



**WINTERVILLE TOWN COUNCIL AGENDA**  
**MONDAY, APRIL 8, 2024 - 6:00 PM**  
**WINTERVILLE TOWN HALL ASSEMBLY ROOM**

- I. **CALL TO ORDER.**
- II. **INVOCATION.**
- III. **PLEDGE OF ALLEGIANCE.**
- IV. **WELCOME.**
- V. **ROLL CALL.**
- VI. **APPROVAL OF AGENDA.**
- VII. **PROCLAMATIONS:**
  1. Spring Litter Sweep.
- VIII. **PRESENTATIONS:**
  1. Safe Routes to School Grant Presentation – Dr. Katherine Dale, Grant Coordinator.
- IX. **PUBLIC HEARINGS:**
  1. Ludie Ange Moore Family Partnership Rezoning. (Parcel 54421).
- X. **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.*
- XI. **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:
    - February 26, 2024 Recycle/Solid Waste Work Session Minutes; and
    - March 7, 2024 Town Hall Meeting Minutes; and
    - March 11, 2024 Regular Meeting Minutes.
  2. Retention Schedule Updates.
  3. Eli's Ridge Phase 5 Annexation Petition.
  4. Resolution of Support for Old Tar Road - Vernon White Road All Way Stop.

- XII. OLD BUSINESS:**
1. Update on Human Relations Board.
- XIII. NEW BUSINESS:**
1. NCLM Voting Delegate for CityVision.
  2. Solid Waste/Recycling Service and Rate Recommendations.
  3. Solid Waste Management Contract Recommendation.
  4. 2023-2024 Audit Contract Award.
- XIV. OTHER AGENDA ITEMS:**
1. All Alert System-Winterville Notification App/Method/Timeframe to Completion. (Councilwoman Hawkins).
  2. Town-Based Transportation Update on Potential Resources. (Councilwoman Hawkins).
  3. Water Drainage System-Site Visit by Council. (Councilwoman Hawkins).
  4. Intersection Concerns-Update/Feedback from MPO. (Councilwoman Hawkins).
  5. Multipurpose Center-Collective Site Visit by Council/Staff. (Councilwoman Hawkins).
- XV. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:**
- XVI. QUARTERLY REPORTS FROM DEPARTMENT HEADS:**
- XVII. ANNOUNCEMENTS:**
- April Newsletter Information Due: Monday, April 8, 2024.
  - Planning and Zoning Board Meeting: Monday, April 15, 2024 @ 7:00 pm - Town Hall Assembly Room.
  - Board of Adjustment Meeting: Tuesday, April 16, 2024 @ 7:00 pm; - Town Hall Assembly Room.
  - Coffee with a Cop: Friday, April 19, 2024; 9:00 am - 10:30 am; Community Room.
  - NCLM 2024 CityVision: Tuesday, April 23 – Thursday, April 25, 2024 – Winston-Salem, NC.
  - Recreation Advisory Board: Tuesday, April 23, 2024 @ 6:30 pm – Operation Center.
  - Human Relations Board Meeting: Thursday, April 25, 2024 @ 7:00 – Executive Conference Room.
  - Sheppard Memorial Library - Elected Officials Breakfast: Monday, April 29, 2024 @8:00 am. Sheppard Library, 530 Evans Street, Greenville, NC (RSVP Greg Needham: 252-329-4585.
  - May Agenda Information and Abstracts Due: Wednesday, May 1, 2024.
  - Budget Progress Meeting: Monday, May 6, 2024 @ 6:00 pm - Town Hall Executive Conference Room.
  - June Newsletter Information Due: Wednesday, May 8, 2024.
  - Agenda Review Meeting: Thursday, May 9, 2024 @4:00 pm – Town Hall Executive Conference Room.
  - Regular Town Council Meeting: Monday, May 13, 2024 @ 6:00 pm - Town Hall Assembly Room.
  - 2024 Second Primary Election: Tuesday, May 14, 2024 from 6:30 am – 7:30 pm; Community Room and Operation Center Training Room.
  - Coffee with a Cop: Friday, May 17, 2024; 9:00 am - 10:30 am – Community Room.
  - Town Council Budget Work Session #1: Tuesday, May 21, 2024 @ 6:00 pm - Town Hall Assembly Room.
  - Town Council Budget Work Session #2: Thursday, May 23, 2024 @ 6:00 pm - Town Hall Assembly Room.

**XVIII. REPORTS FROM THE TOWN ATTORNEY, MAYOR AND TOWN COUNCIL, AND TOWN MANAGER.**

**XIX. CLOSED SESSION:**

**NCGS § 143-318.11. a (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. (Attorney-Client Privilege).

**XX. 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**  
**SPRING LITTER SWEEP WEEK - APRIL 13-27, 2024**

**WHEREAS**, the Town of Winterville is rich in beauty and natural resources; and

**WHEREAS**, the Town Council of the Town of Winterville strives to improve the quality of life in our community through enhanced community awareness, education, and the collaboration of public and private partnerships to work on projects that keep our environment clean and free of debris, beautify our neighborhoods and public spaces, and instill pride and a sense of ownership in our community; and

**WHEREAS**, citizens of Winterville realize a cleanup effort is needed to display pride in our community for ourselves, our visitors, and for business prospects; and

**WHEREAS**, all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment capable of economic growth; and

**WHEREAS**, the residents of the Town of Winterville have a citizenship responsibility to protect and care for the beauty and natural resources of Winterville, and a county-wide cleanup campaign will encourage individuals to participate in the improvement of their community's environment through the three main focus areas of litter prevention: waste reductions, recycling, and beautification; and

**NOW, THEREFORE**, I, Richard E. Hines, Mayor of the Town of Winterville hereby proclaim April 13-27, 2024 as Spring Litter Sweep Week and urge the residents of our community to participate in activities to commemorate this event and help make Winterville a more beautiful place to live, work, and play.

**IN WITNESS WHEREOF**, I do set my hand, and cause the seal of Winterville to be affixed this 8<sup>th</sup> day of April 2024.

\_\_\_\_\_  
Richard E. Hines, Mayor

**Attest:**

\_\_\_\_\_  
Donald Harvey, Town Clerk



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** Public Hearings

**Meeting Date:** April 8, 2024

**Presenter:** Stephen Penn, Planning and Economic Development Director

**Item to be Considered**

**Subject:** Ludie Ange Moore Family Partnership Rezoning.

**Action Requested:** Hold the Public Hearing for Rezoning.

**Attachment:** Rezoning Application, Rezoning Map, Legal Description, Notification to Adjacent Property Owners, Staff Report, and Draft Ordinance 24-O-041

**Prepared By:** Stephen Penn, Planning and Economic Development Director

**Date:** 4/1/2024

**ABSTRACT ROUTING:**

TC: 4/1/2024

TM: 4/1/2024

Final: tlp - 4/1/2024

**Supporting Documentation**

**Applicant:** KPMEHRA,LLC.

**Location:** 161 Vernon White Road; Northeast of the Vernon White Road, Mill Street, and Winterville Parkway Intersection.

**Parcel Numbers:** 54421.

**Site Data:** 1.57 Acres.

**Current Zoning District:** Agricultural Residential (AR).

**Proposed Zoning District:** General Business (GB).

**Staff Analysis:**

The 1.57-acre property is designated as a Regional Center according to the Future Land Use Map and Comprehensive Plan. Much of the surrounding properties are commercially zoned with the exception of a 100' (+/-) portion of this property's south-western property line that is adjacent to an Agricultural Residentially Zoned Single-Family Home.

The proposed General Business Zoning District is consistent with the Comprehensive Land Use Plan and is compatible with the existing development and trends in the surrounding area.

- **Staff recommends approval** of the rezoning request for the 1.57-acre parcel from AR to GB.
- The **Planning and Zoning Board** reviewed this request at their February 19, 2024 regular meeting and unanimously recommended **approval** of this application.
- Please review the attached documents, staff report, Comprehensive Land Use Plan, and Zoning Ordinance for more detail and information on the proposal.

\*Notice: Rezoning Sign was placed on 2/7/24; PH Mailed Notice sent on 3/25/24; Daily Reflector Notice Published on 3/27/24 & 4/3/24.

**Budgetary Impact:** TBD.

**Recommendation:** Hold the Public Hearing and consider Rezoning Request. Staff Recommends Approval.



**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: KPMEHRA, LLC

Address: 738 Lexington Drive, Greenville, NC 27834

Phone #: 352-615-2727

Owner: Ludie Ange Moore Family Partnership

Address: PO Box 1207, Winterville, NC 27834

Phone #: 252-714-5816

**PROPERTY INFORMATION**

Parcel #: 54421 Area (square feet or acres): 1.57 acres

Current Land Use: Single Family Residence

Location of Property: Vernon White Rd. & Winterville Parkway

**ZONING REQUEST**

Existing Zoning: AR - Agricultural-Residential Requested Zoning: GB - General Business

Reason for zoning change: The requested General Business zoning (GB) will allow for a higher density urban development in close proximity to existing commercial development with access to a major thoroughfare (NC Highway 11) and is in general conformance with the Land Use Plan. The requested zoning also matches the existing zoning located immediately to the north, west, and south of the property.

**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, Sanjay Mehra, 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 02 / 19 / 2024.

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 *SMel* Date 2/2/2024

**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, Ludie Moore, being the Owner of the property described herein, do hereby authorize Sanjay Mehra as agent for the purpose of this application.

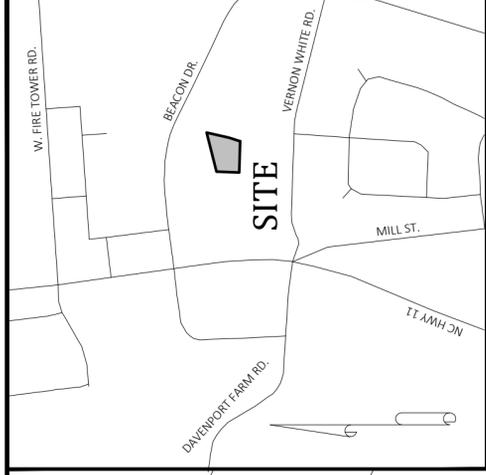
Signature *Ludie Moore* Date 2-2-24

Sworn to and subscribed before me, this 2<sup>nd</sup> day of February, 2024.

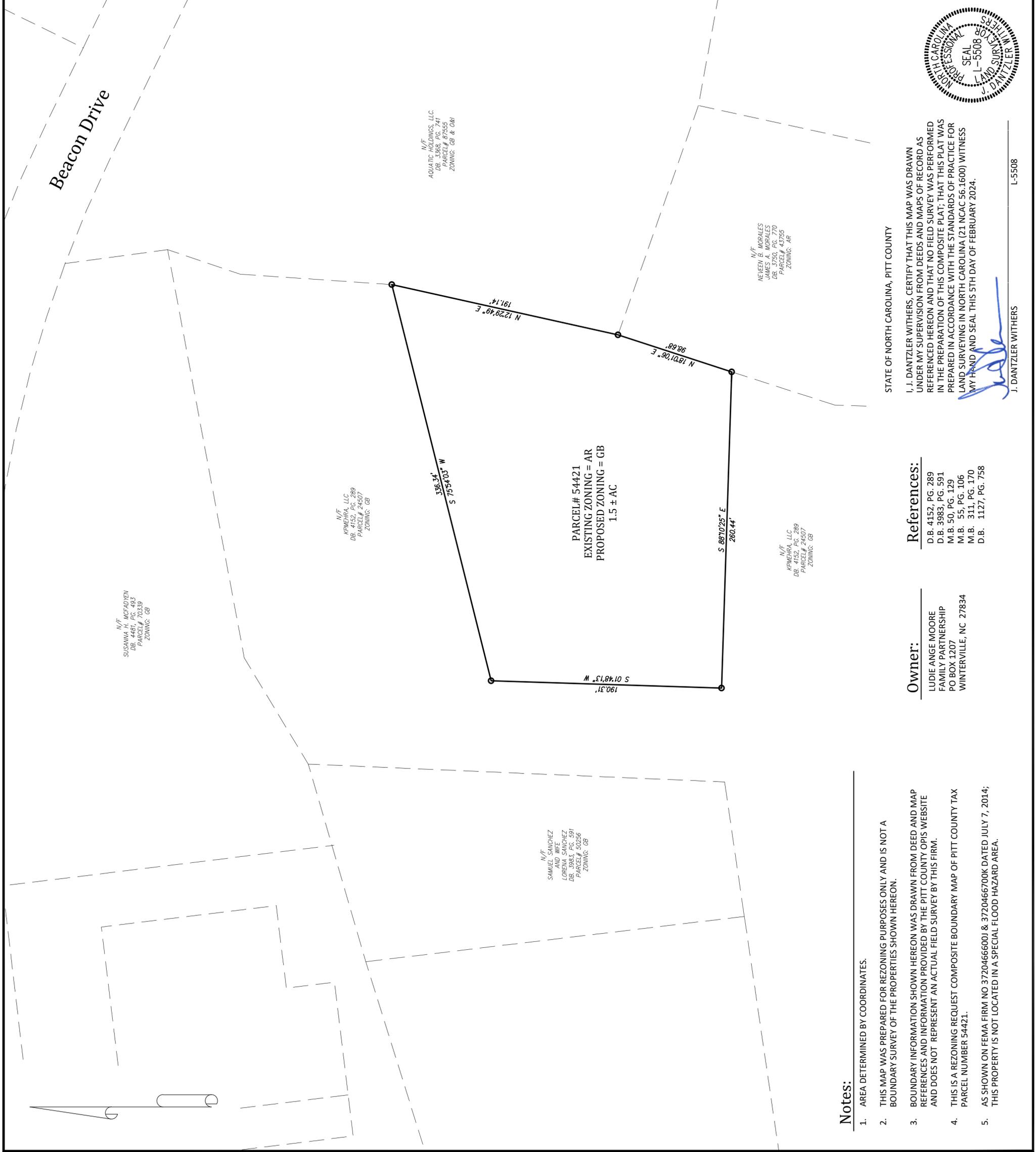


*Kelli L. Gill*  
Notary Public

My Commission Expires: September 25, 2026



**Vicinity Map**  
SCALE: 1" = 1000'



N/F  
SAMUEL SANCHEZ  
AND WIFE  
LORENA SANCHEZ  
DB. 3983, PG. 591  
PARCEL# 50256  
ZONING: GB

N/F  
SUSANNA H. MCFADYEN  
DB. 4481, PG. 493  
PARCEL# 70339  
ZONING: GB

N/F  
KPMEHRA, LLC  
DB. 4152, PG. 289  
PARCEL# 24507  
ZONING: GB

N/F  
AQUATIC HOLDINGS, LLC.  
DB. 3268, PG. 584  
PARCEL# 87854  
ZONING: GB & GB1

N/F  
NEVEEN B. MORALES  
JAMES A. MORALES  
DB. 3750, PG. 770  
PARCEL# 43755  
ZONING: AR

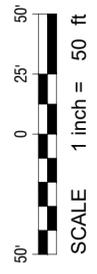
N/F  
KPMEHRA, LLC  
DB. 4152, PG. 289  
PARCEL# 24507  
ZONING: GB

**PARCEL# 54421**  
**EXISTING ZONING = AR**  
**PROPOSED ZONING = GB**  
**1.5 ± AC**

**LEGEND**

○ C/I/P	EXISTING IRON PIPE
○ E/M/N	EXISTING MAGNETIC NAIL
○ NO PT.	NO POINT SET
R/W	RIGHT OF WAY
C/L	CENTERLINE
P/L	PROPERTY LINE
N/F	NOW OR FORMERLY
---	PROPERTY BOUNDARY
---	RIGHT OF WAY
---	GIS PARCEL LINES

**TOTAL AREA TO BE  
REZONED = 1.5 ± AC**



NC LICENSED SURVEYOR  
**ARK CONSULTING**  
SURVEYORS & ENGINEERS  
2755-B Charles Blvd.  
Greenville, NC 27858  
(252) 558-0888  
WWW.ARKCONSULTINGGROUP.COM



STATE OF NORTH CAROLINA, PITT COUNTY

I, J. DANTZLER WITHERS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEEDS AND MAPS OF RECORD AS REFERENCED HEREON AND THAT NO FIELD SURVEY WAS PERFORMED IN THE PREPARATION OF THIS COMPOSITE PLAT; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600) WITNESS MY HAND AND SEAL THIS 5TH DAY OF FEBRUARY 2024.

J. DANTZLER WITHERS  
L-5508

**References:**

- D.B. 4152, PG. 289
- D.B. 3983, PG. 591
- M.B. 50, PG. 129
- M.B. 55, PG. 106
- M.B. 311, PG. 170
- D.B. 1127, PG. 758

**Owner:**

LUDIE ANGE MOORE  
FAMILY PARTNERSHIP  
PO BOX 1207  
WINTERTVILLE, NC 27834

**Notes:**

- AREA DETERMINED BY COORDINATES.
- THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
- BOUNDARY INFORMATION SHOWN HEREON WAS DRAWN FROM DEED AND MAP REFERENCES AND INFORMATION PROVIDED BY THE PITT COUNTY OPIS WEBSITE AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY BY THIS FIRM.
- THIS IS A REZONING REQUEST COMPOSITE BOUNDARY MAP OF PITT COUNTY TAX PARCEL NUMBER 54421.
- AS SHOWN ON FEMA FIRM NO 3720466600J & 3720466700K DATED JULY 7, 2014; THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.

REZONING MAP

FOR

LUDIE ANGE MOORE FAMILY PARTNERSHIP  
PITT COUNTY PARCEL NOS. 54421

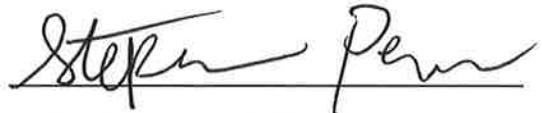
Lying and being in Winterville Township, Pitt County, North Carolina and being that 1.572 acres, more or less (68,508 square feet) designated as Lot No. 1 on that map entitled "Final Plat Whitewood" made by Merrill Land Surveying dated May 18, 1994 recorded in Map Book 44, Page 61 of the Pitt County Registry, to which reference is hereby made for particular description.

**Ludie Ange Moore Family Partnership  
Parcel 54421  
Town Council Public Hearing Notice -Rezoning  
Letters Mailed on 3.25.24 and Sign Posted on 2.7.24**

**STATE OF NORTH CAROLINA  
PITT COUNTY**

I, Stephen Penn, Director of Planning and Economic Development of the Town of Winterville, North Carolina, do hereby certify that copies of the attached notice and map were mailed, this day by first class mail, postage prepaid, to the owner of the parcel under consideration and to the owners, as shown on the Pitt County Tax Records, of all abutting parcels. A list of these property owners is also attached hereto.

WITNESS my hand this the 25 day of March, 2024.

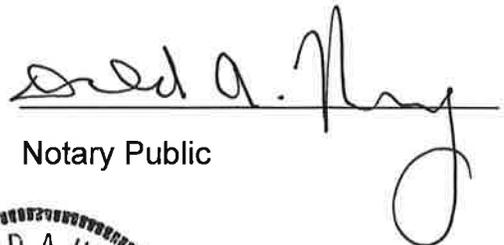


Director of Planning & Economic Development

**STATE OF NORTH CAROLINA  
PITT COUNTY**

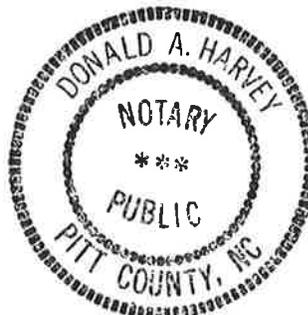
I, Donald A. Harvey, a Notary Public, do hereby certify that Stephen Penn, Director of Planning & Economic Development, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this 25th day of MARCH, 2024.



Notary Public

My Commission Expires June 8, 2025





# WINTERVILLE

*A slice of the good life!*

2571 Railroad Street  
PO Box 1459  
Winterville, NC 28590

Phone (252)756-2221  
Fax (252)756-3109  
[www.wintervillenc.com](http://www.wintervillenc.com)

## Town Council Public Hearing Notice

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday April 8, 2024** at 6:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, in order to hold a public hearing for the consideration of the following request:

The Town of Winterville has received a rezoning application to rezone 161 Vernon White Road (Parcel Number 54421), a 1.57 acre parcel from Agricultural-Residential (AR) to General Business (GB). This parcel is north-east of the Mill Street, Vernon White Road, and Winterville Parkway intersection.

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](mailto:stephen.penn@wintervillenc.com) or the Winterville Planning Department at (252) 756-2221 or at [wintervillenc.com](http://wintervillenc.com).

Citizens are encouraged to attend the hearing. Citizens may also view the hearing on the Winterville website at [www.wintervillenc.com/videos](http://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](http://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](mailto:don.harvey@wintervillenc.com). Please include your name and address.



**Vicinity Map**  
SCALE: 1" = 1,000'

Beacon Drive



**TOTAL AREA TO BE  
REZONED = 1.5 ± AC**



© 2004



REZONING MAP FOR  
**LUDIE ANGE MOORE**  
FAMILY PARTNERSHIP  
PITTS COUNTY PARCEL NO. 54421

DATE: February 3, 2004  
PAGE: 1 OF 1



STATE OF NORTH CAROLINA, PITTS COUNTY

I, L.J. DANTZER, SURVEYOR, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM DEEDS AND MAPS OF RECORD AS REFERENCED HEREON AND THAT NO FIELD SURVEY WAS PERFORMED IN THE PREPARATION OF THIS COMPOSITE PLAT; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 36.1000) WITNESS MY HAND AND SEAL THIS 3TH DAY OF FEBRUARY 2004.

L.J. DANTZER, WITNESSES

**References:**

- O.B. 4132, PG. 219
- O.B. 3883, PG. 291
- M.B. 30, PG. 129
- M.B. 31, PG. 106
- M.B. 3127, PG. 778

**Owner:**

LUDIE ANGE MOORE  
FAMILY PARTNERSHIP  
PO BOX 1307  
WINTERVILLE, NC 27884

**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 DRAWN FROM DEED AND MAP REFERENCES AND INFORMATION PROVIDED BY THE PITTS COUNTY OPS WEBSITE AND DOES NOT REPRESENT AN ACTUAL FIELD SURVEY BY THIS FIRM.
4. THIS IS A REZONING REQUEST COMPOSITE BOUNDARY MAP OF PITTS COUNTY TAX PARCEL NUMBER 54421.
5. AS SHOWN ON FEMA FIRM NO. 3720466600I & 3720466700K DATED JULY 7, 2004; THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.



**KPMEHRA LLC**

2204 TROTTERS RIDGE CT  
GREENVILLE NC 27858

**AQUATIC HOLDINGS LLC**

556 THIRD ST  
AYDEN NC 28513

Joyce Smith  
PO Box 2323  
Greenville, NC 27836

Joyce Smith is outside of the 100'  
however she asked if we could notify  
her of the public hearing via letter. -  
SDP

**Samuel & Lorena Sanchez**

4319 WINTERVILLE PW  
WINTERVILLE NC 28590

**LUDIE ANGE MOORE FAMILY  
PARTNERSHIP**

PO BOX 1207  
WINTERVILLE NC 28590

*\* Mailed ON  
3/25/24*

**KP Mehra LLC**

738 Lexington Dr  
Greenville NC 27834

**James & Neveen Morales**

181 VERNON WHITE RD  
WINTERVILLE NC 28590



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

**GENERAL INFORMATION**

<b>APPLICANT</b>	Kpmehra, LLC
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	Rezoning from Agricultural Residential (AR) to General Business (GB).
<b>CONDITIONS</b>	None
<b>LOCATION</b>	161 Vernon White Road- North East of the Vernon White Rd., Mill Street, and Winterville Parkway (Highway 11) Intersection.
<b>PARCEL ID NUMBER(S)</b>	54421
<b>PUBLIC NOTIFICATION</b>	<p>For the P&amp;Z Board: Adjacent property owners were mailed notification of the rezoning request on 2.7.2024. Notification was posted on site on 2.7.24. Seven properties were mailed notification.</p> <p>For Town Council: Adjacent property owners were mailed notification of the rezoning request on 3/25/24. Daily Reflector ran notice of Public Hearing on 3/27/24 &amp; 4/3/24. Notification was posted on site on 2/7/24. Six properties were mailed notification.</p>
<b>TRACT SIZE</b>	1.57 acres
<b>TOPOGRAPHY</b>	Flat
<b>VEGETATION</b>	Cleared, Wooded, Etc.

**SITE DATA**

<b>EXISTING USE</b>	Home-site for an existing Single-Family Home.
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<b>ADJACENT PROPERTY</b>	<b>ZONING</b>	<b>ADJACENT LAND USE</b>
N	GB	Property was just rezoned to General Business. North of that is a Mixture of Commercial Uses.
W	GB	Property was just rezoned General Business. There is still a single family home and a



		property used as a Bed and Breakfast.
E	Mixture of O&I and A-R.	Aquaventure Swim and Recreation Facility and a Single-Family Residential Home.
S	GB	Property was just rezoned General Business. Property is currently used as a Bed and Breakfast.

**ZONING DISTRICT STANDARDS**

DISTRICT SUMMARIES	EXISTING	REQUESTED
ZONING DISTRICT DESIGNATION	<b>Agricultural Residential</b>	<b>GB</b>
MAX DENSITY	One Residential Unit.	TBD/NA
TYPICAL USES	Mixture of low-density residential and agricultural uses where urban development is expected to occur. The purpose of this district is to maintain lots of sufficient size to insure that residential development dependent upon septic tank systems for sewage disposal and individual wells for water will occur at sufficiently low density to insure a healthful environment. The minimum lot size established for this district, however, does not guarantee sufficient space for on-site water and/or sewer systems.	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	Unknown at this point.
FLOODPLAIN	Not shown to be within any Floodplain Designation.
STREAMS	None.
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	Vernon White Road – NCDOT – classified as a minor thoroughfare.
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)	5,300 AADT.
Level Of Service (Transportation Analysis) Current= 2016 Study; Future= 2045 Projection.  <i>* LOS is rated from A-F: A is the best, F the worst.</i>  <i>* Roadway Improvement and street design is based upon achieving a minimum of LOS D on existing facilities and LOS C on new facilities.</i>	Vernon White Road at home’s driveway:  * Current: LOS B (Medium B). * Future: LOS B (Medium B).
TRIP GENERATION	TBD.
SIDEWALKS	TBD.
TRAFFIC IMPACT STUDY (TIS)	TBD
STREET CONNECTIVITY	N/A – Rezoning Phase.



OTHER	N/A
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## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed GB zoning districts would align with much of the existing Zoning Districts and Uses within this area. The portion of land that is adjacent to the single-family residential property will likely require a vegetated buffer yard depending on the future proposed use.

### **Town of Winterville Comprehensive Land Use Plan Policies**

The Future Land Use Map designates this property as a Regional Center character area. “Regional Centers” are defined as high- to medium-intensity commercial, retail and lodging uses that act as regional activity centers, with offices and residential potentially mixed in. Primarily auto-oriented destinations with national or regional businesses. The requested **GB** zoning district *is* consistent with this character area as defined by the future land use designation.

## **Comprehensive Land Use Plans - Recommendations & Implementation**

### **Regional Center:**

- General Character: These larger, auto-oriented commercial areas serve a regional market, and are high-intensity shopping centers. With good design, they can provide a pleasant outdoor and indoor shopping experience that compliments the surrounding community as a commercial/retail/service activity center.
- Potential Zoning Districts: GB, Possibly NC, O&I, IC, or M-R.
- Uses: Commercial uses of a regional nature, including big box stores, chain restaurants, and other highway-oriented uses. Hotels and multi-family uses could also be appropriate.

### **(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.

**Strategy 1.2:** Encourage non-residential growth in the form of retail restaurants, professional offices and industrial development in areas designated as such on the Future Land Use Map.

### **(Economic Development) Policy 1: Continue to Implement Previous Plans.**



**Strategy 1.3:** Emphasize retail, office, light industrial and other commercial development especially along Winterville Parkway and other appropriate areas.

**(Economic Development) Policy 2: Improve Self-Sufficiency and Reduce Retail Leakage.**

**Strategy 2.1:** Support Winterville's transformation from a bedroom community into a neighboring community of Greenville.

**Strategy 2.2:** Discourage rezonings to residential zoning districts in high visibility corners with good access and parcels within Office & Employment Future Land use areas.

**(Economic Development) Policy 6: Focus on business recruitment, expansion and retention.**

**Strategy 6.2:** Encourage and support local businesses, especially in expansion efforts.

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**STAFF ANALYSIS AND RECOMMENDATION**

**Community Outreach**

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

**Staff Analysis**

The 1.57-acre property is designated as a Regional Center according to the Future Land Use Map and Comprehensive Plan. Much of the surrounding properties are commercially zoned with the exception of a 100' (+/-) portion of this property's south-western property line that is adjacent to an Agricultural Residentially Zoned Single Family Home.

The proposed General Business Zoning District is consistent with the Comprehensive Land Use Plan and is compatible with the existing development and trends in the surrounding area.

**Staff Recommendation**

**Staff** recommends **approval** of the rezoning request for the 1.57 acre parcel from AR to GB.

The **Planning and Zoning Board** reviewed this request at their February 19, 2024 regular meeting and **unanimously recommended approval** to the Winterville Town Council.

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

WHEREAS, KPMEHRA, LLC has requested amendment of the Zoning Ordinance of the Town of Winterville by rezoning of the property described herein of AR – Agricultural-Residential to GB – General Business; and

WHEREAS, a public hearing on the question of this zoning amendment was held, at the Winterville Town Hall at 6:00 p.m. on Monday, April 8, 2024, after due notice publication on March 27, 2024 and April 3, 2024; and

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

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

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

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

**Section 1.** The Town of Winterville Zoning Ordinance, Official Zoning Map, is hereby amended by rezoning the following described track from AR – Agricultural-Residential to GB – General Business:

Ludie Ange Moore Family Partnership, 1.572-acre parcel located on the **north-east of the Mill Street, Vernon White Road, and Winterville Parkway intersection**, being **Tax Parcel 54421** more particularly described on the attached legal description provided below.

**LEGAL DESCRIPTION OF PROPERTY  
REZONED FROM AR TO GB  
LUDIE ANGE MOORE FAMILY PARTNERSHIP  
PITT COUNTY PARCEL # 54421**

Lying and being in Winterville Township, Pitt County, North Carolina and being that 1.572 acres, more or less (68,508 square feet) designated as Lot No. 1 on that map entitled “Final Plat Whitewood” made by Merrill Land Surveying dated May 18, 1994 recorded in Map Book 44, Page 61 of the Pitt County Registry, to which reference is hereby made for particular description.

End of Legal Description

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

**Section 3.** This ordinance shall become effective upon adoption.

Adopted this 8<sup>th</sup> day of April 2024.

\_\_\_\_\_  
Richard E. Hines, Mayor

ATTEST:

\_\_\_\_\_  
Donald Harvey, Town Clerk

DRAFT



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** Consent Agenda

**Meeting Date:** April 8, 2024

**Presenter:** Donald Harvey, Town Clerk

**Item to be Considered**

**Subject:** Council Meeting Minutes.

**Action Requested:** Approval of Minutes.

**Attachment:** Draft Minutes of the Council meetings listed below.

**Prepared By:** Donald Harvey, Town Clerk

**Date:** 3/27/2024

**ABSTRACT ROUTING:**

**TC:** 4/1/2024

**TM:** 4/1/2024

**Final:** tlp - 4/1/2024

**Supporting Documentation**

Approval of the following set of Council Meeting Minutes:

- February 26, 2024 Recycle/Solid Waste Work Session Minutes; and
- March 7, 2024 Town Hall Meeting Minutes; and
- March 11, 2024 Regular Meeting Minutes.

**Budgetary Impact:** NA.

**Recommendation:** Recommend Council Approval of Minutes.



**WINTERVILLE TOWN COUNCIL  
MONDAY, FEBRUARY 26, 2024 – 5:30 PM  
RECYCLE/SOLID WASTE WORK SESSION MINUTES**

The Winterville Town Council met in a Regular Meeting on the above date at 5:30 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor  
Brandy Harrell, Mayor Pro Tem  
Shantel Hawkins, Councilwoman  
Johnny Moye, Councilman  
Veronica W. Roberson, Councilwoman  
Lisa Smith, Councilwoman  
Terri L. Parker, Town Manager  
Anthony Bowers, Assistant Town Manager  
Cliff McGuffin, Public Works Director  
Todd Bess, Public Works Superintendent  
Jessica Manning, Finance Director  
Donald Harvey, Town Clerk

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

**INVOCATION:** Councilwoman Roberson gave the Invocation.

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

**WELCOME:** Mayor Hines welcomed the public.

**APPROVAL OF AGENDA:**

Mayor Hines requested the Old Business item be handled prior to the Dinner Break.

**Motion made by Councilwoman Smith and seconded by Mayor Pro Tem Harrell to approve the amended agenda. Motion carried unanimously, 5-0.**

**OLD BUSINESS:**

1. Use of the Community Room by Ms. Valerie Tyson to honor the Women on Town Council.

Ms. Valerie Tyson, representing the Greenville Pitt Education Association, Inc. introduced members of the organization. They are requesting use of Community Building on Saturday, March 16th, and cost of catering to recognize women on Town Council. Mayor pro Tem Harrell noted the good efforts of the organization. Councilman Moye asked the Treasurer if they have any funds. Karen Turnage, President responded that they spend funds on scholarships and on awards. Mayor Hines noted that the budget cycle was upcoming and that the Town has Non-Town Agency grant funds are used for this type thing.

Mayor Pro Tem Harrell mentioned that 501(c)(3) nonprofit organizations could apply. Mayor Hines said the Town appreciates their efforts.

**BREAK FOR DINNER**

**ITEMS FOR DISCUSSION:**

1. Recycle/Solid Waste Work Session Discussion.

Assistant Town Manager Bowers gave the following presentation:



# Solid Waste and Recycling

TERRI PARKER, ANTHONY BOWERS, CLIFF  
MCGUFFIN, JESSICA MANNING, TODD BESS

*Changes in Recycling – Pitt County – ECVC*

*Public Works Revenue Vs. Expenditures*

*Proposals for Sanitation and Recycling*

*Potential Route Changes*

*Pitt County lost its recycling provider last year.  
ECVC was the local provider that ended operations.  
ECVC was bought out by RDS.*

CHANGES IS RECYCLING IN PITT COUNTY

*RDS announced large fines for contamination.  
The Town was provided a grace period of 3months.  
Fines will begin June at a cost of \$120.00 per ton.  
The whole load will be discarded.*

CHANGES IS RECYCLING IN PITT COUNTY

Sanitation Revenue	\$ 589,934.00
Sanitation Expenditures	\$ 693,000.00
Current Deficit	\$ (103,066.00)
Operational Budget	\$ 1,085,000.00
Total Expenses	\$ 1,788,066.00
Total Revenues	\$ 1,399,026.00

PUBLIC WORKS REVENUES VS. EXPENDITURES

*Current Cost per service is \$8.75 for Garbage and \$4.25 for Recycling. We invoice \$11.50 .*

*Construction Routes are costing us \$8,000 per year.*

*Our average cost is \$153 per load.*

*Just for landfill cost. This does not include labor and equipment.*

#### PUBLIC WORKS REVENUES VS. EXPENDITURES

*Current issues with GFL have gone on for over a year.*

*Poor communication, missed pick ups, routes ran late, equipment failures, Bad Public Relations.*

#### PROPOSALS FOR SANITATION AND RECYCLING

*Went out for Bid on January 31<sup>st</sup>, 2024*

*Mandatory Bidders Meeting on Feb. 7<sup>th</sup>, 2024*

*Received bids on February 20<sup>th</sup>, 2024*

#### PROPOSALS FOR SANITATION AND RECYCLING

*We had three bidders attend the meeting.*

*We received two qualified bids.*

*GFL (our current provider) and Republic Services.*

**PROPOSALS FOR SANITATION AND RECYCLING**

Republic Services		Weekly GA and Rec	Weekly GA Weekly Rec	Large Res Open Top	40Y Dumpster	60Y Dumpster	80Y Dumpster
Solid Waste	\$	13.45	\$ 13.45	\$ 150.00	\$ 130.00	\$ 140.30	\$ 150.00
Recycling	\$	8.05	\$ 8.05				
Combined Total	\$	21.50	\$ 21.50				
GFL							
Solid Waste	\$	7.95	\$ 7.95	\$ 275.00	\$ 70.00	\$ 104.00	\$ 140.00
Recycling	\$	3.85	\$ 3.85				
Combined Total	\$	11.80	\$ 11.80				

**PROPOSALS FOR SANITATION AND RECYCLING**

Scenario 1	Staying with GFL current level of service	\$ (21,029)	Low
Scenario 2	Staying with GFL Reduced Recycling	\$ 64,115	Gain
Scenario 3	GFL Garbage Only	\$ 288,831	Gain
Scenario 4	Change to Republic w/ current level of service	\$ (925,720)	Loss
Scenario 5	Change to Republic with no Recycling	\$ (302,515)	Loss

**FINANCIAL ESTIMATES FOR SANITATION AND RECYCLING**

*We currently run routes a minimum of 4 days a week.*

*We service 48 miles of streets per week .*

*Limbs 80.5 per week, Grass 105.5, Bulk 80.5  
White Goods and Tires 80.5*

*ER Lewis Landfill 40miles, Allen Rd 30 miles per week.*

*Same number of employees as we did 15 years ago.*

#### PROPOSED ROUTE CHANGES

*Stopping Construction Debris Pickup.*

*- Reduce Cost*

*-Free up staff for other routes and projects/stormwater*

*Keeping Construction Debris Pick up.*

*-Fee based scheduled service costing \$200 per load*

*-No Fee – Continue to lose \$8,000 + per year*

*Changes to Tire Collection Pick up.*

*-Fee based schedule pick up of \$50.00*

*-Stop Collecting tires*

#### PROPOSED ROUTE CHANGES

Allen	Greenville	Farmville	Winterville	Washington
\$ 10.00	\$ 16.00	\$ 23.99	\$ 11.90	\$ 19.00

#### RATES FROM OTHER MUNICIPALITIES

MARCH 2024

Monday	Tuesday	Wednesday	Thursday	Friday	Sat / Sun
					3/1
4 Bulk Items Lunch	5 Bulk Items Lunch	6 Lunch	7 Lunch	8 Write Goals/Time	9/10
11 Cook, Details Lunch	12 Cook, Details Lunch	13 Lunch & Dinner	14 Lunch & Dinner	15	16/17
18 Bulk Items Lunch	19 Bulk Items Lunch	20 Lunch & Dinner	21 Lunch & Dinner	22	23/24
25 Cook, Details Lunch	26 Cook, Details Lunch	27 Lunch & Dinner	28 Lunch & Dinner	29 HOLIDAY Good Friday FDW Closed	30/31

*Discussion*

Town Manager Parker noted the Pitt County Reappraisal Handout shown below.

## 2024 PITT COUNTY REAPPRAISAL

The following information is to help the taxpayers of Pitt County understand what reappraisal is, why reappraisal is done, how a reappraisal is performed, and how it affects the typical property owner. We have attempted to answer most questions that arise concerning a reappraisal, but you are invited to contact Pitt County Tax Administration at 252-902-3380 if you have further questions or need assistance.

**Question:** What does the term “reappraisal” mean?

**Answer:** Reappraisal means that Pitt County Tax Administration is determining the market value of all real property, as of the effective date of the reappraisal which is January 1, 2024.

**Question:** What is meant by market value?

**Answer:** North Carolina General Statute 105-283 defines market value as “...the price estimated in terms of money at which the property would change hands, between a willing and financially able buyer and a willing seller, neither being under any compulsion to buy or to sell and both having reasonable knowledge of all of the uses to which the property is adapted and for which it is capable of being used.” Simply put, this means that when two parties trade property for money, both knowing what can and cannot be done with the property, and an agreement on the price is reached and the trade occurs, then market value is established. Market value is determined from sales between unrelated and unbiased buyers and sellers.

**Question:** How is the market value of my property determined?

**Answer:** The Tax office’s job is to diligently and carefully research and analyze sales in our local market to determine an estimate of market value for all properties, as we are required to do by law. Property values are not created or set by the Appraiser or the Tax Office. People who buy and sell real estate in the open market establish market values.

Depending upon the data available and the type of property being appraised, there are several methods an appraiser may use to determine value such as the sales comparison approach, the cost approach, and the income approach.

**Sales Comparison Approach** – This method which is the most commonly used approach, compares your property with similar properties that have sold recently.

**Cost Approach** – This method determines how much it would cost to replace your property with a similar one less any depreciation.

**Income Approach** – This method determines the value of income producing properties, such as apartments, based upon the amount of income the property or properties generate.

**Question:** Why and for what purpose do we conduct reappraisals?

**Answer:** North Carolina General Statute 105-286 requires each county to complete a reappraisal at least once every eight (8) years. Pitt County along with many other counties has decided to shorten their reappraisal cycle. Pitt County chose to conduct its reappraisal every (4) four years. The primary purpose of a reappraisal is to equalize the tax burden among all classes of property. The 2024 reappraisal in Pitt County will be performed to ensure assessments reflect current market value.

**Question:** Who will appraise my property?

**Answer:** The 2024 county-wide reappraisal will be conducted by real property employees of Pitt County and not by an outside appraisal company. Our appraisers are veteran real property appraisers with over one hundred combined years of experience. Each appraiser on our reappraisal staff is certified by the North Carolina Department of Revenue and the North Carolina Association of Assessing Officers.

**Question:** Pitt County just conducted a reappraisal in 2020. Why have another one so soon?

**Answer:** Periodic reappraisals help ensure a fair distribution of the tax burden among taxpayers. The more frequent appraisals will recognize the fact that different properties increase or decrease in value at different rates. The more frequently a reappraisal is held, the more equitable the tax burden among property owners since these properties that appreciate or depreciate at different rates are appraised at their current market value more often.

**Additional reasons to advance the reappraisal cycle are:**

It generally will reduce "sticker shock" for taxpayers. Values for residential properties are not apt to rise or fall as rapidly in a four year cycle versus an eight year cycle. The level of assessment between personal property and real property remains more equitable by conducting more frequent reappraisals. Personal property is required by law to be appraised at 100% of its market value every year; whereas, real property is only at 100% on the year of reappraisal. The more years between reappraisals, the more distorted the values become, therefore creating an inequity of the tax burden among taxpayers.

**Question:** Will someone from the tax office visit my home?

**Answer:** Reappraisal is a lengthy process that takes multiple years to complete. As part of the process, appraisers review information currently in the tax records about each property, and then visit the property to verify accuracy. The appraiser may or may not actually drive onto your property and come to your door, depending upon whether he or she sees a discrepancy in our current listing data.

**Question:** Will my taxes increase because of a reappraisal?

**Answer:** This is difficult to say for two reasons. It depends upon how much your property value has changed and how much the tax rate changes. The Board of Commissioners sets the tax rate annually based upon the budgetary requirements of the County. Revenues received from all sources, including the State, are considered as the Board sets a tax rate.

**Question:** When will I know what my new assessment is?

**Answer:** The Tax Office will mail the reappraisal notices to property owners in February 2024.

## Appeal Process

**Question:** What if I disagree with the new assessment?

**Answer:** Informal appeals will be held beginning in early February 2024 for property owners who question the new assessment. Results of those appeals will be mailed to all appellants beginning in March 2024. If your appeal is not resolved through the informal process you can appeal to the Pitt County Board of Equalization and Review (BOER).

**Question:** What are the levels of appealing my new assessment?

**Answer:** Locally we have an Informal Appeal and Formal (Board of Equalization and Review) Appeal. The Informal Appeal is conducted by the Tax Assessor Office. It allows the property owner and the Assessor Office to work together to review the property. The Formal (Board of Equalization and Review) is a formal hearing where the tax office and the property owner give sworn testimony about the facts of the property.

**Question:** I appealed my value, and I still don't agree with the decision. Can I file another appeal?

**Answer:** Yes, if you disagree with the decision of your appeal you can file another appeal. Your decision letter should contain the information on how to file an appeal if you disagree with the decision. If you filed an Informal Appeal, you can appeal to the Board of Equalization and Review.

**Question:** Can I appeal directly to the Pitt County Board of Equalization and Review (BOER)?

**Answer:** Yes, you can appeal directly to the BOER, this is a quasi-judicial hearing that the property owner and the tax office will give sworn testimony as to what they believe the value of the property is. After a hearing before the Board of Equalization and Review in which the issue is not resolved, a taxpayer may appeal to the North Carolina Property Tax Commission and ultimately to the courts.

**Question:** What are the reasons I can appeal my property value?

**Answer:** You can appeal your property value based on 1) The assessed value is substantially more (or less) than the market value. Or 2) The property is assessed inconsistently with similar type properties

**Question:** What information should I bring if I appeal the new value of my property informally to the County staff or to the Board of Equalization and Review?

**Answer:** Appropriate information or documentation to appeal your new value should provide evidence to support why your property is not worth the new value and what you believe its value should be. Examples of evidence could include any of the following: a recent appraisal, current realtor listings, sales of similar properties, pictures of property that show interior conditions, and verification of any incorrect information that the County currently is using to describe your house such as number of baths, basement finish, etc. You cannot appeal your property value based on its percent of increase or your ability to pay the tax.

**Question:** Do I have to support my opinion of value? Or Can I turn in a blank appeal form?

**Answer:** The Tax Office's value is presumed to be correct, and when the value is challenged, the burden of proof is on the taxpayer to show that the assessment was incorrect. Without supporting documentation, the taxpayer has not met their burden of proof.

**Question:** The Tax office did not complete the review of my Informal Appeal before the Board of Equalization and Review convenes for hearing appeals do I have to file another appeal?

**Answer:** No, your Informal Appeal will secure your appeal rights. However, any changes to the value must be reviewed and approved by the Board of Equalization and Review.

**Question:** Do I have to hire an appraiser to appeal my property?

**Answer:** No, you don't have to hire an appraiser. Pitt County provides Citizens access to free programs to help during the appeal process. We offer the Pitt County Online Parcel Information System (OPIS) website and a comparable sales website called COMPER. OPIS allows property owners to review assessments of any real property in Pitt County. COMPER allows the owner to search for comparable sales to use during the appeal process. The sales you will find have been reviewed by the Tax Office. You can access COMPER from the County's Online Parcel Information Systems (OPIS) website or directly at [www.pittcountync.gov/salescomps](http://www.pittcountync.gov/salescomps)

**Additional Information:**

You cannot appeal based the percent increase or decrease of the property, and you cannot appeal based on your ability to pay the anticipated tax bill.

However, the State of North Carolina does offer several exemptions that may reduce your taxes if you qualify. They are 1) Elderly or Disabled property tax homestead exclusion, 2) Disabled veterans property tax homestead exclusion, 3) Property tax homestead circuit breaker. If you have been approved for these programs, you do not have to make another application. If you would like to check your edibility for the programs visit <https://www.pittcountync.gov/799/Property-Tax-Relief-Evaluator> or call 252-902-3432.

The State of North Carolina also offers the Present Use Program for properties that are being farmed and meet certain eligibility requirements.

If you do not qualify for any of the above programs, Pitt County Tax Collector's office also accepts prepayments on the anticipated tax bills, and can setup a payment plan. You can contact them at 252-902-3425.

For more information concerning reappraisal, please call the Tax Assessor Office at 252-902-3380, email us at [pitttaxassessor@pittcountync.gov](mailto:pitttaxassessor@pittcountync.gov) or visit our website at <http://www.pittcountync.gov/depts/taxadmin>

**ADJOURN:**

**Motion made by Councilwoman Roberson and seconded by Mayor Pro Tem Harrell to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 7:58 pm.**

Adopted this the 8<sup>th</sup> day of April 2024.

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Richard E. Hines, Mayor

ATTEST:

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Donald Harvey, Town Clerk



**WINTERVILLE TOWN COUNCIL  
THURSDAY, MARCH 7, 2024 - 6:00 – 6:00 PM  
TOWN HALL MEETING MINUTES**

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  
Shantel Hawkins, Councilwoman  
Johnny Moye, Councilman  
Veronica W. Roberson, Councilwoman  
Lisa Smith, Councilwoman  
Keen Lassiter, Town Attorney  
Terri L. Parker, Town Manager  
Anthony Bowers, Assistant Town Manager  
Chris Williams, Interim Police Chief  
David Moore, Fire Chief  
Cliff McGuffin, Public Works Director  
Ron Mills, Electric Systems Superintendent  
Jessica Manning, Finance Director  
Evan Johnston, Building Inspector/Code Enforcement Officer  
Diane White, Parks and Recreation Director  
Stephen Penn, Planning and Economic Development Director  
Angela Fuller, Human Resource Director  
Donald Harvey, Town Clerk

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

**INVOCATION:** Councilwoman Roberson gave the Invocation.

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

**WELCOME:** Mayor Hines welcomed the public.

**APPROVAL OF AGENDA:**

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

**PUBLIC DISCUSSION:**

Town Manager Parker explained the ground rules for the Town Hall Meeting. Rebecca Caveness will serve as Moderator and read the questions submitted. Written questions should be submitted to the Moderator prior to the meeting. Forms are be available in the Town Hall Assembly Room lobby:

Sandra Morris asked about the different utility providers throughout the Town. Mayor Hines noted that they are dictated by territorial agreements.

Brandy Daniels asked that meetings like this continue. She also asked about HOA involvement. Town Manager Parker noted that the Town utilizes the Website, Social Media, Newsletter and Newspaper to get information out to citizens. The Town cannot control HOA in neighborhoods. Attorney Lassiter echoed that the Town had no control over an HOA. Councilwoman Hawkins said she had pushed for meeting and is trying to get a Town app to get information out to citizens.

There was a pause for people to submit additional questions.

Town Manager Parker introduced staff in attendance and Mayor Hines had Council Introduced themselves. Mayor Hines noted that Mayor Pro Tem Harrell had a prior engagement and regretted she could not be here.

Rashana Carmon asked about drug activity, lighting, and speeding especially in the Chapman Street area. Interim Police Chief Williams noted that the Police are aware, and some arrests have been made. They are aware of speeding and they are working to curtail. Assistant Town Manager Bowers noted that the lighting will be looked at that and see if it can be improved.

Mat deJesus asked if a traffic light could be installed at Mill Street and Boyd Street. Mayor Hines noted that these are both NCDOT streets. They will present the information to them; however, it is a slow process. Town Manager Parker explained the Metropolitan Planning Organization (MPO) process. Councilman Moye said the widening of Old Tar Road will cause traffic will go elsewhere during construction, the project help after completion. Councilwoman Hawkins said she hopes NCDOT will come out and reinvestigate the intersection.

Mary Uy asked about the property value assessment and reevaluation. Mayor Hines the County conducted the reevaluation and to hold tight, the impact will not be as bad.

Ludie Moore asked about the trash problems on the rural roads. Mayor Hines said NCDOT has a contract. The Town assists in areas near the municipal limits.

Brandy Daniels asked about the intentional effort to not speak with citizens. Mayor Hines said all Council numbers are on website and available. Also, there is a Public Comment time at Regular Council meetings. Attorney Lassiter reiterate that there is a Regular Council Public comment period.

Mayor Hines asked for any last-minute questions. Town Manager Parker said if a question arises, submit a form, or call us with any questions

#### **COMMENTS FROM THE MAYOR, AND TOWN COUNCIL:**

**Councilwoman Hawkins:** Town is of its people. Share questions. Huge accomplishment and great success to move forward.

**Councilman Moye:** Thanks for coming out. No concerns are small. Cannot please all but voice your concerns.

**Councilwoman Roberson:** Thank all for coming out to express concerns. We will get an answer. Also, Human Relations Board people are needed.

**Councilwoman Smith:** Thank you all for coming out. The more we know the better to help you.

**Town Manager Parker:** Let us know if we can help.

**Mayor Hines:** Heart is with Winterville, want it to progress. Will not have all the answers but we are here for you. Talk to us. Help us move the Town forward.

**ADJOURN:**

**Motion made by Councilwoman Smith and seconded by Councilwoman Roberson to adjourn the meeting. Motion carried unanimously, 4-0. Meeting adjourned at 6:49 pm.**

Adopted this the 8<sup>th</sup> day of April 2024.

\_\_\_\_\_  
Richard E. Hines, Mayor

ATTEST:

\_\_\_\_\_  
Donald Harvey, Town Clerk

DRAFT



**WINTERVILLE TOWN COUNCIL  
MONDAY, MARCH 11, 2024 - 6:00 PM  
REGULAR MEETING MINUTES**

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 Pro Tem Brandy Harrell presiding. The following were present:

Richard E. Hines, Mayor (attending NLC meeting)  
Brandy Harrell, Mayor Pro Tem  
Shantel Hawkins, Councilwoman  
Johnny Moye, Councilman  
Veronica W. Roberson, Councilwoman  
Lisa Smith, Councilwoman  
Keen Lassiter, Town Attorney  
Terri L. Parker, Town Manager  
Anthony Bowers, Assistant Town Manager  
Chris Williams, Interim Police Chief  
David Moore, Fire Chief  
Cliff McGuffin, Public Works Director  
Jessica Manning, Finance Director  
Evan Johnston, Building Inspector/Code Enforcement Officer  
Diane White, Parks and Recreation Director  
Stephen Penn, Planning and Economic Development Director  
Donald Harvey, Town Clerk

**CALL TO ORDER:** Mayor Pro Tem Harrell called the meeting to order.

**INVOCATION:** Councilwoman Hawkins gave the Invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Harrell introduced Zoe Dawson who led everyone in the Pledge of Allegiance. Zoe is an Eighth Grader at AG Cox. The Vice-President and Member of the Beta Club, a Beta Convention Finalist, and Member of the Debate Team. She is the Big Sister to Brandon and Aubrey. Mayor Pro Tem Harrell presented her with a Certificate of Appreciation.

**WELCOME:** Mayor Pro Tem Harrell welcomed the public.

**APPROVAL OF AGENDA:**

**Motion made by Councilwoman Smith and seconded by Councilwoman Roberson to approve the agenda. Motion carried unanimously, 5-0.**

**RECOGNITION OF NEW EMPLOYEES:**

**Officer Sean Pena, Police Department:** Interim Chief Williams noted Officer Pena was not able to attend due to illness.

**PROCLAMATIONS:** Town Clerk Harvey read the following Proclamations.

1. Women's History Month.



**PROCLAMATION**  
*Women's History Month - March 2024*

**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, Brandy Harrell, Mayor Pro Tem 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 11<sup>th</sup> day of March 2024.

\_\_\_\_\_  
Brandy Harrell, Mayor Pro Tem

**Attest:**

\_\_\_\_\_  
Donald Harvey, Town Clerk

2. Joyce Harris Mills Weldin.



**PROCLAMATION**  
**JOYCE HARRIS MILLS WELDIN**

**WHEREAS**, the Winterville Community; would like to recognize Joyce Harris Mills Weldin for being the first Woman to run for public office in Winterville; and,

**WHEREAS**, she is the daughter of Jarvis and Peggy Harris who lived at 120 Depot Street, Winterville, North Carolina; and,

**WHEREAS**, she ran for town alderman sometime around 1972 at the request of several town citizens who wanted to see a change for women and thought she would be a good representative for the Town of Winterville; and,

**WHEREAS**, there was only one seat up for election; and,

**WHEREAS**, she ran against Tyree Stocks and Calvin Henderson; and,

**WHEREAS**, Calvin Henderson won the election; and,

**WHEREAS**, the Daily Reflector published an article about Joyce Harris Mills being the first female to run for a seat on the Board of Alderman for the Town of Winterville.

**NOW, THEREFORE**, I, Brandy Harrell, Mayor Pro Tem of the Town of Winterville hereby honor her contribution and hereby proclaim.

**IN WITNESS WHEREOF**, I do set my hand, and cause the seal of Winterville to be affixed this 11<sup>th</sup> day of March 2024.

\_\_\_\_\_  
Brandy Harrell, Mayor Pro Tem

**Attest:**

\_\_\_\_\_  
Donald Harvey, Town Clerk

**PUBLIC COMMENT:** Town Manager Parker read the Public Comment Policy.

1. James Godfrey Jones commented on support for the Community Garden and drainage issues at Mt. Shiloh Missionary Baptist Church. Councilman Moyer asked if they have addressed this issue before? Mr. Jones said previous efforts have not worked. Councilwoman Hawkins asked when you reported this earlier, what did the Town do and how long ago. Councilwoman Hawkins asked can someone go back out. Councilwoman Roberson said the Community Garden concept was considered earlier and other Towns have utilized this type effort. Mr. Jones said will be using funds from a Church grant received. Councilwoman Smith asked you had the drainage looked at to be level and graded properly. Mr. Jones said they had hoped the efforts that the Town did would take care of problem.

**CONSENT AGENDA:**

Items included in the Consent Agenda:

1. Approval of the following sets of Council Meeting Minutes:
  - January 20, 2024 Council Orientation Meeting Minutes; and
  - January 30, 2024 Council Vision Setting A Meeting Minutes; and
  - February 6, 2024 Council Vision Setting B Meeting Minutes; and
  - February 12, 2024 Regular Meeting Minutes. (Corrected)
2. Budget Amendment 2023-2024-5.
3. Schedule Public Hearing for the April 8, 2024 Regular Council Meeting: Ludie Ange Moore Family Partnership Rezoning

**Motion made by Councilwoman Roberson and seconded by Councilman Moyer to approve the consent agenda with the correction to the February 12, 2024 minutes. Motion carried unanimously, 5-0.**

**OLD BUSINESS:**

1. Human Relations Board Discussion.

Town Manager Parker: The Human Relations Board consists of six (6) Members. At the present time, the Board has met irregularly due to attendance. Council is asked to discuss the status and desired future of this Board. A copy of the existing by-laws is at your seat.

Councilwoman Hawkins said she wants the Board to remain and serve the community, being sensitive to the need. Applicants are available in community. Councilwoman Roberson noted that Pitt County Board has had similar struggles. Willing to commit the effort to make it work, continue to exist, and do things in community. Councilman Moyer suggest cutting the Board size down to 5 members.

Councilwoman Hawkins asked about the timetable for improvements and what is the applicant pool. Councilwoman Smith asked if there had been any applicants since the Town Hall Meeting. Town Clerk Harvey said none. Councilman Moyer suggested broadening the newsletter output. Mayor Pro Tem Harrell suggested utilizing the Town app and other methods. Council members are to get ideas to Town Manager Parker before the next meeting, tabulate them for discussion.

**NEW BUSINESS:**

1. Approval of Financing Terms and Agreement with First Citizens Bank for Equipment.

Finance Director Manning presented the following information. Town Council has approved the purchase of one Knuckle Boom Truck, a Truck and Commercial Lawn Mower for the Public Works department, two Police Interceptors, and a Sewer Jetter Trailer and 6-Inch Bypass Pump for the Sewer

department. The funding for this equipment and vehicles was approved in the current fiscal year's budget in the total amount of \$510,000. We received quotes from 4 lending institutions. First Citizens Bank was the lowest bid, with rates at 4.27% for the Knuckle Boom Truck, 4.44% for the Public Works Truck and Lawn Mower, 4.35% for the Police Cars, and 4.31% for the Sewer Jetter Trailer and Bypass Pump. In addition, First Citizens has offered the option for a lower interest rate than listed above if the loans are combined into one loan with separate amortization schedules. We are recommending accepting First Citizens Bank's proposal for all pieces of equipment and vehicles with a 3-year term for the Public Works Truck and Lawn Mower, and a 5-year term for the Knuckle Boom Truck, Police Cars, and the Sewer Jetter Trailer and Bypass Pump. Bid Sheet and resolutions are attached to the agenda.

**Motion made by Councilwoman Smith and seconded by Councilman Moye to approve the Financing Terms and Agreement with First Citizens Bank for Equipment and the four (4) Resolutions. Motion carried unanimously, 5-0.**

2. Southbrook Phase 1 Preliminary Plat.

Planning and Economic Development Director Penn gave the following presentation:



**Southbrook Phase One  
Preliminary Plat**

Presenter:  
Stephen Penn,  
Director of Planning & Economic Development



- Applicant: Scott Moore of The Coley Group.
- Location: 245.43 Acre Site adjacent to Church Street Extension, and Laurie Ellis Road. South of Meillon Downs, Laurie Meadows, & Holly Grove.
- Parcel Numbers: 11636, 15006, 11638, 82096, & 82094.
- Site Data: Tract "A" 23.69 Acres; Tract "B" 26.69 Acres. (Total Acreage in Phase 1 is 50.38 Acres.).
- Current Zoning District: Planned Unit Development (PUD) Conditional District (As an R-6 Conditional District and Multi-Family Residential Conditional District as defined and established by Ordinance Number 23-O-011.

- **Lots:**
  - 123 Single Family Detached Lots.
  - 56 Single Family Attached Lots. (Townhomes)
  - Total of 179 Residential Units in Phase One.
- **Lot Size:**
  - Single Family Detached Lots Average 8,689 square feet.
  - Single Family Attached Lot will feature 2,200 square feet.
- **Recreation Land:**
  - Tract "A" proposes 12,560sf (0.29 ac) of recreation space; Tract "B" proposes 84,746 sf (1.94 ac) of recreation space.
    - A portion of the land above, that meet the Subdivision Ordinance Standards for Dedication may be used for recreation dedication. TBD at Final Plat.

- **Site Information/History**
  - This site was proposed as a Planned Unit Development (PUD) due to the unique constraints to the property:
    - Environmentally Sensitive Land.
    - Piedmont Natural Gas Easement.
  - This site required extensive research prior to the formulation of the PUD document and rezoning to determine the land's usability.
  - The applicant voluntarily conducted public meetings to determine the community's desires and concerns for this site and development prior to its completion and submission to the Winterville P&Z Board and Town Council.

- **Site Information/History**
  - Numerous meetings were held with various departments in the formulation of the PUD Document and Rezoning.
  - The PUD Document and Rezoning Received final approval by the Town of Winterville Town Council on January 9, 2023.
  - The PUD is a Conditional District that sets its own guidelines and requirements for the development.
    - \* Any aspect of the development that is not addressed or covered within the PUD Ordinance is subject to the standards, procedures, and regulations of the Town of Winterville.

Approved  
Rezoning and PUD Plan

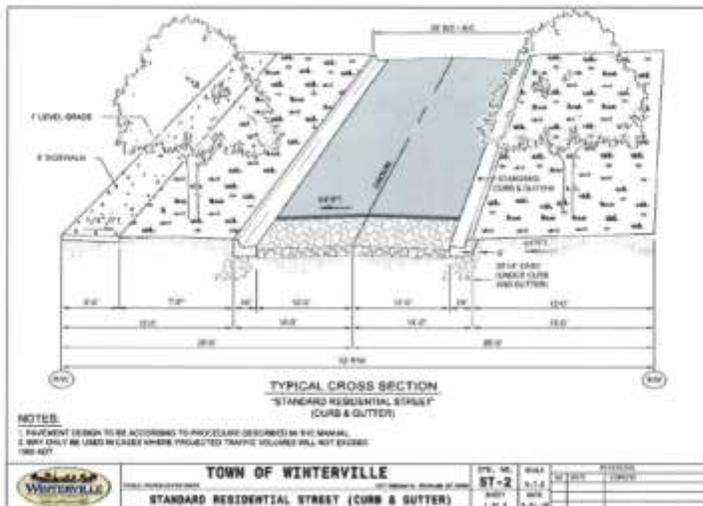


Lot Dimensional Requirements  
Approved with PUD

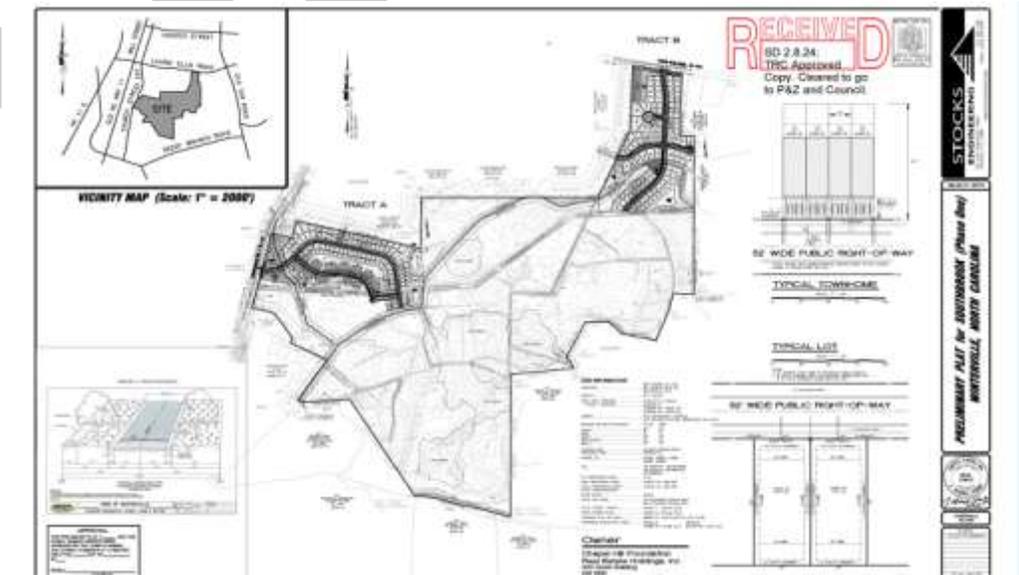
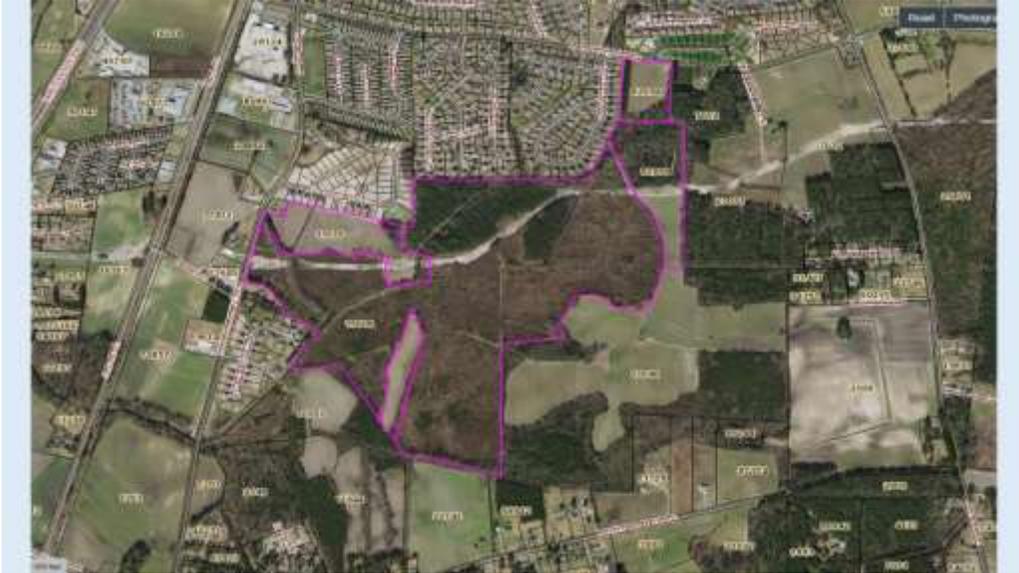
	Districts	MINIMUM LOT SIZE (See Notes)		MINIMUM YARD REQUIREMENTS (See Notes)			Maximum height (in feet)
		Lot Area Square Feet	Lot Width (in feet) (1)	Front yard setback (in feet)	Side yard (in feet)	Rear yard (in feet)	
R-6	Single-family	6,000	50	20	5	20	35
M-R	Single-family attached	2,000	20	20	5	20	35

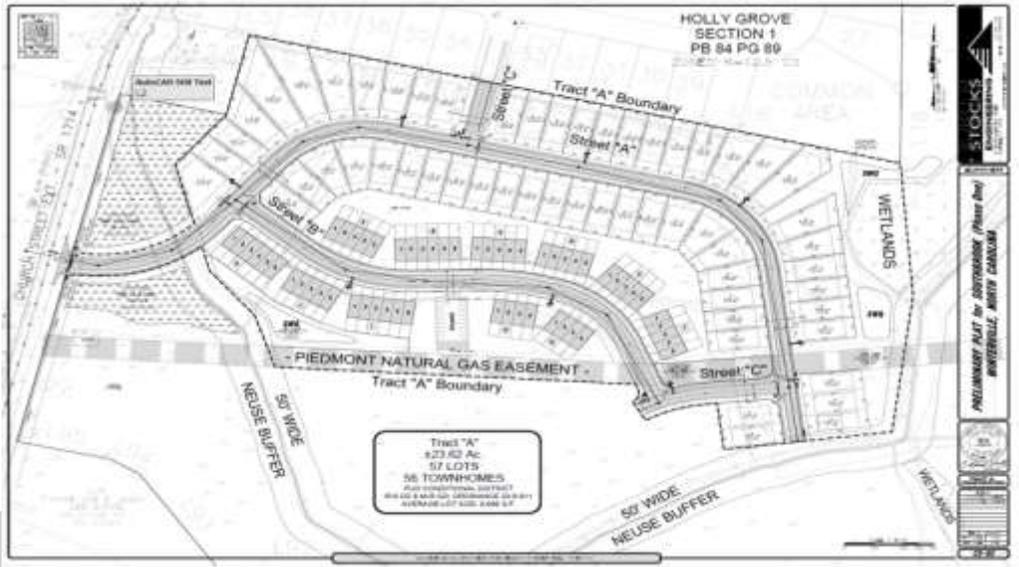
Street Cross Section  
Approved with PUD

Appendix 3 - Street Cross Section



Sidewalk  
Street Trees  
28' B/B  
52' ROW







Town of  
**WINTERVILLE**

*A slice of the good life!*

Preliminary Plat- Southbrook-Phase One

- **Subdivision Highlights:**
  - **Open Space & Common Areas:** Open spaces such as pocket parks, walking trails, etc.
  - **Building Requirement Examples for ALL Single Family Detached:**
    - Minimum of 1,800sf heated space,
    - Two car decorative or windowed garages,
    - Architectural shingles,
    - No duplicate home elevation allowed side by side, across the street or diagonally from each other.
    - 6" minimum roof overhang on all sides.
  - **Building Requirement Examples for ALL Single Family Attached:**
    - Minimum of 1,600sf heated space,
    - Architectural shingles,
    - 6" minimum roof overhang on all sides.

Town of  
**WINTERVILLE**

*A slice of the good life!*

Preliminary Plat- Southbrook-Phase One

- **Subdivision Highlights: (Continued)**
  - **Tree Lined Streets:**
    - Streetscape will feature tree-lined streets within a designated 7' planting strip. (Maintained by HOA)

**P&Z Recommendation:**

- P&Z Recommended **Approval** at their February Meeting. (Unanimous).

**Staff Recommendation:**

- If approved, Construction Drawings submission is required for review and approval by the Technical Review Committee prior to development.
- Once required Construction Drawing improvements have been completed, a Final Plat will be required.
- Staff Recommends **Approval** of Southbrook, Phase One, Preliminary Plat as it has been approved by the Winterville Technical Review Committee and meets all standards for this project.

Councilman Moyer asked if there were any nearby PUD developments. Planning and Economic Development Director Penn said the Raleigh-Durham Triangle and Wilmington area were the closest. Councilwoman Hawkins in considering the approval, how will this affect the Town as a whole and residual effects of this size. Councilman Moyer asked if the gas line placement was in place prior to design. Planning and Economic Development Director Penn said yes, they had to design around the gas line.

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

**Motion made by Councilman Moyer and seconded by Councilwoman Smith to approve the Southbrook Phase 1 Preliminary Plat. Motion carried, 4-1, Councilwoman Hawkins opposed.**

**OTHER AGENDA ITEMS:**

1. Stray Animals/Loose Pets. (Councilwoman Hawkins).

Councilwoman Hawkins noted that the issue had been brought before Town Council earlier and asked what was being done. Town Manager Parker provide a copy of the Ordinance and gave a summary of when the Town operated a part-time service and was suspended when COVID hit. The Town does not have the facilities and services to operate. Town Manager Parker is scheduled to meet with Pitt County Animal Services Director Chad Singleton to get a contract. Wildlife is handled by the Wildlife Service. Mayor Pro Tem Harrell asked for Council be sent the Wildlife service contact information and an update on status. Councilman Moye asked that space can be a problem, what is needed. Town Manager Parker noted that cost previously was high, and space is limited at the Pitt County Animal Facility.

2. Town Spring Beautification. (Councilwoman Hawkins).

Councilwoman Hawkins said Council has spoken in past about beautifying our Town, especially elderly and disabled. Mayor Pro Tem Harrell said it would be nice for Council to do. Councilwoman Roberson suggested involving the Chamber of Commerce. Councilwoman Smith said get volunteer organizations to help those in need. Councilwoman Roberson said it would be good to get others to help, compile a list. Councilwoman Hawkins suggested involving skilled volunteers.

#### **ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:**

None.

**ANNOUNCEMENTS:** Town Clerk Harvey gave the following announcements:

1. Planning and Zoning Board Meeting: Monday, March 18, 2024 @ 7:00 pm - Town Hall Assembly Room.
2. Board of Adjustment Meeting: Tuesday, March 19, 2024 @ 7:00 pm - Town Hall Assembly Room.
3. Recreation Advisory Board: Tuesday, March 26, 2024 @ 6:30 pm – Operation Center.
4. April Agenda Information and Abstracts Due: Wednesday, March 27, 2024.
5. Human Relations Board Meeting: Thursday, March 28, 2024 @ 7:00 – Executive Conference Room.
6. Good Friday Holiday - Town Offices Closed: Friday, March 29, 2024.
7. Agenda Review Meeting: Thursday, April 4, 2024 @ 4:00 pm – Town Hall Executive Conference Room.
8. Regular Town Council Meeting: Monday, April 8, 2024 @ 6:00 pm - Town Hall Assembly Room.
9. NCLM Town and State Dinner: Wednesday, April 10, 2024 at 5:15 pm - 8:00 pm - The Firehouse, 109 E Ash Street, Goldsboro, NC.

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

**Attorney Lassiter:** No report and no closed session tonight.

**Councilwoman Smith:** Thanks for everyone coming out.

**Councilwoman Roberson:** Glad to see all those in attendance and all the special recognition for those honoring women.

**Councilwoman Hawkins:** Thank you to Pastor Felton for the breakfast and recognition, launching out with love. Thank you for being here tonight. Thank you and appreciate you women that are hidden figures.

**Councilman Moye:** Thank-you for coming out. The pen at your place is from Pastor Felton. Everyone have a Safe Easter holiday.

**Manager Parker:** Deferred time to Parks and Recreation Director White and Assistant Town Manager Bowers.

**Parks and Recreation Director White:** Invitation to opening day of baseball season on Saturday, March 16<sup>th</sup> at 9:00 am.

**Assistant Town Manager Bowers:** An Electric Survey is being conducted via email and social media. Please encourage citizens to take the survey.

**Mayor Hines:** Mayor is attending the NLC meeting in Washington, DC

**Mayor Pro Tem Harrell:** Thank you to the Winterville Church of Christ and Pastor Felton. Thank you to all the Women, and those on Council and to the Staff.

**ADJOURN:**

**Motion made by Councilman Moyer and seconded by Councilwoman Hawkins to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 7:26 pm.**

Adopted this the 8<sup>th</sup> day of April 2024.

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Richard E. Hines, Mayor

ATTEST:

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Donald Harvey, Town Clerk



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** Consent Agenda

**Meeting Date:** April 8, 2024

**Presenter:** Donald Harvey, Town Clerk

**Item to be Considered**

**Subject:** Retention Schedule Updates.

**Action Requested:** Approval of Schedule Updates.

**Attachment:** General Records Schedule and Program Records Schedule Summaries.

**Prepared By:** Donald Harvey, Town Clerk

**Date:** 3/27/2024

**ABSTRACT ROUTING:**

TC: 4/1/2024

TM: 4/1/2024

Final: tlp - 4/1/2024

**Supporting Documentation**

The North Carolina Department of Natural and Cultural Resources has revised the Records Retention Schedules for local governments. The General Schedule, which was last updated in 2019 now includes items that any kind of local agency may create, such as budgets, personnel files, correspondence, etc.

The Program Records Schedule is a new retention schedule created from the former Municipal Retention Schedule that was last updated in 2012. This new schedule contains specific functions of government at the municipal level and two additional standards, law enforcement records, and tax records. G. S. § 121 - 5 and G. S. § 132 - 3 require a municipality to approve the current schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the Division of Archives and Records.

**Budgetary Impact:** NA.

**Recommendation:** Recommend Council Approval of Retention Schedules.

# RECORDS RETENTION AND DISPOSITION SCHEDULE

## GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



North Carolina Department of Natural and Cultural Resources  
Division of Archives and Records  
Government Records Section

October 1, 2021

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## **2021 General Records Schedule: Local Government Agencies**

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 General Records Schedule: Local Government Agencies**:

1. Administration and Management Records
2. Budget, Fiscal, and Payroll Records
3. Geographic Information System Records
4. Human Resources Records
5. Information Technology Records
6. Legal Records
7. Public Relations Records
8. Risk Management Records
9. Workforce Development Records

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

### **Destructions**

G.S. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

***Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.***

### **Audits and Litigation Actions**

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

### **Electronic Records**

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, G.S. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

### **Reference Copies**

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends.*” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends.*” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends.*”

### **Record Copy**

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”<sup>1</sup> The record copy is the one whose retention and disposition is mandated by this schedule; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to

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<sup>1</sup> Society of American Archivists, *Dictionary of Archives Terminology*.

designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

### **Transitory Records**

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”<sup>2</sup>

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

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<sup>2</sup> Ibid.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes previous versions of this schedule and any localized amendments; it is to remain in effect from the date of approval until it is reviewed and updated.

**APPROVAL RECOMMENDED**

\_\_\_\_\_  
Municipal/County Clerk or Manager  
Title: Town Clerk

Sarah E. Koonts  
Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

\_\_\_\_\_  
Head of Governing Body  
Title: Mayor

D. Reid Wilson  
D. Reid Wilson, Secretary  
Department of Natural and Cultural  
Resources

Municipality/County: Town of Winterville

Effective: October 1, 2021

Update Adopted : April 8, 2024

## EXECUTIVE SUMMARY

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
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- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

## LEGEND FOR RECORDS SCHEDULE

This records retention and disposition schedule applies to records in all media, unless otherwise specified.



– symbol designating that one or more records in this series may be confidential or may include confidential information.

**Item #** – an identifying number assigned to each records series for ease of reference.

**Series** – “a group of similar records that are . . . related as the result of being created, received, or used in the same activity.” (From Society of American Archivists, *Dictionary of Archives Terminology*). Series in this schedule are based on common functions in government offices.

**Records Series Title** – a short identification of the records in a series, based on their common function.

**Series Description** – a longer description of the records in a series, often including the types of records that can frequently be found in that series. This information is included underneath the Records Series Title.

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**Citation** – a listing of references to statutes, laws, and codes related to the records series. Citations can include:

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- Confidentiality: limiting access to public records
- Retention: setting a retention period

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Records concerning internal and external audits conducted to assess the function of government programs. Includes reports, working papers, corrective measures, and other related records.

SEE ALSO: Audits: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).

**Sample records series title and description with cross-reference included**

***No destruction of records may take place if litigation or audits are pending or reasonably anticipated. See also AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.***

# RECORDS RETENTION AND DISPOSITION SCHEDULE

## PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



North Carolina Department of Natural and Cultural Resources  
Division of Archives and Records  
Government Records Section

October 1, 2021

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## **Program Records Schedule: Local Government Agencies**

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 Program Records Schedule: Local Government Agencies**:

10. Airport Authority Records
11. Animal Services Records
12. Code Enforcement and Inspection Records
13. Emergency Medical Services and Fire Department Records
14. Parks and Recreation Records
15. Planning and Regulation of Development Records
16. Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records
17. Public Transportation Systems Records
18. Public Utilities and Environmental/Waste Management Records
19. Street Maintenance, Public Works, and Engineering Records
20. Law Enforcement Records (excluding Sheriff's Offices)
21. Tax Records (for municipalities)

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

### **Destructions**

N.C. Gen. Stat. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

***Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.***

### **Audits and Litigation Actions**

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

### **Electronic Records**

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, N.C. Gen. Stat. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

### **Reference Copies**

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends.*” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends.*” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends.*”

### **Record Copy**

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”<sup>1</sup> The record copy is the one whose retention and disposition is mandated by these schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social

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<sup>1</sup> Society of American Archivists, *Dictionary of Archives Terminology*.

media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

### **Transitory Records**

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”<sup>2</sup>

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. These schedules supersede previous versions of these schedules and any localized amendments; they are to remain in effect from the date of approval until they are reviewed and updated.

---

<sup>2</sup> Ibid.

**APPROVAL RECOMMENDED**

\_\_\_\_\_  
Municipal/County Clerk or Manager  
Title: Town Clerk

  
\_\_\_\_\_  
Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**

\_\_\_\_\_  
Head of Governing Body  
Title: Mayor

  
\_\_\_\_\_  
D. Reid Wilson, Secretary  
Department of Natural and Cultural  
Resources

County/Municipality: Town of Winterville

Effective: October 1, 2021

Update Adopted: April 8, 2024

## EXECUTIVE SUMMARY

- ✓ Some records are covered by the *General Records Schedule: Local Government Agencies* and, therefore, are not listed separately here.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
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*Sample records series title and description with cross-reference included*

**No destruction of records may take place if litigation or audits are pending or reasonably anticipated. See also AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS, page A-5.**



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** Consent Agenda

**Meeting Date:** April 8, 2024

**Presenter:** Stephen Penn, Planning and Economic Development Director

**Item to be Considered**

**Subject:** Eli's Ridge Phase 5 Annexation Petition

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

**Attachment:** Annexation Petition, Annexation Map, Legal Description, Resolution, and Draft Certificate of Sufficiency.

**Prepared By:** Stephen Penn, Planning and Economic Development Director

**Date:** 3/25/2024

**ABSTRACT ROUTING:**

TC: 4/1/2024

TM: 4/1/2024

Final: tlp - 4/1/2024

**Supporting Documentation**

**Applicant:** Landon Weaver of Bill Clark Homes of Greenville LLC.

**Location:** Phase 5 of Eli's Ridge located off of Worthington Road.

**Parcel Numbers:** 84754.

**Site Data:** 5.5089 Acres.

**Zoning District:** R-10.

**Staff Analysis:**

The applicant is constructing Eli's Ridge Phase 5 in order to build more Single-Family Residential Homes.

**Budgetary Impact:** TBD

**Recommendation:** Direct Town Clerk to Investigate Sufficiency.

PETITION REQUESTING ANNEXATION

Date: 3/21/24

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.

- All owners of the property must sign.

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

Description

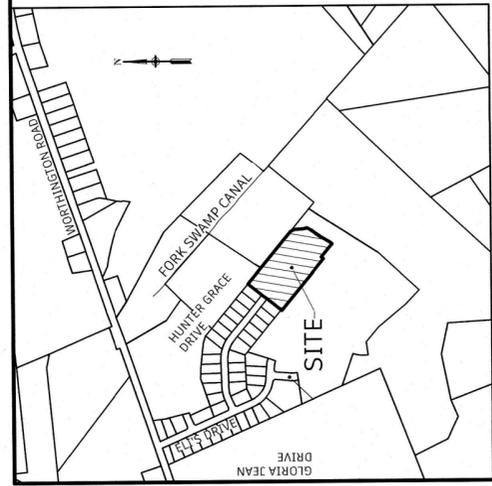
Name London Weaver for Bill Clark Homes of Greenville LLC Address 200 E. Arlington Blvd Greenville NC 27858  
 Signature [Signature] for Bill Clark Homes of Greenville LLC.

Name \_\_\_\_\_ Address \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Signature \_\_\_\_\_



GRAPHIC SCALE  
1" = 1000'

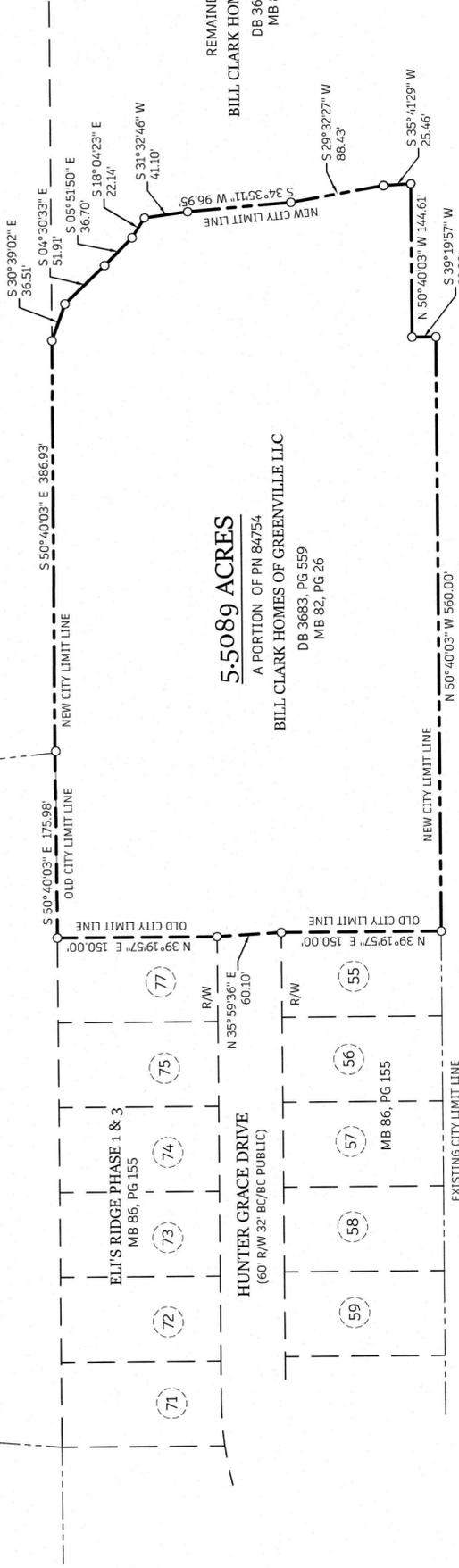
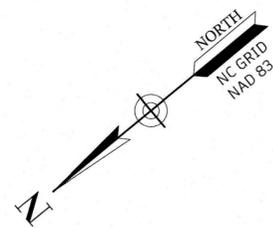
PN 86614  
BILL CLARK HOMES OF GREENVILLE, LLC  
DB 3683, PG 559  
MB 82, PG 26

PN 87100  
ELI'S RIDGE HOMEOWNERS ASSOCIATION, INC.  
DB 4368, PG 655  
MB 86, PG 155

PN 36710  
ALVA WAYNE WORTHINGTON, JR.  
ESTATE FILE 22E, SLIDE 696  
DB 1558, PG 508

PN 36710

FORK SWAMP CANAL



**5.5089 ACRES**  
A PORTION OF PN 84754  
BILL CLARK HOMES OF GREENVILLE LLC  
DB 3683, PG 559  
MB 82, PG 26



**CERTIFICATIONS**

I, DEBORAH T. BRETTE, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OR FROM REFERENCES HEREIN; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES AND ARE PLOTTED FROM INFORMATION FOUND IN DEEDS AND MAPS REFERENCED HEREIN.

WITNESS MY HAND AND SEAL THIS THE  
21<sup>ST</sup> DAY OF MARCH, 20 24  
Deborah T. Brette  
PROFESSIONAL LAND SURVEYOR L-4146

NORTH CAROLINA, Pitt COUNTY  
I, Judy R. Stroud, NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT Deborah T. Brette, A PROFESSIONAL LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS 21<sup>ST</sup> DAY OF MARCH, 20 24.  
NOTARY PUBLIC Judy R. Stroud  
MY COMMISSION EXPIRES 2/27/25



SHEET 1 OF 1

A PORTION OF PARCEL NUMBER 84754		ELI'S RIDGE, PHASE 5	
MAP SHOWING AREA TO BE ANNEXED BY		WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA	
ORDINANCE NO. _____ AREA 5.5089 ACRES		OWNER: BILL CLARK HOMES OF GREENVILLE, LLC 200 E ARLINGTON BLVD GREENVILLE, NC 27858 (252) 355-3805	
ACCEPTED BY THE TOWN OF WINTERVILLE, NC		STROUD ENGINEERING, P.A. 107-B COMMERCE STREET GREENVILLE, NC 27858 (252) 756-9352 LICENSE NO. C-0667	
MAYOR _____	DATE _____	SURVEYED: HOB	APPROVED: DTB
_____	_____	DRAWN: MLB	DATE: 03/04/2024
_____	_____	CHECKED: DTB	SCALE: 1" = 100'



Legal Description for Annexation  
ELI'S RIDGE, PHASE 5

Lying and being in Winterville Township, Pitt County, North Carolina and lying north of NCSR 1713 Laurie Ellis Road, east of NCSR 1700 Old Tar Road, and being bounded on the north by Eli's Ridge, Phase 1 & 3 (Map Book 86, Page 155) and Eli's Homeowners Association, Inc. (Deed Book 4368, Page 655), on the west and south by Bill Clark Homes of Greenville, LLC (Deed Book 3683, Page 559), and on the southeast by Alva Wayne Worthington, Jr. (Estate File 22E, Slide 696 and Deed Book 1558, Page 508) and being more particularly described as follows:

Beginning at a point on the eastern right-of-way of Hunter Grace Drive, said point being the southernmost corner of Lot 77, Eli's Ridge, Phase 2 & 3 as recorded in Map Book 86, Page 155, the True Point of Beginning. Thence from the True Point of Beginning, leaving the eastern right-of-way of Hunter Grace Drive and following the southern line of Lot 77 N39-19-57E – 150.00' to the easternmost corner of Lot 77, a point in the western line of Eli's Ridge Homeowners Association, Inc. (Deed Book 4368, Page 655), thence leaving Lot 77 and following the line of Eli's Ridge Homeowners Association S50-40-03E – 175.98' to the westernmost corner of the Alva Wayne Worthington, Jr. property, thence with the Worthington line S50-40-03E – 386.93', thence leaving the Worthington line and following a line of annexation through the lands of Bill Clark Homes of Greenville, LLC (Deed Book 3683, Page 559), the following calls: S30-39-02E – 36.51', thence S04-30-33E – 51.91', thence S05-51-50E – 36.70', thence S18-04-23E – 22.14', thence S31-32-46W – 41.10', thence S34-35-11W – 96.95', thence S29-32-27W – 88.43', thence S35-41-29W – 25.46', thence N50-40-03W – 144.61', thence S39-19-57W – 22.38', thence N50-40-03W – 560.00' to the southernmost corner of Lot 55, Eli's Ridge, Phase 1 and 3 as recorded in Map Book 86, Page 155, thence along the line of Lot 55 N39-19-57E – 150.00' to a point on the western right-of-way of Hunter Grace Drive, thence crossing Hunter Grace Drive N35-59-36E – 60.10' to the True Point of Beginning, containing 5.5089 Acres and being a portion of Parcel Number 84754 as filed with the Pitt County Tax Assessor's Office.

Deborah T. Boyette  
Professional Land Surveyor  
L- 4146  
Date 3-21-24



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

**ELI’S RIDGE PHASE 5 - LOCATED OFF OF WORTHINGTON ROAD  
PARCEL NUMBERS: 84754**

**WHEREAS**, petitions requesting annexation of an area described in said petitions were received March 21, 2024 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 8<sup>th</sup> day of April 2024.

\_\_\_\_\_  
Richard E. Hines, Mayor

ATTEST:

\_\_\_\_\_  
Donald Harvey, Town Clerk

**CERTIFICATE OF SUFFICIENCY**

**ELI'S RIDGE PHASE 5 - LOCATED OFF OF WORTHINGTON ROAD  
PARCEL NUMBERS: 84754**

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 9<sup>th</sup> day of April 2024.

ATTEST:

---

Donald Harvey, Town Clerk



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** New Business

**Meeting Date:** April 8, 2024

**Presenter:** Anthony Bowers, Assistant Town Manager

**Item to be Considered**

**Subject:** Resolution adopting improvements for an all way stop intersection at Old Tar Road and Vernon White Road.

**Action Requested:** Adopt the Resolution

**Attachment:** Draft Resolution 24-R-042

**Prepared By:** Anthony Bowers, Assistant Town Manager

**Date:** 3/28/2024

**ABSTRACT ROUTING:**

**TC:** 4/1/2024

**TM:** 4/1/2024

**Final:** tlp - 4/1/2024

**Supporting Documentation**

The Town Council expressed concerns regarding the intersection of Old Tar Road and Vernon White Road. As a result, Staff reached out to NCDOT and conveyed the concerns of the Council. NCDOT listened to the request and reviewed the intersection to determine if improvements could be made. They determined that this intersection will need some modifications due to the turn lanes but felt like this could still be an all way stop at the intersection.

Attached is the resolution requested by NCDOT.

Once adopted we will communicate the Council's vote for the improvements to be installed, including if necessary, the installation of traffic islands, by NCDOT.

**Budgetary Impact:** NA.

**Recommendation:** Adopt the Resolution.

**A RESOLUTION TO SUPPORT  
THE INSTALLATION OF AN ALL WAY STOP  
AT OLD TAR ROAD AND VERNON WHITE ROAD**

**WHEREAS**, Old Tar Road and Vernon White Road is a North Carolina State road, both being primary transportation routes in the Winterville area; and

**WHEREAS**, the intersection of Old Tar Road and Vernon White Road is heavily traveled at all time of day; and

**WHEREAS**, the Town of Winterville and the NC Department of Transportation have observed an accident rate at the intersection of Old Tar Road and Vernon White Road that is warranting discussion as to how to make the intersection safer for all who use it; and

**WHEREAS**, NC Department of Transportation has proposed adding stop signs on Old Tar Road with an all way stop at the intersection with Vernon White Road; and,

**WHEREAS**, the NC Department of Transportation has provided information that shows an all way stop is an effective way to reduce vehicular accidents at highly traveled intersections.

**NOW, THEREFORE, BE IT RESOLVED**, by the Winterville Town Council that the Town of Winterville supports the safety improvements proposed by the NC Department of Transportation at the intersection of Old Tar Road and Vernon White Road, including the addition of traffic islands and the installation of an all way stop.

Adopted this the 8<sup>th</sup> day of April 2024.

\_\_\_\_\_  
Richard E. Hines, Mayor

ATTEST:

\_\_\_\_\_  
Donald Harvey, Town Clerk



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** Old Business

**Meeting Date:** April 8, 2024

**Presenter:** Terri L. Parker, Town Manager

**Item to be Considered**

**Subject:** Human Relations Board Discussion.

**Action Requested:** Decision on the future of the Board.

**Attachment:** None.

**Prepared By:** Terri L. Parker, Town Manager

**Date:** 4/1/2024

**ABSTRACT ROUTING:**

TC: 4/1/2024

TM: 4/1/2024

Final: tlp - 4/1/2024

**Supporting Documentation**

**Human Relations Board**

The Human Relations Board consists of six (6) Members. At the present time, the Board has met irregularly due to attendance.

Council is asked to discuss the status and desired future of this Board.

**Budgetary Impact:** TBD..

**Recommendation:** NA.



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** New Business

**Meeting Date:** April 8, 2024

**Presenter:** Donald Harvey, Town Clerk

**Item to be Considered**

**Subject:** 2024 NCLM Board of Directors - Nominating and Elections Process.

**Action Requested:** Select Town Voting Delegate.

**Attachment:** 2024 NCLM Board of Directors - Nominating and Elections Process Guide.

**Prepared By:** Donald Harvey, Town Clerk

**Date:** 3/27/2024

**ABSTRACT ROUTING:**

**TC:** 4/1/2024

**TM:** 4/1/2024

**Final:** tlp - 4/1/2024

**Supporting Documentation**

Selection of voting delegate for the Town.

On or Before April 12, 2024. Voting Delegates will receive instructions.

The appointed voting delegate from each member municipality shall vote on the slate of candidates via electronic means. April 12 – April 19, 2024.

**Budgetary Impact:** TBD.

**Recommendation:** Staff recommends Council select a delegate for NCLM Board of Directors election.

## **NCLM 2024 Board of Directors Elections Process**

### **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 12, 2024. Voting delegates will receive their credentials and voting instructions allowing them to cast electronic votes.

#### **Delegate Your Voting Delegate**

The nomination period for the 2024-2025 Board of Directors is now open and will run through March 31. Once again, we will hold an electronic voting process for board elections.

During CityVision, held April 23-25 in Winston-Salem, League members will attend the annual business meeting where the 2024-2025 electronic Board of Directors election results will be announced.

You are receiving this because each member municipality shall designate one voting delegate who is eligible to cast a single vote for the 2024-2025 League Board of Directors in advance of the annual business meeting.

Please complete the Voting Delegate form to identify your municipality's voting delegate to ensure delivery of electronic ballot and voting instructions by April 12, 2024.

#### **Electronic Voting Timeline**

- The designated voting delegate shall receive their credentials and voting instructions on or before April 12, 2024.
- The appointed voting delegate shall vote on the slate of candidates via electronic means between April 12 - April 19, 2024.
- The election results shall be presented to the membership at CityVision 2024, April 25, 2024, at the NCLM Annual Business Meeting during the CityVision conference.



# 2024-2025 NCLM Board | Designate Your Municipality's Voting Delegate

**Designation of the Voting Delegate:** Each Voting Delegate shall cast the single vote of the municipality for the 2024-2025 NCLM Board of Directors | Slate of Candidates.

Please complete the Voting Delegate form to identify your municipality's voting delegate to ensure delivery of electronic ballot and voting instructions by April 12, 2024.

If you have questions, contact Sarah Collins, [scollins@nclm.org](mailto:scollins@nclm.org).

## VOTING DELEGATE INFORMATION

Name\*(required)

Municipality\*(required)

Preferred Email - unique to voting delegate to receive ballot\*(required)

Cell Number\*(required)

Preferred Address\*(required)

## Person Completing Form (if different from above)

Name

Email

Preferred Phone Number



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** New Business

**Meeting Date:** April 8, 2024

**Presenter:** Anthony Bowers, Assistant Town Manager

**Item to be Considered**

**Subject:** Solid Waste Corrective Action Recommendation to address problems with funding and operations.

**Action Requested:** Approve Staff Recommendation.

**Attachment:** None.

**Prepared By:** Anthony Bowers, Assistant Town Manager

**Date:** 3/28/2024

**ABSTRACT ROUTING:**

TC: 4/1/2024

TM: 4/1/2024

Final: tlp - 4/1/2024

**Supporting Documentation**

Due to the recent problems with sanitation services and complaints from citizens, Staff held a workshop with the Council to discuss the issues on February 26, 2024. At this meeting, Staff presented several options to provide relief to the problems identified during that work session.

At the conclusion of that meeting Councilman Moye asked Staff for our recommendation. After the meeting Staff had conversations with GFL and reviewed our significant financial losses.

We are recommending that we renew our contract with GFL. They have agreed to make significant changes to their operations and our points of contact within the company. They were the low bid in the recent RFP by a significant margin.

**Recommendation is as follows:**

Award Contract to GFL

Change Routes to 4 days a week with recycling and garbage being the same day.

Reduce Recycling pickup from weekly to biweekly.

Increase the sanitation rate to equal the minimum of surrounding communities. \$15.00 per month. This is a monthly increase in the amount of \$3.50. The sanitation contract increases by the CPI every year. So, this rate should be revisited in two years to address inflation. This monthly fee equates to \$2.33 per pick up. (less than a cup of coffee and is a real value).

Only collect construction debris will be collected from homeowners for a fee of \$175 per load. Must be prepaid and with a one load minimum. This does not include work performed by contractors.

Tires will be picked up for \$25 per tire if prepaid.

Please keep in mind we are losing \$1.2 million per year in the Public Works

**Budgetary Impact:** Significant reduction in losses in the amount of \$260,000 per year. Roughly 3 cents on the tax rate.

**Recommendation:** Approve Staff Recommendation.



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** New Business

**Meeting Date:** April 8, 2024

**Presenter:** Anthony Bowers, Assistant Town Manager

**Item to be Considered**

**Subject:** Award of Contact to GFL for Sanitation and Recycling Services.

**Action Requested:** Award Contract.

**Attachment:** None.

**Prepared By:** Anthony Bowers, Assistant Town Manager

**Date:** 3/28/2024

**ABSTRACT ROUTING:**

TC: 4/1/2024

TM: 4/1/2024

Final: tlp - 4/1/2024

**Supporting Documentation**

The Town received bids for sanitation on February 20, 2024. We held a required pre-bid conference and had three bidders attend. They were Republic Sanitation Services, GFL, and Waller Sanitation Services. We only received 2 bids with the final submittal.

Changes include 4-day routes, Biweekly sanitation, lower rate, large scale can replacement of all old Waste Industries cans, and a performance bond to require services are being managed properly. GFL is also willing to agree to a 6-month probationary contract to allow for the changes to be made and ensure that we are getting the service we expect. The contract can be terminated at that point if terms are not being met.

The agreement is for 3 years with the two-year annual renewal.

Agreement will be signed upon approval of the contract by the Town attorney.

<b>Republic Proposal</b>	<u>Weekly GA and Rec</u>	<u>Weekly GA Biweekly Rec</u>
Solid Waste	\$ 13.45	\$ 13.45
Recycling	\$ 8.05	\$ 8.05
Combined Total	\$ 21.50	\$ 21.50

<b>GFL</b>	<u>Weekly GA and Rec</u>	<u>Weekly GA Biweekly Rec</u>
Solid Waste	\$ 7.95	\$ 7.95
Recycling	\$ 3.95	\$ 1.95
Combined Total	\$ 11.90	\$ 9.90

**Budgetary Impact:** : Cost reduction to the Town.

**Recommendation:** Award the contract to GFL at a cost of \$9.90 per month.



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** New Business

**Meeting Date:** April 8, 2024

**Presenter:** Jessica Manning, Finance Director

**Item to be Considered**

**Subject:** Audit Contract for Fiscal Year 2023-2024.

**Action Requested:** Approval of the Audit Contract with Mauldin & Jenkins, LLC for 2024.

**Attachment:** Approval of Audit Contract.

**Prepared By:** Jessica Manning, Finance Director

**Date:** 3/28/2024

**ABSTRACT ROUTING:**

TC: 4/1/2024

TM: 4/1/2024

Final: tlp - 4/1/2024

**Supporting Documentation**

Each year the Town Council must approve the contract with the audit firm that it will use for its independent review of the Town's Finances. The Town submitted a Request for Proposal for Audit Services on February 7, 2024. We received a response from Mauldin & Jenkins, LLC Certified Public Accountants in Raleigh, NC and Thompson, Price, Scott, Adams & Co, P.A. in Wilmington, NC. The audit contract fee proposed for the June 30, 2024 fiscal year audit was \$45,000 by Mauldin and Jenkins and \$43,000 by Thompson, Price, Scott, and Adams.

After careful review of both proposals, numerous reference checks, and conversations with the lead auditor for each firm; we believe that Mauldin & Jenkins, LLC in Raleigh, NC would be the best fit for the Town. Although their contract fee is slightly higher than the other firm's proposal, we believe that Mauldin and Jenkins will best meet the expectations, needs of the Town, and bring forth a great deal of knowledge and experience. This contract would be a three-year contract for the fiscal year ending June 30, 2024 through June 30, 2026. The contract fee proposed is \$45,000 for 2024, an estimated \$47,000 for 2025, and an estimated \$49,000 for 2026.

Mauldin & Jenkins is nationally recognized and ranked in the Top 100 by various publications as one of the largest certified public accounting firms in the country. They audit more than 650 state and local governments across the Southeastern United States. The firm's main goal is to ensure accurate information is reported to the governing board, management, and citizens; as well as to help governments improve their financial processes and strategies. We believe these goals match the goals and objectives of the Town; therefore, we are recommending Council to approve the Audit Contract with Mauldin and Jenkins, LLC.

**Budgetary Impact:** The Audit Contract is covered by the annual appropriation for audit services.

**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
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*Must be within four months of FYE*

hereby agree as follows:

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

2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards (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 on or 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. If matters identified during the audit were required to be reported as described in AU-C §260.12-.14 and were communicated in a method other than an AU-C §260 letter, the written documentation must be submitted.

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.

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/submitting-your-audit>

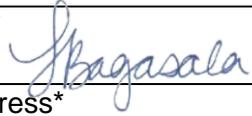
32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

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



**SIGNATURE PAGE**

**AUDIT FIRM**

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

**GOVERNMENTAL UNIT**

Governmental Unit*	
Date Governing Board Approved Audit Contract* <b>(Enter date in box to right)</b>	
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.*

Sum Obligated by This Transaction:	\$
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* (Enter date in box to right)	
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.*

Sum Obligated by this Transaction:	\$
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.