



**TOWN COUNCIL AGENDA**

**September 9, 2019 - 7:00 P.M.**

**WINTERVILLE TOWN HALL ASSEMBLY ROOM**

- I. CALL TO ORDER.**
- II. INVOCATION.**
- III. PLEDGE OF ALLEGIANCE.**
- IV. WELCOME.**
- V. APPROVAL OF AGENDA.**
- VI. RECOGNITION OF EMPLOYEES:**
  1. Darren Anderson, Police Office Trainee, Police Department
  2. Chelsea Farrar, Police Officer, Police Department
  3. Patrick Fee, Police Officer, Police Department
  4. Jordan Fuquay, Police Officer, Police Department
  5. Donovan Wilson, Police Officer, Police Department
- VII. PUBLIC HEARINGS:**
  1. Holly Grove Section 1 Annexation.
  2. Ange Plaza Lot 22 Annexation.
- VIII. PUBLIC COMMENT:** *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*
- IX. CONSENT AGENDA:** *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*
  1. Annexation – Mahmoud Atiyha/Happy Trail Farms.
  2. Set Public Hearing Date for Winterville Land Use Plan – October 14, 2019.
- X. OLD BUSINESS:**
  1. SRF Loan Application – Decline Loan Offer.
  2. Community Day – Change Time of Year to March/April.

**XI. NEW BUSINESS:**

1. Ordinance Amendment for Yard Waste in Streets.2018 Sidewalk Improvements Project – Dixie Queen Parking Lot.
2. Veterans Affairs Greenville Health Care Center request for use of Winterville Operations Center Training Room.
3. 2018 Sidewalk Improvements Project – Dixie Queen Parking Lot.
4. Discussion of Drainage Areas (12) – (Councilman Moore).

**XII. OTHER AGENDA ITEMS.**

**XIII. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:**

**XIV. REPORTS FROM DEPARTMENT HEADS:**

- ❖ Minimum Housing/Code Enforcement (TLP)
- ❖ Tar Road Widening Project – Electric Engineering/Relocation (RS)
- ❖ New Electric Territory Engineering/Installation (RS)
- ❖ Fork Swamp Greenway Project (EJ)
- ❖ Multi-Purpose Building Site Plan (EJ)
- ❖ Winterville Market/Town Common Plan (BW)
- ❖ Winterville Land Use Plan (BJ)
- ❖ Chapman Street Culvert - Nobel Canal Drainage Basin Study (TW)
- ❖ 2018 Sewer Rehab (TW)
- ❖ Church Street Pump Station Rehabilitation (TW)

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

**XVI. ANNOUNCEMENTS:**

1. Special General Election: Tuesday, September 10, 2019.
2. Planning and Zoning Board Meeting: Monday, September 16, 2019 at 7 pm in Town Hall Assembly Room.
3. Board of Adjustment Meeting: Tuesday, September 17, 2019 at 7 pm in Town Hall Assembly Room.

**XVII. ADJOURN.**

**SPECIAL NOTICE:** *Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at (252) 215-2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)*



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** September 9, 2019  
**Presenter:** Bryan Jones, Planning Director

**Item to be Considered**

**Subject:** Holly Grove, Section 1 – Annexation.

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

**Attachments:** Annexation Petition, Annexation Map, Legal Description, Certificate of Sufficiency, and Adjacent Property Notification.

**Prepared By:** Bryan Jones, Planning Director

**Date:** 8/27/2019

**ABSTRACT ROUTING:**

TC 09/03/2019

FD

TM 09/05/2019

Final tlp – 09-05/2019

**Supporting Documentation**

The property owner of Parcels 07840, 07041, and 84295 (Holly Grove, Section 1) is applying for annexation into the Town limits.

**Holly Grove, Section 1:**

**Location:** Church Street Ext. south of its intersection with Laurie Ellis Road.

**Size:** 29 Lots, 13.90 Acres.

**Zoned:** 12.5.

**Annexation Process:**

1<sup>st</sup> Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (6/10/19).

2<sup>nd</sup> Council Meeting: Schedule a Public Hearing for the Annexation (8/19/19).

3<sup>rd</sup> Council Meeting: Hold Public Hearing on the Annexation (9/9/18).

**Budgetary Impact:** TBD.

**Recommendation:** Hold Public Hearing for the Annexation.

PETITION REQUESTING ANNEXATION

Date: 28 May 2019

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

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

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

Description

Name CAROLINA EASTERN HOMES LLC  
R. DALE BENT - Member Manager Address 2012 SHEPARD ST. MORRISHEAD CITY, NC  
Signature  28557

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

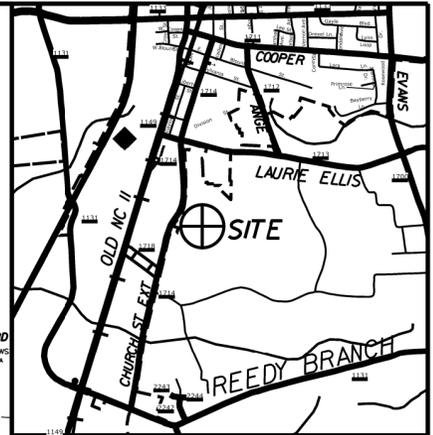
Signature \_\_\_\_\_

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

Signature \_\_\_\_\_

**LEGEND:**  
 NIS = NEW #5 REBAR  
 NPS = NO POINT SET  
 EIP = EXISTING IRON PIPE  
 PP = POWER POLE  
 EIS = EXISTING IRON STAKE  
 B/B = BACK OF CURB TO BACK OF CURB  
 R/W = RIGHT OF WAY  
 NPK = NEW PK NAIL  
 CLR INT = CENTERLINE ROAD INTERSECTION  
 MBL = MINIMUM BUILDING LINE  
 ERRS = EXISTING RAILROAD SPIKE  
 ---X--- = FENCE  
 ---E--- = OVERHEAD ELECTRIC LINE  
 = DRAWING NOT TO SCALE

**SITE DATA**  
 TOTAL AREA IN TRACT = 13.90 ACRES  
 NUMBER OF LOTS CREATED = 29  
 AREA IN COMMON AREA = 1.54 ACRES  
 AREA IN PARKS, RECREATION AREAS, AND THE LIKE = 0  
 LINEAR FEET IN STREETS = 1,929 L.F.  
 ZONING CLASSIFICATION = R-12.5  
 AVERAGE LOT SIZE = 14,547 S.F.



AGRICULTURAL ZONED R-12.5 CUD CAROLINA EASTERN HOMES LLC FUTURE DEVELOPMENT PARCEL #07840 DB 3636, PG 631

RESIDENTIAL ZONED R-10 CUD LAURIE MEADOWS PHASE 3, SECTION 4 MB 8, PG 32

LINE TABLE		CURVE TABLE	
L1	N 53-00-45 E 115.4'	C1	N 40-50-57 W 103.24' R=288.00'
L2	N 55-22-21 E 48.80'	C2	S 37-52-28 E 89.99' R=348.00'
L3	N 57-41-32 E 48.99'	C3	N 48-14-18 W 35.64' R=348.00'
L4	N 59-14-18 E 14.33'	C4	S 86-25-19 W 33.72' R=25.00'
L5	N 59-14-18 E 29.13'	C5	S 06-10-24 E 35.36' R=25.00'
L6	N 60-04-02 E 49.81'	C6	N 83-49-36 E 35.36' R=25.00'
L7	N 59-52-56 E 50.8'	C7	S 83-49-36 W 35.36' R=25.00'
L8	N 59-17-35 E 20.62'	C8	S 12-11-01 W 46.96' R=60.00'
L9	N 59-28-23 E 75.7'	C9	S 63-06-30 W 56.13' R=60.00'
L10	N 59-13-57 E 22.49'	C10	N 66-52-38 W 45.20' R=60.00'
L11	N 57-37-21 E 36.81'	C11	N 22-44-40 W 44.96' R=60.00'
L12	N 55-08-15 E 51.42'	C12	N 66-54-03 E 18.35' R=60.00'
L13	N 52-30-09 E 51.45'	C13	N 28-41-01 E 58.95' R=60.00'
L14	N 49-41-04 E 23.69'	C14	N 66-54-03 E 18.35' R=60.00'
L15	N 70-37-53 E 51.52'	C15	N 57-15-42 E 15.81' R=25.00'
L16	N 61-04-55 E 24.22'	C16	N 06-10-24 W 35.36' R=25.00'
L17	N 71-46-21 E 56.33'	C17	N 51-41-04 W 162.93'
L18	N 75-07-58 E 57.13'	C18	N 49-17-46 E 60.95' R=160.00'
L19	S 69-41-23 E 84.74'	C19	N 32-14-46 E 33.83' R=160.00'
L20	N 80-39-05 E 19.19'	C20	S 61-46-01 E 58.83' R=160.00'
L21	N 72-04-58 E 54.47'	C21	S 51-08-16 W 52.06' R=210.00'
L22	S 26-29-33 W 42.41'	C22	S 13-59-13 W 21.00' R=60.00'
L23	S 26-37-11 W 57.92'		

VACANT/PARTIALLY WOODED ZONED AR CHAPEL HILL FOUNDATION REAL ESTATE HOLDINGS, INC. PARCEL #15008 DB 3348, PG 378 MB 15, PG 21

**SURVEYOR'S CERTIFICATION**

I, JAMES L. EDWARDS, PLS., CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL FIELD SURVEY MADE BY ME, THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM DEED INFORMATION SHOWN IN DEED BOOK N/A, PAGE N/A, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY HAND AND SEAL THIS 28th DAY OF MAY, 2019.  
 I CERTIFY THAT THIS MAP IS OF ANOTHER CATEGORY (ANNEXATION).

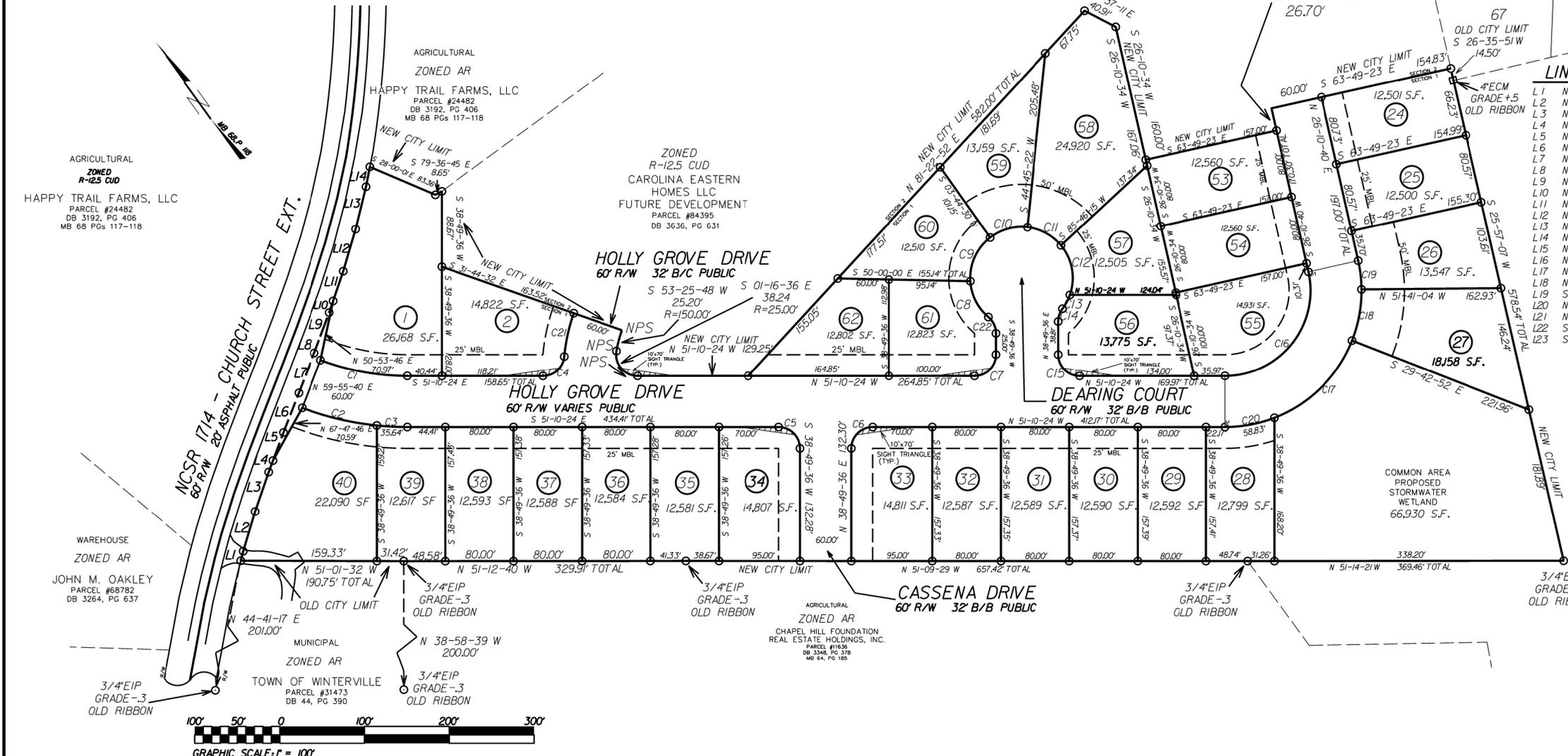
JAMES L. EDWARDS, PLS. L-4867

**REVIEW OFFICER**

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

DATE: \_\_\_\_\_

REVIEW OFFICER \_\_\_\_\_



ANNEXATION MAP FOR TAX PARCELS 07840, 07841, AND 84295.

**HOLLY GROVE SUBDIVISION**  
 ALL OF SECTION 1  
 REFERENCE: DEED BOOK 3636, PAGES 631-636 OF THE PITT COUNTY REGISTER OF DEEDS  
 WINTERVILLE TOWNSHIP, PITT COUNTY, NC

OWNER: CAROLINA EASTERN HOMES, LLC  
 ADDRESS: P.O. BOX 235 MOREHEAD CITY, NC, 28557  
 PHONE: (252) 725-5375 DATE: 5/28/19 SCALE: 1 INCH EQUALS 100 FEET.

**JAMES L. EDWARDS LAND SURVEYING** (252) 714-7374  
 362 SECOND STREET, AYDEN, NC, 28513

MAP SHOWING AREA ANNEXED BY TOWN OF WINTERVILLE, N.C.  
 ORDINANCE NO: \_\_\_\_\_ AREA: 13.90 ACRES  
 ACCEPTED FOR THE TOWN OF WINTERVILLE

MAYOR \_\_\_\_\_ DATE \_\_\_\_\_

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

Beginning at a new iron stake in the Eastern Right of Way of NCSR 1714, Church Street Ext. and continuing along said Right of Way N 53-00-45 W, 11.54 feet to another new iron stake, thence N 55-22-21 E, 48.80 feet to another new iron stake, thence N 57-41-32 E, 48.99 feet to another new iron stake, thence N 67-47-46 E, 70.59 feet to another new iron stake, thence N 50-53-46 E, 70.97 feet to another new iron stake, thence N 57-37-21 E, 36.81 feet to another new iron stake, thence N 55-08-15 E, 51.42 feet to another new iron stake, thence N 52-30-09 E, 51.45 feet to another new iron stake, thence N 49-41-04 E, 23.69 feet to another new iron stake in said Right of Way, thence leaving said Right of Way S 28-00-01 E, 83.36 feet to another new iron stake, thence S 79-36-45 E, 8.65 feet to the Northeastern Property Corner of new Lot 1, thence S 38-49-36 W, 88.67 feet to another new iron stake, being the Northwestern Property Corner of new Lot 2, thence S 31-44-32 E, 163.52 to a new iron stake in the Western Right of Way of new street, Holly Grove Drive, thence S 31-44-32 E, 60.00 feet to a No Point Set in the Eastern Right of Way of new street, Holly Grove Drive, thence S 53-25-48 W, 25.20 feet at a chord bearing and distance around a 150.00 foot radius to a No Point Set in said Right of Way, thence S 01-16-36 E, 38.24 feet, a chord bearing and distance having a 25.00 foot radius to a new iron stake located at the intersection of new streets, Holly Grove Drive, and said point being located in the Eastern Right of Way of new said street, thence S 51-10-24 E, 129.25 feet to a new iron stake, being the corner of new Lots 41, and 62, thence leaving said Right of Way at N 81-22-52 E, 582.00 feet to a new iron stake at the corner of new Lots 48,49, and 58, thence S 23-37-11 E, 40.91 feet to a new iron stake being the corner of new Lots 49, 50, and 58, thence S 26-10-34 W 160.00 feet to a new iron stake being the corner of new Lots 52 and 53, thence S 63-49-23 E, 157.00 feet to a new iron stake located in the Western Right of Way of new street, Holly Grove Drive, thence with said Right of Way, N 26-10-39 E, 26.70 feet to a No Point set in said Right of Way, thence S 63-49-23 E, 60.00 feet to a new iron stake located in the Eastern Right of Way of new Street Holly Grove Drive, thence S 63-49-23 E, 154.83 feet to a new iron stake, being the corner for new Lots 23, and 24, thence S 26-35-51 W 14.50 feet to an existing 4" concrete monument, which is the corner for Lot 67, Laurie Meadows Subdivision, Phase 3, Section A recorded in Map Book 81, Page 52, thence S 25-57-07 W, 578.54 feet to an existing iron pipe, being the corner of new Common Area, thence N 51-14-21 W, 369.46 feet to an existing iron pipe, thence N 51-09-29 W, 657.42 feet to another existing iron pipe, thence N 51-12-40 W, 329.91 feet to another existing iron pipe, thence N 51-01-32 W, 190.75 feet to the Point of Beginning, containing 13.90 acres.

**CERTIFICATE OF SUFFICIENCY**

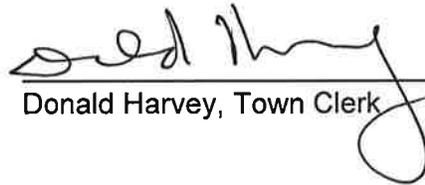
**Holly Grove Section 1**

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 18<sup>th</sup> day of June, 2019.



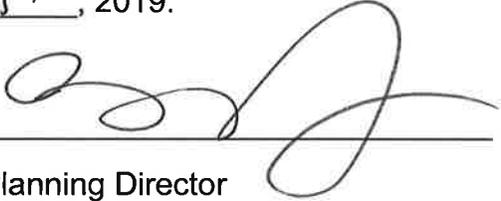
  
Donald Harvey, Town Clerk

(Holly Grove, Section 1)  
Annexation

STATE OF NORTH CAROLINA  
PITT COUNTY

I, Bryan Jones, Planning Director of the Town of Winterville, North Carolina, do hereby certify that copies of the attached notice of public hearing 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.

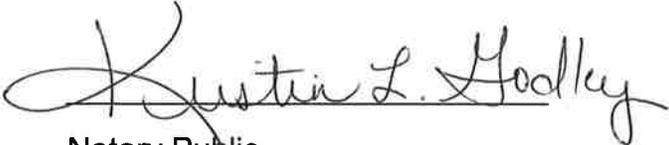
WITNESS my hand this the 27 day of August, 2019.

  
\_\_\_\_\_  
Planning Director

STATE OF NORTH CAROLINA  
PITT COUNTY

I, Kristin Godley, a Notary Public, do hereby certify that Bryan Jones, Planning Director, 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 27<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Notary Public

My Commission Expires June 23, 2024



**NOTICE OF PUBLIC HEARING**  
**Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, September 9, 2019 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, to hold a Public Hearing on the following proposal:

The Town of Winterville has received an annexation petition from Carolina Eastern Homes, LLC for Holly Grove, Section 1 (Parcels 85559 – 85589). Holly Grove, Section 1 contains 29 lots on 13.9 acres and is zoned R – 12.5.

Persons having an interest in this matter and desiring to speak either for or against the annexation are invited to be present and will be given the opportunity to be heard at the Town Council Public Hearing. For further information, contact the Winterville Planning Department at (252) 215-2360.

PATRICIA MERIZIO  
200 PRANCER DRIVE  
BEAUFORT, NC 28516

LOREN SIMONE BARTZ  
JUSTIN RYAN WATTS  
FOX GLOVE DRIVE  
WINTERVILLE NC 28590

HAPPY TRAIL FARMS, LLC  
PO BOX 1863  
GREENVILLE, NC 27835

KRYSTLE L MILLER  
2998 FOX GLOVE DRIVE  
WINTERVILLE NC 28590

FRANKLIN R FIELDS  
ANDREA O FIELDS  
2947 CHURCH STREET EXT  
WINTERVILLE, NC 28590

CHAPEL HILL FOUNDATION  
REAL ESTATE HOLDINGS, INC  
300 SOUTH BUILDING CN 1000  
CHAPEL HILL, NC 27599



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Public Hearings

**Meeting Date:** September 9, 2019  
**Presenter:** Bryan Jones, Planning Director

**Item to be Considered**

**Subject:** Ange Plaza, Lot 22 – Annexation.

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

**Attachments:** Annexation Petition, Annexation Map, Legal Description, Certificate of Sufficiency, and Adjacent Property Notification.

**Prepared By:** Bryan Jones, Planning Director

**Date:** 8/27/2019

**ABSTRACT ROUTING:**

TC 09/03/2019

FD

TM 09/05/2019

Final tlp – 09/05/2019

**Supporting Documentation**

The property owner of Lot 22 in Ange Plaza is applying for annexation into the Town limits.

**Ange Plaza, Lot 22:**

Location: Beacon Drive.

Size: .8747 acres.

Zoned: GB.

Annexation Process:

1<sup>st</sup> Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (3/11/19).

2<sup>nd</sup> Council Meeting: Schedule a Public Hearing for the Annexation (8/19/19).

3<sup>rd</sup> Council Meeting: Hold Public Hearing on the Annexation (9/9/18).

**Budgetary Impact:** TBD.

**Recommendation:** Hold Public Hearing for the Annexation.

PETITION REQUESTING ANNEXATION

Date: February 20, 2019

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

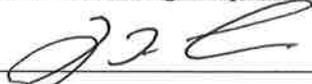
1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.
2. The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

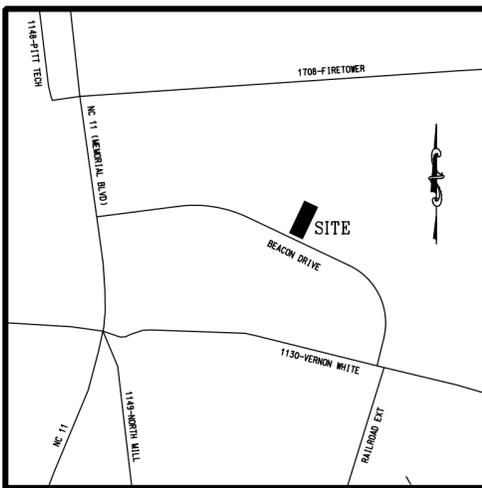
Description

Ange Plaza Lot 22

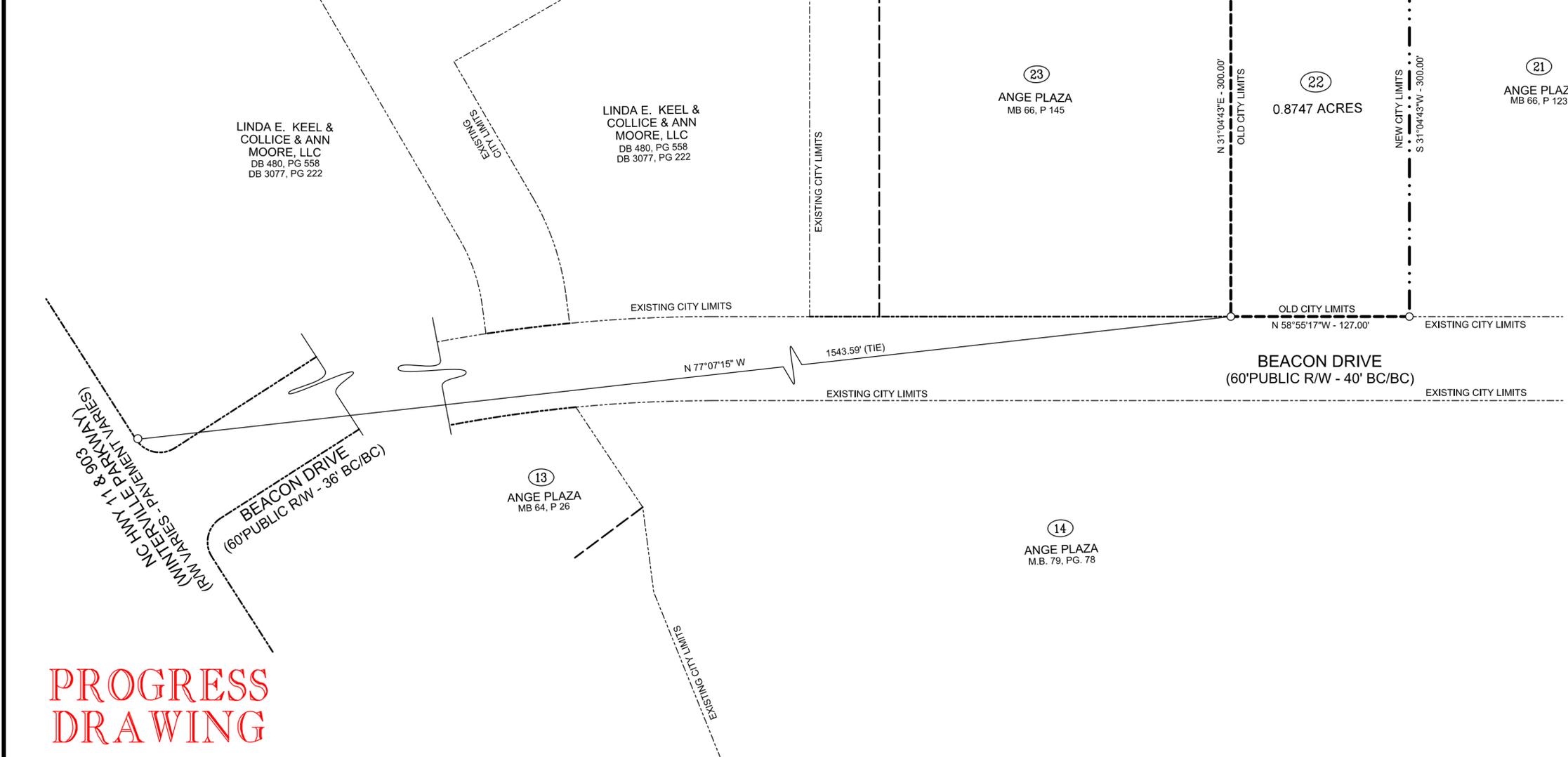
Name Cedar Landing Properties, LLC

Address 3 Rest Haven Road Extension  
Bath, NC 27808

Signature 



VICINITY MAP  
1" = 1000'



**PROGRESS  
DRAWING**

ANNEXATION MAP FOR  
**ANGE PLAZA - LOT 22**  
A PORTION OF THE PROPERTY IN DEED BOOK 3748 PAGE 300 OF THE PITT COUNTY REGISTRY

WINTERVILLE TOWNSHIP      PITT COUNTY      NORTH CAROLINA

OWNER: CEDAR LANDING PROPERTIES, LLC  
ADDRESS: 3 REST HAVEN ROAD EXTENSION  
BATH, NC 27808  
PHONE: (252) 714-8653

SURVEYED:	CEP	APPROVED:	CEP
DRAWN:	WCO	DATE:	2/18/19
CHECKED:	CEP	SCALE:	1" = 60'

MALPASS & ASSOCIATES  
1645 E. ARLINGTON BLVD., SUITE D  
GREENVILLE, N.C. 27858  
(252) 756-1780

NEW CITY LIMIT = - - - - -  
OLD CITY LIMIT = - - - - -  
EXISTING CITY LIMIT = - - - - -



MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY  
THE TOWN OF WINTERVILLE, N.C.

DATE: \_\_\_\_\_; ORDINANCE NUMBER: \_\_\_\_\_; AREA: 0.8747 ACRES  
WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

I, CARLTON E. PARKER, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED FROM LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2019.

CARLTON E. PARKER      L-2980

Legal Description For  
Ange Plaza Lot 22 Annexation

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

Beginning at a point in the northern right of way of Beacon Drive said point being located S 77-07-15 E – 1543.59' from the intersection of the northern right of way of Beacon Drive and the eastern right of way of NC Hwy 11, thence from said point of beginning N 31-04-43 E – 300.00', thence S 58-55-17 E – 127.00', thence S 31-04-43 W – 300.00' to the northern right of way of Beacon Drive, thence with the northern right of way of Beacon Drive N 58-55-17 W – 127.00' to the point of beginning containing **0.8747 acres**.

**CERTIFICATE OF SUFFICIENCY**

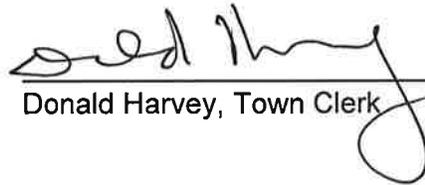
**Holly Grove Section 1**

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 18<sup>th</sup> day of June, 2019.



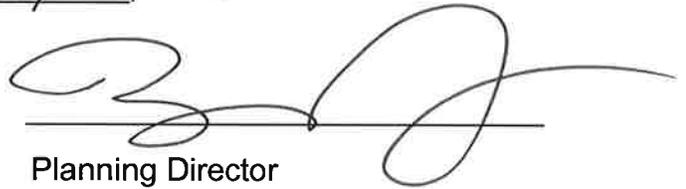
  
Donald Harvey, Town Clerk

(Ange Plaza, Lot 22)  
Annexation

STATE OF NORTH CAROLINA  
PITT COUNTY

I, Bryan Jones, Planning Director of the Town of Winterville, North Carolina, do hereby certify that copies of the attached notice of public hearing 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.

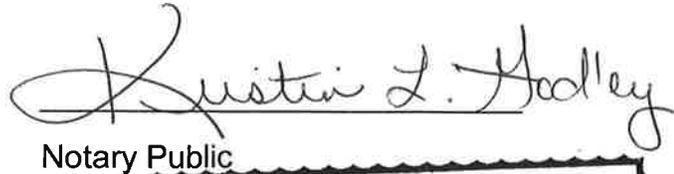
WITNESS my hand this the 27 day of August, 2019.

  
\_\_\_\_\_  
Planning Director

STATE OF NORTH CAROLINA  
PITT COUNTY

I, Kristin Godley, a Notary Public, do hereby certify that Bryan Jones, Planning Director, 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 27<sup>th</sup> day of August, 2019.

  
\_\_\_\_\_  
Notary Public

My Commission Expires June 23, 2024



**NOTICE OF PUBLIC HEARING**  
**Town of Winterville**

NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on Monday, September 9, 2019 at 7:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, to hold a Public Hearing on the following proposal:

The Town of Winterville has received an annexation petition from Cedar Landing Properties, LLC for Ange Plaza, Lot 22 (Parcel Number 73417). The 0.87 acre site is zoned GB.

Persons having an interest in this matter and desiring to speak either for or against the annexation are invited to be present and will be given the opportunity to be heard at the Town Council Public Hearing. For further information, contact the Winterville Planning Department at (252) 215-2360.

COLLICE & ANN MOORE, LLC  
4300 SAPPHIRE CT, SUITE 116  
GREENVILLE, NC 27834

ANGE PLAZA PROPERTY  
OWNERS ASSOCIATION, INC  
4300 SAPPHIRE CT, SUITE 116  
GREENVILLE, NC 27834

CEDAR LANDING PROPERTIES,  
LLC  
3 REST HAVEN ROAD EXT  
BATH, NC 27808

AQUATIC HOLDINGS, LLC  
566 THIRD STREET  
AYDEN NC 28513



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** September 9, 2019  
**Presenter:** Bryan Jones, Planning Director

**Item to be Considered**

**Subject:** Annexation – Mahmoud Atiyha/Happy Trail Farms.

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

**Attachments:** Annexation Petition, Annexation Map, Legal Description.

**Prepared By:** Bryan Jones, Planning Director

**Date:** 8/28/2019

**ABSTRACT ROUTING:**

TC 9/3/2019

FD

TM 09/05/2019

Final tlp – 09/05/2019

**Supporting Documentation**

The property owner (Mahmoud Atiyha) of Parcel 24482 is applying for annexation into the Town limits.

**Holly Grove, Section 1:**

**Location:** Church Street Ext. south of its intersection with Laurie Ellis Road.

**Size:** 1 Lot, 1.87 Acres.

**Zoned:** GB.

Annexation Process:

1<sup>st</sup> Council Meeting: Direct Town Clerk to Investigate the Sufficiency of the Annexation (9/9/19).

2<sup>nd</sup> Council Meeting: Schedule a Public Hearing for the Annexation (10/14/19).

3<sup>rd</sup> Council Meeting: Hold Public Hearing on the Annexation (11/11/19).

**Budgetary Impact:** TBD.

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

PETITION REQUESTING ANNEXATION

Date: 8/13/2019

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

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

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

Description

See Attached

Name Mahmoud Atiyha Address 940 Van Gert Dr Winterville, NC 28590

Signature 

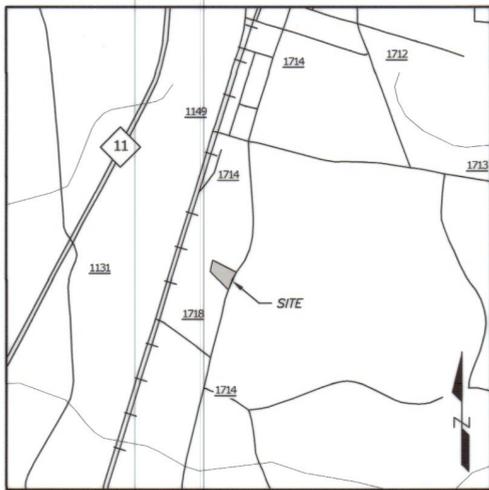
Name \_\_\_\_\_ Address \_\_\_\_\_

Signature \_\_\_\_\_

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

Signature \_\_\_\_\_

**FLOOD STATEMENT**  
 THIS PROPERTY IS LOCATED IN ZONE "X"  
 AND IS NOT WITHIN A SPECIAL FLOOD HAZARD  
 AREA, AS DETERMINED BY NFIP RATE MAP  
 DATED 1/2/2004 : COMMUNITY PANEL  
 NUMBER 370193-4674-J.



**VICINITY MAP**  
(NOT TO SCALE)

**NOTES:**  
 1. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS  
 IN FEET & DECIMALS THEREOF, UNLESS OTHERWISE NOTED.

STATE OF NORTH CAROLINA      PITT COUNTY

I, JAMES R. WATSON, CERTIFY THAT THIS  
 PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL  
 SURVEY MADE UNDER MY SUPERVISION; (DEED DESCRIPTION  
 RECORDED IN MAP & DEED BOOKS NOTED); THAT THE  
 BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN  
 FROM INFORMATION REFERENCED HEREON; THAT THE RATIO  
 OF PRECISION AS CALCULATED IS 1: 10,000±; THAT THIS PLAT  
 WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS  
 AMENDED, THAT THE FOLLOWING INFORMATION WAS USED TO  
 PERFORM THIS GNSS SURVEY:

CLASS OF SURVEY: A  
 POSITIONAL ACCURACY: 0.10'  
 TYPE OF GPS FIELD PROCEDURE: RTK  
 DATES OF SURVEY: 5/28/2019 & 6/3/2019  
 DATUM / EPOCH: NAD 83(2011)  
 PUBLISHED / FIXED CONTROL USED: REAL TIME NETWORK  
 GEOID MODEL: GEOID12  
 COMBINED GRID FACTOR: 0.99988566  
 UNITS: U.S. SURVEY FEET

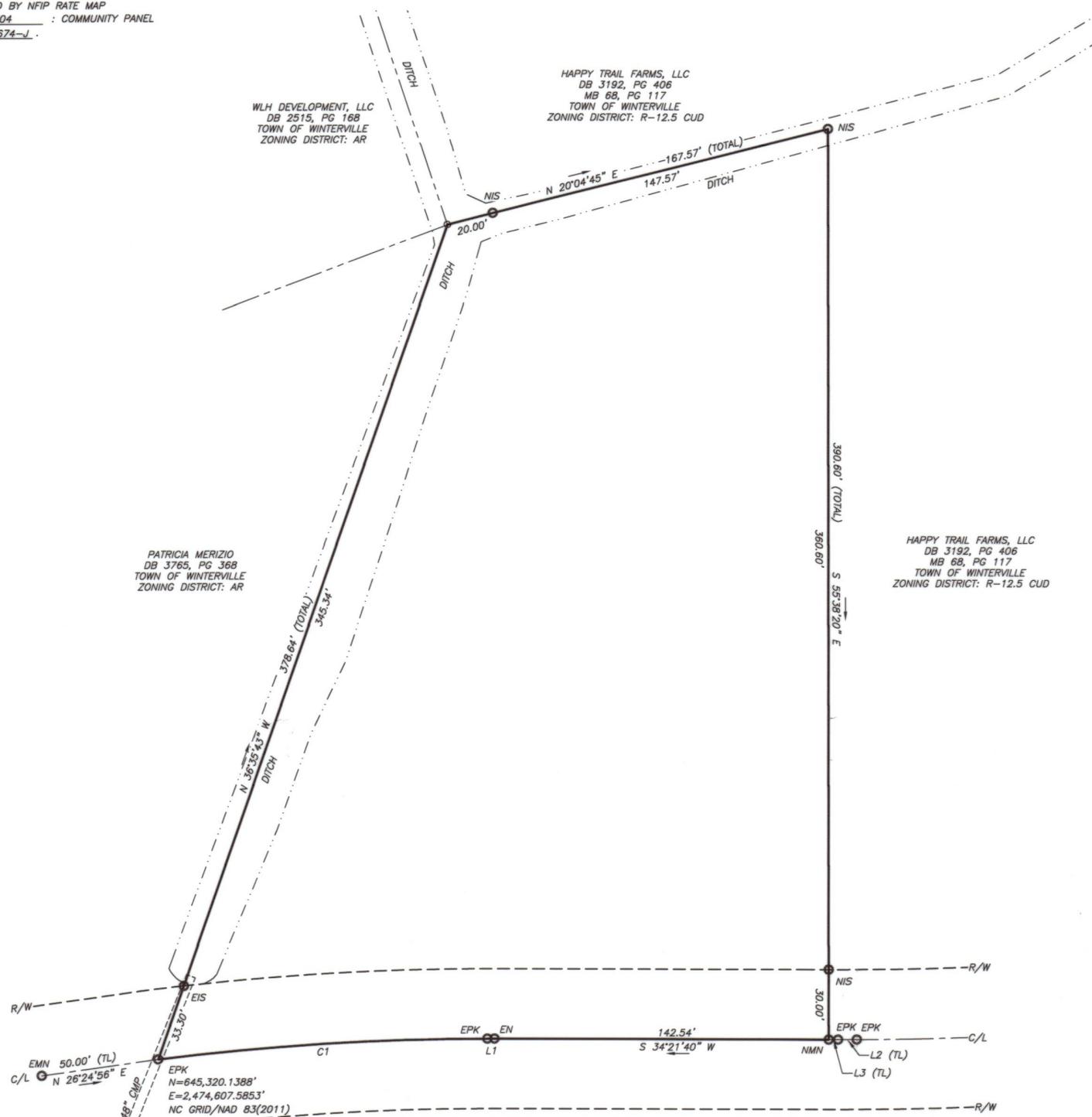
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER  
 AND SEAL THIS 17TH DAY OF JUNE, A.D., 2019.

James R. Watson  
 L-4712



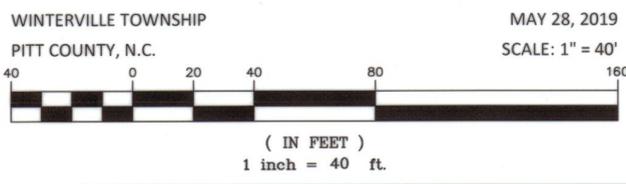
I, JAMES R. WATSON, PROFESSIONAL LAND SURVEYOR NO. 4712,  
 CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY. TO WIT,  
 A MAP FOR ANNEXATION.

James R. Watson  
 L-4712



**CHURCH STREET EXTENSION**  
**N.C.S.R. 1714 - 60' PUBLIC R/W**  
**(SEE DB 458, PG 657)**

ANNEXATION  
 MAP FOR  
**HAPPY TRAIL FARMS, LLC**  
 AND  
**MAHMOUD ATIYHA**



**ACREAGE DATA**  
(BY COMPUTER)

1.678 AC± EXCL. R/W  
 1.871 AC± INCL. R/W

**SOURCE OF TITLE**

DB 3192, PG 406  
 MB 68, PG 117

**REFERENCES**

DB 200, PG 51  
 DB 458, PG 657  
 DB 852, PG 765  
 MB 50, PG 105

**LEGEND**

- R/W = RIGHT OF WAY
- C/L = CENTERLINE
- EIS = EXISTING IRON STAKE
- EPK = EXISTING PK NAIL
- EN = EXISTING NAIL
- EMN = EXISTING MAG NAIL
- NIS = NEW IRON STAKE
- NMN = NEW MAG NAIL
- = NO POINT SET
- PP = POWER POLE
- TP = TELEPHONE PEDESTAL
- TB = TELEPHONE BOX
- CMP = CORRUGATED METAL PIPE
- SDMH = STORM DRAIN MANHOLE
- SSMH = SANITARY SEWER MANHOLE
- (TL) = TIE LINE
- E — = ELECTRICAL LINE
- - - - - = ADJOINING PROPERTY LINE

**LINE TABLE**

LINE #	DIRECTION	LENGTH
L1	S 34°21'40" W	3.02'
L2 (TL)	S 34°21'40" W	7.77'
L3 (TL)	S 34°21'40" W	3.95'

**CURVE TABLE**

CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH	DELTA ANGLE
C1	140.72'	1141.51'	S 30°49'55" W	140.63'	007°03'47"

MAP SHOWING AREA ANNEXED BY  
**TOWN OF WINTERVILLE, N.C.**

ORDINANCE NO: \_\_\_\_\_

AREA: 1.678 AC± EXCL. R/W

ACCEPTED FOR THE TOWN OF WINTERVILLE

MAYOR      DATE



**MATRIX EAST, PLLC**  
 PROFESSIONAL LAND SURVEYORS

906 N. QUEEN ST., SUITE A      KINSTON, NC 28501  
 TEL: 252-522-2500      FAX: 252-522-4747  
 EMAIL: [surveyor@matriceast.net](mailto:surveyor@matriceast.net)      FIRM LIC. #P-0221

PROJECT NO.: 20190088	DATE: 6/17/2019
DRAWN BY: JRW	SCALE: 1" = 40'
SURVEYED BY: JRW	CHECKED BY: JRW
DRAWING NAME: 20190088-ANNEXATION.DWG	

**LEGAL DESCRIPTION FOR THE TOWN OF WINTERVILLE ANNEXATION**

LYING IN WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PK NAIL HAVING NC GRID / NAD 83(2011) COORDINATES N = 645,320.1388', E = 2,474,607.5853'; SAID EXISTING PK NAIL BEING LOCATED IN THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); SAID EXISTING PK NAIL BEING THE TRUE POINT OF BEGINNING.

THENCE, FROM THE POINT OF BEGINNING SO LOCATED, N 36° 35' 43" W A DISTANCE OF 33.30 FEET TO AN EXISTING IRON STAKE ON THE NORTHERN RIGHT OF WAY LINE OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); THENCE, CONTINUING, N 36° 35' 43" W, ALONG A DITCH, A DISTANCE OF 345.34 FEET TO A POINT IN THE INTERSECTION OF TWO DITCHES; THENCE, N 20° 04' 45" E, ALONG ANOTHER DITCH, A DISTANCE OF 20.00 FEET TO A NEW IRON STAKE; THENCE, CONTINUING, N 20° 04' 45" E, ALONG SAID DITCH, A DISTANCE OF 147.67 FEET TO A NEW IRON STAKE; THENCE, LEAVING SAID DITCH, S 55° 38' 20" E A DISTANCE OF 360.60 FEET TO A NEW IRON STAKE ON THE NORTHERN RIGHT OF WAY LINE OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); THENCE, CONTINUING S 55° 38' 20" E A DISTANCE OF 30.00 FEET TO A NEW MAG NAIL IN THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY); THENCE, ALONG THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY), S 34° 21' 40" W A DISTANCE OF 142.54 FEET TO AN EXISTING NAIL; THENCE, CONTINUING ALONG THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY), S 34° 21' 40" W A DISTANCE OF 3.02 FEET TO AN EXISTING PK NAIL; THENCE, CONTINUING ALONG THE CENTER OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY), ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1141.51 FEET, AND WHOSE CHORD BEARS S 30° 49' 55" W A DISTANCE OF 140.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.871 ACRES MORE OR LESS INCLUDING THE RIGHT-OF-WAY OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY) AND 1.678 ACRES MORE OR LESS EXCLUDING THE RIGHT-OF-WAY OF CHURCH STREET EXTENSION (NCSR 1714 – 60' PUBLIC RIGHT-OF-WAY).



Matrix East, PLLC  
Firm License # P-0221  
906 N. Queen St., Ste. A  
Kinston, NC 28501  
252-522-2500

*James R. Watson*  
8/12/2019



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: Consent Agenda

**Meeting Date:** September 9, 2019  
**Presenter:** Bryan Jones, Planning Director

**Item to be Considered**

**Subject:** Town of Winterville Comprehensive Land Use Plan.

**Action Requested:** Schedule a Public Hearing for Adoption of the Plan on October 10, 2019.

**Attachments:** Draft Plan.

**Prepared By:** Bryan Jones, Planning Director

**Date:** 9/5/2019

**ABSTRACT ROUTING:**

TC 9/5/2109

FD

TM 09/05/2019

Final tlp - 09/05/2019

**Supporting Documentation**

The Town of Winterville has engaged in a year-long development of its Comprehensive Land Use Plan. During this process, the Planning Department, along with the Consultant team from Stewart and all departments of the Town, have reviewed and refined the vision of the Town to provide guidance on land use, economic development, recreation, and infrastructure decisions for years to come. The plan includes an assessment of the community as well as an updated vision, goals, and recommendations.

A major component of the planning process was the establishment of a Steering Committee. This committee is comprised of 11 people that represent a diverse set of backgrounds, races, ages, genders and areas of expertise. The Steering Committee met 5 times over the last year, providing input on community goals, concepts and strategies, and reviewing the draft plan. At the fifth and last meeting, the Steering Committee fully endorsed the plan.

The Planning and Zoning Board will meet on September 16, 2019 and will provide a formal recommendation of approval to Town Council.

A copy of the draft plan can be found at the following link:

[https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/winterville-lup\\_drafta\\_20190814redu-1.pdf](https://www.wintervillenc.com/Data/Sites/1/media/departments/planning/winterville-lup_drafta_20190814redu-1.pdf)

**Budgetary Impact:** N/A.

**Recommendation:** Schedule the Public Hearing for Adoption of the Plan.



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** Old Business

**Meeting Date:** September 9, 2019

**Presenter:** Travis Welborn, Public Works Director

**Item to be Considered**

**Subject:** SRF Loan Application – Decline Loan Offer – Sanitary Sewer Pump Stations Rehabilitation.

**Action Requested:** Decline Loan Offer.

**Attachments:** NCDEQ Letter of Intent to Fund – Project No. CS370879-03.

**Prepared By:** Travis Welborn, Public Works Director

**Date:** 8/27/2019

**ABSTRACT ROUTING:**

TC 09/03/2019

FD

TM 09/05/2019

Final tlp – 09/05/2019

**Supporting Documentation**

The Town applied for funding through the NCDEQ Division of Water Infrastructure Clean Water State Revolving Fund this spring for a Pump Stations Improvements Project, and was offered 0% financing for 100% of the proposed project. The loan offer did not include any principal forgiveness or grant money. After the funding request was submitted staff and the Towns Engineer also came to the conclusion that a bar screen will need to be added to the Church Street Lift Station, which was not included in the funding application. Rags and other debris are constantly causing issues with the pumps, leading to costly repairs. Staff was also advised that the Towns application would be scored better if an updated CIP was added, and that the addition of the CIP would increase the chances of the Town receiving grant money or principal forgiveness funding in addition to low or zero interest loans. Staff has since revised the project application and cost estimate to include the Church Street Bar Screen, and adopted a revised Capital Improvement Plan to get the extra points on the project application. Staff will be submitting a revised application in the Fall of 2019 with the hopes of receiving this grant money and therefore recommends declining the current loan offer from NCDEQ.

**Budgetary Impact:** TBD.

**Recommendation:** Council approval of declining current loan offer.



NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

Kim H. Colson  
Director

July 19, 2019

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

Subject: Letter of Intent to Fund  
Sanitary Sewer System Rehabilitation  
April 2019 Application Cycle  
Project No.: CS370879-03

Dear Ms. Parker:

The Division of Water Infrastructure has reviewed your application, and the State Water Infrastructure Authority has approved your project as eligible to receive funding. The Clean Water State Revolving Fund (CWSRF) loan amount will be \$1,573,000 at zero interest. A loan fee of 2% will be invoiced after bids have been received.

Please note that this intent to fund is contingent on approval of the loan through the Local Government Commission and on meeting **all** of the following milestones:

<u>Milestone</u>	<u>Date</u>
Engineering Report Submittal	December 2, 2019
Engineering Report Approval	May 1, 2020
Bid and Design Package Submittal	November 2, 2020
Bid and Design Package Approval	March 1, 2021
Advertise Project, Receive Bids, Submit Bid Information, and Receive Authority To Award	July 1, 2021
Execute Construction Contract(s)	August 2, 2021

The first milestone is the submittal of an Engineering Report by close of business on December 2, 2019. The Engineering Report must be developed using the guidance found on our website (<https://deq.nc.gov/about/divisions/water-infrastructure/i-have-funding/engineering-reportenvironmental-information>). **Failure to meet any milestone may result in the forfeiture of funding for the proposed project.**



7/25/2019  
tp

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding and the total funding amount may be reduced. Additionally, changes in the scope or priority points awarded – based on additional information that becomes apparent during project review – may also result in changes to the total funding amount and loan terms.

Davis-Bacon Requirements and American Iron and Steel Provisions

Projects funded through the State Revolving Fund (SRF) program must comply with Davis-Bacon wage requirements and American Iron and Steel provisions. You can find standard specifications covering these requirements on our website.

Joint Legislative Committee on Local Government Notification Requirements

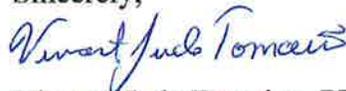
In accordance with G.S. 120-157.2, local government units with projects that require debt to be issued greater than \$1,000,000 **must** submit a letter to Committee Chairs, Committee Assistant, and the Fiscal Research Division of the General Assembly at least 45 days prior to presentation before the Local Government Commission. You are responsible for submitting that letter and providing a copy to the Division.

Brooks Act Compliance

Projects funded through the CWSRF program must comply with the federal Brooks Act for the selection of architectural and engineering services. SRF projects cannot be exempted from qualification-based selection of these services under N.C.G.S. 143-64.32. Any services provided that were not selected in compliance with federal requirements will be ineligible for reimbursement.

If you have questions, please contact Anita E. Robertson, PE, Wastewater Projects Unit Supervisor, at 919-707-9174.

Sincerely,



Vincent Jude Tomaino, PE, Acting Chief  
State Revolving Fund Section

CC: M. Blaine Humphrey, PE, Rivers and Associates, Inc., Greenville  
Anita E. Robertson, PE  
Mark Hubbard, PE  
Project File (COM\_LOIF)



**Town of Winterville  
Town Council  
Agenda Abstract**

**Item Section:** New Business

**Meeting Date:** September 9, 2019  
**Presenter:** Ryan Willhite, Chief of Police

**Item to be Considered**

**Subject:** Change of date for Community Day event.

**Action Requested:** Approval to move the date of Community Day to coincide with the Easter Egg Hunt on March 28, 2020.

**Attachments:** None.

**Prepared By:** Ryan C. Willhite, Chief of Police

**Date:** 9/5/2019

**ABSTRACT ROUTING:**

TC 09/05/2109

FD

TM 09/05/2019

Final tlp – 09/05/2019

**Supporting Documentation**

Due to several events (Watermelon Festival, Hurricane and other parks and rec events) and considering that the Community Day coordination has been minimal, staff would recommend that the Community Day event be coordinated with the Town Easter Egg hunt on March 28, 2020. The Community Day coordinator has been advised of this possibility and has given positive feedback and is awaiting your decision and then coordination with the Police Department.

**Budgetary Impact:** TBD.

**Recommendation:** Approval.



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: New Business

**Meeting Date:** September 9, 2019  
**Presenter:** Travis Welborn, Public Works Director

**Item to be Considered**

**Subject:** Ordinance Amendment for Yard Waste in Streets.

**Action Requested:** Approve Ordinance Amendment.

**Attachment:** Ordinance # 19-O-091.

**Prepared By:** Travis Welborn, Public Works Director

**Date:** 8/27/2019

**ABSTRACT ROUTING:**

TC: 09/3/2019

FD:

TM: 9/5/2019

Final: 9/5/2019

**Supporting Documentation**

Public Works Department staff has noticed a recent increase in incidents where residents and contractors are discharging yard waste including grass and leaves in the streets. The Town does not currently have an ordinance that specifically prohibits discharging of grass into Town streets. Staff proposes to modify Ordinance 98.003 – Tree Trimmings in the General Regulations Ordinances to specifically prohibit discharging or depositing any yard debris in the streets.

**Budgetary Impact:** N/A.

**Recommendation:** Approval of Ordinance Amendment.

**ORDINANCE NO. 19-O-091**

**ORDINANCE AMENDING CHAPTER 98 OF THE CODE OF ORDINANCES  
OF THE TOWN OF WINTERVILLE, NORTH CAROLINA**

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that Title IX Chapter 98 of the Code of Ordinances of the Town of Winterville is hereby amended as follows:

**CHAPTER 98: STREETS AND SIDEWALKS.**

**SECTION 003: YARD WASTE. (FORMERLY TREE TRIMMINGS)**

It shall be unlawful for any person to place, throw, discharge, deposit, or allow to be placed any yard waste including but not limited to leaves, grass clippings, pine straw, tree trimmings or shrubbery on any street or sidewalk.

(1992 Code, § 98.03) Penalty, see § 98.999

This Ordinance shall be effective upon adoption.

Adopted this the 9<sup>th</sup> day of September, 2019.

\_\_\_\_\_  
Douglas A. Jackson, Mayor

ATTEST:

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



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: New Business

**Meeting Date:** September 9, 2019

**Presenter:** Brett Jacobs, Therapy Supervisor,  
Veterans Affairs Greenville Health Care Center

**Item to be Considered**

**Subject:** U.S. Department of Veterans Affairs Greenville Health Care Center request for use of Winterville Operations Center Training Room.

**Action Requested:** Direction from Town Council.

**Attachments:** Memorandum of Understanding.

**Prepared By:** Evan Johnston, Director of Parks & Recreation

**Date:** 8/28/2019

**ABSTRACT ROUTING:**

TC 9/3/2019

FD

TM 09/05/2019

Final tlp - 09/05/2019

**Supporting Documentation**

The U.S. Department of Veterans Affairs (VA) Greenville Health Care Center is requesting use of the Winterville Operations Center Training Room (OCTR). Request is made with the intention of utilizing the OCTR for VA Tai Chi Classes. Class participants would be veterans registered in the VA system. The VA is requesting that use of the OCTR be donated (no charge for use of facility).

Brett Jacobs, Therapy Supervisor, with the VA Greenville Health Care Center will be in attendance to discuss VA request.

**Budgetary Impact:** TBD.

**Recommendation:** Direction from Town Council.

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
Town of Winterville AND  
DEPARTMENT OF VETERANS AFFAIRS (VA) GREENVILLE VA HEALTHCARE  
CENTER(GVHCC)

I. PURPOSE:

This Memorandum of Understanding (MOU) is entered into between the Greenville Health Care Center with Department of Veterans Affairs (VA), 401 Moye Blvd Greenville, NC 27834 and The Town of Winterville 2571 Railroad Street Winterville, NC 28590, hereafter referred throughout this document as Town of Winterville, collectively referred to as the "Parties," This MOU sets forth a structure in which both entities will work in a mutually beneficial manner to promote and enhance the health and well-being of Veterans and their families. VA's Blueprint for Excellence Strategy Six promotes advancing health care that is personalized, proactive, and patient-driven, and engages and inspires Veterans to their highest possible level of health and well-being. VA has the authority to coordinate the provision of VA benefits and services (and information about such benefits and services) with appropriate programs (and information about such programs) conducted by private entities, under 38 U.S.C. 5 523.

II. BACKGROUND: U.S. Department of Veterans Affairs.

VA is committed to working closely with non-profit organizations, educational institutions and other community partners to identify new and innovative ways to support VA's commitment to care for those who "have borne the battle" and their families, In 2014) the Secretary launched the MyVA initiative, to effect a fundamental change in VA's systems and structures to align with VA's mission and values, Expanding strategic partnerships Goal 2 of the VA Strategic Plan, is an important component of the MyVA Initiative. It promotes VA collaboration with community partners to coordinate Veteran-related issues with local, state and community partners.

VA is committed to expanding current agreements and partnerships to provide services and support to reach more Veterans and their family members.

Goal 1 of the VA Strategic Plan is to empower Veterans to improve their health and well-being. VA will measure success in terms relevant to individual Veteran outcomes from VA benefits and services such as decreasing Veteran unemployment, decreasing homelessness, and Veteran engagement in healthy lifestyle behaviors such as managing weight, being physically active, and not smoking. Strengthening collaborations within communities and service organizations like Town of Winterville can help VA achieve the goal of improving the lives of Veterans, Service members, their families, and their Survivors.

### III. RESPONSIBILITIES:

Town of Winterville commits to:

- A. Support and encourage, to the extent authorized by law, local wellness space to engage their regional VA offices and medical facilities to enter into agreements to provide programming and services targeting the Veteran population, particularly in the areas of employment, homelessness and healthy lifestyle programming.
- B. Support and encourage, to the extent authorized by law, local Winterville facilities to share information, resources and physical space (i.e. parking, fitness centers meeting rooms, informational kiosks) with VA.
- C. Support and encourage, to the extent authorized by law, local Town of Winterville facilities to intentionally integrate Veterans and their families into activities and events, including volunteer and mentoring opportunities.
- D. Support and encourage, to the extent authorized by law, local Town of Winterville to track Town of Winterville partnership activities and programs, and proactively share best practices and success stories within networks and between organizations.
- E. Share this MOU with other Town of Winterville facilities.
- F. Support and encourage, to the extent authorized by law, Town of Winterville resources to collaboration with VA to develop a mechanism for capturing, tracking and sharing their local partnerships.

Department of Veterans Affairs commits to:

- A. Support and encourage, to the extent authorized by law, local and regional VA offices and medical facilities and Town of Winterville facilities to enter into agreements to provide programming and services targeting the Veteran population, particularly in the areas of recreational therapy and healthy lifestyle programming.
- B. Support and encourage, to the extent authorized by law, the sharing of information, resources and physical space (i.e. fitness areas, meeting rooms, informational kiosks) between the Town of Winterville and VA
- C. Intentionally track Town of Winterville -VA partnership activities and programs, and proactively share best practices and success stories within networks and between organizations.
- D. Share and disseminate this Town of Winterville -VA MOU and partnership ideas to leadership and appropriate staff throughout VA.

- E. Collaborate with Town of Winterville to develop a mechanism for capturing, tracking and sharing Town of Winterville local partnerships.

#### IV. OBJECTIVES:

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VA and Town of Winterville have a shared goal to support and improve the health and well-being of Veterans and their families. This partnership will be mutually beneficial as the Parties work together through a set of objectives to achieve this goal. This MOU, which is attached and incorporated herein as Attachment Ai set forth a framework of intent and cooperation between the Parties to achieve the following objective of increased access to Town of Winterville programming to improve health and well-being. Parties will produce an annual report of Veteran activity to demonstrate partnership participation. Parties will track and share successful Town of Winterville local partnerships with other VA facilities.

#### V. PERFORMANCE:

---

VA and Town of Winterville seek to enhance services to Veterans and their families through this partnership. Town of Winterville partnerships will enhance Veteran experience and access to programming and resources that contribute to the health and well-being of Veterans. The ability to quantitatively and qualitatively capture objective performance through metrics that demonstrate the impact of this partnership is critical. Therefore, the Parties agree to collaborate to develop a mechanism for capturing, tracking and sharing Town of Winterville partnerships. Tracking will include the goal and impact of each partnership.

#### VI. POINTS OF CONTACT:

Department of Veterans Affairs  
VHA Greenville Healthcare Center  
401 Moye Blvd. Greenville, NC 27834  
Email: Brett.Jacobs@va.gov  
Phone: (252) 830-2149  
Greenville, NC 27834

V". LIMITATIONS:

- A. Town of Winterville will not use this MOU to sell or promote any products or services.
- B. Town of Winterville will not use the name of VA or any of its components, except in factual publicity and with prior approval of the Veterans Health Administration (VHA). Factual publicity includes announcements of dates, times, locations, purposes, agendas, speakers, and fees, if any, involved with activities or events. Such factual publicity shall not imply that the involvement of VA serves as an endorsement of the general policies, activities, or products of Town of Winterville. Where the publicity references VA, publicity will be accompanied by a disclaimer to the effect that no VA endorsement is intended. The Town of Winterville may use VA's logo, seals, flags, and other symbols only pursuant to a written determination by VA that the proposed use by Town of Winterville advances the aims, purposes and mission of VA. VA approval is not guaranteed.
- C, VA will not use, and has obtained no ownership interests in Town of Winterville or other Town of Winterville names, logos, and/or trademarks (the Marks). VA will obtain Town of Winterville prior written approval to use the Marks.
- D. This MOU is not intended to be an exclusive arrangement. The relationship established in this MOU in no way limits VA or Town of Winterville from establishing similar relationships with any other entity.
- E. This MOU does not represent any endorsement by VA of the general policies, activities, or products of Town of Winterville.
- F, Any publicity released by either Party condemning this MOU the services or supports providing within, or any resulting outcomes, will be subject to prior approval of the other Party.
- G, Should this MOU lead to a formal contractual-type of agreement, the Parties will negotiate and memorialize such General Terms & Conditions in a formal document, including, but not limited to, a period of performance, funding issues, and liability matters. Neither party may commit the other to any transfer of funds under this MOU absent a separate, formally negotiated agreement,
- H, This MOU may not be assigned or otherwise transferred by any Party, in whole or in part, without the expressed prior written consent of the other Party, which shall not be unreasonably withheld.
- I, All sharing of space, whether VA utilizing non-Federal space, or Town of Winterville using Federal space shall be governed by applicable laws, regulations, and policies, including, but not limited to, the Federal Acquisition Regulation, the General Services Administration Regulation, the Competition in Contracting Act, and the Office of Construction &

Ville AMENDMENT, ~~DURATION~~, REVIEW: AND TERMINATION:

This MOU is effective when signed by both Parties and will remain in effect until terminated by either party or three (3) years whichever comes first. Amendments must be bilaterally executed in writing, signed by authorized representatives of both parties. No oral or unilateral amendments will be effective. Only terminations done in accordance with the terms of this MOU may be done unilaterally.

This MOU will be reviewed annually for compliance and effectiveness. This MOU may only be terminated in writing with thirty (30) days' notice sent from the authorized representative of the terminating party to the authorized representative of the other party. In no case will any oral termination be effective nor will any termination attempted outside these stated requirements.

IX. APPROVALS:

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Trent Sutherland, PharmD, DPLA  
Acting Administrator of the Greenville HCC  
Greenville, NC

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Douglas A. Jackson  
Mayor  
Town of Winterville, NC



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: New Business

**Meeting Date:** September 9, 2019  
**Presenter:** Travis Welborn, Public Works  
Director

**Item to be Considered**

**Subject:** 2018 Sidewalk Improvements Project – Dixie Queen Parking Lot.

**Action Requested:** Council Direction.

**Attachments:** Memo.

**Prepared By:** Travis Welborn, Public Works Director

**Date:** 8/28/2019

**ABSTRACT ROUTING:**

TC 09/03/2019

FD

TM 09/05/2019

Final tlp – 09/05/2019

**Supporting Documentation**

Staff is requesting Council direction regarding a sidewalk easement to allow completion of the downtown portion of the 2018 Sidewalk Improvements Project.

**Budgetary Impact:** TDB.

**Recommendation:** Council Direction.

# Memo

**To:** Terri Parker, Town Manager  
**From:** Travis Welborn  
**cc:** Ben Williams, Assistant Town Manager  
**Date:** August 2, 2019  
**Re:** Sidewalk Easement for Dixie Queen Parking Lot

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The Town is currently completing a sidewalk improvements project which includes replacing the existing sidewalks downtown along Main, Railroad, and Mill Streets south of Main Street and north of Cooper Street. As part of this project the existing sidewalk along Mill Street at the Dixie Queen parking lot was to be replaced. This sidewalk was also to be extended to Cooper Street and a handicap ramp installed, and a new sidewalk was also proposed to be constructed along West Railroad Street from Cooper St. to the previously installed sidewalk at the Main & Mill parking lot. During the design phase the Towns consulting engineer confirmed that all of the improvements were within the Town, NCDOT, or railroad right of way and that no easements were necessary.

Once construction began I noticed several indications that some of the proposed sidewalk improvements may in fact be encroaching on private property. I contacted the Towns consulting engineer and had him survey the Dixie Queen parking lot property in order to confirm whether or not the sidewalk was within the right of way. The survey confirmed that between approximately 6 inches to one foot of the proposed sidewalk would be outside of the right of way and encroaching on private property. A small portion of the sidewalk had already been installed and was encroaching.

Once it was confirmed that the proposed sidewalk would encroach on private property I immediately directed the Contractor to not perform any more work on the perimeter of the Dixie Queen parking lot. On Thursday August 1 at approximately 2:15 pm the Assistant Town Manager and I met with the owner of Dixie Queen, Mr. Ronald Hines. We informed him of the situation, which he was already aware of due to speaking with the Towns consulting engineer previously in the week. I informed Mr. Hines that that a small portion of the sidewalk that had already been installed had been installed on his property, and also that a small portion of the remaining proposed sidewalk would encroach onto his property. I informed Mr. Hines that the Town would like to request a sidewalk easement with a width of approximately one to two feet to allow for the installation of the remaining proposed sidewalk. Mr. Hines stated that it would be acceptable for the sidewalk that had already been installed to remain, but that under no circumstance would he grant an easement for the installation of the remaining proposed sidewalk.

Based on Mr. Hines comments regarding the sidewalk easement, the Town has several options moving forward. The first option would be to terminate the remainder of the project and simply not install the sidewalks. This option would not require any easements from Mr. Hines. The second option would be to install a sidewalk that is slightly narrower than what was proposed on the plans in order to stay within the right of way and off of Mr. Hines property. A four (4') foot sidewalk could be installed, however no handicap ramp could be installed at the intersection of Mill St. and Cooper St. without an easement. This option would also not require any easement, however due to existing site conditions there could be a "lip" between the existing asphalt in the Dixie Queen parking lot and the new sidewalk without having enough room to tie back in. The third option would be to continue trying to negotiate with Mr. Hines and try to reach an agreement with him regarding an easement. The final option, which could be pursued now or potentially pursued if option three were to fail would be to condemn the necessary easement and install the sidewalk as originally planned.



**Town of Winterville  
Town Council  
Agenda Abstract**

Item Section: New Business

**Meeting Date:** September 9, 2019  
**Presenter:** Travis Welborn, Public Works  
Director

**Item to be Considered**

**Subject:** Discussion with Council Regarding 12 Drainage Areas.

**Action Requested:** Direction from Council.

**Attachments:** N/A.

**Prepared By:** Travis Welborn, Public Works Director

**Date:** 8/28/2019

**ABSTRACT ROUTING:**

TC 09/03/2019

FD

TM 09/05/2019

Final tlp - 09/05/2019

**Supporting Documentation**

At the conclusion of the August 19 Town Council Meeting Councilman Moore requested that 12 drainage areas be discussed at the September meeting.

**Budgetary Impact:** TBD.

**Recommendation:** N/A.