTIES OF NC, LLC
D.B. 2786, PG. 336
M.B. 51, PG. 101
PARCEL #68972

SUBJECT PROPERTY (PORTION TO BE ANNEXED)

N/F
DPD PROPERTIES II, LLC
D.B. 4196 PG. 291
M.B. 51 PG. 101
PIN# 4674265396
PARCEL# - 60147

ANNEXATION AREA
9.68 AC. +/-
421,830.1 SQ.FT. +/-

NC HWY 11
(VARIABLE WIDTH PUBLIC R/W)
(M.B. 51, PG. 101)



VICINITY MAP
SCALE: 1" = 1000'

N/F
DEREK P. DUNN AND
ELIZABETH K. DUNN
D.B. 179, PG. 246
PARCEL #45700



LEGEND

- NEW CITY LIMITS
- OLD CITY LIMITS
- ADJOINER PROPERTY LINE
- RIGHT-OF-WAY
- EIP ○ EXISTING IRON PIPE (SEE NOTE 6)
- ER ○ EXISTING IRON ROD (SEE NOTE 6)
- CP ▲ COMPUTED POINT

ABBREVIATIONS

PIN	PARCEL IDENTIFICATION NUMBER
RED	REAL ESTATE IDENTIFICATION
N/F	NOW OR FORMERLY
D.B.	DEED BOOK
P.B.	PLAT BOOK
M.B.	MAP BOOK
P.G.	PAGE
NAD	NORTH AMERICAN DATUM
R/W	RIGHT-OF-WAY
AC.	ACRES
SQ.FT.	SQUARE FEET
ETJ	EXTRA-TERRITORIAL JURISDICTION
RWM	RIGHT-OF-WAY MONUMENT

ACCEPTED FOR THE TOWN OF WINTERVILLE

MAYOR _____ DATE _____
RECORDED IN MAP BOOK _____ PAGE _____

ANNEXATION MAP
FOR
DPD PROPERTIES II, LLC.

WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: DPD PROPERTIES II LLC.	SURVEYED: N/A
ADDRESS: P.O. BOX 1639 WINTERVILLE, NC 28590	DRAWN: MRW
	CHECKED: JWA
	APPROVED: _____
	DATE: 02/14/2023
	SCALE: 1" = 60'

Rivers
Engineers
Planners
Surveyors
Landscape Architects
107 East Second Street
Greenville, NC 27606
(252) 752-4155
riversandassociates.com Since 1918

MAP SHOWING AREA ANNEXED BY
THE TOWN OF WINTERVILLE, N.C.
EFFECTIVE DATE _____ ORDINANCE NO. _____ AREA 9.68 AC.
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

CERTIFICATION

NORTH CAROLINA
PITT COUNTY
I, JAMES W. ATKINSON III, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEED DESCRIPTIONS RECORDED IN DEED BOOK REFERENCES AS NOTED; THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND AND REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (1)(1)(c) AS TO THE FOLLOWING; THAT THIS SURVEY IS OF ANOTHER CATEGORY; BEING A SURVEY FOR ANNEXATION INTO CITY LIMITS OF THE TOWN OF WINTERVILLE; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 14TH DAY OF FEBRUARY, 2023.

SIGNED: *James W. Atkinson III* 2/14/23
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-5359

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**DPD PROPERTIES II, LLC
PARCEL 60147**

WHEREAS, a petition requesting annexation of an area described in said petition was received October 18, 2022 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 13th day of March 2023.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

CERTIFICATE OF SUFFICIENCY

**DPD PROPERTIES II, LLC
PARCEL 60147**

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 14th day of March 2023.

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 13, 2023

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Church of the Open Door, Inc. – Annexation.

Action Requested: Direct Town Clerk to Investigate the Sufficiency of Annexation.

Attachment: Annexation Petition with Legal Description, Annexation Map, Resolution Directing Clerk to investigate Sufficiency, Draft Certification of Sufficiency.

Prepared By: Stephen Penn, Planning & Economic Development Director

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/7/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Church of the Open Door, INC., property owner of Parcel 86748, is applying for annexation of a newly purchased portion of their land into the Town limits.

Location: 4584 Reedy Branch Road.

Size: 19.32 Acres.

Zoned: Agricultural Residential (AR).

Annexation Process:

1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (3/13/2023).

2nd Council Meeting: Schedule a Public Hearing for the Annexation (4/10/2023).

3rd Council Meeting: Hold Public Hearing on the Annexation (5/8/2023).

Budgetary Impact: TBD.

Recommendation: Staff recommends Council direct Town Clerk to Investigate Sufficiency of Annexation.

PETITION REQUESTING ANNEXATION

Date: 12-6-22

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 existing iron rod in the western right-of-way of Reedy Branch Road, being the common property corner of Sutton Land Holdings, LLC (parcel #88050) and Church of the Open Door Inc. (parcel #86748), also being THE POINT AND PLACE OF BEGINNING, thence continuing along the common property line of Sutton Land Holdings, LLC and Church of the Open Door Inc. a bearing of S76°48'20"W a distance of 2,174.17 feet to a point in the centerline of Swift Creek Canal, thence cornering and following the centerline of Swift Creek Canal a bearing of S19°31'35"E a distance of 435.91 feet to a point in the centerline of Swift Creek Canal, thence cornering and leaving the centerline of Swift Creek Canal N76°42'46"E a distance of 1,742.45 feet to a point, also being the common property corner of Church of the Open Door Inc. (parcel #86748) and James J. Ferenczy (parcel #50872), thence cornering a bearing of N10°38'38"E a distance of 181.38 feet to an existing iron pipe, thence cornering a bearing of S79°08'43"E a distance of 14.35 feet to a point being the common property corner of Church of the Open Door Inc. (parcel #86748), James J. Ferenczy (parcel #50872) and Jason Tremain Barnett (parcel #34183), thence cornering a bearing of N10°45'16"E a distance of 125.22 feet to an existing iron rod, thence cornering a bearing of S79°04'10"E a distance on 160.22 feet to an existing iron pipe in the western right-of-way of Reedy Branch Road, thence cornering and following the western right-of-way of Reedy Branch Road a bearing of N11°09'09"E a distance of 243.03 feet to an existing iron rod and THE POINT AND PLACE OF BEGINNING, containing 19.32 acres (841,364.278 square feet), more or less, and being a portion of the 51.98 acre tract, more or less, owned by The Church of the Open Door Inc. (parcel #86748), referenced in Deed Book 3930 Page 40 dated June 2nd, 2020, recorded with the Pitt County Register of Deeds Office.

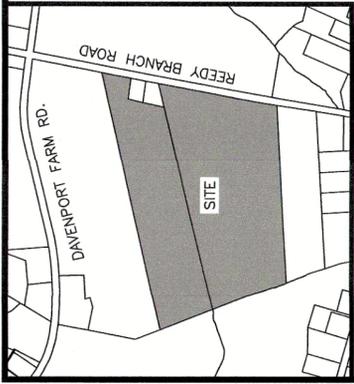
Name Brian Maciaszek Address 4584 Reedy Branch Rd
Signature [Handwritten Signature] Winterville NC 28570

Name _____ Address _____

Signature _____

Name _____ Address _____

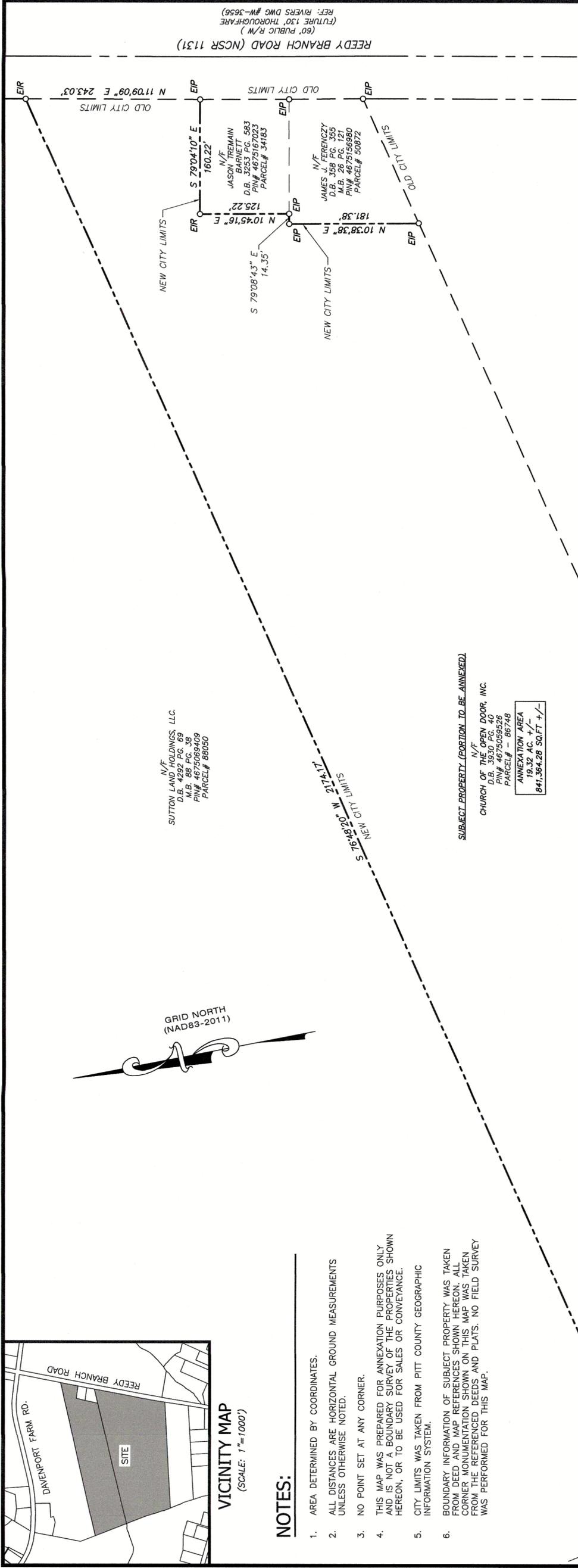
Signature _____



VICINITY MAP
(SCALE: 1"=1000')

NOTES:

1. AREA DETERMINED BY COORDINATES.
2. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS OTHERWISE NOTED.
3. NO POINT SET AT ANY CORNER.
4. THIS MAP WAS PREPARED FOR ANNEXATION PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON, OR TO BE USED FOR SALES OR CONVEYANCE.
5. CITY LIMITS WAS TAKEN FROM PITT COUNTY GEOGRAPHIC INFORMATION SYSTEM.
6. BOUNDARY INFORMATION OF SUBJECT PROPERTY WAS TAKEN FROM DEED AND MAP REFERENCES SHOWN HEREON. ALL CORNER MONUMENTATION SHOWN ON THIS MAP WAS TAKEN FROM THE REFERENCED DEEDS AND PLATS. NO FIELD SURVEY WAS PERFORMED FOR THIS MAP.



LEGEND

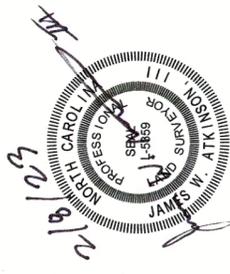
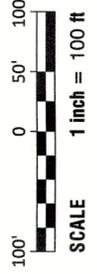
- NEW CITY LIMITS
- OLD CITY LIMITS
- ADJOINER PROPERTY LINE
- RIGHT-OF-WAY
- EIP O EXISTING IRON PIPE (SEE NOTE 6)
- ER O EXISTING IRON ROD (SEE NOTE 6)
- CP ▲ COMPUTED POINT

ABBREVIATIONS

- PIN PARCEL IDENTIFICATION NUMBER
- REID REAL ESTATE IDENTIFICATION
- N/F NOW OR FORMERLY
- D.B. DEED BOOK
- P.B. PLAT BOOK
- M.B. MAP BOOK
- P.G. PAGE
- NAD NORTH AMERICAN DATUM
- R/W RIGHT-OF-WAY
- M.B. MAP BOOK
- A.C. ACRES
- SQ.FT. SQUARE FEET
- ETJ EXTRA-TERRITORIAL JURISDICTION

REFERENCES:

- D.B. 3930 PG. 40
- D.B. 4292 PG. 69
- M.B. 88 PG. 38
- D.B. 3253 PG. 583
- D.B. 358 PG. 355
- M.B. 26 PG. 121
- D.B. 356 PG. 434
- D.B. 420 PG. 407



ACCEPTED FOR THE TOWN OF WINTERVILLE

MAYOR

DATE

RECORDED IN MAP BOOK _____ PAGE _____

ANNEXATION MAP FOR CHURCH OF THE OPEN DOOR, INC.
WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: CHURCH OF THE OPEN DOOR, INC.
ADDRESS: 4584 REEDY BRANCH ROAD
WINTERVILLE, NC 28590

Rivers
NC License: F-0334
Engineers
Planners
Surveyors
Architects
Landscape Architects
107 East Second Street
Greenville, NC 27858
(252)752-4135
riversandassociates.com Since 1918

SURVEYED	N/A
DRAWN	JWA
CHECKED	JWA
APPROVED	PM
DATE	2/8/2023
SCALE	1" = 100'

MAP SHOWING AREA ANNEXED BY
THE TOWN OF WINTERVILLE, N.C.
19.32 AC. AREA
EFFECTIVE DATE _____ ORDINANCE NO. _____
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

CERTIFICATION

NORTH CAROLINA PITT COUNTY
I, JAMES W. ATKINSON III, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEED DESCRIPTIONS RECORDED IN DEED BOOK REFERENCES AS NOTED; THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND AND REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(1)(g) AS TO THE FOLLOWING; THAT THIS SURVEY IS OF ANOTHER CATEGORY; BEING A SURVEY FOR ANNEXATION INTO CITY LIMITS OF THE TOWN OF WINTERVILLE; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 8TH DAY OF FEBRUARY, 2023.

SIGNED *James W. Atkinson III* 2/8/23
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 1-5359

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**CHURCH OF THE OPEN DOOR, INC.
PARCEL 86748**

WHEREAS, a petition requesting annexation of an area described in said petition was received December 6, 2022 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 13th day of March 2023.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

CERTIFICATE OF SUFFICIENCY

**CHURCH OF THE OPEN DOOR, INC.
PARCEL 86748**

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 14th day of March 2023.

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 13, 2023

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Aces For Autism – Annexation.

Action Requested: Direct Town Clerk to Investigate the Sufficiency of Annexation.

Attachment: Annexation Petition with Legal Description, Annexation Map, Resolution Directing Clerk to investigate Sufficiency, Draft Certification of Sufficiency.

Prepared By: Stephen Penn, Planning & Economic Development Director

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/7/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Kyle Robinson of Aces For Autism, property owner of Parcel 14643, is applying for annexation into the Town limits.

Location: 700 Samuel Robinson Way; South of Worthington Road, roughly 790 feet east of the Worthington and Old Tar Road intersection.

Size: 23.372 Acres.

Zoned: Office & Institutional Zoning. (O&I).

Annexation Process:

1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (3/13/2023).

2nd Council Meeting: Schedule a Public Hearing for the Annexation (4/10/2023).

3rd Council Meeting: Hold Public Hearing on the Annexation (5/8/2023).

Budgetary Impact: TBD.

Recommendation: Staff recommends Council direct Town Clerk to Investigate Sufficiency of Annexation.

PETITION REQUESTING ANNEXATION

Date: August 25, 2022

To the Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully request 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

All that property owned by Aces for Autism as recorded in Deed Book 3729, Page 203 of the Pitt County Registry, located along the southern side of Worthington Road (NCSR 1711). The property is further identified as Pitt County Parcel Number 14643.

Name Kyle Robinson for Aces for Autism Address 535 Cedar Ridge Dr Winterville, NC 28590

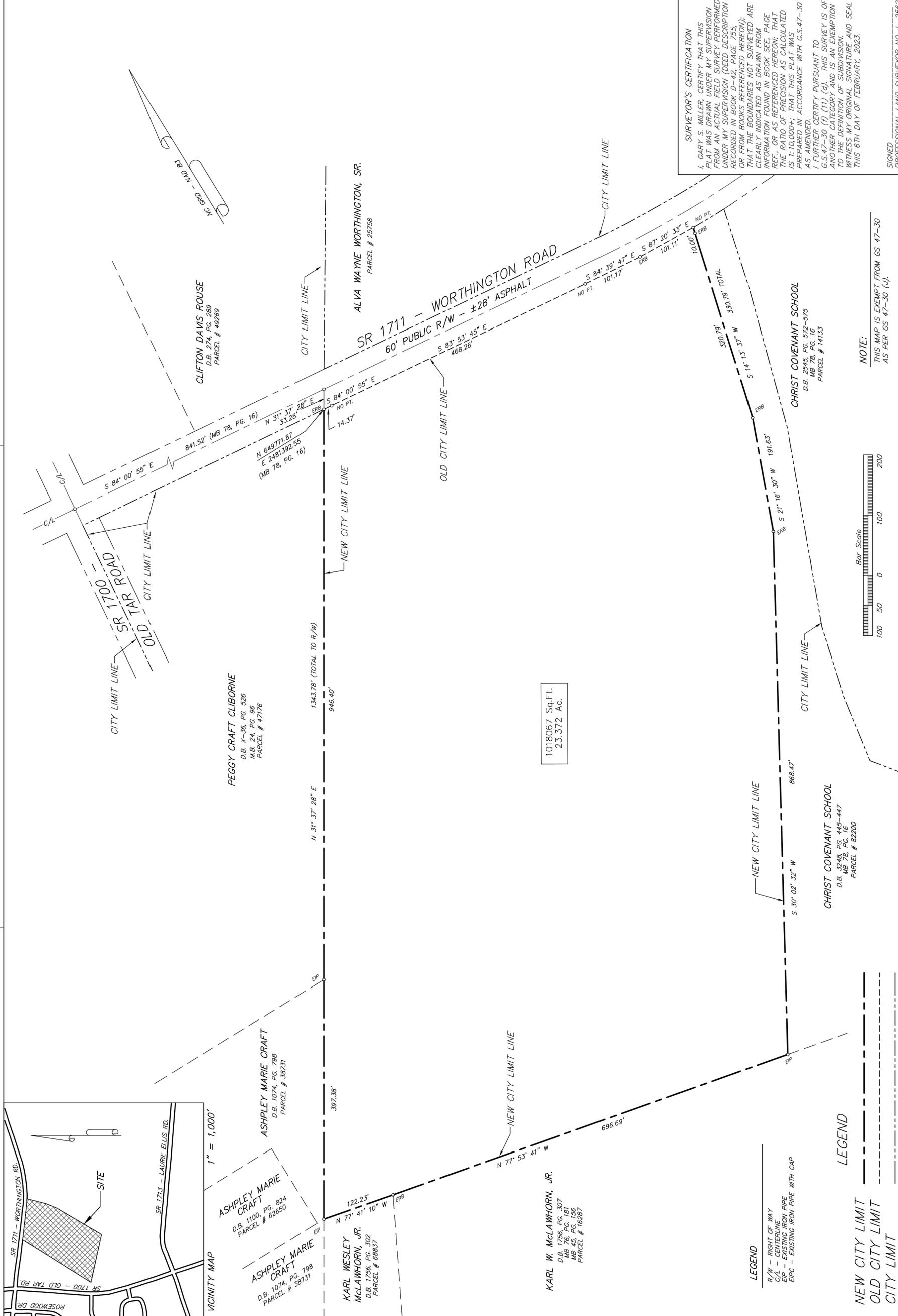
Signature 

ANNEXATION PLAT

FOR

ACES FOR AUTISM

Beginning at an existing rebar corner having NC Grid Coordinates N 649771.87 and E 2481392.55, the POINT OF BEGINNING; said rebar corner being located in the southern right of way of Worthington Road (SR 1711) and being the northwest property corner of the Aces for Autism property as recorded in Deed Book 3729, Page 230 and Map Book 78, Page 16, Pitt County Registry; thence running along the southern right of way of Worthington Road S 84-00-55 E, 14.37 feet to a point located on the southern right of way of Worthington Road, thence continuing along the southern right of way of Worthington Road S 83-53-45 E, 468.26 feet to a point located on the southern right of way of Worthington Road; thence continuing along the southern right of way of Worthington Road S 84-39-47 E, 101.17 feet to an existing rebar corner located on the southern right of way of Worthington Road; thence continuing along the southern right of way of Worthington Road S 87-20-33 E, 101.11 feet to an existing rebar corner located on the southern right of way of Worthington Road, said corner being the northwestern corner of the Christ Covenant School property recorded in Map Book 78, Page 16, Pitt County Registry, thence leaving the southern right of way of Worthington Road and with the western line of the Christ Covenant School property recorded in Map Book 78, Page 16 and the eastern line of the Aces for Autism property recorded in Map Book 78, Page 16 S 14-13-37 W, 10.00 feet to an existing rebar corner; thence continuing with said line S 14-13-37 W, 320.79 feet to an existing rebar corner; thence continuing with said line S 21-16-30 W, 191.63 feet to an existing rebar corner; thence continuing with said line S 30-02-32 W, 868.47 feet to an existing iron pipe; said iron pipe being the southwest corner of the Christ Covenant School property recorded in Map Book 78, Page 16, said corner being the southeast corner of the Aces for Autism property recorded in Map Book 78, Page 16, and said corner also being in the northern line of the Karl W. McLawhorn, Jr. property recorded in Map Book 76, Page 181 Pitt County Registry; thence cornering and running with the southern line of the Aces for Autism property recorded in Map Book 78, Page 16 and the northern line of the Karl W. McLawhorn, Jr. property recorded in Map Book 76, Page 181 N 77-53-41 W, 696.69 feet to an existing rebar corner, said corner being the common corner between the Karl W. McLawhorn, Jr. property recorded in Map Book 76, Page 181 and the Karl W. McLawhorn, Jr. property recorded in Deed Book 1756, Page 302 Pitt County Registry; thence continuing with the northern line of the Karl W. McLawhorn, Jr. property recorded in Deed Book 1756, Page 302 and the southern line of the Aces for Autism property recorded in Map Book 78, Page 16 N 77-41-10 W, 122.23 feet to an existing iron pipe; said iron pipe being the southwest corner of the Aces for Autism property recorded in Map Book 78, Page 16 and being in the eastern line of the Ashpley Marie Craft property recorded in Deed Book 1074, Page 798 Pitt County Registry; thence cornering and running with the western Aces for Autism line and the eastern Ashpley Marie Craft line N 31-37-28 E, 397.38 feet to an existing iron pipe; said iron pipe being the northeast corner of the Ashpley Marie Craft property recorded in Deed Book 1074, Page 798 and the southeast corner of the Peggy Craft Cliborne property recorded in Map Book 24, Page 96 Pitt County Registry; thence continuing with the western Aces for Autism line and the eastern Peggy Craft Cliborne line N 31-37-28 E, 946.40 feet to the point of beginning containing 23.372 acres.

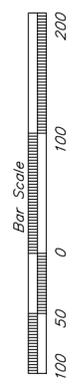


SURVEYOR'S CERTIFICATION
 I, GARY S. MILLER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION UNDER AN ACTUAL FIELD SURVEY PERFORMED OR FROM BOOKS REFERENCED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK SEE, PAGE REF., OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
 I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (1) (d). THIS SURVEY IS OF ANOTHER CATEGORY AND IS AN EXEMPTION TO THE DEFINITION OF SUBDIVISION. WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 6TH DAY OF FEBRUARY, 2023.

SIGNED _____
 PROFESSIONAL LAND SURVEYOR NO. L-2562

**PRELIMINARY
 FOR REVIEW ONLY
 NOT FOR RECORDATION,
 CONVEYANCES OR SALES**

NOTE:
 THIS MAP IS EXEMPT FROM GS 47-30 AS PER GS 47-30 (J).



1018067 Sq.Ft.
 23.372 AC.

LEGEND
 R/W - RIGHT OF WAY
 C/L - CENTERLINE
 EIP - EXISTING IRON PIPE
 EIPC - EXISTING IRON PIPE WITH CAP

LEGEND

NEW CITY LIMIT
 OLD CITY LIMIT
 CITY LIMIT

ANNEXATION PLAT FOR ACES FOR AUTISM BEING TAX PARCEL # 14643 WINTERVILLE TOWNSHIP, PITT CO., N.C.		MAP NO.	PLATS RECORDED	BOOK	PAGE
APPROVED: GSM					
DATE: 2-6-23					
SCALE: 1" = 100'					
SURVEYED: MCP					
DRAWN: BLW/BCF					
CHECKED: GSM					
GARY S. MILLER & ASSOCIATES, P.A. LAND SURVEYORS 1803 South Cherokee Blvd. Greenville, N.C. 27609 Phone: (252) 766-7878 Fax: (252) 766-0160 License # C-0225					
MAP SHOWING AREA ANNEXED BY THE TOWN OF WINTERVILLE, N.C. DATE: _____ ORDINANCE NO. _____ AREA: 23.372 AC. WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.					

**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**ACES FOR AUTISM
PARCEL 14643**

WHEREAS, a petition requesting annexation of an area described in said petition was received August 25, 2022 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 13th day of March 2023.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

CERTIFICATE OF SUFFICIENCY

**ACES FOR AUTISM
PARCEL 14643**

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 14th day of March 2023.

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 13, 2023

Presenter: Stephen Penn, Planning and Economic Development Director

Item to be Considered

Subject: Brookfield Section 4, Phase 1 – Annexation.

Action Requested: Direct Town Clerk to Investigate the Sufficiency of Annexation.

Attachment: Annexation Petition, Legal Description, Annexation Map, Resolution Directing Clerk to investigate Sufficiency, Draft Certification of Sufficiency.

Prepared By: Stephen Penn, Planning and Economic Development Director

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/6/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Will Kuhn, partner and owner of Parcel 25766 (Cooper Island Development LLC.), is applying for the annexation of Brookfield Section 4, Phase 1.

Location: North-Western Corner of Old Tar Road and Laurie Ellis Road.

Size: 13.227 Acres.

Zoned: R-10 CD.

Annexation Process:

1st Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (3/13/2023).

2nd Council Meeting: Schedule a Public Hearing for the Annexation (4/10/2023).

3rd Council Meeting: Hold Public Hearing on the Annexation (5/8/2023).

Budgetary Impact: TBD.

Recommendation: Staff recommends Council direct Town Clerk to Investigate Sufficiency of Annexation.

PETITION REQUESTING ANNEXATION

Date: February 27, 2023

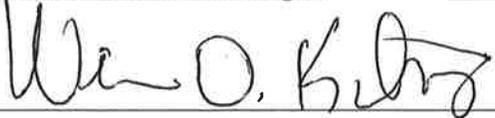
To the Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully request 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

All that property owned by Cooper Island Development, LLC as recorded in Deed Book 3573, Page 522 of the Pitt County Registry, located along the eastern side of Old Tar Road and northern side of Laurie Ellis Road, and being Brookfield – Section 5, Phase 1. The property is further identified as Pitt County Parcel Number 25766.

Name Will Kuhn, Member/Manager Address 2625 Charles Boulevard, Greenville, NC 27858

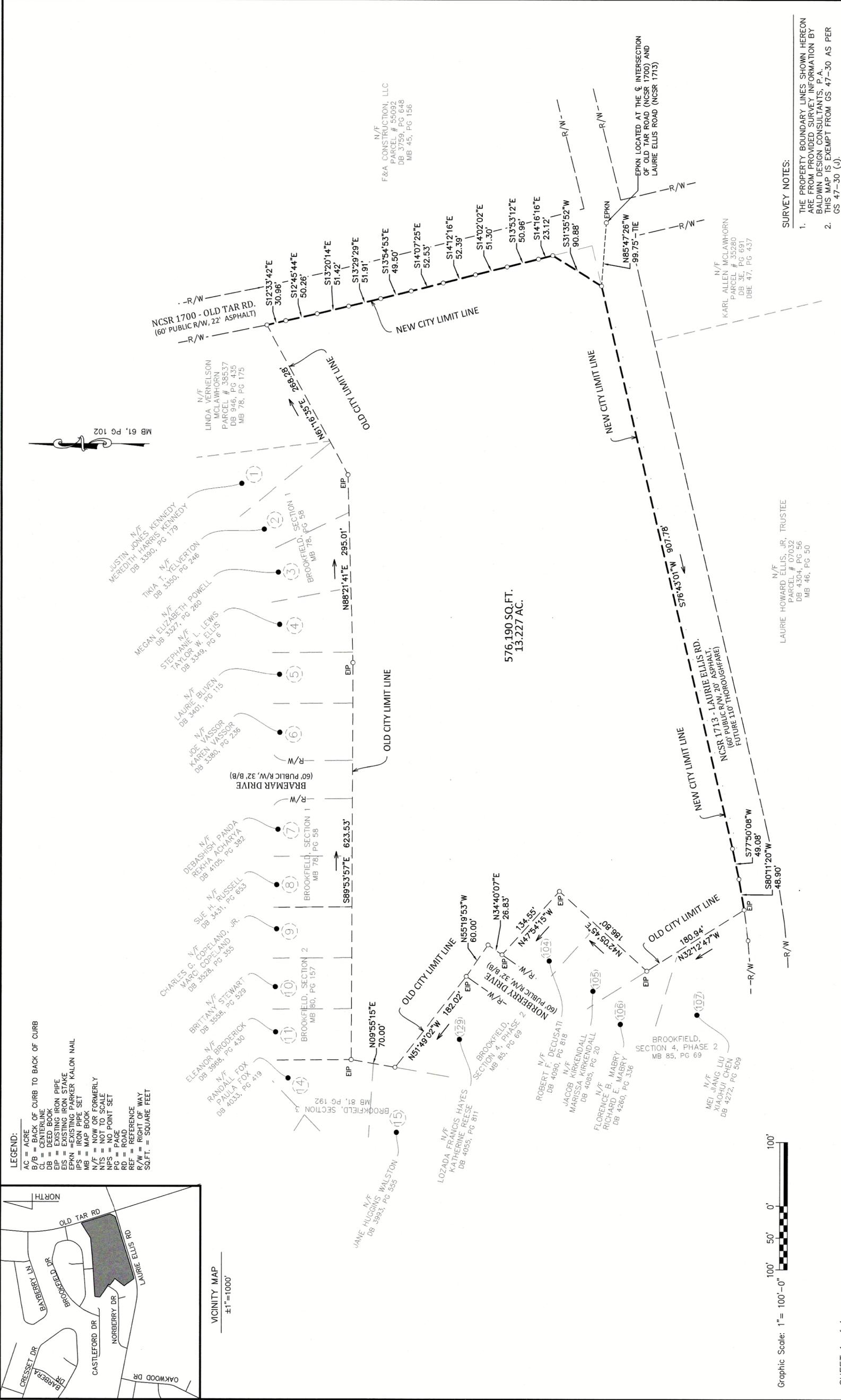
Signature 

LEGAL DESCRIPTION

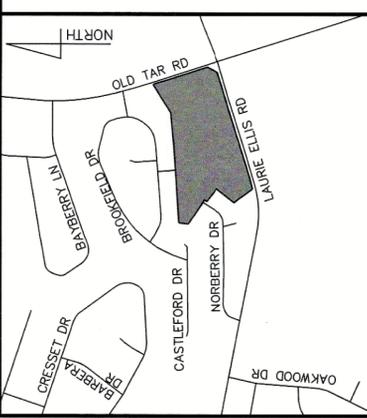
FOR

BROOKFIELD – SECTION 4, PHASE 1

Beginning at an existing iron pipe at the southwest corner of Lot 11, Brookfield Section 2 as recorded in Map Book 80, Page 157, the POINT OF BEGINNING; said iron pipe being the northwest property corner of the Cooper Island Development, LLC property as recorded in Deed Book 3573, Page 522, Pitt County Registry; thence running along the southern line of Brookfield, Section 2 as recorded in Map Book 80, Page 157, Pitt County Registry and Brookfield, Section 1 as recorded in Map Book 78, Page 58, Pitt County Registry S 89-53-57 E, 623.53 feet to an existing iron pipe; thence continuing with the southern line of Brookfield, Section 1 as recorded in Map Book 78, Page 58, Pitt County Registry S 88-21-41 E, 295.01 feet to an existing iron pipe located in the southern line of Lot 2 Brookfield Section 1; thence cornering and with the southern line of Brookfield, Section 1 as recorded in Map Book 78, Page 58, Pitt County Registry and the southern line of the now or formerly Linda Vernelson McLawhorn property recorded in Deed Book 946, Page 435 and Map Book 78, Page 175, Pitt County Registry N 61-16-35 E, 268.28 feet to a point in the western right of way line of Old Tar Road (NCSR 1700); thence cornering and running with the western right of way of Old Tar Road (NCSR 1700) the following courses and distances; S 12-33-42 E, 30.96 feet; thence S 12-45-44 E, 50.26 feet; thence S 13-20-14 E, 51.42 feet; thence S 13-29-29 E, 51.91 feet; thence S 13-54-53 E, 49.50 feet; thence S 14-07-25 E, 52.53 feet; thence S 14-12-16 E, 52.39 feet; thence S 14-02-02 E, 51.30 feet; thence S 13-53-12 E, 50.96 feet; thence S 14-16-16 E, 23.12 feet; thence S 31-35-52 W, 90.88 feet to a point in the northern right of way line of Laurie Ellis Road (NCSR 1713); thence cornering and with the northern right of way line of Laurie Ellis Road (NCSR 1713) S 76-43-01 W, 907.78 feet; thence S 77-50-08 W, 49.08 feet; thence S 80-11-20 W, 48.90 feet to an existing iron pipe, said iron pipe being the southeast corner of Lot 107 Brookfield – Section 4, Phase 2 as recorded in Map Book 85, Page 69, Pitt County Registry; thence leaving the northern right of way line of Laurie Ellis Road and with the eastern line of Brookfield – Section 4, Phase 2 as recorded in Map Book 85, Page 69, Pitt County Registry, N 32-12-47 W, 180.94 feet to an existing iron pipe in the eastern line of Lot 106 Brookfield – Section 4, Phase 1; thence N 42-05-45 E, 186.80 feet to an existing iron pipe being the southeast corner of Lot 104 Brookfield – Section 4, Phase 2; thence N 47-54-15 W, 134.55 feet to an existing iron pipe in the southern right of way line of Norberry Drive; thence with the Norberry Drive right of way N 34-40-07 E, 26.83 feet to a point; thence N 55-19-53 W, 60.00 feet to an existing iron pipe, said pipe being the northeast corner of Lot 129 Brookfield – Section 4, Phase 2; thence leaving the Norberry Drive right of way and with the northern line of Lot 129 Brookfield – Section 4, Phase 2 N 51-49-02 W, 182.02 feet to a point, said point being in the eastern line of Lot 15 Brookfield Section 3 as recorded in Map Book 81, Page 192, Pitt County Registry; thence with the eastern line of Lot 15 Brookfield Section 3 N 09-55-15 E, 70.00 feet to the Point of Beginning containing 13.227 acres more or less.



LEGEND:
 AC = ACRE
 B/B = BACK OF CURB TO BACK OF CURB
 CL = CENTERLINE
 EPK = EXISTING PIPE
 EPKN = EXISTING PARKER KALON NAIL
 IPS = IRON PIPE SET
 MB = MAP BOOK
 N/F = NOW OR FORMERLY
 NTS = NOT TO SCALE
 P/C = POINT SET
 RD = ROAD
 REF = REFERENCE
 R/W = RIGHT OF WAY
 SQ.FT. = SQUARE FEET



Graphic Scale: 1" = 100'-0" 0' 100'

SHEET 1 of 1

ANNEXATION MAP FOR BROOKFIELD SECTION 4, PHASE 1 BEING PITT COUNTY TAX PARCEL #25766, AS RECORDED IN DEED BOOK 3573, PAGE 522 OF THE PITT COUNTY REGISTRY WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA			
OWNER(S) COOPER ISLAND DEVELOPMENT, LLC	SURVEYED: A/JH	APPROVED: A/JH	
ADDRESS PO BOX 606, GREENVILLE, NC 27835	DRAWN: A/JH/CT	DATE: 02/27/23	
PHONE (252) 205-7121	CHECKED: A/JH	SCALE: 1" = 100'	
COASTAL CAROLINA SURVEYORS, PLLC LAND SURVEYORS PO Box 2768, Winterville, NC 28590 A/JH cell (252) 320-4601 jamiehamm.ccsurveyors@yahoo.com		P-0790	

MAP SHOWING AREA ANNEXED BY
THE TOWN OF WINTERVILLE, N.C.
DATE: _____ ORDINANCE NO. _____ AREA: 13.227 AC.
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

SURVEY NOTES:
 1. THE PROPERTY BOUNDARY LINES SHOWN HEREON ARE FROM PROVIDED SURVEY INFORMATION BY BALDWIN DESIGN CONSULTANTS, P.A.
 2. THIS MAP IS EXEMPT FROM GS 47-30 AS PER GS 47-30 (J).

SURVEYOR'S CERTIFICATION
 I, ANTHONY J. HAMM, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____ OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____ OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS COMPUTED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
 I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (1)(1)(g) THIS SURVEY IS OF ANOTHER CATEGORY AND IS AN EXEMPTION TO THE DEFINITION OF SUBDIVISION.
 WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE _____ DAY OF FEBRUARY, 2023.
 SIGNED: ANTHONY J. HAMM, P.L.S. L-3754



**RESOLUTION DIRECTING THE TOWN CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS 160A-31**

**BROOKFIELD SECTION 4, PHASE 1
PARCEL 25766**

WHEREAS, a petition requesting annexation of an area described in said petition was received February 27, 2027 by the Town Council; and

WHEREAS, NCGS 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Winterville seems it advisable to proceed in response to this request for annexation.

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 13th day of March 2023.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

CERTIFICATE OF SUFFICIENCY
BROOKFIELD SECTION 4, PHASE 1
PARCEL 25766

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 14th day of March 2023.

ATTEST:

Donald Harvey, Town Clerk



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Consent Agenda

Meeting Date: March 13, 2023

Presenter: Jessica Manning, Finance Director

Item to be Considered

Subject: Audit Contract for Fiscal Year 2022-2023.

Action Requested: Approval of the Audit Contract with Carr, Riggs, and Ingram, LLC.

Attachment: Audit Contract.

Prepared By: Jessica Manning, Finance Director

Date: 3/7/2023

ABSTRACT ROUTING:

TC: 3/7/2023

TM: 3/3/2023

Final: tlp - 3/8/2023

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 Carr, Riggs, and Ingram out of Goldsboro again this year. We have used them for the last 5 audit years and have been pleased with their services. Last year our audit was completed and submitted to the LGC on time. Mr. Jordan and his staff are highly recognized in the state. Audit firms specializing in local government audits are becoming more difficult to contract, as well as finding a firm that can be depended on to complete the audit in a timely manner.

Budgetary Impact: This is accounted for in the operating budget for the Finance Department. The value of the contract is \$45,700.

Recommendation: Staff recommends Council approve the Audit Contract.

The	Governing Board
of	Primary Government Unit
and	Discretely Presented Component Unit (DPCU) (if applicable)

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

and	Auditor Name
	Auditor Address

Hereinafter referred to as Auditor

for	Fiscal Year Ending	Date Audit Will Be Submitted to LGC
-----	--------------------	-------------------------------------

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 (GAGAS)* 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, Subpart F* (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).

Effective for audits of fiscal years beginning after June 30, 2023, the LGC will allow auditors to consider whether a unit qualifies as a State low-risk auditee based upon federal criteria in the Uniform Guidance §200.520(a), and (b) through (e) as it applies to State awards. In addition to the federal criteria in the Uniform Guidance, audits must have been submitted timely to the LGC. If in the reporting year, or in either of the two previous years, the unit reported a Financial Performance Indicator of Concern that the audit was late, then

the report was not submitted timely for State low-risk auditee status. Please refer to "Discussion of Single Audits in North Carolina" on the LGC's website for more information.

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 Auditing 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.

For GAAS or *Government Auditing Standards* audits, if an auditor issues an AU-C §260 report, commonly referred to as "Governance Letter," LGC staff does not require the report to be submitted unless the auditor cites significant findings or issues from the audit, as defined in AU-C §260.12 - .14. This would include issues such as difficulties encountered during the audit, significant or unusual transactions, uncorrected misstatements, matters that are difficult or contentious reviewed with those charged with governance, and other significant matters.

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 records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is also required for the Alternative Compliance Examination Engagement for auditing the Coronavirus State and Local Fiscal Recovery Funds expenditures as allowed by US Treasury. Approval is not required on audit 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 and/or the compliance section, 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 *Government 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 *Government 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 on the LGC-205 Contract is not applicable for GAAS-only audits 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. The audit fee information included in the table below for both the Primary Government Fees and the DPCU Fees (if applicable) should be reported as a specific dollar amount of audit fees for the year under this contract. If any language other than an amount is included here, the contract will be returned to the audit form for correction.

4. 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. 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	
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$

DPCU FEES (if applicable)

Discretely Presented Component Unit	
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Authorized Firm Representative (typed or printed)*	Signature*
Date*	Email Address*

GOVERNMENTAL UNIT

Governmental Unit*	
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)*	Signature*
Date	Email Address

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

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

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
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.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: March 13, 2023

Presenter: Robert Sutton, Electric Director, Anthony Bowers, Assistant Town Manager, and Terri L. Parker, Town Manager

Item to be Considered

Subject: Electric Rate Update

Action Requested: Accept Update and Recommendation of Staff.

Attachment: N/A.

Prepared By: Terri L. Parker, Town Manager

Date: 3/7/2023

ABSTRACT ROUTING:

TC: 3/7/2023

TM: 3/8/2023

Final: tjp - 3/8/2023

Supporting Documentation

Staff will be giving an update on the situation involving electric rates and circumstances surrounding such.

Budgetary Impact: TBD.

Recommendation: Will be made by Staff at Meeting.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: Old Business

Meeting Date: March 13, 2023

Presenter: Terri L. Parker, Town Manager and Keen Lassiter, Town Attorney

Item to be Considered

Subject: Discussion Related to Town Council Rules of Procedure

Action Requested: Council Direction.

Attachment: Official Copy of Rules of Procedure.

Prepared By: Terri L. Parker, Town Manager

Date: 2/8/2023

ABSTRACT ROUTING:

TC: 3/8/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

This Agenda item involves the on-going discussion related to the process for filling a vacant Council seat and the overall Council's Rules of Procedure which were adopted in August of 2008.

Budgetary Impact: TBD.

Recommendation: N/A.



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 13, 2023

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: 2023 Municipal Election.

Action Requested: Approval of One-Stop Voting and Filing Fees.

Attachment: 2023 Board of Election Information and Municipal Election Guide.

Prepared By: Donald Harvey, Town Clerk

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/6/2023

TM: 3/8/2023

Final: tjp - 3/8/2023

Supporting Documentation

Approval of the following:

- One-Stop Voting at Community Building (October 30 – November 4: 8:00 am – 6:00 pm); and
- Filing Fees: (Last Fee \$12.00 / >\$5.00 and < 1% of pay).

Budgetary Impact: See Election Guide.

Recommendation: Staff recommends Council discuss and approve One-Stop Voting and Filing Fees.

Board Members

Etsil S. Mason, Chair
Jeffrey Blick

Debbie Avery, Secretary
Derek Brown

Patricia C. Dunn

Town of Winterville
Don Harvey, Town Clerk
PO Box 1459
Winterville, NC 28590

February, 21, 2023

Dear Town Clerk:

We have calculated the Town of Winterville's estimated costs for the 2023 Municipal Election to be \$12,965.83. This estimate is based on the maximum utilization of all possible resources. If the Town of Winterville wishes to host an additional One-Stop site, the estimated cost of said site is \$11,529.37; bringing the total estimate to \$24,495.20.

Additional sites must be approved by the Pitt County Board of Elections, who will determine the locations and hours of operation. If the Town of Winterville wishes to host any additional One-Stop sites, please let me know and I will present it to the Board for their consideration.

Paragraph six of the current Municipal Agreement states that the expenses related to two One-Stop sites (Ag. Center and Community Schools) will be shared proportionally among the participating municipalities.

SIXTH: For all municipal elections two One-Stop sites will be in operation. The first site shall be located at the Pitt County Agricultural Center at 403 Government Cir.; the second site shall be located at the Community Schools Building at 4561 County Home Rd. Each municipality shall be responsible for its proportional share of the expenses, based on the percentage of municipal registered voters, related to these two sites.

A municipality may request the Board of Elections provide an additional One-Stop site located within their jurisdiction. If approved by the Board of Elections, said municipality shall be responsible for all expenses related to the operation of the additional One-Stop site.

Changes in election law and State Board of Elections directives have altered how we can fulfill the agreement. NC State Board of Elections Numbered Memo 2020-13 stipulates the location of a One-Stop "in lieu of" site as within the same city/town as the elections office, and within 4 miles from the elections office or a 10-minute drive. As our office is too small to serve as a One-Stop site, we must utilize an "in lieu of" site. To comply with memo 2020-13 this site will be the PATS Conference Room on the Pitt County Office Complex or the Eppes Recreation Center.

Board Members

Etsil S. Mason, Chair
Jeffrey Blick

Debbie Avery, Secretary
Derek Brown

Patricia C. Dunn

In NC General Statute 163-227.6(e) sites in addition to the “in lieu of” site may be opened at a later date; however, all additional sites must be open on the same days and hours. In an effort to reduce expenses for the municipalities additional sites will open the last week of One-Stop (October 30 – November 4). To fulfill the municipal agreement the site located at The Center at Alice Keene Park (Community Schools) will be opened as the second site. Any other additional sites will open for this same period. Municipalities must notify the Director of the Pitt County Board of Elections by June 1, 2023 the number of additional sites they desire to host. Then, at a date prior to the election, the Board of Elections will select the site locations to be utilized. NC General Statute grants the authority to select One-Stop site locations only to the County or State Board of Elections.

Important dates for the election are:

- Candidate filing: July 7 to 21
- Absentee mail-out begins: October 6
- One-Stop early voting: October 19 to November 4
- Election Day: November 7
- Canvass: November 17

Please review the enclosed 2023 Municipal Election Guide to verify that the municipality’s information is correct. If there are any errors, please provide us with the correct information. Also, indicate the filing fees that are to be charged to candidates for the 2023 election.

If you have any questions please feel free to contact me.

Sincerely,

David P. Davis





2023 MUNICIPAL ELECTION GUIDE

TOWN OF WINTERVILLE PITT COUNTY, NORTH CAROLINA



TOWN OF WINTERVILLE

2571 Railroad Street

PO Box 1459

Winterville, North Carolina 28590

Town Manager: Terri L. Parker - terri.parker@wintervillenc.com

Town Clerk: Don Harvey - don.harvey@wintervillenc.com

252-756-2221

**2023 Municipal Election
Town of Winterville**

Type of Election

Nonpartisan Plurality

Qualifications for Candidates

Candidates must be 21 years of age and a registered voter within the Town of Winterville.

Seats on Ballot

Town Council – three seats

Town Council (unexpired term) – one seat

Filing Dates for Candidates

Begin 12:00 noon Friday, July 7, 2023

Close 12:00 noon Friday, July 21, 2023

Filing Place for Candidates

Pitt County Board of Elections

Filing Fees

Town Council.....TBA

Voter Registration Deadline

Friday, October 13, 2023 at 5:00 pm

Date of Election

Election Day: Tuesday, November 7; polls open from 6:30 am to 7:30 pm.

One-Stop voting: Thursday, October 19, 2023 and ends Saturday, November 4, 2023.

Official Canvass of Election Returns

Friday, November 17, 2023 at 11:00 am

Term of Office

Town Council.....Four-year term

When you file for office you have formed a committee. Your committee will remain open until you close it.

Campaign Funds

Please take note of North Carolina's [Campaign Finance Manual](#). Information about campaign finance is available online at the State Board of Elections website (www.ncsbe.gov/Campaign-Finance). Treasurers of **all** active committees must take treasurer training offered by the State Board of Elections within three months of appointment and again once every four years.

All Candidates

Each candidate needs to contact their municipality for any locally adopted sign ordinance. Be aware of North Carolina General Statutes 14-156, 136-32, and North Carolina Administrative Code 19A NCAC 02E.0415. It is also the **responsibility of each candidate/committee to remove campaign signs after the election to avoid littering penalties.**

Mandatory Treasurer Training

Every treasurer of a North Carolina political committee must receive treasurer training from the State Board of Elections within three months of their appointment and again once every four years.

2023 Municipal Campaign Finance Reporting Schedule

These reports are for all candidates who file above the \$1,000 threshold. Other candidates who spend less than \$1,000 need to keep exact expenses in-house. If an 'under the threshold committee' has to change this threshold status, all activity must be shown starting with a zero balance. In Pitt County we follow the Nonpartisan Plurality schedule found on the State Board of Elections website and below:

Report (Organizational report due within 10 days of filing)	Due Date	Period Begin Date	Period End Date
2023 Mid-Year Semi Annual Report (Committees existing prior to June 30, 2023)	7/28/2023	1/01/2023	6/30/2023
2023 35-Day Report	10/3/2023	*From last report	9/26/2023
2023 Pre-Election Report	10/28/2023	*From last report	10/21/2023
2023 Year-End Semi Annual Report	1/26/2024	*From last report	12/31/2023

Reports may be filed with our office no earlier than the **day after the period end date** but **no later than 5:00 pm on the due date.**

The State Board of Elections is required to evaluate the maximum contribution limitation every two years pursuant to 163-278.13 (a1). **The maximum contribution limitation as of January 1, 2023 is \$6,400** and remains in effect through December 31, 2024.

Electronic filing is mandatory for all committees that raise or spend \$10,000 or more in an election cycle. The State Board of Elections created a manual which will assist filers with using the software. Refer to the www.ncsbe.gov for more information.

Every committee remains open until the candidate files form CRO-3400 Certification to Close

§ 163-292. Determination of election results in cities using the plurality method.

In conducting nonpartisan elections and using the plurality method, elections shall be determined in accordance with the following rules:

- (1) When more than one person is seeking election to a single office, the candidate who receives the highest number of votes shall be declared elected.
- (2) When more persons are seeking election to two or more offices (constituting a group) than there are offices to be filled, those candidates receiving the highest number of votes, equal in number to the number of offices to be filled, shall be declared elected.
- (3) If two or more candidates receiving the highest number of votes each receive the same number of votes, the board of elections shall determine the winner by lot. (1971, c. 835, s. 1; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

Electioneering Guidelines

- **Electioneers:** Anyone campaigning outside a polling place; including: speaking to voters, distributing handouts, and/or placing signs. Many times they are referred to with other terms; however, the precise title is electioneer.
- **Boundary:** Electioneers must remain beyond the buffer zone, which will be marked with signs between 25 & 50 feet from the building's entrance. Also, please be mindful of curbside voters & their privacy as they mark their ballot in the vehicle.
- **Conduct:** We often hear of electioneers who are overly aggressive in their approach to voters. Please remind your volunteers to be mindful of personal space & respect others' opinions. This extends to other electioneers, as well.
- **Sample Ballots:** If you prepare and distribute sample ballots (blank and/or pre-marked) you must include a "Paid for by..." legend according to G.S 163-278.39 and 163-165.2.
- **Firearms & Weapons:** Firearms & weapons are not to be present at a polling place. Many polling places are located at facilities that prohibit weapons on their premises. Please be respectful of our host facility's wishes & the law.
- **Property:** When placing signs or speaking with voters please be respectful of the facility's property. Do not be destructive in the placement of signs or where you walk/stand. For example, stay out of decorative shrub or flower gardens. All campaign signs should be removed immediately after Election Day.
- **Issues:** If you note anything that appears in violation of election law please notify the precinct Chief Judge inside the polling place or contact the Elections Office immediately at (252) 902-3300. If it appears to be a public safety issue please contact 911.
- **Access to Voting Enclosure:** After the polls close and the last voter has cast their ballot, anyone may enter the voting enclosure under the supervision of precinct officials. However, during voting hours only precinct officials and those in the act of voting may enter the voting enclosure. Individuals may step inside to inquire the number of voters, but must then return beyond the buffer zone. It is also acceptable to step in & notify precinct officials of a curbside voter.
- **Bathrooms:** Bathrooms are NOT open to use by electioneers unless they are able to access them without passing through the voting enclosure.

Voter Assistance

- A voter is entitled to assistance in getting to and from the voting booth and in preparing their ballot in accordance with the following:
 - Assistance must be performed in person, and shall not be allowed with a person outside the voting booth;
 - Any voter shall be entitled to assistance from a near relative (spouse, child, stepchild, daughter-in-law, son-in-law, parent, stepparent, mother-in-law, father-in-law, brother, sister, grandparent, or grandchild). No other relative, friend, guardian, or person holding a power of attorney is allowed to render assistance except as allowed below; and
 - The person rendering assistance shall not persuade or induce a voter to cast their vote in any particular way.
- Voters in any of the following categories shall be entitled to assistance from any person of their choice (not including the voter's employer, official of the voter's union, or agent of the voter's employer or union): physically disabled, illiterate, or visually impaired.
- A person seeking assistance first requests the Chief Judge to permit the assistance, communicating the reasons. If the Chief Judge determines that the voter is entitled to assistance, the voter must identify the person who is to provide assistance.
- A poll worker may provide assistance to a voter if so requested, unless they are prohibited from doing so (i.e. voter's employer, official of the voter's union, or agent of the voter's employer or union).
- Anyone rendering assistance to a voter shall be admitted to the voting booth with the person being assisted. The assisting person shall not do the following:
 - Give, present, or display within the vision of the voter, any list of preferred candidates, a marked sample ballot, or any other type of document, item, or display that conveys a choice of candidate(s); unless it was brought to the voting booth by the voter;
 - Speak or play within the hearing or vision of the voter, any conversation, communication, or recording that conveys a choice of candidate(s);
 - Operate a phone, radio, computer, or any other means of communication while in the voting booth with the voter; and
 - Communicate to others how the voter voted or make a memorandum of anything that occurred in the voting booth.

Littering Statutes for Political Candidates in North Carolina

§ 14-156. Injuring fixtures and other property of electric-power companies.

It shall be unlawful for any person willfully and wantonly, and without the consent of the owner, to take down, remove, injure, obstruct, displace or destroy any line erected or constructed for the transmission of electrical current, or any poles, towers, wires, conduits, cables, insulators or any support upon which wires or cables may be suspended, or any part of any such line or appurtenances or apparatus connected therewith, or to sever any wire or cable thereof, or in any manner to interrupt the transmission of electrical current over and along any such line, or to take down, remove, injure or destroy any house, shop, building or other structure or machinery connected with or necessary to the use of any line erected or constructed for the transmission of electrical current, or to wantonly or willfully cause injury to any of the property mentioned in this section by means of fire. Any person

violating any of the provisions of this section shall be guilty of a Class 2 misdemeanor. (1907, c. 919; C.S., s. 4328; 1993, c. 539, s. 94; 1994, Ex. Sess., c. 24, s. 14(c).)

§ 136-32. Regulation of signs.

(a) **Commercial Signs.** - No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial or political advertising, except as provided in subsections (b) through (e) of this section: Provided, nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in subsection (b) of this section.

(b) **Compliant Political Signs Permitted.** - During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection. Any political sign remaining in the right-of-way of the State highway system more than 30 days after the end of the period prescribed in this subsection shall be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty.

(c) **Definition.** - For purposes of this section, "political sign" means any sign that advocates for political action. The term does not include a commercial sign.

(d) **Sign Placement.** - The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- (1) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- (2) No sign shall be closer than three feet from the edge of the pavement of the road.
- (3) No sign shall obscure motorist visibility at an intersection.
- (4) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- (5) No sign shall be larger than 864 square inches.
- (6) No sign shall obscure or replace another sign.

(e) **Penalties for Unlawful Removal of Signs.** - It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under this section.

(f) **Application Within Municipalities.** - Pursuant to Article 8 of Chapter 160A of the General Statutes, a city may by ordinance prohibit or regulate the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. Any such ordinance shall provide that any political sign that remains in a right-of-way of streets located within the corporate limits of a municipality and maintained by the municipality more than 30 days after the end of the period prescribed in the ordinance is to be deemed unlawfully placed and abandoned property, and a person may remove and dispose of such political sign without penalty. In the absence of an ordinance prohibiting or regulating the placement of political signs on the rights-of-way of streets located within a municipality and maintained by the municipality, the provisions of subsections (b) through (e) of this section shall apply. (1921, c. 2, s. 9(b); C.S., s. 3846(r); 1927, c. 148, ss. 56, 58; 1933, c. 172, s. 17; 1957, c. 65, s. 11; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1991 (Reg. Sess.,

1992), c. 1030, s. 39; 1993, c. 539, s. 981; 1994, Ex. Sess., c. 24, s. 14(c); 2011-408, s. 1; 2017-6, s. 3; 2018-146, ss. 3.1(a), (b), 6.1; 2019-119, s. 1.)

§ 163-129. Structure at voting place; marking off limits of voting place.

(a) At the voting place in each precinct established under the provisions of G.S. 163-128, the county board of elections shall provide or procure by lease or otherwise a suitable structure or part of a structure in which registration and voting may be conducted. To this end, the county board of elections shall be entitled to demand and use any school or other State, county, or municipal building, or a part thereof, or any other building, or a part thereof, which is supported or maintained, in whole or in part by or through tax revenues provided, however, that this section shall not be construed to permit any board of elections to demand and use any tax exempt church property for such purposes without the express consent of the individual church involved, for the purpose of conducting registration and voting for any primary or election, and it may require that the requisitioned premises, or a part thereof, be vacated for these purposes.

(b) If a county board of elections requires that a tax-supported building be used as a voting place, that county board of elections may require that those in control of that building provide parking that is adequate for voters at the precinct, as determined by the county board of elections.

(c) The county board of elections shall inspect each precinct voting place to ascertain how it should be arranged for voting purposes, and shall direct the chief judge and judges of any precinct to define the voting place by roping off the area or otherwise enclosing it or by marking its boundaries. The boundaries of the voting place shall at any point lie no more than 100 feet from each ballot box or voting machine. The space so roped off or enclosed or marked for the voting place may contain area both inside and outside the structure in which registration and voting are to take place.

(d) The county board of elections shall ensure that each precinct voting place permits candidates at least 36 hours prior to the opening of the voting place and at least 36 hours after the close of the voting place, as provided in G.S. 163A-1130, to place and retrieve political advertising. Any political advertising placed outside the times specified in this subsection may be removed by the property owner. (1929, c. 164, s. 17; 1967, c. 775, s. 1; 1973, c. 793, s. 54; 1983, c. 411, s. 3; 1993 (Reg. Sess., 1994), c. 762, s. 34; 1999-426, s. 5(a); 2017-6, s. 3; 2018-146, s. 3.1(a), (b); 2019-119, s. 1.5(a); 2019-119, s. 1.5.)

19A NCAC 02E .0415 Advertising signs within right of way

It shall be unlawful for any person, firm, or corporation to erect, place, or allow any advertising, or other sign, except regulation traffic and warning signs approved by the Department, on any highway or the right-of-way thereof, or so as to overhang the right-of-way, or to permit the erection or placing of any advertising or other sign, as herein prohibited, on any highway right-of-way which is situated over any land owned, rented, leased, or claimed by such person, firm, or corporation.

History Note: Authority G.S. 136-18(10); 136-30; Eff. July 1, 1978. Readopted Eff. February 1, 2019.

**Town of Winterville
Elected Officials**

Mayor – Term Expires in 2025 (four-year term)

Richard (Ricky) E. Hines

2452 Surry Lane, Winterville NC 28590

(252) 412-4121

ricky.hines@wintervillenc.com

Town Council – Term Expires in 2025 (four-year term)

Johnny L. Moye

528 Alma Drive, Winterville NC 28590

(252) 355-3777

johnny.moye@wintervillenc.com

Vacant

Town Council – Term Expires in 2023 (four-year term)

Tony P. Moore

2590 Church Street, Winterville NC 28590

(252) 341-7457

tony.moore@wintervillenc.com

Paul A. Rice

161 Vernon White Road, Winterville NC 28590

(252) 514-5917

paul.rice@wintervillenc.com

Veronica W. Roberson

226 Gardner Street, Winterville NC 28590

(252) 355-5053

veronica.roberson@wintervillenc.com



NORTH CAROLINA STATE BOARD OF ELECTIONS

Mailing Address:
P.O. Box 27255
Raleigh, NC 27611

(919) 814-0700 or
(866) 522-4723

Fax: (919) 715-0135

Numbered Memo 2020-13

TO: County Boards of Elections
FROM: Karen Brinson Bell, Executive Director
RE: One-Stop Planning for the 2020 General Election
DATE: June 24, 2020

Submission of One-Stop Plans

The deadline for submission of one-stop plans is **Friday, July 31, 2020**. July 31 is the deadline for both unanimous and non-unanimous plans. We need to receive all proposed majority and minority plans by this deadline to ensure that our data team has time to complete its data analysis prior to the State Board's meeting. Letters explaining the rationale for the proposed plan and other supporting documents may be submitted after July 31. Supporting documents may be sent directly to the Legal Division.

We anticipate that the State Board will hold its meeting to consider non-unanimous plans during the last week of August.

Recommendations for One-Stop Sites

Counties should begin work now on one-stop plans and have those ready for the final week of July. **As Executive Director, I strongly encourage all counties to consider expanding the number of one-stop voting sites for the 2020 general election, for which Session Law 2020-17 appropriated funds.**

Presidential elections traditionally have high turnout, and as we have seen in some other states and jurisdictions, conducting an election during the coronavirus pandemic has caused long lines for in-person voting, which conflicts with recommendations from public health officials about large gatherings and the spread of the virus. It may take longer to process voters as we employ health and safety measures and social distancing. Counties should also consider conducting one-stop early voting each of the 17 days permitted by law to further accommodate the large volume of voters and to adhere to health and safety measures.

Because of North Carolina’s tendency to have tremendous participation during the one-stop early voting period, we must prepare accordingly. While we believe we will see an increase in absentee by mail voting, the Congressional District 11 Republican second primary has shown that North Carolinians will continue to vote in-person. For voters who choose to vote in-person, one-stop early voting is the best means to ensure there is not a bottleneck on Election Day, when we may face additional challenges in administering voting including possible poll worker and polling place shortages.

As we have reiterated since March, no voter should fear disease when casting their ballot. Expanding the opportunity to vote during the one-stop period with an increase in the number of sites and providing in-person voting everyday of the 17-day period is the most proactive step we can take to ensure the health and safety for voters, poll workers, and all election officials during in-person voting since we know our Election Day polling places are often limited in size, availability, and accessibility.

Statutory Requirements

“In Lieu of” Site

G.S. § 163-227.6(a) permits a county board of elections to conduct one-stop voting at a site other than its office if the site is “reasonably proximate” to the office. These sites are typically referred to as “in lieu of sites.”

We have received questions about how county boards should determine whether a particular location may serve as an in lieu of site. I am not aware that the State Board has issued guidance on this matter. Because of the COVID-19 pandemic, some county board of elections offices or typical in lieu of sites are not large enough to accommodate social distancing needs this year. Therefore, I am issuing the following guidance that I will use in my review of unanimous one-stop plans to determine whether a site is reasonably proximate to the county board office.

The in lieu of site must be:

1. In the same city or town as the county board of elections office; and
2. Either (a) within 4 miles driving distance of the county board office; or (b) within 10 minutes driving time, using Google Maps or a similar online calculator.

Additionally, if the site is being moved to a different area of town, the county board must consider whether an additional site or sites are necessary to reduce the driving or commuting time for voters for whom the in lieu of site is less convenient than the previous office location.

State Board Criteria

Previously, statute required the State Board to consider the “factors including geographic, demographic, and partisan interests of that county” in adopting a plan for a county board of elections.

G.S. § 163-227.6, as amended by Session Law 2019-239, now requires that the State Board consider “whether the Plan disproportionately favors any party, racial or ethnic group, or candidate.”

During its consideration of non-unanimous plans for the 2020 primary, the State Board interpreted the amendment to not constitute a substantial change in the criteria required for its consideration. The current statute requires that the entire plan, not an individual one-stop site, be considered in determining that a plan does not disproportionately favor a party, racial or ethnic group, or candidate. While the State Board must take the listed factors into consideration, it was not prohibited from considering other factors at the same time. Constitutional provisions, including the *NAACP v. McCrory* decision by the 4th Circuit in 2016 that struck down statutory changes designed to restrict Sunday voting, are also not affected by the change in state law.

§ 163-227.6. Sites and hours for one-stop voting.

(a) Notwithstanding any other provision of G.S. 163-227.2, 163-227.5, and this section, a county board of elections by unanimous vote of all its members may provide for one or more sites in that county for absentee ballots to be applied for and cast under these sections. Every individual staffing any of those sites shall be a member or full-time employee of the county board of elections or an employee of the county board of elections whom the board has given training equivalent to that given a full-time employee. Those sites must be approved by the State Board as part of a Plan for Implementation approved by both the county board of elections and by the State Board which shall also provide adequate security of the ballots and provisions to avoid allowing persons to vote who have already voted. The Plan for Implementation shall include a provision for the presence of political party observers at each one-stop site equivalent to the provisions in G.S. 163-45 for party observers at voting places on election day. A county board of elections may propose in its Plan not to offer one-stop voting at the county board of elections office; the State Board may approve that proposal in a Plan only if the Plan includes at least one site reasonably proximate to the county board of elections office and the State Board finds that the sites in the Plan as a whole provide adequate coverage of the county's electorate. If a county board of elections has considered a proposed Plan or Plans for Implementation and has been unable to reach unanimity in favor of a Plan, a member or members of that county board of elections may petition the State Board to adopt a plan for it. If petitioned, the State Board may also receive and consider alternative petitions from another member or members of that county board. The State Board may adopt a Plan for that county. The State Board, in that plan, shall take into consideration whether the Plan disproportionately favors any party, racial or ethnic group, or candidate.

(b) The State Board shall not approve, either in a Plan approved unanimously by a county board of elections or in an alternative Plan proposed by a member or members of that board, a one-stop site in a building that the county board of elections is not entitled under G.S. 163-129 to demand and use as an election-day voting place, unless the State Board finds that other equally suitable sites were not available and that the use of the sites chosen will not disproportionately favor any party, racial or ethnic group, or candidate. In providing the site or sites for one-stop absentee voting under G.S. 163-227.2, 163-227.5, and this section, the county board of elections shall make a request to the State, county, city, local school board, or other entity in control of the building that is supported or maintained, in whole or in part, by or through tax revenues at least 90 days prior to the start of one-stop absentee voting under these sections. The request shall clearly identify the building, or any specific portion thereof, requested the dates and times for which that building or specific portion thereof is requested and the requirement of an area for election related activity. If the State, local governing board, or other entity in control of the building does not respond to the request within 20 days, the building or specific portion thereof may be used for one-stop absentee voting as stated in the request. If the State, local governing board, or other entity in control of the building or specific portion thereof responds negatively to the request within 20 days, that entity and the county board of elections shall, in good faith, work to identify a building or specific portion thereof in which to conduct one-stop absentee voting under 163-227.2, 163-227.5, and this section. If no building or specific portion thereof has been agreed upon within 45 days from the date the county board of elections received a response to the request, the matter shall be resolved by the State Board.

(c) For all sites approved for one-stop voting under this section, a county board of elections shall provide the following:

- (1) Each one-stop site across the county shall be open at that same location during the period required by G.S. 163-227.2(b).
- (2) If any one-stop site across the county is opened on any day during the period required by G.S. 163-227.2(b), all one-stop sites shall be open on

that day.

- (3) On each weekday during the period required by G.S. 163-227.2(b), all one-stop sites shall be open from 8:00 A.M. to 7:30 P.M.
- (4) If the county board of elections opens one-stop sites on Saturdays other than the last Saturday before the election during the period required by G.S. 163-227.2(b), then all one-stop sites shall be open for the same number of hours uniformly throughout the county on those Saturdays.
- (5) If the county board of elections opens one-stop sites on Sundays during the period required by G.S. 163-227.2(b), then all one-stop sites shall be open for the same number of hours uniformly throughout the county on those Sundays.
- (6) All one-stop sites shall be open on the last Saturday before the election, for the hours required under G.S. 163-227.2(b) for that last Saturday.

(d) Notwithstanding subsection (c) of this section, a county board of elections by unanimous vote of all its members may propose a Plan for Implementation providing for the number of sites set out below in that county for absentee ballots to be applied for and cast with days and hours that vary from the county board of elections, or its alternate, and other additional one-stop sites in that county. If the county board of elections is unable to reach unanimity in favor of a Plan for Implementation, a member or members of the county board of elections may petition the State Board to adopt a plan for the county and the State Board may adopt a Plan for Implementation for that county. However, any Plan of Implementation approved under this subsection shall provide for uniform location, days, and hours for that one site throughout the period required by G.S. 163-227.2(b). This subsection applies only to a county that meets any of the following:

- (1) One site in a county that includes a barrier island, which barrier island meets all of the following conditions:
 - a. It has permanent inhabitation of residents residing in an unincorporated area.
 - b. It is bounded on the east by the Atlantic Ocean and on the west by a coastal sound.
 - c. It contains either a National Wildlife Refuge or a portion of a National Seashore.
 - d. It has no bridge access to the mainland of the county and is only accessible by marine vessel.
- (2) Up to two sites in a county that is bounded by the largest sound on the East Coast and the county seat is located at the intersection of two rivers, which divide the county.

(e) Notwithstanding G.S. 163-227.2 and subdivisions (c)(2) and (c)(3) of this section, a county board of elections by unanimous vote of all its members may propose a Plan for Implementation providing for sites in that county for absentee ballots to be applied for and cast in elections conducted in odd-numbered years. The proposed Plan for Implementation shall specify the hours of operation for the county board of elections for an election conducted in that county for that odd-numbered year. If the county board of elections is unable to reach unanimity in favor of a Plan for Implementation for that odd-numbered year, a member or members of the county board of elections may petition the State Board to adopt a Plan for Implementation for the county, and the State Board may adopt a Plan for Implementation for that county. However, throughout the period required by G.S. 163-227.2(b), any Plan of Implementation approved under this subsection shall provide for a minimum of regular business hours consistent with daily hours presently observed by the county board of elections for the county board of elections, or its alternate, and for uniform locations, days, and hours for all other additional one-stop sites in that county. (1973, c. 536, s. 1; 1975, c. 844, s. 12; 1977, c. 469, s. 1; c. 626, s. 1; 1979, c. 107, s. 14; c.

799, ss. 1-3; 1981, c. 305, s. 2; 1985, c. 600, s. 4; 1987, c. 583, s. 4; 1989, c. 520; 1989 (Reg. Sess., 1990), c. 991, s. 2; 1993 (Reg. Sess., 1994), c. 762, s. 53; 1995, c. 243, s. 1; c. 509, ss. 117, 118; 1995 (Reg. Sess., 1996), c. 561, s. 4; 1997-510, s. 2; 1999-455, s. 6; 2000-136, s. 2; 2001-319, s. 5(a)-(c); 2001-337, s. 2; 2001-353, s. 9; 2003-278, s. 11; 2005-428, ss. 5(a), 6(a), 7; 2007-253, s. 3; 2007-391, s. 34(a); 2009-541, s. 23; 2013-381, ss. 2.7, 16.5, 25.1, 25.2, 25.3, 30.7; 2014-111, s. 3; 2015-103, ss. 6(b), 8(b), (c); 2017-6, s. 3; 2018-112, s. 2; 2018-129, ss. 1(b), 2; 2018-144, s. 3.4(g); 2018-146, s. 3.1(a), (b); 2019-22, ss. 7, 7.5(a), (b); 2019-239, s. 2(b).)



**Town of Winterville
Town Council
Agenda Abstract**

Item Section: New Business

Meeting Date: March 13, 2023

Presenter: Donald Harvey, Town Clerk

Item to be Considered

Subject: 2023 NCLM Board of Directors - Nominating and Elections Process.

Action Requested: Select Town Voting Delegate.

Attachment: 2023 NCLM Board of Directors - Nominating and Elections Process Guide, Preliminary Agenda.

Prepared By: Donald Harvey, Town Clerk

Date: 3/1/2023

ABSTRACT ROUTING:

TC: 3/6/2023

TM: 3/8/2023

Final: tlp - 3/8/2023

Supporting Documentation

Selection of voting delegate for the Town.

On or Before April 14, 2023. Voting Delegates will receive instructions.

The appointed voting delegate from each member municipality shall vote on the slate of candidates via electronic means. April 14 – April 19, 2023.

Budgetary Impact: TBD.

Recommendation: Staff recommends Council select a delegate(s) for NCLM Board of Directors election.



To: NCLM Membership
From: Mayor Jerry Jones, Morehead City, Chair of NCLM Nominating Committee
Date: March 2, 2023
Subject: 2023 Board of Directors - Nominating and Elections Process

CONTINUED ELECTRONIC NOMINATION & ELECTION PROCESS

The last three years the League has held successful electronic nominations and elections processes that have resulted in increased participation. On December 9, 2021, the Board of Directors authorized the continued use of electronic procedures for the Nominating Committee and the voting process to select the incoming League Board of Directors. Over the next few months, candidates who are interested in serving on next year's Board will submit their applications on the League's website, <https://election.nclm.org>.

The Nominating Committee will meet a few times to consider candidates and will conduct candidate interviews in advance of the conference.

We anticipate a transparent and effective process that will give all interested parties an opportunity to participate in selecting the 2023-24 Board. The Nominating Committee members are shown below along with a timeline of events and an overview of the procedures for conducting this year's election.

NOMINATING COMMITTEE

League President Scott Neisler has appointed the Nominating Committee as follows:

- Gerald "Jerry" Jones**, Mayor, Morehead City, Chair | mayorjones@moreheadcitync.org
- James "Ricky" Credle, Mayor, Belhaven | mayorrickycredle@gmail.com
- Darrell Hinnant, Mayor, Kannapolis | dhinnant@kannapolisnc.gov
- Vivian Jones, Mayor, Wake Forest | mayor@wakeforestnc.gov
- Jeff MacIntosh, Council Member, Winston-Salem | jeffm@cityofws.org
- William Pitt**, Council Member, Washington | photobro22@yahoo.com
- Jennifer Robinson**, Council Member, Cary | jennifer.robinson@townofcary.org
- Glenn York, Mayor, Zebulon | gyork@townofzebulon.org

***NCLM Past Presidents*

2023 ELECTRONIC VOTING PROCESS AND TIMELINE

On or Before March 2, 2023. Nominating Committee Announced.

The Nominating Committee shall be appointed by the League President prior to the Annual Conference, and the Nominating Committee shall meet as necessary to develop a slate of candidates for League Board of Director offices. The Nominating Committee shall be led by a Chairperson who shall have the right to vote on Nominating Committee matters.

March 2 – March 31, 2023. Candidate Interest Submittals.

Candidates must submit their Candidate Interest Forms from March 2 – March 31, 2023. Candidate Interest Forms shall be sent to the League via electronic means established by the Executive Director.

March 31, 2023. Deadline.

Candidate Interest Forms must be received by 5 p.m. on Friday, March 31, 2023. The names of all candidates will be publicized on an electronic platform managed by the League.

On or Before April 14, 2023. Voting Delegates Receive Instructions.

Voting delegates will receive their credentials and voting instructions allowing them to cast electronic votes.

April 14, 2023. Final Candidate Slate Presented.

The Nominating Committee will present the final slate of candidates by 5 p.m. April 14, 2023. The final slate shall be presented to the membership via electronic means established by the Executive Director.

April 14 – April 19, 2023. Voting Period.

The appointed voting delegate from each member municipality shall vote on the slate of candidates via electronic means. This voting will take place before the Business Meeting of the Annual Conference. The Executive Director shall verify the election results and shall have the results prepared for release at the Business Meeting of the Annual Conference.

In the unlikely event the slate is voted down, the Nominating Committee will reconvene and will submit a new slate or re-submit the same slate. This second slate will be voted on by the Executive Committee, provided the Executive Director shall not vote on this slate.

April 25-27, 2023. Annual Conference and Business Meeting.

The membership shall have an Annual Conference which shall include a Business Meeting. The election results shall be presented at the Business Meeting.

Publicity. The League shall publicize this electronic nomination and voting process to ensure the membership is fully informed.

Executive Director's Discretion. The Executive Committee has given full discretion to the Executive Director to carry out this nomination and voting process. Any disputes, discrepancies, date changes, or any unforeseen issues that may arise shall be addressed by the Executive Director who shall have full decision-making authority over such matters. The Executive Director shall keep the Executive Committee informed.

BOARD OF DIRECTORS POSITIONS

At the Business Meeting delegates will elect the 2023-2024 Officers and Board of Directors. Officers and Board seats that are open for election in 2023 are as follows:

- President
- First Vice-President
- Second Vice President
- 6 district board seats (one from each of the even-numbered districts)
- 1 director at-large seats
- 3 population-based seats (one from Fayetteville, Raleigh and Winston-Salem)
- 2 city manager affiliate seats (Affiliate submits nominees)
- 1 undesignated affiliate organization seat (Affiliates submit nominees)

The [attached election map shows the 12 League districts](#), lists the current officers and lists the members of the Board and the status of their terms. Please note that some board members are in the middle of a two-year term as indicated and will continue to serve until 2024. The officers serve one-year terms. Except as explained below, all directors serve two-year terms, with the possibility of being re-elected for a second term (maximum of two consecutive terms). The directors appointed by the President serve

one-year terms expiring with the term of the appointing President. Undesignated affiliate seats may not be filled by a representative of the same affiliate organization in consecutive terms.

CANDIDATES

Please encourage qualified candidates to run for the Board. To remain successful, the League needs strong, effective leadership and active participation. If you are interested in serving as an officer or director, please submit a [Candidate Interest Form](#) before 5 p.m. on Friday, March 31, 2023.

NOMINATING PROCEDURE

The Nominating Committee will review each candidate's interest form, including submitted responses to questions, a video statement, any letters of support or other provided information. Further, the Nominating Committee typically considers many other relevant factors in an effort to nominate a balanced slate and maintain an effective Board that is representative of the League membership.

Among the factors are municipal population, geography, minority and gender representation, past representation of particular municipalities, and other factors as appropriate to represent the diversity and interests of the membership.

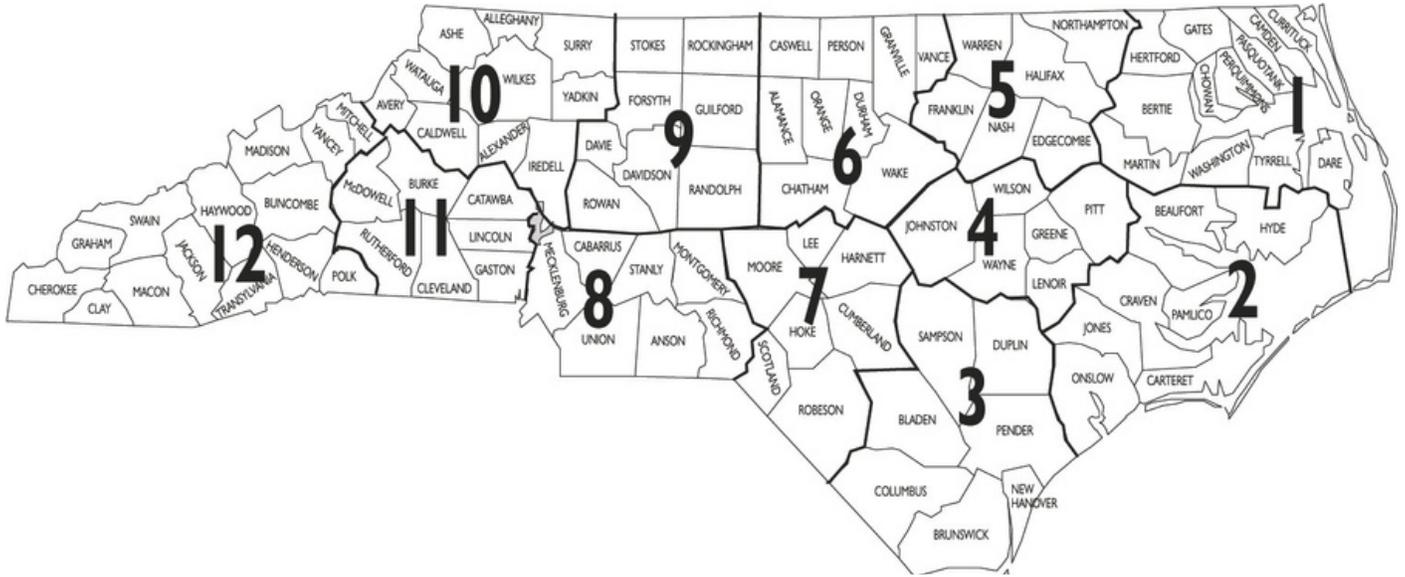
In considering potential nomination of incumbent or past Board members for a second term or service as an officer, the committee also considers their record of attendance. Note that the League Constitution provides that, excluding the officers and those directors representing affiliate organizations, not more than one member of the Board of Directors shall be elected or appointed from the same municipality. Additionally, it specifies that in no event shall more than two members of the Board be elected or appointed from the same municipality.

Candidate profiles will be published online at election.nclm.org for the entire membership, including the Nominating Committee, to review. Notice of the web location and any updates made to the site will be shared with the membership electronically, via social media, and when possible via direct mail.

VOTING PROCEDURES

The League Constitution provides that each member municipality is entitled to one vote. Designation of your city or town's voting delegate must be completed prior to April 14, 2023. Voting delegates will receive their credentials and voting instructions allowing them to cast electronic votes.

2022-2023 NCLM Board of Directors



OFFICERS (“EC” INDICATES EXECUTIVE COMMITTEE MEMBER)

- President:** Scott Neisler, Mayor, Kings Mountain (EC)
- First Vice President:** William Harris, Commissioner, Fuquay-Varina (EC)
- Second Vice President:** Mark-Anthony Middleton, Mayor Pro Tem, Durham (EC)
- Immediate Past President:** Karen Alexander, Mayor, Salisbury (EC)

DISTRICT

- | | TERM |
|---|-------------|
| 1. Mayor Elizabeth Morey, Southern Shores | 2022 - 24 + |
| 2. Council Member Brian Jackson, Jacksonville | 2021 - 23 + |
| 3. Mayor Terry Mann, Whiteville | 2022 - 24 + |
| 4. Mayor Jody McLeod, Clayton (EC) | 2021 - 23 + |
| 5. Council Member TJ Walker, Rocky Mount | 2022 - 24 + |
| 6. Council Member Satish Garimella, Morrisville | 2021 - 23 + |
| 7. Alderwoman Soña Cooper, Spring Lake | 2022 - 24 * |
| 8. Mayor Melinda Bales, Huntersville | 2021 - 23 + |
| 9. Mayor Michael Horn, Lewisville | 2022 - 24 + |
| 10. Mayor Teros Young, Troutman | 2021 - 23 + |
| 11. Council Member Phyllis Harris, Mount Holly | 2022 - 24 * |
| 12. Vacant | |

LARGE CITY SEATS

- | | |
|--|-------------|
| Charlotte: Council Member Malcolm Graham | 2022 - 24 + |
| Durham: Council Member Leonardo Williams | 2022 - 24 + |
| Fayetteville: Council Member Kathy Jensen | 2021 - 23 + |
| Greensboro: Mayor Pro Tem Yvonne Johnson | 2022 - 24 + |
| Raleigh: Council Member Jonathan Melton | 2021 - 23 + |
| Winston-Salem: Council Member Jeff MacIntosh | 2021 - 23 * |

PRESIDENT APPOINTMENTS

- | | |
|-------------------------------------|-------------|
| Mayor Walt Eccard, Shallotte | 2022 - 23 A |
| Mayor Neville Hall, Eden (EC) | 2022 - 23 A |
| Council Member Dwight Lake, Mayodan | 2022 - 23 A |

AT LARGE/ELECTED OFFICIALS

- | | TERM |
|---|-------------|
| Mayor Don Hardy, Kinston | 2021 - 23 + |
| Council Member Owen Thomas, Lumberton | 2022 - 24 * |
| Mayor Pro Tem Martha Sue Hall, Albemarle (EC) | 2022 - 24 * |

AT LARGE/MANAGERS

- | | |
|--|-------------|
| Bob Boyette, City Manager, Marion | 2021 - 23 * |
| Tasha Logan Ford, City Manager, High Point | 2022 - 24 + |
| Andrew Havens, Town Manager, Duck | 2021 - 23 * |

AT LARGE/MUNICIPAL CLERK

- | | |
|--|-------------|
| Brenda Blanco, Municipal Clerk, New Bern | 2022 - 24 + |
|--|-------------|

AT LARGE/MUNICIPAL ATTORNEY

- | | |
|---|-------------|
| Karen McDonald, City Attorney, Fayetteville | 2022 - 24 + |
|---|-------------|

AT LARGE/AFFILIATE ORGANIZATION, UNDESIGNATED REPRESENTATIVES

- | | |
|---|-------------|
| Chris Beddingfield, NC Assoc. of Police Chiefs, Biltmore Forest | 2021 - 23 * |
| John Ellen, Resort Towns & Convention Cities, Kure Beach | 2022 - 24 + |

EXECUTIVE DIRECTOR

- | | |
|--------------------------|--|
| Rose Williams, NCLM (EC) | |
|--------------------------|--|

+ Serving first term, eligible for re-election to serve a second two-year term
 * Serving second term, not eligible for re-election to the current seat.
 A President Appointments serve one year term.

Updated: 2/01/2023





2023 CITYVISION PRELIMINARY AGENDA

Embassy Suites
Charlotte/Concord Golf Resort & Spa

Tuesday, April 25

- 9:30AM - 5:30PM** Registration Opens
- 10:00AM - 11:30AM** NC BEMO Business Meeting & Brunch
- 11:30AM - 1:00PM** NC Mayors Association Business Lunch
- 12:30PM - 1:30PM** NCLM Foundation Board Meeting
- 1:00PM - 2:30PM** NC Women in Municipal Government Meeting & Lunch
- 2:30PM - 3:00PM** Networking Break
- 3:00PM - 5:00PM** Pre-conference Session: Ten Keys to Effective Board Oversight
- 3:00PM - 4:00PM** Pre-conference Session: Cyber Liability or Data Breach Insurance
- Training for Municipal Officials and Staff
- 4:00PM - 5:00PM** Pre-conference Session: Getting the Most of Your NCLM Membership
- 4:00PM - 6:00PM** Exhibit Hall Welcome Reception
- 7:00PM - 9:00PM** NC Young Elected Officials Meeting

Wednesday, April 26

- 7:30AM - 5:30PM** Registration Open
- 7:30AM - 8:45AM** NCCCMA Association Meeting & Breakfast
- 7:30AM - 8:45AM** NC Military Host Cities Coalition Meeting
- 7:30AM - 9:00AM** NC Clerks Association Educational Meeting & Breakfast
- 7:30AM - 9:00AM** NCLM Exhibit Hall Networking & Continental Breakfast
- 9:00AM - 10:30AM** Opening Ceremonies & Welcome with Keynote Speaker
Keynote Session: From Conflict to Conversation, Matt Lehrman
- 10:30AM - 11:00AM** Exhibit Hall Networking Break
- 1:00AM - 12:00PM** Concurrent Sessions
- Impact of “Heirs’ Property” in Local Governments: What to Know and What You Can Do
 - The Power of Regional Partnerships
 - Incorporating Diversity, Equity, and Inclusion into Your Municipal Planning Decisions
 - Attracting and Retaining Employees
- 12:00PM - 1:30PM** NCLM Networking Luncheon
- 1:45PM - 3:00PM** Concurrent Sessions
- Leveraging State and Federal Resources to Address Infrastructure in Your Community
 - How the Corporate Buyout of Housing is Affecting Municipalities and How Cities Can Respond
 - Small Town Strategic Planning and Infrastructure
 - Municipal Employment Laws: What Your Town Needs to Know
- 3:00PM - 3:30PM** NCLM Networking Ice Cream Social
- 3:30PM - 5:30PM** Mobile Tours, Relax and Visit Concord (Pre-registration required)
- Rick Hendrick Heritage Museum Tour – 32 person max.
 - Concord/Kannapolis Downtown Tour – 100 person max.
 - Concord Traffic Management Center & Electric Operations Bldg., Fire Station 12 – 50 person max.
 - Concord’s ClearWater Arts Center & Studio – 50 person max.
- 5:30PM - 6:00PM** Transportation available to Host City Event
- 6:00PM - 9:00PM** Host City Event Begins
Cabarrus Brewery Kettle Room

Thursday, April 27

7:30AM - 8:30AM NCLM Exhibit Hall Networking, Continental Breakfast

8:30AM - 9:00AM Concurrent Sessions

- Federal Grants Available to North Carolina Local Governments: What Resources are Available Now and on the Horizon
- Strategies for Focusing on Underutilized Properties in Your Downtown
- Social Districts & Downtown Planning - How to Have Walkable Areas and Plan for Liability and Enforcement Issues
- Best Practices in Law Enforcement, Recruiting, and Organizational Leadership: What Happens When We Get It Wrong?

9:30AM - 10:00AM Exhibit Hall Networking Break

10:00AM - 11:00AM General Session "Hot Topic" Roundtable Discussions

11:00AM - 12:00PM Exhibit Hall Networking & Door Prizes

12:00PM - 1:45PM NCLM Luncheon and Business Meeting

1:45PM - 2:45PM NCLM Networking Dessert Social

3:00PM - 5:00PM Mobile Tours, Relax, and Visit Concord (Pre-registration required)

- Concord Motor Speedway Tour - 50 person max.
- Concord/Kannapolis Downtown Tours - 100 person max.
- Concord's Traffic Management Center, Electric Operations Bldg., Fire Station 12 - 50 person max.
- Concord's ClearWater Arts Center & Studios - 50 person max.

5:15PM - 6:15PM NCLM President's Reception

6:15PM - 8:15PM NCLM President's Dinner & Awards Ceremony

8:15PM NCLM Social Gathering

Friday, April 28

8:00AM - 1:00PM NCLM Golf Tournament - Rocky River Golf Club at Concord (Lunch Included)