

Beaufort County Board of Commissioners
Monday, August 7, 2023, Agenda
136 W 2nd Street, Washington, NC 27889

A) Call to Order – Chairman Waters		5:30 PM
B) Pledge of Allegiance		
C) Conflict of Interest Disclosure Statement	3	5:35 PM
D) Approval of Agenda – Chairman Waters		
E) Items for Presentation		
1. Child Support Awareness Month Proclamation – Tammy Pearson, Young Williams	4	5:40 PM
2. Service Awards Presentation – Deloris Creasman, Human Resource Director	6	5:45 PM
F) Public Comments	7	5:50 PM
G) Legislative Updates for Elected Officials	8	5:55 PM
H) Items for Consent		6:00 PM
1. Surplus, IT – Charles Parker, EIS	9	
2. Surplus, Register of Deeds – Carolyn Garris, Register of Deeds	12	
3. Budget Amendment, Health Dept – JaNell Octigan, Health Director	14	
4. Health Dept Fee Revision – JaNell Octigan, Health Director	16	
5. Board of Health Reappointments – JaNell Octigan, Health Director	17	
6. Budget Amendment, DSS – Kelly Smith, Social Services	18	
7. Postage Contract, DSS – Kelly Smith, Social Services	22	
8. Tax Office Refunds – Lloyd Salter and Wyn Kinion, Tax Office	25	
9. Workforce Development Reappointment – Katie Mosher, Clerk to the Board	28	
10. Minutes Approval – Katie Mosher, Clerk to the Board	29	
I) Public Hearing and Item for Decision – Planning Department		
1. Petition to Name a Road, Alphin’s Landing – Joshua Hollis, Planner	83	6:05 PM
2. Petition to Name a Road, Dusty Creek – Joshua Hollis, Planner	87	6:10 PM
3. Ordinance Enforcement Update, Penalty Section – Joshua Hollis, Planner	91	6:15 PM
J) Item for Decision – Human Resources		
1. Disability Retirement Health Insurance Policy Change – Deloris Creasman, Human Resource Director	94	6:20 PM
K) Item for Discussion – Solid Waste		
1. Solid Waste Ordinance Update – Christina Smith and West Overman, Public Works	96	6:25 PM
L) Item for Decision - Economic Development		
1. Aurora Industrial Park Infrastructure – Brad Hufford, Economic Development Director	114	6:35 PM
M) Item for Decision – Managers Office		
1. Amendment to Hospital Master Lease Agreement to Revert Aurora Clinic to County Brian Alligood, County Manager	126	6:45 PM
2. Wright’s Cerek Living Shoreline Project – Brian Alligood, County Manager	130	6:50 PM

N) Item for Decision – Chairman Frankie Waters

- | | | |
|--|-----|---------|
| 1. Request to Clean Property – Chairman Waters | 141 | 6:55 PM |
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BREAK		7:00 pm
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O) Items for Decision and Discussion – Commissioner Hood Richardson

- | | | |
|---|-----|---------|
| 1. Beaufort County Schools Discussion – Commissioner Richardson | 143 | 7:15 PM |
| 2. Update on Cable TV Services – Commissioner Richardson | 144 | 7:20 PM |
| 3. Register of Deeds Building – Commissioner Richardson | 145 | 7:25 PM |
| 4. Jail Expansion – Commissioner Richardson | 146 | 7:30 PM |

P) Item for Decision – Commissioner Stan Deatherage

- | | | |
|---|-----|---------|
| 1. Defense of Election Integrity Resolution – Commissioner Deatherage | 147 | 7:35 PM |
|---|-----|---------|

Q) Closed Session - Economic Development

- | | | |
|---|-----|---------|
| 1. Economic Development – Brad Hufford, Economic Development Director | 148 | 7:40 PM |
|---|-----|---------|

R) Commissioner Comments	149	7:50 PM
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Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Presenter: Katie Mosher, Clerk to the Board

Agenda Title: Conflict of Interest Disclosure Statement

Summary of Information: The Beaufort County Code of Ethics states that “the stability and proper operation of democratic representative government depends upon the continuing consent of the governed, upon the public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people.” It further states that Commissioners should obey the law; should uphold the integrity and independence of their office; should avoid impropriety and the appearance of impropriety in all their activities; and should perform the duties of their office diligently.

In recognition of these goals and in keeping with the ethical standards of conduct for public officials, disclosure of interest in legislative action must be stated for the public record. Commissioners who have an interest in any official act or action before the Commission shall publicly disclose on the record the nature and extent of such interest and shall withdraw from any consideration of the matter if excused by the Commissioner pursuant to G.S. 153A-44.

Is there any Commissioner who wishes to make a disclosure regarding any matter that is before the Board?

Submitter Recommendations/Motions:

Attachments:



**Beaufort County
Agenda Abstract**

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Tammy Pearson, Young Williams Director of Operations

Agenda Title: Child Support Awareness Month Proclamation

Summary of Information: The attached proclamation is to declare August 2023 as Child Support Awareness Month.

Submitter Recommendations/Motions: Approve the proclamation as presented.

Attachments:

1. Child Support Awareness Proclamation

State of North Carolina
County of Beaufort
Proclamation
Child Support Awareness Month
August 2023

WHEREAS Beaufort County is recognizing August as Child Support Awareness Month, and reaffirms its commitment to strengthening Beaufort Counties families by providing child support services to improve the economic stability and well-being of children; and

WHEREAS, in State Fiscal Year 2022-23, more than \$3.9 million in child support was collected from parents of Beaufort Counties children, and

WHEREAS, there are nearly 2,423 child support orders in place, working to ensure that more than 2,701 children receive financial support from their parents: and

WHEREAS, the court must order either parent to obtain and maintain medical health insurance coverage for a child if it is actually and currently available to the parent at a reasonable cost.

WHEREAS, Child Support Awareness Month salutes the diligent working parents who spend time with their child and who make regular child support payments, to safeguard their children's future: and

WHEREAS, strengthening individuals and families promotes the safety and well-being of children, provides stability, improves the lives of children, and provides opportunities for families to be able to enhance their children's futures; and

WHEREAS, children who do not receive adequate financial and emotional support from their parents may experience greater difficulty in becoming healthy, happy, and productive citizens; and

WHEREAS, many concerned and dedicated judges, district attorneys, clerks of court, sheriffs' personnel, and child support professionals work to establish and enforce child support orders for Beaufort County children, one of our counties most vital resources.

NOW, THEREFORE, We, the Beaufort County Board of Commissioners, do hereby proclaim August 2023, as "CHILD SUPPORT AWARENESS MONTH" in Beaufort County, and commend its observance to all citizens.

Adopted this the 7th day of August, 2023.

Frankie Waters, Chairman
Beaufort County Board of Commissioners

Kathleen Mosher
Clerk to the Board



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Presentation

Presenter: Deloris Creasman, Human Resources

Agenda Title: Service Award Presentations

Summary of Information: The following people are being presented service awards for their years of service to Beaufort County.

Anne Harrison	15 Years	Health Department
Kellie Hopkins	25 Years	Elections

Submitter Recommendations/Motions: N/A

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Presenter: Katie Mosher, Clerk to the Board

Agenda Title: Public Comments

Name

Contact Information

Submitter Recommendations/Motions: No motion necessary. Discussion only.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Discussion

Presenter: Katie Mosher, Clerk to the Board

Agenda Title: Legislative Updates for Elected Officials

Summary of Information: During the May 4, 2020, Board of Commissioners meeting, in a vote of 6 to 1, The Beaufort County Board of Commissioners approved allowing County Representatives 15 minutes to speak and receive questions during regular Board meetings each month.

Submitter Recommendations/Motions: N/A

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: Charles Parker, EIS

Agenda Title: Surplus - IT

Summary of Information: The IT department is requesting permission to surplus the following items:

make	model	Serial#	Quantity
HP	HP Compaq 8200 Elite sff	2ua2041hqd	1
HP	hp Compaq dc5000 sff	2ua5150lbf	1
JP	hp Compaq dc5000 sff	2ua5150lbh	1
HP	HP Compaq Pro 6300 sff	2ua2470l7g	1
HP	hp prodesk 600 g1 sff	2ua412160j	1
HP	hp prodesk 600 g1 sff	2ua5170k6s	1
HP	hp prodesk 600 g1 sff	2ua4092g8n	1
HP	hp prodesk 600 g1 sff	2ua4130q17	1
HP	hp prodesk 600 g1 sff	2ua412160g	1
HP	hp prodesk 600 g1 sff	2ua4130q1w	1
HP	hp prodesk 600 g1 sff	mxl34308rt	1

Submitter Recommendations/Motions: Staff recommends approving the attached Surplus.

Attachments:

HP Prodesk 600 g1 sff

Serial Number



2ua412160j
2ua5170k6s
2ua4092g8n
2ua4130q17
2ua412160g
2ua4130q1w
mxl34308rt



HP Compaq 8200 Elite sff



Serial Number:
2ua2041hqd

HP Compaq Pro 6300 sff



Serial Number:
2ua2470l7g



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

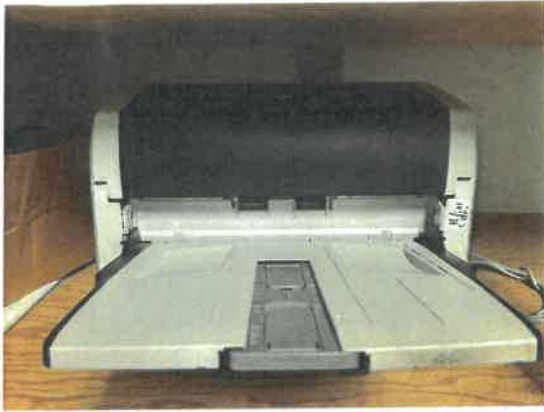
Presenter: Carolyn Garris, Register of Deeds

Agenda Title: Surplus, Register of Deeds

Summary of Information: The Register of Deeds is asking the Board to approve the surplus of the following items:

1	52" L x 30" Desk	Solid Wood -3 drawers, cabinet & center drawer	Courthouse	Well used condition
1	Small Fujitsu Scanner	Fi 6130 Serial #330161	Courthouse	Was working when disconnected
1	Large Fujitsu Scanner	Fi 6670A Serial #000556	Courthouse	Was working poorly before disconnected
1	Monitor	HP #243 Serial #CNK83105CR	Courthouse	Not working

Submitter Recommendations/Motions: Staff recommends the surplus of the chairs and desks.





Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: JaNell Octigan, Public Health Director

Agenda Title: Health FY24 Budget Amendment

Summary of Information: Request to amend the FY24 budget to reflect the following revenues and expenditures:

- \$1,300 NC Minority Diabetes Prevention Program
- \$132,764 Regional Public Health ARPA Funds
- \$250 National Survey of Syringe Service Programs
- \$5,207 WIC Breastfeeding Peer Counselor Program
- \$43 COVID-19 AA 543

Submitter Recommendations/Motions: Staff recommending approving the budget amendment as presented.

Attachments:

1. Health FY24 Budget Amendment

**Beaufort County
Finance**

**Budget
Amendment
Request**

Department: HEALTH

Date of Request: 8/7/2023

FY Budget: 2024

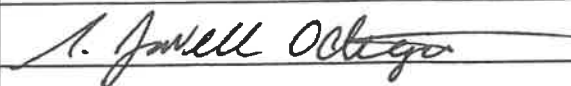
ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
105152-531000	Adult Health Professional Development	\$1,300	
100600-461000	NC MDPP Travel	\$1,300	
105110-539800	Regional ARPA Workforce	\$115,777	
105110-551050	Regional ARPA Capital Outlay	\$16,987	
100600-461000	Regional ARPA Revenue	\$132,764	
105158-523900	Health Promotions Medical Supplies	\$250	
100600-461000	Syringe Survey	\$250	
105167-519800	WIC Breastfeeding	\$5,207	
100221-454090	WIC Breastfeeding Peer Counselor	\$5,207	
105120-526110	COVID-19 Supplies	\$43	
100211-445197	COVID-19 (AA 543)	\$43	

Department Justification: Funding from Regional Public Health ARPA, National Survey of Syringe Service Programs, NC Minority Diabetes Prevention Program, WIC Breastfeeding Peer Counselor Program, COVID-19 Enhancing Detection Activities AA 543

If amendment deals with adding, deleting, or modifying a position, County Position No. (& State, if applicable) must be referenced.

County Position No. N/A

State Position No. N/A

APPROVAL	SIGNATURE	DATE
Department Head		7/21/23
Finance Officer		
	This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.	
County Manager	Required for interdepartmental transfers.	
Board of Commissioners	Agenda Item No. _____ Reference No. _____	



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: JaNell Octigan, Public Health Director

Agenda Title: Health FY24 Fee Revisions

Summary of Information:

1. Request to approve the following clinical fee with a retroactive date of July 1, 2023:

CPT	Description	Current Fee	Proposed Fee
59430	Postpartum Care (only)	\$202.00	\$311.00

2. Request to approve the following Environmental Fees, effective September 1, 2023 per session law:

Due to changes in NC Session Law 2023-90, one of our existing fees is required to change by law. The following is the modification to an existing fee:

Service	Fee
Engineered Option Permit	\$35 (filing fee)

The following are newly added fees for different Private Permitting Options. These fees are established in the session law:

Service	Fee
AOWE Permit	\$35 (filing fee)
(a2) Improvement Permit	\$150 (100% of traditional IP)
(a2) Construction Authorization	\$50 (40% of traditional CA)
(a2) Improvement Permit/Construction Authorization (combination single submittal)	\$110 (40% of traditional IP/CA)

Submitter Recommendations/Motions: Staff recommend approving the fee revisions as presented.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: JaNell Octigan, Public Health Director

Agenda Title: Board of Health Reappointments

Summary of Information: On behalf of the Board of Health, the Beaufort County Health Department is recommending the following individuals for reappointment to the Board of Health:

- Shelia Slade – Registered Nurse
- Angela Biggs – Pharmacist
- Stewart Ham – General Public

Terms will begin October 1, 2023, and end September 30, 2026

Submitter Recommendations/Motions: It is recommended the Board of County Commissioners approve the reappointments to the Board of Health.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: Kelly Smith, Social Services

Agenda Title: Budget Amendment – Adoption Fees

Summary of Information: DSS received a payment in the amount of \$10,728 for the Adoption Promotion fund. This payment was recorded as revenue at the end of FY23 and rolled into the fund balance at the end of the fiscal year. This payment covers adoptions that have been completed by DSS between 6/1/22 and 5/31/23. These funds are to be used to enhance our adoption services program. These funds are carried over until exhausted. We are requesting that the Special Adoption Incentive Fund (105441.562005) be increased by \$10,728. There are no county dollars included in the increase of these funds.

Submitter Recommendations/Motions: Approval of the budget amendment

Attachments:

1. Email Notification of Funding
2. Budget Amendment

Kelly Smith

From: Lori Leggett
Sent: Thursday, June 22, 2023 3:01 PM
To: Kelly Smith
Subject: FW: CONFIDENTIAL/Adoption Promotion Fund
Attachments: County DSS-5320 Monthly Adoption Reporting 2023-2024.xlsx

See below

Lori Leggett, MSW
Deputy Director
Beaufort County Department of Social Services
632 West 5th Street
Washington, NC 27889
252-940-6031
lori.leggett@beauforddss.com



Please do not print this e-mail unless you really need to do so!

****CONFIDENTIALITY NOTICE:** The information contained in this electronic mail is confidential information intended only for the use of the entity or individual to whom it is addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retransmission, or copying of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete all records of this email.

From: Mackins, Mary L <Mary.Mackins@dhhs.nc.gov>
Sent: Thursday, June 22, 2023 1:54 PM
To: Melanie Corprew <melanie.corprew@beauforddss.com>; Lori Leggett <lori.leggett@beauforddss.com>
Cc: App Contracts <app.contracts@dhhs.nc.gov>
Subject: CONFIDENTIAL/Adoption Promotion Fund

CAUTION: This email originated from outside of Beaufort County DSS. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon. Please be advised that a request for payment in the amount of \$ 10,728.00 has been sent to the Office of the Controller effective **June 8, 2023**. This payment is from the Adoption Promotion Program Fund and covers adoptions completed between June 1, 2022 and May 31, 2023. This email serves as notice that payment has been requested. Be sure to check with your department accounting unit within in the next 30 days to verify your payment. If you do not receive payment within 30 days, please notify the Division immediately.

Legislation regarding the Adoption Promotion Program Fund specifically states that the money "***must be used to enhance your adoption services program.***"

As a reminder, DSS-5320 submission deadlines for SFY 2023-2024 are as follows:

DUE DATE	FOR ADOPTIONS COMPLETED IN:
September 10, 2023	June 2023 – August 2023

December 10, 2023	September 2023 – November 2023
March 10, 2024	December 2023 – February 2024
June 3, 2024 (no later than)	March 2024 – May 2024

Counties will need to begin a new DSS- 5320 for adoptions beginning in June 2023. One is attached for your convenience.

Thank you for your continued efforts to provide permanency for the children of North Carolina.

Have a great day!

Mary Mackins, MSW
Interim Adoption Manager/Permanency Coordinator
Division of Social Services, Child Welfare
NC Department of Health and Human Services

(919) 527-6287 Office
Fax: 877-625-4374
Mary.Mackins@dhhs.nc.gov

820 S. Boylan Avenue, McBryde Building East
2409 Mail Service Center
Raleigh, NC 27603

Don't wait to vaccinate. Find a COVID-19 vaccine location near you at [MySpot.nc.gov](https://www.myspot.nc.gov).

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Learn more about our values.



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Budget Amendment Request

Date of Request: August 7, 2023

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
105441.562005	Special Adoption Incentive Fund	\$10,728	
100991.499100	Fund Balance Appropriated	\$10,728	

Department Justification:
DSS received a payment in the amount of \$10,728 for the Adoption Promotion fund. This payment was recorded as revenue at the end of FY23 and rolled into the fund balance at the end of the fiscal year. This payment covers adoptions that have been completed by DSS between 6/1/22 and 5/31/23. These funds are to be used to enhance our adoption services program. These funds are carried over until exhausted. We are requesting that the Special Adoption Incentive Fund (105441.562005) be increased by \$10,728. There are no county dollars included in the increase of these funds.

State Position No. _____

APPROVAL	SIGNATURE	DATE
Department Head	<i>Mulani Corprew</i>	7/28/23
Finance Officer		
	This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.	
County Manager	Required for interdepartmental transfers.	
Board of Commissioners	Agenda Item No. _____ Reference No. _____	



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: Kelly Smith, Social Services

Agenda Title: Multi-Year Contract

Summary of Information: The Department of Social Services has a multi-year agreement with Pitney Bowes for our postage machine which is ending soon. The current machine is outdated and in need of replacement. Pitney Bowes and Quadient both provided a quote for a new machine and postage services. Quadient's multi-year agreement was significantly less than our current provider, Pitney Bowes. Approval of the new agreement with Quadient would result in a savings of over \$5,000 for postage machine rental and services over the next 3 years.

Submitter Recommendations/Motions: Approval of the new multi-year agreement with Quadient

Attachments:

1. Multi-Year Contract

Overview

Dear Brian Alligood,

This exclusive offer includes the **IX-5AF** postage meter with a 5lb scale, maintenance, and rate change protection for only **\$212.99** per month.

The new **IX-5 Auto-Feed Mailing System** features:

- User friendly navigation and a Rate Wizard that simplifies rate selection and ensures postage accuracy every time.
- Space saving, built-in weighing platform with Smart Start technology
- Convenient ATM-style postage downloads with High speed internet connection or iMeter™ PC Link
- Automatic sealing with easy access reservoir ensures a perfect envelope seal
- Integrated automatic label dispenser simplifies the processing of packages and large envelopes
- Up to 19,500 impressions per ink cartridge with Low Ink E-mail Alerts for efficient planning
- Convenient access to postal and department usage on Myquadi^{ent} for reporting at your fingertips
- Automated USPS ® Rate Change updates Automatic feeding speed up to 110 letters per minute

[Click here to learn more about the IX-5AF Mailing System today!](#)

We appreciate your business!

Sincerely,
Kathryn Baugher
K.Baugher@quadi^{ent}.com
972-432-5996 Ext. 25996

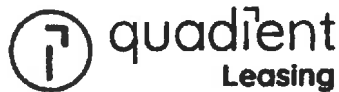
*** Please Note: This meter connects through a high-speed digital connection for postage downloads and rate change and software updates.

Any changes, addition, or modifications to the agreement must be accompanied by the signers initials.

If the address or company name on the form needs to be adjusted, please contact me before you sign and I will send you an updated copy. ***

Statement of Confidentiality

This proposal and supporting materials contain confidential and proprietary business information of Quadient, Inc. These materials may be printed or photocopied for use in evaluating the proposed project, but are not to be shared with other parties.



Product Lease Agreement

Product: Quadient IX-5 Auto Feed

Offer Includes

Products: 5 lb Scale
Service Products: Maintenance, , Rate Change Protection, Installation
Easylink: ☐ (Quadient Postage Funding and LAN required)

Billing Information

Billing CSN#:
Company Name: Beaufort County Dept of Social Services
DBA:
Address: PO Box 1358
Washington, NC27889
Contact: Brian Allgood
Email: patricia.waters@beaufordss.com victoria.miller@beaufordss.com
Phone: (252) 940-6012 Fax:
Office: 9370 - Electronic Systems Inc
Main Post Office / Mail Drop:
Post Office ZIP Code:

Agreement PO - Tax Exempt - ACH

Purchase Order #:
Tax Exempt: ☐
ACH Payments (Lease Payment Only): ☐
Previous Lease #:
Replaces Meter S/N:

Lease Payment Information and Schedule

Billing Frequency: Quarterly
Monthly Payment: \$212.99 (Plus applicable taxes)
Number of Months: 39

Installation Address

Company Name: Beaufort County Dept of Social Services
Address: 632 W 5th Street
Washington, NC27889
Contact: Brian Allgood
Email: patricia.waters@beaufordss.com victoria.miller@beaufordss.com
Phone: (252) 940-6012 Fax:
Office#: 9370 - Electronic Systems Inc
Main Post Office / Mail Drop Off:
Post Office ZIP Code:

Postage Meter Funding

Postage Funding Option: Quadient Postage Funding
Use my POC/TMS Account #: ☐
My POC/TMS Account#:
Date Sent: 7/5/2023
Offer Valid Until: 8/31/2023

Existing customers who currently fund the Postage account by ACH Debit will not be converted to a Postage Funding Account unless Initialed here:

Approval & Terms

Guided by Quadient, Inc.'s Sustainable Design and Responsible Manufacturing Policy, our Products may contain reused components. For more information visit <https://www.quadient.com/about-us/sustainable-design-and-manufacturing>.

This document consists of a Product Lease Agreement with Quadient Leasing USA, Inc.; and a Postage Meter Rental Agreement, Maintenance Agreement and an Online Services and Software Agreement with Quadient, Inc.; and a Postage Funding Account Agreement with Quadient Finance USA, Inc. Your signature constitutes an offer to enter into such agreements, and acknowledges that you have received, read, and agree to all applicable terms and conditions (version Commercial-Equipment-Lease-Terms-USPS-Direct-V9-2020), which are also available at www.quadient.com/Commercial-Equipment-Lease-Terms-USPS-Direct-V9-2020, and that you are authorized to sign the agreements on behalf of the customer identified above. The agreements will become binding on the companies identified above only after an authorized individual accepts your offer by signing below, or when the equipment is shipped to you.

Name:
Title:
Date:

Authorized Signature:

Kathryn Baugher K.Baugher@quadient.com PH: 972-432-5996 Ext. 25996 FAX:
Quadient Leasing USA Inc. 478 Wheelers Farms Road, Milford, CT 06461



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: Lloyd Salter, Tax Assessor and Wyn Kinion, Tax Collector

Agenda Title: Tax Office Refunds Over \$100

Summary of Information: Attached are the requested refunds from the Tax Assessor and Tax Collector that are over \$100.00.

Submitter Recommendations/Motions: Staff recommends approval of refunds over \$100.00.

Attachments:

1. Assessor Refunds
2. Collector Refunds



North Carolina Vehicle Tax System

7/1 - 7/28

2023

NCVTS Pending Refund report

Payee Name	Primary Owner	Secondary Owner	Address 3	Refund Description	Refund Reason	Create Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change	
CLAYTON, MICHAEL LEE	CLAYTON, MICHAEL LEE	CLAYTON, JOANNA PARKER	CHOCOWINITY, NC 27817	Refund Generated due to proration on Bill #0044210137-2022-2022-0000-00	Vehicle Sold	07/19/2023	G01	Tax	(\$102.03)	\$0.00	(\$102.03)	
							F60	Tax	(\$7.02)	\$0.00	(\$7.02)	
							E12	Tax	(\$8.17)	\$0.00	(\$8.17)	
										Refund		\$117.22
HARDING, GUY LESTER	HARDING, GUY LESTER		CHOCOWINITY, NC 27817	Refund Generated due to proration on Bill #0037855923-2022-2022-0000-00	Vehicle Sold	07/07/2023	G01	Tax	(\$54.19)	\$0.00	(\$54.19)	
							C06	Tax	(\$63.29)	\$0.00	(\$63.29)	
							E11	Tax	(\$4.34)	\$0.00	(\$4.34)	
										Refund		\$121.82
SINGLETON, ASHLEY PREVATTE	SINGLETON, ASHLEY PREVATTE	SINGLETON, SAMUEL GREGORY	WASHINGTON, NC 27889	Refund Generated due to proration on Bill #0058770147-2022-2022-0000-00	Vehicle Sold	07/05/2023	G01	Tax	(\$83.94)	\$0.00	(\$83.94)	
							C01	Tax	(\$77.89)	\$0.00	(\$77.89)	
							C01	Vehicle Fee	\$0.00	\$0.00	\$0.00	
										Refund		\$161.83
SUMERLIN, GORDON RAY	SUMERLIN, GORDON RAY	SUMERLIN, MINNIE LUE	BELHAVEN, NC 27810	Refund Generated due to proration on Bill #0072321139-2022-2022-0000-00	Vehicle Sold	07/26/2023	G01	Tax	(\$166.67)	\$0.00	(\$166.67)	
							F63	Tax	(\$10.93)	\$0.00	(\$10.93)	
							ER	Tax	(\$13.33)	\$0.00	(\$13.33)	
										Refund		\$190.93
WILLIAMS, RAYMOND EARL JR	WILLIAMS, RAYMOND EARL JR	WILLIAMS, HEATHER STERLING	WASHINGTON, NC 27889	Refund Generated due to proration on Bill #0059591653-2022-2022-0000-00	Vehicle Sold	07/24/2023	G01	Tax	(\$142.82)	\$0.00	(\$142.82)	
							F63	Tax	(\$9.37)	\$0.00	(\$9.37)	
							E05	Tax	(\$8.00)	\$0.00	(\$8.00)	
										Refund		\$160.19
										TOTAL		\$751.99

Report Parameters:

Refund Status: ONHOLD

Default Sort-By: Refund date, Refund Recipient Name, Refund Recipient Address

Trans #	Refund Recipient Name	Refund Address	Refund Description	Opid	Refund Amount (\$)
922695	VLADISLAV OLEJNIK	345 ROCKY HILLS ROAD PITTSBORO, NC 27312	Overpayment on Payment of CHECK on Bill # 0000042058-2014-2014-0000-00 of	DPCDSO	1,249.38
922719	BEAUFORT COUNTY INSPECTIONS	220 N MARKET ST WASHINGTON, NC 27889	Overpayment on Payment of CHECK on Bill # 0000042955-2023-2023-0000-00 of	WKINION	200.00
922767	MAURICIO R RAMIREZ	15596 NC HWY 33 E BLOUNTS CREEK, NC 27814	Overpayment on Payment of CHECK on Bill # 0000034182-2022-2022-0000-00 of	C9BEATB	177.53
922767	JOSHUA W HOPKINS	2063 TUNSTALL SWAMP RD AURORA, NC 27806	Overpayment on Payment of CHECK on Bill # 0000008997-2022-2022-0000-00 of	C9BEATB	132.25
Total					



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: Katie Mosher, Clerk to the Board

Agenda Title: Workforce Development Reappointment

Summary of Information: The Rivers East Workforce Development Board is recommending Ms. Jenny Brown of ECU Health for reappointment to fill a private sector seat on their Board. This would be for a two-year term, ending June 30, 2025.

Submitter Recommendations/Motions: Staff recommends reappointing Jenny Brown to the Workforce Development Board for a two-year term.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Consent

Presenter: Katie Mosher, Clerk to the Board

Agenda Title: Approval of Board of Commissioner Minutes

Summary of Information: Approve the July 10, 2023, Board of Commissioners minutes and the July 27, 2023 special called meeting minutes as submitted by the Clerk to the Board.

Submitter Recommendations/Motions: Motion to approve minutes as submitted by the Clerk to the Board of Commissioners.

Attachments:

The Beaufort County Board of Commissioner met in regular session Monday, June 5, 2023, at 5:30 PM, in the Commissioners Boardroom located at 136 W. 2nd Street in Washington, NC with the following present:

Commissioners Present

Chairman Frankie Waters
Vice-Chairman Langley
Commissioner Ed Booth
Commissioner Stan Deatherage
Commissioner John Rebholz
Commissioner Hood Richardson
Commissioner Randy Walker

Staff Present

Brian Alligood, County Manager
Katie Mosher, Clerk to the Board
David Francisco, County Attorney
Anita Radcliffe, Chief Finance Officer

Chairman Waters welcomed everyone and called the meeting to order.

Vice-Chairman Langley led the Pledge of Allegiance.

Conflict of Interest Statement

Chairman Waters asked if any Commissioner have a conflict with any of the agenda items tonight.

No one spoke.

Approval of Agenda

Motion: Commissioner Booth motioned to approve the agenda. Vice-Chairman Langley seconded. The vote was unanimous.

Service Award Presentation

Ms. Deloris Creasman said I'd like to name some employees, Beaufort County employees that have completed some years of service and will be receiving service awards tonight. She said the first employee is Ms. Pamela Brinn with 20 years at our Health Department. She said our next employee works for the Department of Social Services, Ms. Vaneice Boston-Brown, she has 5 years of service. She said next we have Mr. Linwood Waters with our Sheriff's Office who now has ten years of service.

Sheriff Hammonds said Mr. Waters has a family emergency and couldn't attend.

Ms. Creasman said we also have a couple of employees who could not be here tonight, Ms. Jennifer O'Neal with the Department of Social Services now has 15 years of service and Ms. Andrea Starkie with 15 years of service so congratulations to them.

Public Comments

Mr. Bruce Gray said I'm here again to speak about the problem of sex trafficking of children. He said it's still going on in Beaufort County and we can't get any help with it. He said finally we do have, I've been able to get up with two organizations, the Dead 8 are investigating into it and trying to come up with evidence and see that I'm telling exactly the truth. He said it's been going on and I've been reporting this situation for ten years now and can't get any help with this. He said my child's been raped by her own mother and a man with it. He said the second person, another boyfriend of her

mother's, has molested her again and now we do have the proof of that one and it's in court but it hasn't been continued eight times. He said it still hasn't been heard yet, he lives next door to us. He said this is unacceptable. He said here in Beaufort County they sex traffic people and it's a harbor here for people who sex traffic children and women, not just children but women and children. He said I've gotten it to the missing and exploited now. He said it's the Sheriff's Department, it's DSS and the courthouse, they're all covering up for people that do this here. He said I don't understand, why can't we get help instead of threats from the Sheriff's Department. He said even the bikers, the club that's trying to find it and prove what's going on is being told to stop by the Sheriff's Department. He said they've told members here that it's bad for your career. He said why are we being threatened instead of helped. He said I was trying to get my child away from this, it's so bad here, and we couldn't even, it was supposed to be, his case was supposed to have been done again this last month and again it's been continued. He said this is really unacceptable, I'm sorry.

Ms. Evette Page said I'm home grown, I was born and raised here in Washington, NC. She said in 1970 I migrated to New York because of the job situation here for young people and worked on Wall Street for eight years. She said I came back in 1979 and my husband and I reside here. She said he is a pastor and first lady of Sutton Tabernacle, located directly behind the Days Inn. She said we have been affected tremendously by the pandemic. She said it is what it is. She said we have served, my Dad built the church there back in 1979 and for forty years plus, coming up in November it will be 44 years we have served the community. She said we have given, we have provided food, clothing, medicine, all kinds of things to help the community and because we're in this place where we are with the membership and since the pandemic we were trying to find out if there was anything available to help. She said I know there is a lot of money in Beaufort County, I read the papers, I'm abreast, I worked forty years at DSM where they make the medicine, I know there's an opioid addiction and if there's anything we can do to help along those lines or to help the community with feeding to be able to help to keep us moving and help us as we continue to help the community we would like to know about it. She said that is Southern Tabernacle, located in Washington, NC and we've been there for 44 years in November and that's my concern.

Legislative Updates from Elected Officials

There were no outside elected officials present.

Items for Consent

1. Surplus, Health Department – JaNell Octigan, Health Director	6
2. Health FY24 Influenza Purchase – JaNell Octigan, Health Director	7
3. Camp Bodie Fireworks Permission – Chris Newkirk, Emergency Services Director	13
4. Tax Office Refunds Over \$100 – Lloyd Salter, Tax Assessor and Wyn Kinion, Tax Collector	14
5. Interdepartmental Reallocations – Anita Radcliffe, Finance Officer	19
6. Mid-East Commission Planning Contract – Brian Alligood, County Manager	20
7. Appointment and Reappointment to the Washington Enlarged Board of Adjustment Katie Mosher, Clerk to the Board	28
8. Reappointment to ABC Board – Katie Mosher, Clerk to the Board	31
9. Reappointment to the BCCC Board of Trustees – Katie Mosher, Clerk to the Board	33
10. Board Minutes Approval – Katie Mosher, Clerk to the Board	36

Motion: Commissioner Booth motioned to approve the consent agenda. Vice-Chairman Langley seconded.

Yes Vote

Chairman Waters
Vice-Chairman Langley
Commissioner Booth
Commissioner Rebholz
Commissioner Walker

No Vote

Commissioner Deatherage
Commissioner Richardson

See Addendum 1

Solid Waste Update

Ms. Christina Smith said I have a very brief update for you this evening regarding the solid waste ordinance, we have contacted attorneys with the UNC School of Government and we've had discussions with them. She said they are still reviewing our ordinance. She said in discussions with them they believe that the timeline we will be able to have something to present next month but due to the deadline of the agenda we were still waiting.

Vice-Chairman Langley said I have a question that pertains to the Cherry Run site. He said the Cherry Run site is closed as of today and you say it will take approximately two weeks.

Ms. Smith said approximately two weeks.

Vice-Chairman Langley said so it could be opened earlier.

Ms. Smith said yes. She said that is for repairs to the driveway.

Chairman Waters said is there anything you would like to say based on the complaint received by the Commissioners, as it relates to where you're at.

Ms. Smith said are you talking about the email.

Chairman Waters said yes.

Ms. Smith said that was an isolated incident. She said West Overman has spoken with the lady that sent you the email, it was the first we'd heard of it today, he spoke with her today and she's sending additional information but it does appear to be an isolated incident with one particular resident so we will follow up on that and determine the best way to move forward.

County Line Review

Mr. Lloyd Salted said this one is essentially what is going on is Pitt County and us have been in discussions for a while now, there's some land, I guess you could say along that line, more towards 102 and down that way but there's some in the southern area where both counties have a slight divergent on where they think the line is, it's just that simple. He said normally in these situations you ask the state to do a survey. He said there's a little of both, some of it we think we may be a little more, some of it they think it's a little more up and down that line so what we would like to do is actually ask the state Geo Survey to do a survey of that line. He said come in and look at that entire county line border, including actually the creek as well but mostly focusing, priority, north to south I guess you could say. He said they are on about anywhere from 1.5 to a 2-year wait list right now. He said this is just to ask to get on the list. He said this is just an endorsement allowing us to ask to let that line be resurveyed. He said we believe, I believe that it's always best to have a good working knowledge of where your line is and if the state can come in, at no expense to us, and really work with us that would be great. He said additionally I would ask; it would come up to you all again. He said once they do the survey we would come to you again, we would work with Pitt County of course to come up with an agreement on the findings. He said so this isn't me saying give it to me and forget about it, this is me saying I would like to go to the state and get permission, get the survey done.

Commissioner Rebholz said is there any downside to this that you know of.

Mr. Salter said to be really honest I can sit here and tell you we're going to gain land or lose land or anything like that. He said maybe in some places there's going to be both but I think that knowing where it is and being secure in it, especially with any development along that line, is really a secure place for us to be. He said I think it would avoid any future potential, and I don't know of any but any potential arguments about that line in the future I would think. He said I just think having that backup, I know most surveyors in the county, a lot of developers would be onboard with this, I spoke with permitting on this, he's all about it and thinks it's a great idea. He said again, I don't know how it's going to come out with that, that will be a discussion after the survey of it but I think it's a great idea.

Commissioner Deatherage said one thing you might be able to do, which is very important in discovering which is what or what is ours and what is theirs is maybe swapping and putting whole pieces in one county or the other. He said is that possible.

Mr. Salter said it doesn't work exactly that way. He said what the state is going to do is the state is going to basically, the gentlemen who does it and the teams that work with him their going to come in and basically do a survey themselves of where that line should be. He said there are some markers on that line, they're going to mark it, they're going to look at those, they're going to get why we think certain things, they're going to look at a lot of deeds on that line and see that it fits in like a jigsaw puzzle and that's where they'll make a lot of that determination. He said there are a lot of properties that straddle the line and there probably could be some back and forth with that. He said we have some agreements now between the counties. He said we agree this is where it is, you agree and we're still comfortable with those but we both think with any development on that it would be best to have it official. He said really reconciliation of that line.

Motion: Commissioner Booth motioned to approve requesting a survey of the County line. Commissioner Rebholz seconded. The vote was unanimous.

See Addendum 2

Office of the State Fire Marshall Presentation, Pamlico Beach

Mr. Chris Newkirk said

Challenges to Volunteer Services



- ▶ Growing number of "weekenders" or secondary homes within their community.
- ▶ Population consists of a growing number of retirees / aging adults
- ▶ Population are working daytime jobs outside of the service area.
- ▶ Very limited employment opportunities that are conducive to volunteer services within the district.

OSFM Findings

- ▶ Non-Compliant Items
 - ▶ Low on Personnel
 - ▶ No Training Records
- ▶ Applicable Timeline
 - ▶ 6 Months: Non-Compliant Status
 - ▶ 6 Months: Probation Status



OSFM
OFFICE OF THE STATE FIRE MARSHAL
INSURANCE

NOTICE OF NON-COMPLIANCE

April 26, 2023

Curtis Latham Avery
Pamlico Beach Fire Station's Office
1420 Highland Drive
9804 Elm Street, Pamlico Beach, NC 27857
Pamlico Beach, NC 27857

Reference: District: Pamlico Beach
Department: Pamlico Beach Fire and Rescue Squad

Dear Curtis Latham Avery:

OSFM appreciates the cooperation and assistance given by members of your staff during the recent inspection of your department. The purpose of the inspection was to verify that your department meets the State's minimum requirements for a certified department.

Your department did not meet the minimum standards in requirements for a certified department for the following reasons:

Category	Minimum Standard	Findings
Personnel	Minimum of 10 personnel	Only 8 personnel were present during the inspection.
Training	Minimum of 10 personnel	Only 8 personnel were present during the inspection.

Failure to meet the minimum requirements for a certified department will result in a change in the rating classification of your department and the fee charged to you to a Class 10 rating. Your department currently holds a Class 10 rating. If the rating classification was implemented, the change to a Class 10 rating would affect all property insurance premium calculations for residential property insured under Volunteer policies and other special vehicle insured property.

Before any action is taken regarding your department's rating classification, OSFM would like to provide the department with the opportunity to develop a plan to correct its deficiencies. If your department wishes to develop a plan to correct its deficiencies and ensure it continues to meet all minimum standards it will need to take the following action:

Action Required

- The fire department shall, on or prior to 30 days from the date of the inspection to which a plan to correct its deficiencies is submitted, submit a plan to correct its deficiencies to the OSFM.

OSFM will be committed to assist your department in meeting the corrective action plan. If, after 30 days, your department still does not meet all of the minimum requirements set forth in the NC Administrative Rules, OSFM will take action to change the status from non-compliant to probation.

1201 MAIL SERVICE CENTER | RALEIGH, NC 27601-1002 | WWW.NCSTATEFIRE.COM

Option 1 – Continuation of Pamlico Beach Fire Dept.

- ▶ Recruit and maintain at least 15 members.
- ▶ Members must have 36 hrs of annual training
 - ▶ 12 of which must be in house training
 - ▶ Maintain documented training records for each member.
- ▶ Maintain trucks and equipment to include documented annual pump and hose tests as required.
- ▶ Maintain heated station and communications equipment.
- ▶ Chief Officers must maintain NCOSFM's Chief's 101 Certification

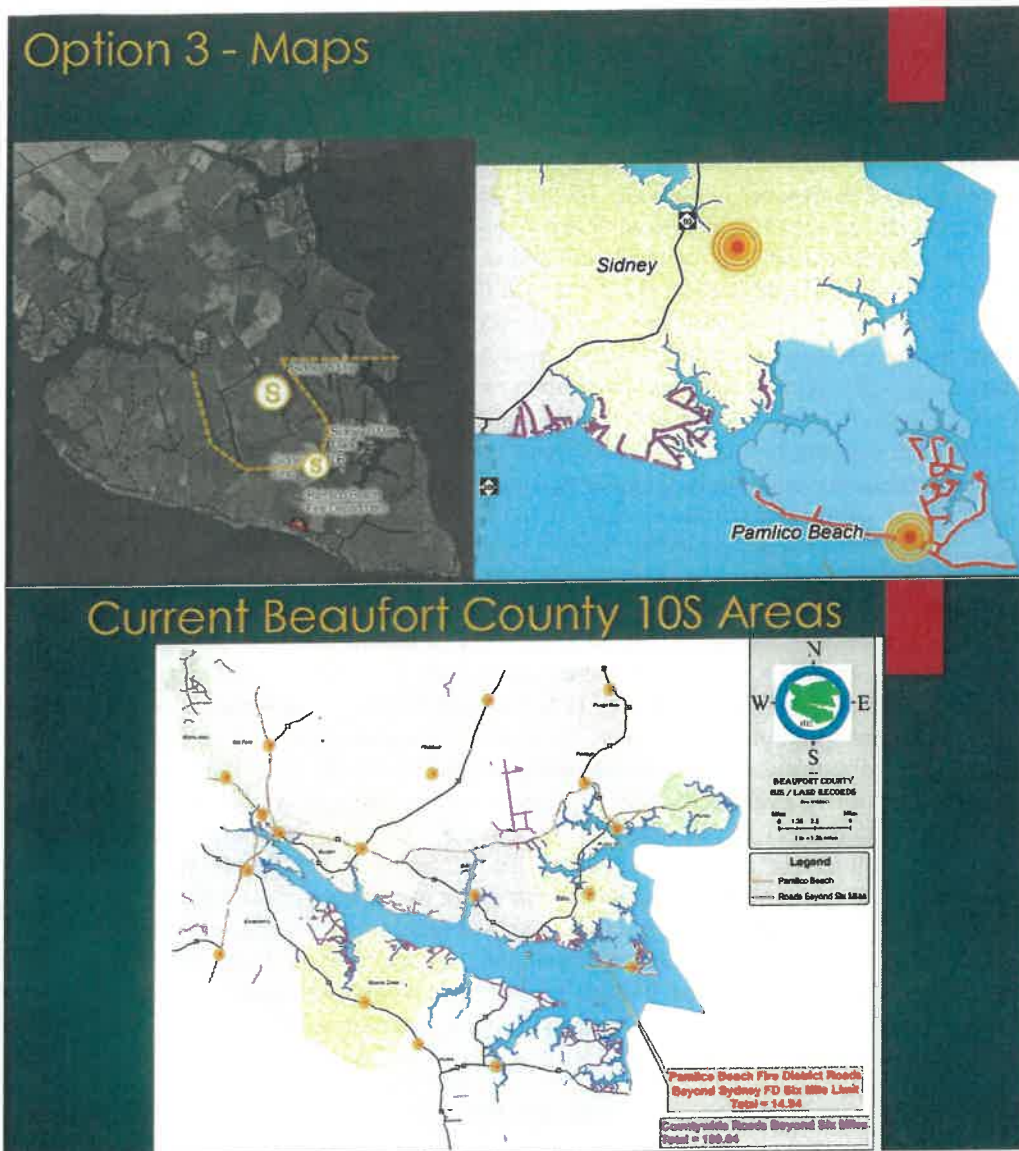
Option 2 – Sidney Fire Dept. Substation

- ▶ Recruit and maintain 6 members. (OSFM requires 4)
- ▶ Maintain at least one (1) Engine and one (1) Tanker
- ▶ Maintain heated station and communications equipment.
- ▶ **Benefit**
 - ▶ Lower the insurance rating of all property owners from a 9S / 10S to a 6S / 9S.

It is difficult to estimate the cost savings homeowners would experience due to the numerous variables applicable to the cost of insurance.

Option 3 – Unsuccessful Volunteer Recruitment Efforts

- ▶ Pamlico Beach Fire & Rescue would no longer exist.
- ▶ Legal guidance / processes to ensure the appropriate reallocation of Fire & EMS assets.
- ▶ Sidney Fire Department would provide services from their existing station with areas of Pamlico Beach transitioning to a 10S insurance rating.
- ▶ **Benefits**
 - ▶ Lower the insurance rating to a 6S for property owners along and north of Bailey Point Dr. & Beach South Rd.
 - ▶ Preserve a 9S rating for property owners along and north of the Boat Basin.



Mr. Newkirk said what do we do moving forward. He said in talking with the community we have a couple of “next steps” that we have in mind and certainly open to suggestions from the Board. He said the first thing we would like to do is send a letter to all the property owners in Pamlico Beach explaining the current situation of where we are with this issue and the state and what our possible solutions are. He said we would love to have a public meeting in Pamlico Beach to answer any questions, show them these graphics, show them in more detail if people would like to see them and from there it’s about what support the community is able to provide for volunteer services. He said if we’re able to get at least six that at least puts us in the avenue of making that a potential sub-station of Sidney. He said if we get more than that we can certainly reevaluate. He said right now our goal, the best benefit to the community would actually be the sub-station option because it requires less volunteer support and gives the best insurance rate to the community. He said with that I have members of both Pamlico Beach and Sidney here, along with myself and Mr. Avery. He said we’d be happy to answer any questions you may have and welcome any guidance you may have moving forward.

Commissioner Booth said I know on option one was to get at least six people trained.

Mr. Newkirk said that’s option two.

Commissioner Booth said option two, what happens, then you have to do that within a twelve-month timeframe, is that correct.

Mr. Newkirk said that’s correct.

Commissioner Booth said I'm going to ask the real question here because I want what's best for the people of Pamlico Beach, is that going to be doable, is that what you think.

Mr. Newkirk said truthfully I think it's going to be difficult.

Mr. Bob Watson said I'm the treasurer, been on the board for a long time and was there for the recertification in 2010 when we went through a suspension. He said this is a demographic problem. He said we don't have a business, there's not a retail business or employer in our service area. He said what's happened is the young people have moved towards Pinetown, Washington and Belhaven to raise their kids, it backfilled a lot of retirees and second homeowners down there and this is not new, we've been talking about this all year. He said the fire chief has said I don't have enough people coming to the training, we knew we were going to fail the inspection. He said they've been very professional, very open with what we're doing, what my job has basically been is to put oil on the water down there because the first thing that people started saying was my insurance is going to double, it's not. He said we have surveyed up to twenty residents and asked them to go back to their insurance companies and ask if we go from nine to ten and what's it going to do and the answers are all over the map but everyone was saying my insurance is going to double. He said I can't find anybody whose insurance is going to double. He said in my particular case my insurance is going to go up as much as 50%. He said we've had people, because of what we're talking about and where we're going, one woman said it's not going to change me at all and this was a very modest means person. He said what I didn't want happening down there is people will hear we failed the inspection and start jumping to conclusions about what it was going to mean or that we're out of business because we failed inspection. He said we've got a year, really a six-month milestone to say we've got a plan but I wanted to come tonight because I wanted to say, again, how professional they've been because I alerted Mr. Avery to this over a year ago and so did the chief saying we're not going to be able to pass, there's just no people here anymore. He said if we can cooperate with them with some plan and what I've been doing politically, with a little 'p' is letting people know the worse case you're still going to be able to see the Pamlico River when you come down here. He said it's not going to ruin your view and most people feel, as taxpayers in the county, that commissioners and the government will figure out what they need to do. He said where our fire department is nobody would've ever put it there in a general sense. He said it was built with private money, it is still, just FYI, we will have some legal issues. He said we are a 501C4 corporation. He said we were incorporated for community service down there. He said we added the fire department and rescue services to that organization and didn't start taking county contracts until the early 90's so our intent would be, and we're under a reduced contract now for the rescue services which was negotiated when Mr. Hedgepeth was here and we've got two people running the ambulance and he said I'd rather have it there than not. He said we're real practical about this and I just wanted to come mainly to tell you guys that these guys are doing their job and we don't have any real political issues. He said I'm not speaking for Sidney; we have not formally started speaking with Sidney. He said they know what's going on but I don't see any problems with us. He said whatever we do to resolve that will resolve it for everybody's benefit down there.

Chairman Waters said I'm assuming that when the letter goes out if you're going to have a public meeting are you going to put this in the letter.

Mr. Newkirk said yes. He said our goal, very similar to what you had received in your agenda, that pretty much being the templet that we would send to the community. He said our biggest objective with that is just getting accurate information out and having the opportunity to answer questions. He said I think that will go a long way with whatever the future looks like for services in that area. He said if we don't accomplish that, in my opinion, we're going to have a hard hill to climb. He said that's why that is a priority for us and then from there it's really just conversation and seeing what kind of support we get. He said we just don't know but it's certainly something we need to have a conversation with the community about. He said that's kind of where my thoughts are.

Commissioner Rebholz said I'm reading the letter that you got.

Mr. Newkirk said from OSFM.

Commissioner Rebholz said yes and it says at the bottom of the fourth paragraph the fire department shall not exceed 30 days from the date of inspection to submit a detailed written comprehensive plan, have we done that.

Mr. Newkirk said yes, we have been in continuous conversation with OSFM and essentially saying hey, we have met with members of the department, they knew about this meeting tonight with you commissioners so that plan as you see referenced here, the spirit of that is keep us in the loop. He said that's essentially what OSFM is asking here.

Mr. Curtis Avery said we keep them notified of every step and they're good with where we're at.

Mr. Newkirk said within 30 days it was a conversation with OSFM that we've met with members of the fire department and their board, this is kind of the path we have outlined and we'll keep you posted so we have been compliant with that.

Commissioner Walker said with what you're doing I think they'll work with you and might even extend the time a little bit.

Mr. Newkirk said the extensions are kind of hard. He said I do think they're going to be firm on that one year.

Commissioner Walker said when I was with Washington we had something called the call company and it compensated us a little bit of money to learn how to compensate the truck and we were responsible to come to every fire but that's when Washington was more volunteer than it is now. He said it doesn't sound like this; any kind of money that could be paid to the volunteers would help at all because the people just aren't there.

Mr. Newkirk said I think you're right and I know many of you in conversations in other areas across the state, this is not a problem that is unique to us. He said there's a lot of areas in North Carolina that are experiencing this. He said you think about when volunteer fire departments were in their prime, especially in rural areas, they were primarily made up of farmers and self-employed people who were working in that district and if a call came in they were able to respond and that work environment has changed and I think the fire departments have done very well in holding the line where they are but those difficulties are starting to make themselves known. He said when you think about the group of people that we really try to target for volunteer services like that our prime candidate is that 18 to 40 age range who's ambitious, physically fit, capable to do the work and has the heart to serve in their community and there's so many competing factors on that now. He said just try to think of an 18 to 40 year old person that you know, able bodied person that you know that's not already got an exhausted schedule from work, family or trying to start a family, raising kids, getting kids to ball practice and things like that, that dwindles the amount of time down that you have for a response or the training that's required so our departments as a whole across the county are doing really well, this is just difficult for that area.

Mr. Rudolph Ramirez said I'm a fire fighter and president of the Sidney Volunteer firefighters board of directors. He said we've known about this problem for a while. He said our members are aware of it, our board is aware of it. He said we currently have two members, future members in the application process from Pamlico Beach and our members are actively recruiting right now to get the additional four so we are working towards this. He said what we are doing is we're bringing them into our department but they would be from that area and then once we had the people we would work with the County and OFSM to take it over as a sub-station. He said just as an aside, the book that we got from OSFM, the guidelines is 70 pages long, to create a sub-station so it's not something you do easily or quickly. He said it may take the full year but we are actively recruiting people from Pamlico Beach, men, and women to be firefighters and right now we have two so we are going from there.

Chairman Waters said just for the public's knowledge, Pinetown, and Longacre work together. He said Longacre is a sub-station, am I right.

Mr. Newkirk said that's correct.

Chairman Waters said thank you gentlemen for all you do, we appreciate your volunteer hours.

See Addendum 3

EMS Remount Procurement

Mr. Newkirk said our next item is a continuation of one we had discussed I think on two occasions. He said if you recall we came to you gentlemen initially in April exploring options to fix a truck that was damaged. He said we gained your approval to get RFPs for that and they came back not as clean as we would like so we triggered a new RFP process. He said the results of which were much more compliant to what we like to see in these processes and that's what I wanted to present to you today. He said the three bids that we got back, we got three, one from Emergency Transport Associates, one from Atlantic Emergency Solutions and one from Southeastern Specialist Vehicles. He said I've highlighted here some of the changes or differences in warranties and turnaround times. He said I want to jump down about mid-way and talk about the differences we saw in the request. He said of these three, ETA, Emergency Transport Associates, they were the only

vendor that complied fully with our specs. He said Atlantic submitted a bid which, in total, was lower. He said their bid was submitted at \$146,388 but they excluded the stretcher and power load specs that were included in it, which was about a \$55,000 addition. He said while their number at the opening seemed cheaper they did not comply with everything we had on the specs. He said Southeastern Specialty Vehicles, they are the vendor who is the official dealer for the ambulance we currently have so just like with any vehicle you have manufacture, Chevrolet, Ford, Toyota. He said in the ambulance world you have different vendors that assemble those together so items like wheel coached. He said this particular one is known as Lifeline and initially when it was bought by the Bayview EMS agency it came with a lifetime warranty. He said the stipulation being any work that's done to that box, the patient compartment, had to be done by Lifeline in order to maintain a lifetime warranty. He said Southeastern is the vendor for that and essentially what they would do is take this truck, put it on a rail car, send it to Illinois where Lifeline is at, have them do the work and send it back. He said so Southeastern would essentially be the middleman so to speak for that work. He said as we evaluated these bids, honestly Atlantic, and we've done business with them in the past and have had good customer service with them, exclusion of that stretcher to the price difference, that's hard to justify. He said Southeastern is the same way. He said when you look at the price of \$154,000 for ETA and you compare that to Southeastern, a \$70,000 difference to maintain a lifetime warranty when ETA is going to have some warranty components on their work already, as much as we would like to have that warranty we can't justify it for \$70,000. He said we haven't been able to do that so our recommendation in this process, and what we're seeking approval for is to move forward with ETA for the remount of this box onto a new chassis and get us back into a serviceable, essentially new truck for a fraction of the cost of purchasing a new one. He said with that I'll be happy to answer any questions or concerns you may have.

Commissioner Deatherage said you remember back around covid when prices started going up astronomically, are you seeing a reduction in price overall, a little bit lower or is it still accelerating at a high rate or has it evened out.

Mr. Newkirk said we haven't seen a reduction in price, what we are seeing is a quicker order time on some components. He said chassis for example, if this was a year ago we would've been on the waiting list for a chassis. He said each of these three vendors have chassis on hand right now. He said there are some areas we have seen improvement since covid, unfortunately it has not been a lower price on vehicles. He said a great example, the last truck we purchased I believe was at \$208,000, that truck now would be closer to \$380,000 or \$400,000 and that was two years ago. He said this is a market where the price has drastically gone up. He said this truck, as it is right now would not be uncommon for a new unit to be \$340,000 or \$350,000.

Commissioner Deatherage said you answered my question, thank you.

Motion: Vice-Chairman Langley motioned to approve contract to Emergency Transportation Association for the amount of \$154,701.95. Commissioner Rebholz seconded. The vote was unanimous.

2023 NCACC Voting Delegate

Ms. Mosher said in August you guys are going to Raleigh to do the NCACC annual conference and during the business session they're asking for a person to be the delegate for Beaufort County.

Commissioner Rebholz said I nominate Chairman Waters, which I think has been a tradition.

Vice-Chairman Langley said it is.

Chairman Waters said I guess they're asking for an alternate to do it in one motion. He said do you want Chairman and Vice-Chairman.

Commissioner Rebholz said yes, Chairman and Vice-Chairman as delegates.

Motion: Commissioner Rebholz motioned for Chairman Waters to be the delegate and Vice-Chairman Langley as alternate for the NCACC Annual Conference business meeting. Commissioner Booth seconded. The vote was unanimous.

Beaufort County School Discussion

Commissioner Richardson said at the last meeting we talked about when we're going to meet with Beaufort County Schools and talk about discipline in the schools and talk about the miserably low ratings of the schools. He said what's the report from the manager on that.

Mr. Alligood said members of the Board I had a conversation with the superintendent after the last meeting. He said we were scheduled to meet on the 28th, he was unable to make that meeting so I reached back out to him after the 4th and he said he was out of the district until July 11th and upon his return he would try to get with me to establish some dates so when he gets back on the 11th we will try again.

Commissioner Richardson said it still looks like foot dragging to me.

Update on Cable TV Services

Commissioner Richardson said the next item, unless a commissioner wants to comment on that, update on cable TV services. He said cable TV services from Suddenlink, which changed their name to disguise their miserably poor service to Optimum, the service is miserably poor. He said I assume that we've sent the letter to the Attorney General, he's the authority. He said who has control over the franchise of these people.

Mr. Alligood said it's the State. He said years ago it used to be the County, the County used to negotiate individual franchise agreements and then the State took those over so the State ultimately has that franchise authority.

Commissioner Richardson said but does that come under the attorney general.

Mr. Alligood said the Attorney General is the one you make complaints to and we sent the letter.

Commissioner Rebholz said by statute he's the enforcer.

Commissioner Richardson said well yeah, he's the law enforcer of that but I suspect he's getting enough donations from these people that he's sitting on his hands because he certainly hasn't done anything. He said if I wanted to be governor of North Carolina I'd try to get them some decent TV service because people are going to remember that on election day. He said I guess my next question is what agency is in charge of these franchises in Raleigh. He said we need to determine that, we need to go directly to them, forget about the attorney general, he's not going to do anything. He said does that make sense.

Mr. Alligood said I'll see what I can find out about who actually handles that, whether it's DIT or whether it's, I'm not sure.

Commissioner Rebholz said we may need to send a letter to Murphy too because he promised to follow up on that and I'm not sure if that's happened since then.

Commissioner Richardson said I don't mind doing that, send it to whoever you need to send it to get some action. He said I think we need to find out who the regulatory agency is and we need to push this thing as hard as we can because the service is horrible so we'll have a report at the next meeting.

Commissioner Rebholz said as part of that could you comment on the last award from the GREAT Grant.

Mr. Alligood said sure, I sent a notice out to the Board the other day, Beaufort County through its partnership with Charter/Spectrum, Charter/Spectrum was awarded a GREAT Grant and the Board had agreed to partner with them on the original and held that agreement. He said I think it was \$150,000 we were contributing of our ARPA funds that we'd set aside for that. He said it's a little over, I want to say, a \$1.6 million grant from the State. He said there was a match that went along with that, we would put our piece in and Charter/Spectrum would be putting in the rest and Charter/Spectrum also won the RDOF award, the federal award where they would provide service in unserved and underserved areas that was predominantly on the southside of the river. He said when they submitted for the GREAT Grant it was their intent to leverage those two together to build out other areas by leveraging the two. He said unfortunately they didn't get the first grant but they did get the second grant. He said there was enough money left over in the process that they awarded, I think they awarded 80 grants in the second round so I had a conversation with their head guy the other day and he said once they got all the paperwork together they'd be glad to sit down with us and show how they would leverage the GREAT Grant against the RDOF grant and where they were going to provide service in. He said they're predominantly providing on the

southside, they do have some on the northside but are predominantly on the southside, is where they'll be doing their work. He said I think the GREAT Grant was something like 900 and some locations. He said we've had conversations with Brightspeed, who is predominantly on the northside, they've shown us what they're going to do. He said so in the next two years, it's a two-year process, the RDOF was a seven-year process so Charter/Spectrum knows they've got to advance their RDOF faster and they've agreed to that, to do it within two years so they could get those funds as well. He said good news for Beaufort County in general. He said the other good news about it is that the Board forward thinking of setting funds aside, there is additional funding coming down from the state and federal government called BEAD, called CAB, that we'll be eligible for and they give the County a little more say-so in the matter. He said these last ones have been the private vendors have said here's where we can go, here's what we can do. He said BEAD and CAB, the County essentially works with a provider and says we need to provide service in these areas, these areas are underserved or these areas need more service and you put together grants to do that and as you recall the Board put aside \$4 million of the ARPA funds to match up against this. He said what I hear from some of my counterparts and some of the folks at the association is that a lot of counties across North Carolina have spent all their money already, spent their ARPA funds already so there's not going to be a lot, I won't say a lot but there won't be as much competition for those funds and we'll be able to leverage those a lot more than what we'd have been able to do if everyone had held onto their money so hanging on to our money and playing this for the long run, the conversations I've had with our vendors is they're looking to provide universal service. He said just like the telephone used to be wherever you lived you could get a telephone, well their goal is to have Beaufort County with universal service for broadband so you can have broadband wherever you locate in Beaufort County, which will be a really great thing.

Chairman Waters said one of the things that happens, and this goes back to the cable TV, cable tv at some point in time will be a dinosaur because you're going to have to stream whatever you get and there's already groups out there trying to get your business and they're adding TV shows to it and national news to their package. He said I don't know that an attorney general or anybody is going to force these companies that are trying to put in broadband to spend any money on cable.

Mr. Alligood said right. He said you're right, bringing in broadband is kind of the pipe that brings the world in and like the pay telephone that was did away with after mobile phones, probably cable is going to go away because everything is going to come through fiber optics and digitally streamed. He said I think we've seen, well one of our local vendors has said they're going away from moving everything to streaming so they're doing away with their cable piece and it will all be fiber so I think that's just as technology continues to advance I think that's where it's all going and there's an opportunity as we've talked about this is a generational opportunity for Beaufort County to be able to put broadband services across the County and provide a, it touches all aspects. He said it's quality of life, its health care, its education, it's all of those things. He said economic development, it's all the things you want to try and grow a community. He said we're excited about it; hope you all are as well.

Elections Integrity Resolution

Commissioner Richardson said the next one concerns election integrity, let me start off by saying this, this is no is no complaint against our local board of elections, our local director, I think elections are handled very professionally in Beaufort County, I have no qualms about the way that we count, I have no qualms about anything that's going on with the local board of elections. He said that having been said the national news over the last two years somewhat local things that have happened in North Carolina puts a question mark on the public about election integrity. He said there's no question when you go to Philadelphia, Chicago, some other places in the United States, San Francisco, some other places in the United States, there are corrupt elections and we just had a president that lost an election, Donald J. Trump, because of corrupt elections and that has made a lot of people, you think that's funny.

Vice-Chairman Langley said I do.

Commissioner Richardson said do you, you think it's not true.

Vice-Chairman Langley said no.

Commissioner Booth said no.

Commissioner Richardson said really.

Commissioner Booth said really.

Commissioner Richardson said a lot of people talked to me about this, it's difficult to convince people who have not had the experience that some of us have with elections and the election process in Beaufort County to get them to understand that our elections are conducted and are, if you will, proof, verified, audited, whatever you want to call it in such a way as to find fraud if it were here. He said the other rule of thumb about election fraud is it's hard to do in small places. He said there's too many people watching, there's too many people watching what's going on, it's easy to do in places like Philadelphia, Chicago, San Francisco, and some of these other places. He said Chicago has been corrupt for the last 100 years, nobody can remember when Chicago wasn't corrupt in elections. He said that's how bad it is so the proposal that I have here, and the elections director has shed some light on this, which I don't have a problem with, and that is the State Board of Elections and what they require. He said basically what has happened is there's a little bit of push-back on my proposed resolution which is that we count ballots in a certain way by hand and then we run them through the machine to see if we get the same count. He said it turns out that we are apparently doing almost what I'm talking about doing in this resolution. He said the push back in this comes from the State Board of Elections and the State Board of Elections is one of those outfits that has assumed a lot more authority than it really has and it's going to take the legislature and the governor to take them down and that's going to happen sooner or later but they want to maintain absolute dictatorial control over elections. He said I don't have a problem with that but also any Board of Commissioners, which is the front line for the public to make a resolution to do anything we want to do. He said it doesn't mean that it's going to be done, it's a resolution. He said it will only be done if we have the personnel and the legal authority to do it, which that is under the State Board of Elections right now and we don't have the personnel because they work for an independent Board of Elections, of which the County Commissioners doesn't have anything to do with so what I'm saying is I still want to do the resolution to put us on board for election integrity so the population of Beaufort County knows that there is concern about it. He said once again I think that the County Board of Elections is doing a fine job, making no accusation against them, staff, personnel, or Board. He said my resolution goes like this, that we consider approving a resolution, I guess I'm making a resolution, that would require the Board of Elections, before certifying any election, to pull 200 ballots randomly from each precinct and perform a hand to eye count of the three electors obtaining the highest voter participation, and then run those ballots through the optical scanner, our counter, that's what our voting machines do, they count votes, and if any election votes do not reconcile within ten votes then the entire election is to be hand to eye counted before certification. He said my understanding is that we're doing something that is very close to that right now but I still think it behooves the County Commissioners to vote for this resolution to show the public that they are behind election integrity in this County and are willing to stand up and do something about it so that's my resolution.

Commissioner Deatherage said I think what Commissioner Richardson is trying to do is noble. He said I think it would be wise for this Board to express that we too are in favor of voter integrity. He said I agree with Commissioner Richardson, the last election was irregular in many ways. He said Covid was used to put 45 million ballots out, floating around and when that happens anything can happen. He said the press, well, there is no journalism any more in America except in certain small sectors. He said they all got behind one candidate and we saw all the irregularities and we're finding out more and more about what happened and it is a real abysmal mess. He said there were polls done and if people had known about Hunter's laptop they wouldn't have voted for Biden. He said they didn't know because it was not to be mentioned, it was not to be talked about and in America it was once said by, once said by an established journalism entity that no longer is that democracy dies in darkness and we need to be transparent as a County and present the fact that we'll always be transparent. He said we need to understand that people are so nefarious that they don't care about our republic. He said they probably hate our republic, what they care about is power and they will do anything to keep the democratic process in their favor. He said I understand that I've seen it and it's ugly and we will lose this republic if we have any more elections like the last one so we need to sign on to this as a group.

Chairman Waters said the problem I have is that as you read this it sounds like Beaufort County. He said you put on here pull 200 ballots from each precinct, we have 21 precincts so we would pull 4,200 ballots. He said there's nothing in here that talks about national or state voter integrity at all. He said it's very poorly done. He said I can support voter integrity if you say continued to do that at the local, state, and federal level but when you pull 4,200 ballots in a place like Philadelphia you're looking at percentages, you're looking at doing percentages.

Commissioner Richardson said Mr. Chairman I take exception to your statement that this is poorly done. He said this is very well done, very well thought. He said I actually didn't write that text in there; you need to take that up with the Clerk, she copied my text and there's a few typos in it so you take that up with the Clerk if you have a problem. He said what I propose is not something for Philadelphia, I'm proposing something for Beaufort County Mr. Chairman so I don't know

what your reading comprehension is but you missed the boat on this. He said it says the most voted election, the most popular elections so it's comprehensive. He said it covers municipal elections, it covers county elections, it covers federal elections, it covers all elections. He said it is deliberately written so that it covers all elections without being verbose so I'm sorry, once again that you're pleading, once again, that you cannot comprehend the writing. He said that is your problem, that is not my problem so I think we need to vote on this to show support for elections that have integrity.

Commissioner Booth said I call the question.

Motion: Commissioner Richardson motioned to approve a resolution that would require Board of Elections, before certifying any election, to pull 200 ballots randomly from each precinct and perform a hand to eye count of the three electors obtaining the highest voter participation. Then run those ballots through the optical scanner. If any election votes do not reconcile within ten votes, the entire election is to be hand to eye counted before certification. Commissioner Deatherage seconded.

Yes Vote

Commissioner Deatherage
Commissioner Richardson

No Vote

Chairman Waters
Vice-Chairman Langley
Commissioner Booth
Commissioner Rebholz
Commissioner Walker

Commissioner Comments

Commissioner Richardson said this is the shortest Commissioners meeting that I have ever attended. He said we have less business to do. He said if you notice our commissioner meetings over the last several years have been getting shorter and shorter, there's a reason for that and I will comment on it later.

Commissioner Deatherage said I just want to say, there's nothing more important than voter integrity and at the county level we do stand as a bulwark for voter integrity, we do, we do have a say-so, we are the first line of defense. He said we're not the last but we are the first line of defense. He said I think Commissioners, if you had some changes you wanted to make on Commissioner Richardson's resolution, he didn't really write a resolution, he wrote something akin to present to you guys of an idea that could blossom into a resolution. He said I think if you guys wanted to make some constructive changes to what Commissioner Richardson wrote that would be great but you did not do that.

Chairman Waters said you're wrong, I offered, I said if it just said local, state, and federal. He said you were not listening apparently. He said you were down on your computer just looking at your computer.

Commissioner Deatherage said I have my agenda on there but that's not about me, it's about you guys, again, I have the floor, it's about you guys making a statement tonight and your statement was we don't care. He said now if you want to talk about, now you're going to make your comment as a commissioner and you say you really do care we can revisit this at another time we can but if you want to make a full, complete sentence what you said was some words about how this was, instead of a Beaufort County issue it needs to be a state or federal issue and then you need to present something and you didn't present anything. He said what I'm saying to you Commissioners who voted in block, five, against voter integrity. He said that's the way I see it without any presentation to the contrary.

Commissioner Richardson said that's correct.

Vice-Chairman Langley said I just have something very brief. He said Commissioner Richardson led off with the fact that there was nothing wrong with the voting in Beaufort County and our jurisdiction stops where, at the county line so if Beaufort County is fine then I am fine, I see no need for his resolution.

Commissioner Walker said I agree. He said I'm not fixing something that's not broke. He said I agree, we need to have some integrity going on nationally. He said there's some changes that need to be made and I think there are changes that will be made. He said it will affect what we have and will do locally. He said we don't know what those changes are or if those changes will be made but we need to wait and see what happens so I'm all for integrity, I just don't think we need to fix something right now that's not really broken because our Board of Elections does a great job.

Commissioner Booth said I think we should start with integrity over there. He said don't worry about Philadelphia or Chicago, start with right here.

Commissioner Rebholz said you gave us before the meeting the law, right.

Ms. Kellie Harris said yes.

Commissioner Rebholz said so the law says already that a sample eye-hand count of paper ballots of a statewide ballot of every county and it goes through that already, that's the law. He said we're covered.

Commissioner Richardson said I asked you to vote for voter integrity, I didn't ask you to vote for the law.

Commissioner Rebholz said you asked me to vote for something specific.

Motion: Commissioner Booth motioned to adjourn. Vice-Chairman Langley seconded. The vote was unanimous.

Adjourned at 8:12 PM

Respectfully submitted to you by:

Kathleen Mosher
Clerk to the Board of County Commissioners

ADDENDUM 1

Items for Consent

1. Surplus, Health Department – JaNell Octigan, Health Director
2. Health FY24 Influenza Purchase – JaNell Octigan, Health Director
3. Camp Bodie Fireworks Permission – Chris Newkirk, Emergency Services Director
4. Tax Office Refunds Over \$100 – Lloyd Salter, Tax Assessor and Wyn Kinion, Tax Collector
5. Interdepartmental Reallocations – Anita Radcliffe, Finance Officer
6. Mid-East Commission Planning Contract – Brian Alligood, County Manager
7. Appointment and Reappointment to the Washington Enlarged Board of Adjustment
Katie Mosher, Clerk to the Board
8. Reappointment to ABC Board – Katie Mosher, Clerk to the Board
9. Reappointment to the BCCC Board of Trustees – Katie Mosher, Clerk to the Board
10. Board Minutes Approval – Katie Mosher, Clerk to the Board

EXHIBIT C
SOLE SOURCE JUSTIFICATION FORM

This form must be completed for all Sole Source purchase requests and submitted to the Purchasing Agent for approval **prior** to obtaining **County Manager** approval; or submitting a Consent Item for **BOCC** approval.

For informal purchases not requiring **County Manager or BOCC** approval, the completed form must accompany the Purchase Requisition whenever a sole source purchase is requested. However, I am requesting sole source approval based on the following criteria.

Requestor: **Sara Graham**
Requestor:
Title: **Business Officer I**
Phone: **252-940-6537**

Date: **06/28/23**
Department: **Public Health**

Requisition:
Number:
Amount: **\$57,640.12**

Product: **Fluzone Influenza Vaccine**

I am aware that N.C.G.S. 143-129 and the Countywide Procurement Policy mandates that Beaufort County procure all apparatus, supplies, materials and equipment totaling \$30,000 or more by competitively bidding.

1. Recommended Sole Source Vendor:

Company Name:	<u>Sanofi Pasteur</u>
Contact Name:	
Address:	<u>12458 Collections Center Drive</u>
City, State, Zip:	<u>Chicago, IL 60693</u>
Telephone:	<u>()</u>

2. Is the recommended company the manufacturer? Yes X No

3. Does the manufacturer sell the item(s) through a distributor? Yes No X

SOLE SOURCE RATIONALE

A specific contractor is the only source of the required item because (check all that apply):

X The required items are **proprietary to the Contractor**

 A specific item is needed:

- to be compiled or interchangeable with existing hardware
- as spare or replacement hardware
- for the repair or modification of existing hardware

_____ for technical evaluation or test
_____ Other (provide information below)

_____ There is a **substantial technical risk** in contracting with any other contractor, thereby making that an unacceptable course of action (e.g. where only one contractor has been successful to date in implementing a difficult manufacturing process). *In a brief explanation, provide supporting evidence of other contractors with relevant capabilities and emphasize their inability to overcome the substantial technical risk.*

_____ The requested product is essential in maintaining standardization and the use of another product require considerable time and money to implement or evaluate.

_____ The product must be compatible to existing equipment in order to operate adequately; or maintain existing warranties.

Is this project is technology related, has it been reviewed and approved by IST?

_____ No (If No, you must complete this process before submitting the sole source form)

_____ Yes (if Yes, provide IST Project List documentation or the date of IST approval so we may confirm the project status.) IST Approval Date: _____

1. Provide detailed information about why you need to acquire these goods:

2. Has your department bought these goods in the past? X Yes _____ No

a. Who was the contractor/supplier? Sanofi Pasteur

b. Was the requirement competitively bid or declared a sole source? Sole Source

c. What was the last date and price paid for goods? FY23 \$53,653.47

3. Why are the requested goods the only item that can satisfy your requirements? Indicate the unique features of the product that are not available in any other product. Provide specific, quantifiable factors and qualifications. Fluzone Influenza Vaccine is only manufactured by Sanofi

4. Were alternative goods evaluated? _____ Yes X No

4a. If yes, what were they and why were the unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.

4b. If no, why were alternatives not evaluated? Fluzone Influenza Vaccine is only manufactured by Sanofi

5. What efforts were made to get the best price possible? Sanofi Pasteur offers a prompt pay discount

6. Will this purchase obligate the County to this vendor for future purchases?

_____ Yes X No

6a. If yes, please provide details regarding future obligations and/or needs:

7. Why is the price for this purchase considered to be fair and reasonable?

Consistent with pricing for influenza vaccine

8. What will be the financial or other impact to your department if this sole source is not approved and a competitive bid is required?

Influenza vaccine must be ordered in a timely manner to meet the community's need at the start of flu season.

TERM

☒ One Time Purchase (For FY24)

Ongoing Purchase

Procurement begin Date: 07/01/23

Procurement end date: _____

I certify that the above information is true and correct and that I have no financial or other beneficial interest in the vendor or product.

Sara Graham

Requestor/Responsible Person

Date: 06/28/23

Janell Octigan

Department Head

Date: Jun 28, 2023

Hollie Jones

Hollie Jones (Jun 28, 2023 10:39 EDT)

Purchasing Agent

Date: Jun 28, 2023

Bill To
 1436 Highland Drive
 Health Department
 Washington, NC
 27889

Requisition 00000007-00 FY 2024

Acct No:
 10 -5120-523900
 Review:
 Buyer: 265hijon
 Status: Released

Page 1

Vendor
 SANOFI PASTEUR, INC.
 12458 COLLECTIONS CENTER DRIVE

 CHICAGO, IL 60693

Ship To
 1436 Highland Drive
 Health Department
 Washington, NC 27889

Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department	
07/05/23	018949				HEALTH-IMMUNIZATION	
LN Description / Account				Qty	Unit Price	Net Price
001 Fluzone Quadrivalent PFS				3.00 EACH	186.22000	558.66
1 10 -5120-523900						558.66
Ship To 1436 Highland Drive Health Department Washington, NC 27889						
002 Fluzone High Dose Quadrivalent Influenza Vaccine				62.00 EACH	637.06000	39497.72
1 10 -5120-523900						39497.72
Ship To 1436 Highland Drive Health Department Washington, NC 27889						
003 Fluzone Quadrivalent Influenza Vaccine Mult Dose Vial				95.00 EACH	172.46042	16383.74
1 10 -5120-523900						16383.74

Bill To
1436 Highland Drive
Health Department

Washington, NC
27889

Requisition 00000007-00 FY 2024

Acct No:
10 -5120-523900
Review:
Buyer: 265hijon
Status: Released

Page 2

Vendor
SANOFI PASTEUR, INC.
12458 COLLECTIONS CENTER DRIVE

CHICAGO, IL 60693

Ship To
1436 Highland Drive
Health Department

Washington, NC 27889

Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department	
07/05/23	018949				HEALTH-IMMUNIZATION	
LN Description / Account				Qty	Unit Price	Net Price
Ship To 1436 Highland Drive Health Department Washington, NC 27889						
004 Excise Tax				1.00 EACH	1200.00000	1200.00
1 10 -5120-523900						1200.00
Ship To 1436 Highland Drive Health Department Washington, NC 27889						

Requisition Link

Requisition Total 57640.12

***** General Ledger Summary Section *****

Account	Amount	Remaining Budget
10 -5120-523900	57640.12	72359.88

HEALTH-IMMUNIZATION

***** Approval/Conversion Info *****

Activity	Date	Clerk	Comment
Approved	07/05/23	Sharon JaNell Octigan	Auto approved by: 265sgrah



North Carolina Vehicle Tax System

Remaining May and June VTS Refunds 2023

NCVTS Pending Refund report

Report Date 6/30/2023 3:21:41 PM

Payee Name	Primary Owner	Secondary Owner	Refund Description	Refund Reason	Create Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
AHEARN, CRYSTAL ALLEN	AHEARN, CRYSTAL ALLEN	AHEARN, NEAL PATRICK	Refund Generated due to proration on Bill #0069560801-2022-2022-0000-00	Vehicle Sold	06/16/2023	G01	Tax	(\$146.77)	\$0.00	(\$146.77)
						F63	Tax	(\$9.63)	\$0.00	(\$9.63)
						E09	Tax	(\$11.74)	\$0.00	(\$11.74)
									Refund	\$168.14
ALLIGOOD, DOUGLAS LEE	ALLIGOOD, DOUGLAS LEE		Refund Generated due to proration on Bill #0069807212-2022-2022-0000-00	Vehicle Sold	06/15/2023	G01	Tax	(\$102.50)	\$0.00	(\$102.50)
						F63	Tax	(\$6.72)	\$0.00	(\$6.72)
						ER	Tax	(\$8.20)	\$0.00	(\$8.20)
									Refund	\$117.42
ALLIGOOD, DOUGLAS LEE	ALLIGOOD, DOUGLAS LEE		Refund Generated due to proration on Bill #0059554155-2022-2022-0000-00	Vehicle Sold	06/15/2023	G01	Tax	(\$166.60)	\$0.00	(\$166.60)
						F63	Tax	(\$10.93)	\$0.00	(\$10.93)
						ER	Tax	(\$13.33)	\$0.00	(\$13.33)
									Refund	\$190.86
BLACKWELL, DANNY WADE	BLACKWELL, DANNY WADE		Refund Generated due to proration on Bill #0052571064-2022-2022-0000-00	Vehicle Sold	06/27/2023	G01	Tax	(\$129.31)	\$0.00	(\$129.31)
						F63	Tax	(\$8.48)	\$0.00	(\$8.48)
						E02	Tax	(\$10.35)	\$0.00	(\$10.35)
									Refund	\$148.14
CLARK, DOUGLAS BRENTON	CLARK, DOUGLAS BRENTON		Refund Generated due to proration on Bill #0071720713-2022-2022-0000-00	Vehicle Sold	06/26/2023	G01	Tax	(\$848.72)	\$0.00	(\$848.72)
						C05	Tax	(\$801.19)	\$0.00	(\$801.19)
									Refund	\$1649.91
COCHRAN, PHILIP ELLIOT	COCHRAN, PHILIP ELLIOT		Refund Generated due to proration on Bill #0068576708-2022-2022-0000-00	Vehicle Sold	06/09/2023	G01	Tax	(\$126.13)	\$0.00	(\$126.13)
						F63	Tax	(\$8.27)	\$0.00	(\$8.27)
						E05	Tax	(\$7.06)	\$0.00	(\$7.06)
									Refund	\$141.46



North Carolina Vehicle Tax System

Remaining May and June VTS Refunds 2023

NCVTS Pending Refund report

Report Date 6/30/2023 3:21:41 PM

JOHNSON, HAROLD LLOYD III	JOHNSON, HAROLD LLOYD III	Refund Generated due to proration on Bill #0069921030-2022-2022-0000-00	Vehicle Sold	06/21/2023	G01 F63 E05	Tax	(\$107.76)	\$0.00	(\$107.76)
MARIANI, RICHARD JAMES	MARIANI, KATHRYN ELAINE	Refund Generated due to proration on Bill #0066044164-2022-2022-0000-00	Vehicle Sold	06/08/2023	G01 F60 E12	Tax	(\$229.74)	\$0.00	(\$229.74)
PITT COUNTY TAX ADMINISTRATOR ON	STAMATIS, TIMOTHY EDWARDS	Abstract #:0071523279-2022, Timothy Edwards Stamatis, vin #1GC1KXCGXDF24197 2, 2013 Chev Truck	Change of County	06/26/2023	G01 C01 C01	Tax	(\$133.63)	\$0.00	(\$133.63)
RESPESS, BECKY SMITH	RESPESS, BECKY SMITH	Refund Generated due to proration on Bill #0070721332-2022-2022-0000-00	Vehicle Sold	06/29/2023	G01 F63 E05	Tax	(\$130.56)	\$0.00	(\$130.56)
STOKES, ALAN HUNTLEY	STOKES, ALAN HUNTLEY	Refund Generated due to proration on Bill #0068106898-2022-2022-0000-00	Vehicle Sold	06/08/2023	G01 C01 C01	Tax	(\$85.49)	\$0.00	(\$85.49)
ZEFERINO JOSE, JEREMY	ZEFERINO JOSE, JEREMY	Refund Generated due to proration on Bill #0072064643-2022-2022-0000-00	Vehicle Sold	06/27/2023	G01 C01 C01	Tax	(\$60.73)	\$0.00	(\$60.73)
WILMOT, KEVIN WILLIAM	WILMOT, KEVIN WILLIAM	Refund Generated due to proration on Bill #0069914947-2022-2022-0000-00	Vehicle Sold	05/30/2023	G01 F63 E02	Tax	(\$368.93)	\$0.00	(\$368.93)

Report Parameters: Refund Status: ONHOLD
Default Sort-By: Refund date, Refund Recipient Name, Refund Recipient Address

Trans #	Refund Recipient Name	Refund Address	Refund Description	Opid	Transaction Finance sent Date	Ref Refund Amount un (\$)
922599	CHRISTIE NORMAN	115 BAKER DR WASHINGTON,NC 27889	Refund on Bill # 0009538024-2019- 2019-0000-00	DPCREL	6/14/2023 7:00:07 PM	179.64
922600	CHRISTIE NORMAN	115 BAKER DR WASHINGTON,NC 27889	Refund on Bill # 0009538024-2018- 2018-0000-00	DPCREL	6/14/2023 7:00:07 PM	262.95
922840	SHAMEKA RODGERS	1013 VAN NORDEN ST WASHINGTON,NC 27889	Refund on Bill # 0009523423-2022- 2022-0000-00	DPCREL	6/28/2023 7:00:08 PM	182.72
922842	SHAMEKA RODGERS	1794 ASBURY CHURCH RD WASHINGTON,NC 27889	Refund on Bill # 0009523423-2019- 2019-0000-00	DPCREL	6/28/2023 7:00:08 PM	162.10

Report Parameters:

Refund Status:

ONHOLD

Default Sort-By: Refund date, Refund Recipient Name, Refund Recipient Address

Trans #	Refund Recipient Name	Refund Address	Refund Description	Refund Amount (\$)
905964	MACK ALLEN PAUL, III	PAUL, MACK ALLEN III 519 BANKS ST RALEIGH, NC 27604	Overpayment on Payment of CHECK on Bill # 0000027655-2022-2022-0000-00 of	356.71
906944	FISHING CREEK PROPERTIES LLC	275 PAMLICO ST BELHAVEN, NC 27810	Overpayment on Payment of CHECK on Bill # 0000001375-2022-2022-0000-00 of	119.44
912757	JO ANN FOSTER BOYD	3340 HARVEY RD WASHINGTON, NC 27889	Refund on Bill # 0000000357-2022-2022-0000-00 of	222.91
912782	JUSTIN DAVID BLACKMAN	7283 TERRA CEIA RD PANTEGO, NC 27860	Refund on Bill # 0000039814-2022-2022-0000-00 of	322.20
913633	CHARLES KEITH RESPESS, JR	21258 NC HWY 32 N PANTEGO, NC 27860	Overpayment on Payment of OTHER on Bill # 0000008523-2022-2022-0070-00 of	103.16
918125	TERRYL D SMITHWICK	241 MOSS WAY WASHINGTON, NC 27889	Overpayment on Payment of CHECK on Bill # 0009536871-2022-2022-0000-00 of	171.46
919478	MONICA MAYO MUNOZ	3356 KURT DRIVE LA GRANGE, NC 28551	Overpayment on Payment of CHECK on Bill # 0000024181-2017-2017-0000-00 of	124.66
919491	JOSHUA LEE LATHAM	5731 US HIGHWAY 264 E WASHINGTON, NC 27889	Overpayment on Payment of CHECK on Bill # 0009527581-2017-2017-0000-00 of	132.00
921463	ANTHONY MICHAEL BEAL	BEAL, ANTHONY MICHAEL 5445 VOA RD WASHINGTON NC 27889	Overpayment on Payment of CHECK on Bill # 0009497060-2013-2013-0000-00 of	874.61
921513	JOSHUA MARKLAND	412 N BONNER ST WASHINGTON, NC 27889	Refund on Bill # 0009540877-2019-2019-0000-00 of	132.14
921514	JOSHUA MARKLAND	412 N BONNER ST WASHINGTON, NC 27889	Refund on Bill # 0009540877-2020-2020-0000-00 of	124.01
922466	ANTHONY CRAIG BADGER	P O BOX 398 GRANTSBORO, NC 28529	Overpayment on Payment of CHECK on Bill # 0000044137-2015-2015-0000-00 of	365.28
922565	EDDIE A MOORE	434 GRAY ROAD CHOCOWINITY, NC 27817	Overpayment on Payment of CHECK on Bill # 0000019265-2022-2022-0000-00 of	165.47
922599	CHRISTIE NORMAN	115 BAKER DR WASHINGTON, NC 27889	Refund on Bill # 0009538024-2019-2019-0000-00 of	179.64
922600	CHRISTIE NORMAN	115 BAKER DR WASHINGTON, NC 27889	Refund on Bill # 0009538024-2018-2018-0000-00 of	262.95
922695	VLADISLAV OLEYNIK	345 ROCKY HILLS ROAD PITTSBORO, NC 27312	Overpayment on Payment of CHECK on Bill # 0000042058-2014-2014-0000-00 of	1,249.38
922719	BEAUFORT COUNTY INSPECTIONS	220 N MARKET ST WASHINGTON, NC 27889	Overpayment on Payment of CHECK on Bill # 0000042955-2023-2023-0000-00 of	200.00
922767	MAURICIO R RAMIREZ	15596 NC HWY 33 E BLOUNTS CREEK, NC 27814	Overpayment on Payment of CHECK on Bill # 0000034182-2022-2022-0000-00 of	177.53
922767	JOSHUA W HOPKINS	2063 TUNSTALL SWAMP RD AURORA, NC 27806	Overpayment on Payment of CHECK on Bill # 0000008997-2022-2022-0000-00 of	132.25
922840	SHAMEKA RODGERS	1013 VAN NORDEN ST WASHINGTON, NC 27889	Refund on Bill # 0009523423-2022-2022-0000-00 of	182.72
922842	SHAMEKA RODGERS	1794 ASBURY CHURCH RD WASHINGTON, NC 27889	Refund on Bill # 0009523423-2019-2019-0000-00 of	162.10
921104	FERNANDO COTA URTUSUATEGUI	133 VREUGDENHIL RD PANTEGO, NC 27860	Refund on Bill # 0009523442-2015-2015-0000-00 of	152.42



Beaufort County
Agenda Abstract

Meeting Date: 7/10/23

Agenda Section: Item for Consent

Presenter: Anita Radcliffe, Finance Officer

Agenda Title: Reporting of Inter-Departmental Reallocations by County Manager and Board Approval of Budgetary Reallocations

Summary of Information: Transfers of funds between the following departments within the General Fund were approved by the County Manager and completed without increasing the overall FY 22/23 County budget. These reallocations were necessary to ensure budgetary compliance at year end and are being reported to the Board of Commissioner's as authorized in the FY 22/23 Budget Ordinance.

Manager Approved:

Governing Board	\$16,800
County Manager	(16,800)
Emergency Management	11,000
Fire Protection	(11,000)
Economic Development	9,410
County Manager	(9,410)
Transfer to E-911 Surcharge	18,743
Non-Departmental	<u>(18,743)</u>
Total Net Change	-

The following transfer within the Sheriff's Office functional area of operations and line-item transfers within the Worker's Compensation Fund and E-911 Surcharge Fund are needed to ensure budgetary compliance at year end without increasing the overall County budget.

Needs Board Approval:

Sheriff's Office (Capital)	\$ 3,600
Sheriff's Office (Salaries)	(3,600)
General Fund WC Claims	10,000
Water Fund WC Claims	(10,000)
E-911 Surcharge Telephone Exp.	2,000
E-911 Surcharge Training Exp.	<u>(2,000)</u>
Total Net Change	-

Submitter Recommendations/Motions: Staff recommends approval of the budget transfers.



People Working Together

1502 North Market Street, Suite A Washington, North Carolina 27889
www.mideastcom.org
Phone: (252) 946-8043 Fax: (252) 946-5489

Brian Alligood
Beaufort County Manager
121 W. Third Street
Washington, NC 27889

Dear Brian Alligood,

First let me thank you for allowing the Mid-East Commission to provide your local government with Planning and Zoning Administration Services. We value our partnership and appreciate your confidence in our ability to deliver these services.

Given the new fiscal year is quickly approaching and for your consideration, I have taken the liberty to draft the enclosed 2023-2024 contract for these same services. There is no price increase.

Please let me know if you would like to discuss the proposed contract's Scope of Work, or if you have any questions or concerns. My job is to ensure you get the needed services. My contact information can be found below.

Thank you for your continued partnership.

Respectfully submitted,

Pat Harris, Director
Planning, Economic Development & Community Services
Mid-East Commission
1502 N. Market St., Suite A
Washington, NC 27889
(t) 252.974.1823
pharris@mideastcom.org

Serving: Beaufort County • Bertie County • Hertford County • Martin County • Pitt County

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Relay numbers for the Hearing Impaired: (TTY) 1-800-735-2962 (voice) 1-800-735-8262

MID-EAST COMMISSION

Planning and Zoning Administration Services Contract July 1, 2023 – June 30, 2024

THIS AGREEMENT, made this _____ day of _____ 2023, by and between the Mid-East Commission, hereinafter called the “Commission”, and Beaufort County, North Carolina, hereinafter called the “County.”

WITNESSETH

WHEREAS, the Commission operates to provide Planning and Technical Assistance to Local Governments in Region Q, and

WHEREAS, the County has requested the assistance of the Commission.

NOW, THEREFORE, the Commission and the County mutually agree as follows:

1. Employment and Scope of Work

The County hereby agrees to engage the Commission and the Commission agrees to perform in a satisfactory and proper manner the work as described in the detailed “Scope of Services” set forth in Exhibit A, attached hereto, and by this reference made a part hereof.

2. Length of Contract

The work of the Commission shall commence on or after the 1st day of July 2021, and shall be undertaken and completed in such sequence as to assure expeditious completion in light of the purposes of this Contract; but, in any event, the work required herein shall not extend beyond the Scope of Services set forth in Exhibit A, and this contract and all conditions of this contract shall expire on the 30th day of June 2022.

3. Assignability

The Commission shall not assign any interest in this Contract, and shall not transfer any interest in the same whether by assignment or substitution, without the prior written consent of the County, unless specifically contained in the Scope of Work.

4. Compensation and Method of Payment

The County will pay the Commission for the services provided hereunder, based upon an hourly rate for actual hours of work provided to the County by the Commission staff. Associated travel costs authorized by the County will be an extra charge. Such travel will include periodic (monthly) trips around the County for Code Enforcement purposes.

The total of services, not to exceed \$60,000.00, is described on page 4, Exhibit A, Scope of Services.

The Commission will issue an invoice to the County on a Monthly basis. The County will issue a check to the Commission upon receipt of the agreed upon services as set forth in Exhibit A.

5. Termination of Contract for Cause

The County shall have the right to terminate this Contract by giving written notice to the Commission of such termination forty-five (45) days before such effective date.

The Commission may also terminate this contract for any reasons associated to its workload, time constraints, and the like. If the Commission feels that it cannot complete the work for any of the aforementioned reasons, it shall have the right to terminate this contract by giving written notice to the County of such termination forty-five days before such effective date.

6. Changes

The County may from time to time request changes in the Scope of Work or services to be performed by the Commission hereunder. Such changes, including any increases or decreases in the Commission compensation, which are mutually agreed upon by and between the County and the Commission, shall be incorporated as written amendments to the Contract.

7. Records

The Commission shall maintain financial records pertaining to this Contract for three years after final settlement of the Contract or until cleared by audit.

8. Access to Records

The Commission shall have access to all pertinent records of the County to assist the Commission staff in providing planning and technical services and as a part of this contract to assure that proper recordkeeping is maintained.

9. Interest of Contractor

The Commission covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this contract. The Commission further covenants that in the performance of this contract no person having any such interest shall knowingly be employed.

10. Findings Confidential

Any reports, information, data, etc. given to or prepared or assembled by the Commission under this contract which requests to be kept confidential shall not be made available to any individual or organization other than the County.

11. Complete Agreement

The Contract contains the complete agreement of the Parties and may not be modified in any respect except by written amendment hereto.

12. Applicable Laws

The Parties agree that this document is to be governed, construed, and enforced in accordance with all of the laws of the State of North Carolina.

By: _____
N. Bryant Buck, Executive Director
Mid-East Commission

By: _____
Brian Alligood, Manager
Beaufort County

Date: _____

Date: _____

Attest: _____

Attest: _____

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

Signed: _____
Anita Radcliffe, Finance Officer

EXHIBIT A SCOPE OF SERVICES

For consideration of the hourly rate as set forth below, the Mid-East Commission will make available to Beaufort County, the following Planning Administration Services on an on-going basis:

PROFESSIONAL SERVICES:

1. Review of Subdivision Applications.
2. Interpretation of Land Use regulations.
3. Notification of violators and coordination with County Attorney.
4. Review of Special Use Requests.
5. Report to Planning Board on pertinent activities.
6. Preparation for and attendance at Planning Board, Board of Adjustment, and County Commissioner meetings.
7. Issuance of Subdivision Compliance Certificates.
8. Administration of Subdivision, Mobile Home, Camper, Junkyard, Billboard, and all other Land Use Regulations.
9. Review and administration of Addressing Ordinance.
10. Assistance as requested with updates to Countywide GIS/E-911 Database.
11. Preparation and Revision of Land Use Regulations/Ordinances.
12. Review and adherence to Commercial Developmental Ordinances.
13. Processing of Major and Minor Subdivisions from inception to completion.
14. Review and administration of Special Subdivisions.

HOURLY RATE: the Commission's hourly rate for actual work by the planner or support staff shall be as follows:

<u>PERSONNEL</u>	<u>RESPONSIBILITY</u>	<u>COST PER HOUR</u>
Executive Director	General Supervision	No Additional Charge
Planning Director	Overall Program Supervision	\$85.00
Professional Planner	Review, Analysis, and Recommendations	\$85.00
Admin. Assistant	Administrative Support	No Additional Charge

The hourly rate includes salary, fringe benefits, indirect costs and normal travel to perform services. If out of town meetings are required, the planner will be compensated at a rate in accordance with current IRS and Federal regulations, and the County will bear all pertinent registration fees, meals, and overnight costs. For such meetings, the hourly rate will apply only to actual travel time and meeting time.

NOTE 1: The Planner will attend night meetings on an "as can" basis as needed.
NOTE 2: Individual projects of a major nature such as annexation feasibility studies, ordinance updates, or others will be considered separate projects and the County must request individual project proposal estimates.

NOTE 3: Extraordinary postage, e.g., mass/accountable mailings and other than ordinary coping on a Mid-East Commission cost basis.

Bill To
 121 West 3rd Street
 Administration Building
 Washington, NC
 27889

Requisition 00000014-00 FY 2024

Acct No:
 10 -4900-519501
 Review:
 Buyer:
 Status: Released

Page 1

Vendor
 MID-EAST COMMISSION
 1502 N MARKET STREET, SUITE A
 WASHINGTON, NC 27889

Ship To
 121 West 3rd Street
 Administration Building
 Washington, NC 27889

Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department	
07/05/23	000498				COUNTY MANAGER	
LN Description / Account				Qty	Unit Price	Net Price
001 Planning and Zoning Admin Services for FY 23-24 (NTE)				1.00	60000.00000	60000.00
The Above Line Item Is For Department:				EACH	PLANNING	
1 10 -4900-519501						60000.00
Ship To 121 West 3rd Street Administration Building Washington, NC 27889						

[Requisition Link](#)

Requisition Total

60000.00

***** General Ledger Summary Section *****

Account	Amount	Remaining Budget
10 -4900-519501	60000.00	.00
PLANNING, COMMUNITY/ECON.DEV.		

***** Approval/Conversion Info *****

Activity	Date	Clerk	Comment
Approved	07/05/23	Brian M. Alligood	
Queued	07/05/23	Anita C Radcliffe	
Queued	07/05/23	Hollie I. Jones	

Requested Board Board of Adjustment

**CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS, AND/OR AUTHORITY OF
THE CITY OF WASHINGTON**

NAME Steven C. Fuchs

ADDRESS 125 Honey Pod Farm Rd., Washington, NC 27889

PHONE (WORK) 252-943-8200 (HOME) _____

E-MAIL ADDRESS Sfuchs1020@aol.com

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON? YES ☐ NO ☒

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY? 41 YEARS

YEARS OF EDUCATION 18 Masters Degree

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY? YES ☒ NO ☐

IF YES, PLEASE INDICATE See Reasons Below

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A
BOARD/COMMISSION? NO IF YES, EXPLAIN _____

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT (s) (OPTIONAL): *Use back of
sheet if additional space is needed.*

I have served on the BOA since 1990 and have been elected Chairman repeatedly since 1995. I have
strived to ensure that BOA members were trained and knowledgeable so that BOA business could be
conducted in a professional and fair manner. I take my BOA position very seriously and am totally
committed to it operating as required. I believe I have only missed approximately 4 meetings since
1990. I would like to continue to serve.

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions
AND, in the event you are appointed, it may be used as a news release to identify you to the community.

30 May 2023

Date

Steven C. Fuchs

Signature

NOTE: Application will remain on file for six (6) months. Expiration Date: _____

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Enlarged -
Requested Board Board of Adjustment

CANDIDATES REQUEST FOR APPOINTMENT TO BOARDS, COMMISSIONS, AND/OR AUTHORITY OF
THE CITY OF WASHINGTON

NAME

Crist Moore

ADDRESS

109 Canterbury Rd Washington, NC. 27889

PHONE (WORK)

(252) 378-0220

(HOME)

(252) 378-0220

E-MAIL ADDRESS

EMOORE5512@GMAIL.COM

DO YOU LIVE WITHIN THE CORPORATE LIMITS OF WASHINGTON?

YES ☒

NO ☐

ETJ

HOW LONG HAVE YOU BEEN A RESIDENT OF BEAUFORT COUNTY?

65

YEARS

YEARS OF EDUCATION

Associates Degree in Architectural Technology

HAVE YOU SERVED ON A BOARD/COMMISSION OF THE CITY?

YES ☒

NO ☐

IF YES, PLEASE INDICATE

Habitat For Humanity

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF A

BOARD/COMMISSION?

NO

IF YES, EXPLAIN

STATE REASONS WHY YOU FEEL QUALIFIED FOR THIS APPOINTMENT (s) (OPTIONAL): Use back of
sheet if additional space is needed.

I Am honored to have an opportunity to serve my home
city, and will do so with the best of my ability.

NOTE: This information will be used by the City Council in making appointments to Boards and Commissions
AND, in the event you are appointed, it may be used as a news release to identify you to the community.

Date

May 16, 2023

Signature

Crist Moore

NOTE: Application will remain on file for six (6) months. Expiration Date:

June 12, 2023

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DONALD SADLER
Chairman of Board
Washington, N.C.

BELINDA APONTE
General Manager/Supervisor
Washington, N.C.

BEAUFORT COUNTY
Alcoholic Beverage Control Board
770 Carolina Avenue, P.O. Box 2552
Washington, N.C. 27889

06/16/2023

Beaufort County Commissioners
Attn: Chairman Waters
121 W. 3rd St.
Washington, NC 27889

Mr. Waters,

On behalf of the Beaufort County ABC Board, we would like to recommend the re-appointment of Donald Sadler to our Board. He has been long standing part of the Board, very committed, and is the most knowledgeable regarding the ABC system and is a great asset to the ABC Board.

The Board would appreciate your consideration in this matter.

Thanks for all of your help.

Sincerely,

Belinda Aponte

Belinda Aponte
Beaufort County ABC Board
General Manager/CEO

cc. Katie Mosher

STATEMENT OF INTEREST TO SERVE

If you are a Beaufort County resident and would like to volunteer your time and expertise to your community, please complete and return to:

Beaufort County Board of Commissioners
C/O Katie Mosher, Clerk to the Board
121 W 3rd Street
Washington, NC 27889

Please list in order of preference the boards or commissions for which you would be willing to serve:

1. Beaufort County Community College
2. _____
3. _____
4. Any/All Boards/Committees (check if applicable)

Note: By applying for the above listed boards and commissions, I have no known apparent or potential conflict of interest.

* If you are responding to specific criteria for a position, please explain further:

Full Name: Steven Archie Griffin Sex: Male
Residence Address: 3001 St. John Church Rd Race: White
City and Zip Code: Washington, NC 27889

Mailing Address (If different): _____
City and Zip Code: _____

Home Phone No.: _____
Cell Phone No.: 252-945-7356
Work Phone No.: _____
Fax No.: _____

Employer: Self-Employed - Griffin Farms Inc
Job Title: Owner - Operator

E-mail Address: Archie190@gmail.com

Do you live within the extraterritorial jurisdiction of a municipality? _____

Educational Background:

Name of High School Attended: Washington High School
Name of College Attended: N.C. State, ECU
Degree Received: Plant & Soil Science, MBA
B.A.

Please list any military experience: _____

If you are presently serving as an elected or appointed official, please explain:

Beaufort County District Soil & Water Conservation Supervisor

Please list current/past employers and volunteer experience you have had which may be beneficial in evaluating your qualifications.

Work Experience:

Self-Employed
N.C. State University

Volunteer Experience:

Past President - Farm Bureau Young Farmers & Leaders
Board Member - North Carolina Crop Improvement
Board - Beaufort County Economic Development

If I am appointed to serve on one or more boards, I will agree by signing an Affirmation of Understanding and abiding by the Board of Commissioners policy for Appointment to Boards.

Signature:

[Signature]

Date:

4/16/19

* Please feel free to attach a resume if so desired.

**** NOTE: When applying for a Beaufort County Board or Commission, your application is considered a public record. The Board Appointment Policy requires that applications be on file in the Clerk's office 15 days prior to consideration for appointment.**

*****Interest to Serve forms remain current for two (2) years. After two (2) years you should contact the Clerk to the Board's office to update your form.**

ADDENDUM 5

Wright's Creek Phase III Contract Administration

MID-EAST COMMISSION

Wright's Creek Phase III DCM Public Beach & Coastal Waterfront Access Grant Administration Contract June 05, 2023 – August 28, 2024

THIS AGREEMENT, made this 5th day of June 2023, by and between the Mid-East Commission, hereinafter called the "Commission," and the Board of Commissioners of Beaufort County, North Carolina, hereinafter called the "Board."

W I T N E S S E T H

WHEREAS, the Commission operates to provide Planning and Technical Assistance to Local Governments in Region Q, and

WHEREAS, the Board, has requested the assistance of the Commission.

NOW, THEREFORE, the Commission and the Board mutually agree as follows:

1. Employment and Scope of Work

The Board hereby agrees to engage the Commission and the Commission agrees to perform in a satisfactory and proper manner the work as described in the detailed "Scope of Services" set forth in Exhibit A, attached hereto, and by this reference made a part hereof.

2. Length of Contract

The work of the Commission shall commence on or after the 5th day of June 2023 and shall be undertaken and completed in such sequence as to assure expeditious completion in light of the purposes of this Contract; but, in any event, the work required herein shall not extend beyond the Scope of Services set forth in Exhibit A, and this contract and all conditions of this contract shall expire on the 28th day of August 2024.

3. Compensation and Method of Payment

The Board will pay the Commission a sum of \$68,281.00 for the services provided hereunder. Services provided are described on page 4, Exhibit A, Scope of Services.

The Commission will issue invoices to the Board periodically as work is completed. The Board will issue a check to the Commission upon receipt of the agreed upon services as set forth in Exhibit A.

4. Termination of Contract for Cause

If, for any cause, the Commission shall fail to fulfill in a timely and proper manner its obligations under this Contract, or, if the Commission shall violate any of the covenants, agreements, or stipulations of this Contract, the Board shall, thereupon, have the right to terminate this Contract by giving written notice to the Commission of such termination forty-five (45) days before such effective date. During the forty-five day notification period, the Commission shall have the opportunity to remedy any failures or violations to avoid termination of the Contract. If termination occurs, the Commission shall be entitled to receive just and equitable compensation for all satisfactory work completed.

The Commission may also terminate this contract for any reasons associated to its workload, time constraints, and the like. If the Commission feels that it cannot complete the work for any of the aforementioned reasons, it shall have the right to terminate this contract by giving written notice to the Board of such termination forty-five (45) days before such effective date.

5. Changes

The Board may from time to time request changes in the Scope of Work or services to be performed by the Commission hereunder. Such changes, including any increases or decreases in the Commission compensation, which are mutually agreed upon by and between the Board and the Commission, shall be incorporated as written amendments to the Contract.

6. Records

The Commission shall maintain financial records pertaining to this Contract for three years after final settlement of the Contract or until cleared by audit.

7. Access to Records

The Commission shall have access to all pertinent records of Beaufort County to assist the Commission staff in providing planning and technical services and as a part of this contract to assure that proper recordkeeping is maintained.

8. Interest of Contractor

The Commission covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this contract. The Commission further covenants that in the performance of this contract no person having any such interest shall knowingly be employed.

9. Findings Confidential

Any reports, information, data, etc., given to or prepared or assembled by the Commission under this contract which requests to be kept confidential shall not be made available to any individual or organization other than the Board.

11. Complete Agreement

This Contract contains the complete agreement of the Parties and may not be modified in any respect except by written amendment hereto.

12. Applicable Laws

The Parties agree that this document is to be governed, construed, and enforced in accordance with all of the laws of the State of North Carolina.

By: _____
Bryant Buck, Executive Director
Mid-East Commission

By: _____
Frankie Waters, Chairman
Beaufort County Board of Commissioners

Date: _____

Date: _____

Attest: _____

Attest: _____

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

Signed: _____
Finance Officer

Date: _____

EXHIBIT A

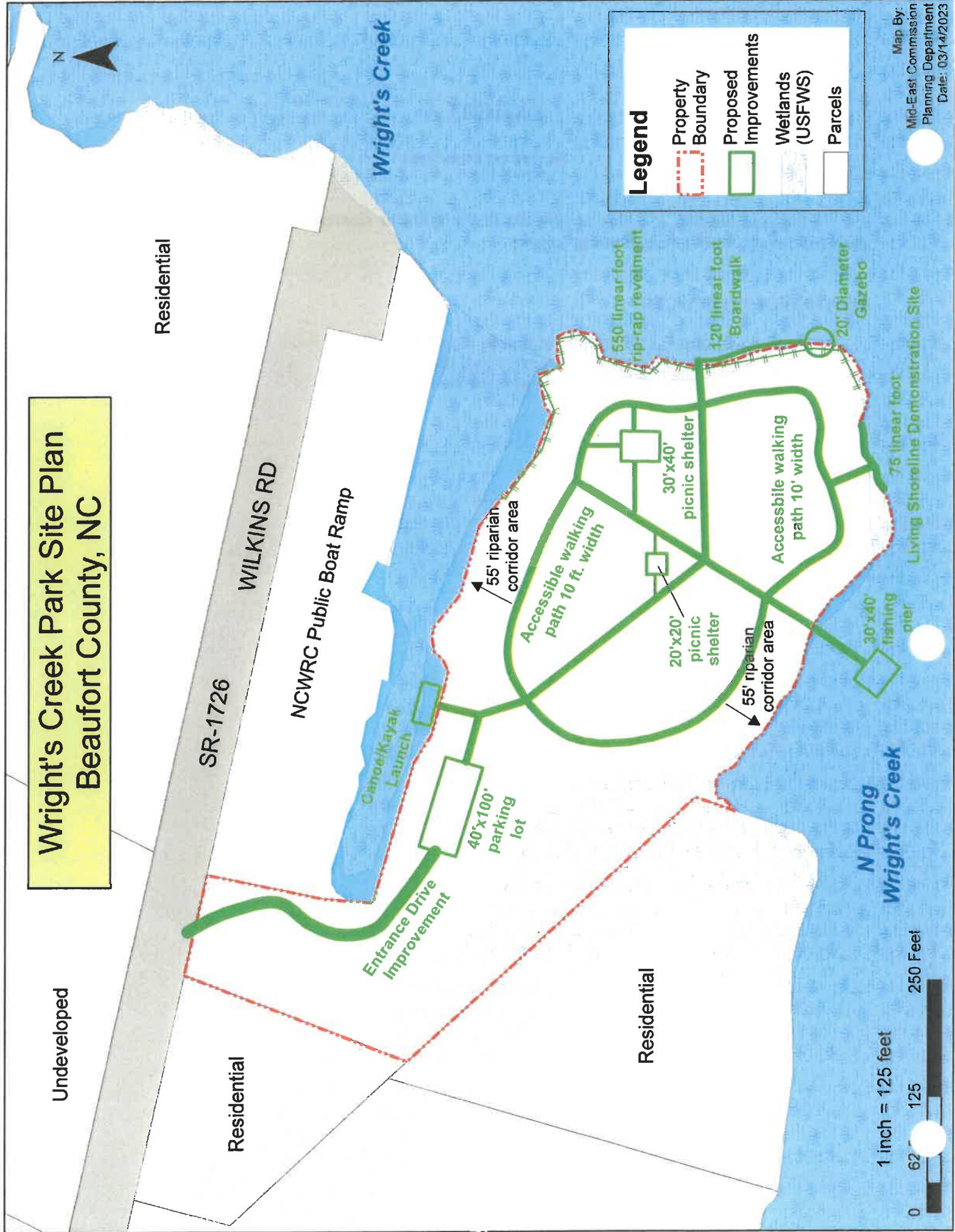
SCOPE OF SERVICES

For consideration of a sum of \$68,281.00, the Mid-East Commission will make available to Beaufort County, the following Planning services:

PROFESSIONAL SERVICES:

1. Administration of the NC Division of Coastal Management (DCM) Public Beach & Coastal Waterfront Access Grant for the Wright's Creek Phase III project.
2. Includes design, permitting, and grant administration.

Wright's Creek Park Site Plan Beaufort County, NC



ADDENDUM 2

County Line Review

BOARD OF COMMISSIONERS
Frankie Waters, Chairman
Jerry E. Langley, Vice Chairman
Ed Booth
Stan Deatherage
John Rebholz
Hood Richardson
Randy Walker



COUNTY OFFICIALS
Brian M. Alligood, County Manager
Katie Mosher, Clerk to the Board
Anita Radcliffe, Finance Director
David Francisco, County Attorney

BEAUFORT COUNTY
NORTH CAROLINA

A Resolution Authorizing County Line Surveying

WHEREAS, the North Carolina Geodetic Survey has been designated and funded by the North Carolina General Assembly to assist with the re-survey of ambiguous or uncertain county boundaries, and

WHEREAS the work can be completed at the invitation of the counties involved at no cost to the county government, and

WHEREAS, in order to initiate the process, the county should identify the county's ambiguous boundary and must appoint a "Special Commissioner of Boundaries."

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Beaufort County as follows:

1. The Board deems the Beaufort County boundary common with Pitt County is uncertain.
2. The Board hereby appoints Lloyd Salter, Beaufort County Assessor as Beaufort County Special Commissioner on Boundaries.
3. The Board of Commissioners request that Beaufort County's line be surveyed by the North Carolina Geodetic Survey, County Boundary Surveyor
4. It is understood that the Board of Commissioners has to formally take further action to amend the County Line.
5. This Resolution shall be in full effect upon it's adoption this, the 10th day of July 2023.

Pitt / Beaufort County Boundary Survey Request



**Boundary
Not Surveyed**

Date: 6/30/2023



**BEAUFORT COUNTY
GIS / LAND RECORDS**

ADDENDUM 3

Office of the State Fire Marshall Presentation, Pamlico Beach



RATINGS AND INSPECTIONS

Tel 919.647.0000 Fax 919.715.0063

MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

NOTICE OF NON-COMPLIANCE

April 26, 2023

Curtis Lathan Avery
Beaufort County Fire Marshal's Office
1420 Highland Drive
5924 Elks road Grimesland NC 27837
Washington, NC 27889

Reference: District: Pamlico Beach
Department: Pamlico Beach Fire and Rescue Squad

Dear Curtis Lathan Avery:

OSFM appreciates the cooperation and assistance given by members of your staff during the recent inspection of your department. The purpose of the inspection was to verify that your department meets the State's minimum requirements for a certified department.

Your department did **not** meet the minimum standards or requirements for a certified department for the following reasons:

Category	Non-Compliant Items
=====	=====
Department	Low on Personnel
Department	No Training Records

Failure to meet the minimum requirements for a certified department will lead to a change in the rating classification of your department and the fire district(s) it serves to a Class 10 rating. Your department currently holds a Class 9S/10 rating. If this rating classification were implemented, the change to a Class 10 would affect all property insurance premium calculations for residential occupancy insured under Homeowner policies and other special schedule surveyed property.

Before any action is taken regarding your department's rating classification, OSFM would like to provide the department with the opportunity to develop a plan to correct its deficiencies. If your department wishes to develop a plan to correct its deficiencies and ensure it continues to meet all minimum standards it will need to take the following actions:

Action Required

- * **The fire department shall not exceed 30 days from the date of the inspection to submit a detailed written corrective plan to their OSFM field Inspector, per the Administrative Code: 11 NCAC 05A.0912 NON-Compliance.**

OSFM will be committed to assist your department as needed with the corrective action plan. If, after six (6) months, your department still does not meet all of the minimum requirements set forth in the NC Administrative Rules, OSFM will take action to change the status from non-compliant to probation.

For additional information about the inspection or recommendations for improvement, please contact Tony Bailey at 919-647-0000, to schedule a conference or discuss any concerns.

Sincerely,

Tony Bailey

Tony Bailey
Supervisor of Inspections

TB/jg

Cc: Mckinley L Fulford, Fire Chief
Cc: Todd Brewer, Board of Directors President

The Beaufort County Board of Commissioners held a special called meeting on Thursday, July 27, 2023, at 8:00 AM, in the boardroom located at 136 W. 3rd St, Washington, NC with the following present:

Commissioners:

Chairman Frankie Waters
Vice-Chairman Jerry Langley
Commissioner Ed Booth
Commissioner Stan Deatherage
Commissioner Hood Richardson
Commissioner Randy Walker

Absent:

Commissioner John Rebholz

Staff Present:

Brain Alligood, County Manager
Katie Mosher, Clerk to the Board
David Francisco, County Attorney
Anita Radcliffe, Chief Financial Officer

Resolution Opposing Tolls on Ferry Service

Chairman Waters called the meeting to order.

Motion: Vice-Chairman Langley motioned to approve the agenda. Commissioner Walker seconded. The vote was unanimous.

Chairman Waters said we have items for decision, a resolution opposing tolls on the ferry service, I'll turn it over to Mr. Alligood.

Mr. Alligood said as you are aware, in the budget bill that the General Assembly is currently considering there has been language that's been added that would require tolls on all ferry routes. He said specifically this is H.B. 259, the 5th addition, and it is section 41.11CA, and in that section it reads that G.S. 139.82 shall be re-written and essentially what they're doing is where they showed original tolling, which would include the Hatteras passenger ferry, the Southpoint Ferry, Cedar Island, Ocracoke, Swan Quarter, which they normally toll, they have struck through all that and it now reads the Board of Transportation shall establish tolls on all ferry routes. He said so every ferry route that DOT is providing service on would be tolled, according to this if this bill is passed. He said that would include the Aurora to Bayview ferry, the one that is in Beaufort County that is used predominantly, or a lot of folks use that for work travel. He said you have attached a resolution opposing tolls on ferry services, specifically on the Bayview-Aurora ferry. He said we had conversations with our sister counties around us and there are resolutions coming from them as well opposing that. He said we were asked by Representative Kidwell to put forth such a resolution so you have that in front of you, I'll be glad to answer any questions the Board may have.

Chairman Waters said would anyone like for it to be read.

No one spoke.

Commissioner Deatherage said years ago, Commissioner Richardson you will remember this, I think it was before anyone else here was on this Board, I'm never going to forget the bridge. He said that was a decision that would've made a big decision, a good decision but we're never going to get a bridge across the Pamlico. He said Robert Cayton, God rest his soul, and Mark Basnight, God rest his soul, before he died, before he got out of government said he was going to get us a bridge across the Pamlico. He said that didn't happen and it's never going to happen. He said I said it wasn't going to happen then and we wanted the bridge to cross somewhere within five miles east of Washington, that was the parameters the DOT at that time gave us if we wanted, if we had a community willing to have it there we'd get it there and it would've cost no more than the bridge they put in now, maybe even less. He said what I'm alluding to is government needs to make good decisions all the

time because when you don't it comes back to bite you on the butt. He said there were a whole bunch of people at that time that were the somewhat insiders, the elitist, the people that really run this area around here or at least run some of you Commissioners, and they wanted it to the west of Washington, some of them wanted it in Pitt County, they did, that was a whole thing. He said the fight then began for Commissioner Richardson and I, who were the only two people on this board that wanted it east of Washington, which Beaufort County is pretty much to the east of Washington, we had to fight just to get it into Beaufort County, do you remember that Commissioner Richardson.

Commissioner Richardson said uh huh.

Commissioner Deatherage said just once again Commissioners need to be smarter when they make decisions.

Commissioner Richardson said I'll follow that up with an emphasis on, it was the Beaufort County Commissioners who denied us a bridge across the Pamlico, in which case we would not have even had a ferry and we would be a whole different county today. He said it was one of the worst decisions that's ever been made in Beaufort County.

Chairman Waters said I've got a couple of points. He said when I was in high school at Bath back in the 60's and they were talking about the possibility of having a bridge we were told we could not have a bridge but we could have a ferry so early on the ferry system here from Bayview over to Aurora was a highway. He said it connected both sides, the northside and the southside. He said the bridge has come up several times in the past 50 to 60 years and we have maintained the ferry, it's an important part of our infrastructure here in Beaufort County. He said I can understand, my second point I can understand if we were building, trying to get a bridge built today and we did not have a ferry, the legislature and the DOT says well, we can put a ferry in there as one option but the local people would have to help pay for that. He said that's really where the opposition is coming from, it's coming from people in the metropolitan areas. He said when they built additional highways to connect the suburbs to the downtown area they're saying we'll do that but you'll have to pay a toll and it's being done upfront. He said it's very unfair in a rural area like us that has one of the major phosphate mines in the world and where we have employees that depend on it every day to go to work, for them to slap that tax on us locally. He said so I support it and I'll entertain if there's no other comments we'll take a vote.

Motion: Commissioner Booth motioned to approve the resolution entitled "*A Resolution Opposing the Tolls on Ferry Service Operations of the Bayview-Aurora Ferry route*". Commissioner Walker seconded. The vote was unanimous.

Motion: Commissioner Booth motioned to adjourn. Commissioner Walker seconded. The vote was unanimous.

Respectfully submitted by:

Kathleen Mosher
Clerk to the Board



A RESOLUTION OPPOSING THE TOLLS ON FERRY SERVICE OPERATIONS OF THE BAYVIEW-AURORA FERRY ROUTE

WHEREAS, House Bill 259, Short title 2023 State Appropriations Act, calls for tolling all ferry routes in North Carolina including the Bayview-Aurora Ferry Route; and

WHEREAS, the Bayview Ferry Terminal and the Aurora Ferry Terminal are in Beaufort County, North Carolina; and

WHEREAS, Beaufort County is a rural county, bisected by the Pamlico River with the only bridges crossing the Pamlico River at the most western end of the County; and

WHEREAS, the Bayview-Aurora Ferry route provides basic transportation access for residents and visitors in the eastern part of the County and without it would require a 59-mile land detour to reach the other side of the Pamlico River; and

WHEREAS, ferries are an integral part of the road systems in Eastern NC and until bridges can be built, ferries are critical to basic transportation needs; and

WHEREAS, a ferry is an extension of the highway system and such proposed addition of ferry tolls where there is none at present will constitute an unfair taxation burden upon residents of areas served by ferry service; and

WHEREAS, due to rural nature of the area, residents of Beaufort County must drive longer distances to obtain basic needs such as employment, food, and medical care; and

WHEREAS, because of driving longer distances, residents of Beaufort County pay more in fuel taxes, per capita, than most North Carolinians, thus funding the highway system at a greater per capita amount; and

WHEREAS, in Beaufort County, the Bayview-Aurora Ferry that crosses the Pamlico River, is extremely important to the local economy, providing transportation to approximately 10% of the employees of the County's largest private employer, Nutrien; and

WHEREAS, there have been past attempts to put tourism-based fee policies into place that are extremely detrimental to regional workforce, educational, medical access, and industry needs; and

WHEREAS, imposition of tolls would create a significant hardship on residents of Beaufort County who use the ferry for basic transportation needs.

NOW, THEREFORE, BE IT RESOLVED, the Beaufort County Board of Commissioners strongly opposes tolls on ferry service between Bayview and Aurora, and on other ferry routes where there are no tolls at present and urges the legislature to remove Section 41.11C from House Bill 259 that authorizes tolling on all ferry routes.

BE IT FURTHER RESOLVED, Beaufort County Board of Commissioners join other coastal communities to urge the legislature to adequately fund the ferry system and to oppose increases on the tolls currently existing on other ferry services.

Adopted this the 27th day of July 2023.



Frankie Waters, Chairman
Beaufort County Board of Commissioners



Kathleen Mosher
Clerk to the Board





Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Public Hearing and Decision

Presenter: Joshua Hollis, Planner

Agenda Title: Petition to Name a Road – Alphin's Landing

Summary of Information: A petition to name a private road was submitted by Kenneth Alphin to name an existing private drive approximately 50 feet in width.

The petition is being submitted due to a pending application for an address for a parcel that is currently being served by the unnamed road. The County's Road Naming and Addressing Ordinance requires the road to be named for addresses to be given.

The notice of public hearing was sufficiently advertised. Advertisement was posted in the Washington Daily News for two consecutive weeks on July 26, 2023, and August 2, 2023. Notices of the public hearing were also posted in the Beaufort County Courthouse 10 days prior to the day of the hearing. The County's ordinance requires applicants to provide three proposed road names. Those submitted with the petition are listed below in order of preference:

1. Alphin's Landing
2. Connies Landing
3. Brian's Landing

Staff has determined the applicant's first proposed name, Alphin's Landing, does not duplicate any existing road names within Beaufort County nor do any sound-alikes exist.

Submitter Recommendations/Motions:

Submitter Recommendations/Motions: Staff recommend approving the applicant's proposed first choice of "Alphin's Landing".

Attachments:

Petition to Name a Private Road

In an effort to name an unnamed road, the purpose of this petition is to request the support and approval of the Beaufort County Board of Commissioners to name the road. The approximate location of the private road is illustrated on the attached map. As required by Beaufort County's E911 Ordinance, three (3) proposed names for the road have been provided. The proposed names are listed below in order of preference. The petitioner understands that once the road is named the name cannot be changed for a period of at least ten (10) years. We the petitioners understand that road signs for private roads must be paid for by the petitioners.

Proposed Road Names

1. *Alphin's Landing*
2. *Connie's Landing*
3. *Brian's Landing*

Owner Name	Physical Address	Agree or Disagree	Signature
<i>Kenneth Alphin</i>	<i>1713 Sparrow Box Rd Bounte Creek NC. 27814</i>		<i>Kenneth Alphin</i>

Name of person submitting petition: *Kenneth Alphin*

Phone number: *252 670 6354*

Email: _____

Beaufort County, NC



8/2/2023, 11:12:20 AM

☐ Parcels

☒ Ingress Egress Easements

☐ Condos_Leaseholds ☐ Centerlines



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Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA

Notice of County Board of Commissioners Meeting

Beaufort County, NC

THE PUBLIC SHOULD TAKE NOTICE that the Beaufort County Board of Commissioners will hold a Public Hearing on Monday, August 7, 2023, at 5:30 PM, in the boardroom, located at 136 W 2nd St, Washington, NC 27889. This meeting will concern a public hearing regarding two separately filed petitions to name a private road. The first private road consists of an unnamed 50' easement off Sparrows Bay Rd. The second private road consists of a 50ft private road off US Hwy 264 W. In addition, there will also be a public hearing regarding a required penalty update for all Development Related Ordinances within the County. Please contact Mid-East Commission at (252) 974-1829 for any questions.



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Public Hearing and Decision

Presenter: Joshua Hollis, Planner

Agenda Title: Petition to Name a Road - Dusty Creek

Summary of Information: A petition to name a private road was submitted by Jeanette Beakes to name an existing private drive approximately 50 feet in width.

The petition is being submitted due to a pending application for an address for a parcel that is currently being served by the unnamed road. The County's Road Naming and Addressing Ordinance requires the road to be named for addresses to be given.

The notice of public hearing was sufficiently advertised. Advertisement was posted in the Washington Daily News for two consecutive weeks on July 26, 2023, and August 2, 2023. Notices of the public hearing were also posted in the Beaufort County Courthouse 10 days prior to the day of the hearing. The County's ordinance requires applicants to provide three proposed road names. Those submitted with the petition are listed below in order of preference:

1. Dust Creek
2. Shady Trails
3. Dusty Trails

Staff has determined the applicant's first proposed name, Dusty Creek, does not duplicate any existing road names within Beaufort County nor do any sound-alikes exist.

Submitter Recommendations/Motions: Staff recommend approving the applicant's proposed first choice of "Dust Creek".

Attachments:

Petition to Name a Private Road

In an effort to name an unnamed road, the purpose of this petition is to request the support and approval of the Beaufort County Board of Commissioners to name the road. The approximate location of the private road is illustrated on the attached map. As required by Beaufort County's E911 Ordinance, three (3) proposed names for the road have been provided. The proposed names are listed below in order of preference. The petitioner understands that once the road is named the name cannot be changed for a period of at least ten (10) years. We the petitioners understand that road signs for private roads must be paid for by the petitioners.

Proposed Road Names

1. ~~Dusty Swamp~~ ^{Creek}
2. Shady Trails
3. Dusty Trails

Owner Name	Physical Address	Agree or Disagree	Signature
DEAN Taylor	5446 US Hwy 264 W	Agree	Dean Taylor
Shanna Campbell	5514 US Hwy 264 W	Agree	Shanna Campbell
Jeanette Beakes	5416 US Hwy 264 W Washington	Agree	Jeanette Beakes
Carla Aday Trainor	5480 US Hwy 264	Agree	Carla Aday Trainor
BUSAN Taylor	5446 Hwy 264 West	Agree	BUSAN Taylor

Name of person submitting petition: Jeanette Beakes
 Phone number: 252 - 622 - 8042
 Email: jeanettebeakes@yahoo.com

Beaufort County, NC



8/2/2023, 11:20:14 AM

☐ Parcels

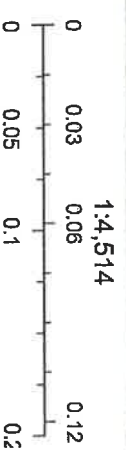
☒ Ingress Egress Easements

☐ NC Highways

☐ Condos_Leaseholds

☐ Centerlines

☒ US



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Notice of County Board of Commissioners Meeting

Beaufort County, NC

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Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Public Hearing

Presenter: Josh Hollis, Planner

Agenda Title: Ordinance Enforcement Update - Penalty Section

Summary of Information: The following excerpts were taken from the several development related ordinances to which the bill applies.

The bill requires the removal of all criminal penalties from the Development related ordinances within the County. Red mark through indicates removal. Underlined text indicates the addition or modification of the texts.

The notice for public hearing was sufficiently advertised. Advertisement was posted in the Washington Daily News for two consecutive weeks on July 26, 2023, and August 2, 2023. Notices of the public hearing were also posted in the Beaufort County Courthouse 10 days prior to the day of the hearing.

Submitter Recommendations/Motions: Staff recommends the approval of these changes as they pertain to the individual ordinances listed.

Attachments:

ITEM 4: Senate Bill 300 Language Updates

(Various Ordinance Excerpts)

PART XIII. DECRIMINALIZATION OF CERTAIN ORDINANCES

SECTION 13.(a) G.S. 153A-123 reads as rewritten:

"§ 153A-123. Enforcement of ordinances.

...
(b) ~~Unless the board of commissioners has provided otherwise,~~ Except for the types of ordinances listed in subsection (b1) of this section, violation of a county ordinance is may be a misdemeanor or infraction as provided by G.S. 14-4. G.S. 14-4 only if the county specifies such in the ordinance. An ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by G.S. 14-4. Notwithstanding G.S. 153A-45, no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced.

(b1) No ordinance of the following types may impose a criminal penalty:

- (1) Any ordinance adopted under Article 18 of this Chapter, Planning and Regulation of Development or, its successor, Chapter 160D of the General Statutes, except for those ordinances related to unsafe buildings.
- (2) Any ordinance adopted pursuant to G.S. 153A-134, Regulating and licensing businesses, trades, etc.
- (3) Any ordinance adopted pursuant to G.S. 153A-138, Registration of mobile homes, house trailers, etc.
- (4) Any ordinance adopted pursuant to G.S. 153A-140.1, Stream-clearing programs.
- (5) Any ordinance adopted pursuant to G.S. 153A-143, Regulation of outdoor advertising or, its successor, G.S. 160D-912, Outdoor advertising.

Senate Bill 300-Ratified

Page 11

Manufactured Home & Travel Trailer Ordinance: Article VIII, Section 6

SECTION 6. PENALTIES FOR VIOLATION

Authority for the enforcement of this ordinance is provided under 160D. Violation of the provisions of this ordinance ~~or may include~~ failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances.) ~~shall constitute a misdemeanor.~~ Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$50.00 ~~or imprisoned for no more than thirty (30) days~~ per offense. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the County of Beaufort from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION 504. VIOLATIONS AND PENALTIES

A. Civil Penalties: except as otherwise provided elsewhere in this ordinance, any person who violates any of the provisions of this article shall be subject to a civil penalty of not more ~~that than~~ one hundred dollars (\$100.00) per violation. Each day of a continuing violation shall constitute a separate violation. The board of county commissioners upon recommendation from the planning board shall determine the amount of the civil penalty to be assessed under this section and shall make written demand for payment for which the penalty has been imposed. If payment is not received or equitable settlement reached in sixty (60) days after demand for payment is made, the matter shall be referred to the county attorney for institution of a civil action in the name of the county in the appropriate division of the general courts of justice for recovery of the penalty. Any sum recovered shall be used to carry out the purposes and requirements of this ordinance.

~~B. Criminal Penalties: Any person who knowingly or willfully violates this ordinance or who knowingly or willfully initiates or continues unapproved development shall be guilty of a misdemeanor punishable by imprisonment not to exceed thirty (30) days, or by a fine not to exceed fifty dollars (\$50.00)~~

~~C.B.~~ Injunctive Relief: Wherever the board of county commissioners has reasonable cause to believe that any person is violating or threatening to violate this ordinance or any term, condition, or provision of approval it may, either before or after the institution of any other action or proceeding authorized by this ordinance, institute a civil action in the name of the county for injunctive relief to restrain the violation or threatened violation. The action shall be brought in the superior court of the county. Upon determination by a court that an alleged violation is occurring or is threatened, it shall enter such orders or judgments as are necessary to abate the violation or to prevent the threatened violation. The institution of an action for injunctive relief under this section shall not relieve any party to such proceedings from any civil or criminal penalty prescribed for violations of this ordinance.

Solar Energy Facilities Ordinance: Section 12.2

~~SECTION 12.2. VIOLATION SHALL BE A MISDEMEANOR.~~

~~Any person, firm, corporation, or other entity who constructs, maintains or operates, or who controls the maintenance of a SEF in violation of this Ordinance shall be guilty of a misdemeanor and subject to prosecution, and if convicted, shall be punished by a fine not to exceed \$500, or by imprisonment not to exceed 30 days, or both, in the discretion of the court. Each day that said SEF is constructed, maintained or operated in violation of this Ordinance shall constitute a separate and distinct offense.~~



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Deloris Creasman, Human Resource Director

Agenda Title: Disability Retirement Recipients' County Paid Health Insurance Coverage Policy Change

Summary of Information: Request to revise the Beaufort County Personnel Policy to reflect that Beaufort County will provide Health Insurance coverage for only two (2) years for employees approved for Local Government Disability Retirement if they have not demonstrated that they have applied for or they are not eligible for Social Security disability. This request is only for employees hired After August 7, 2023. Current eligible Beaufort County employees hired before August 7, 2023, will be covered by the current policy.

Coverage will continue for employees who apply for Social Security disability within one (1) month of approval for Disability Retirement. Employees eligible for Social Security Disability will typically be eligible for Medicare coverage within 24 months of the start of Social Security benefits. Coverage for these employees will end once their Medicare benefit begins.

Previously our policy did not address a limit on County paid health insurance coverage for Disability Retirement recipients.

Also add to Personnel Policy that the County will NOT provide hospitalization insurance for employees retiring on LGERS disability retirement who have earned the State Health Plan benefits through employment with the State of North Carolina.

Submitter Recommendations/Motions: Motion to approve the revision of Beaufort County Personnel Policy Manual to show limits on County paid Health Insurance coverage to LGERS Disability Retirement recipients.

Attachments:

. Draft Policy

Article VII – Pay and Benefits Revision – Page 2

trainee and probationary employees who work at least 1,000 hours annually. Such an employee, who is working or on paid leave for one-half or more of the regularly scheduled workdays in a month, shall be eligible for group hospitalization insurance.

Any qualified employee wishing to have additional hospitalization in the form of other family-type coverage may do so at their expense and have the premium payroll deducted. All new employees shall become eligible for hospitalization and the cost of coverage shall be paid by the County with the remainder of the cost being paid by the employee. If an employee is on leave of absence without pay, that employee can remain covered under the County's group hospitalization plan but must pay the entire premium to the County Human Resources Office prior to the first working day of the month they are to be covered. Insurance coverage ceases on the date of separation whether voluntary or involuntary.

Hospitalization – Insurance Coverage for Retirees and Disability Retirees hired before August 7, 2023.

The County shall provide hospitalization insurance for employees who qualify and retire on LGERS regular retirement, until age 65 or until they are eligible for Medicare and who meet either one of the following criteria:

1. Twenty (20) years of cumulative service with Beaufort County and reached age 60; or
2. Thirty (30) years of cumulative service with Beaufort County with no age requirement.

Hospitalization – Insurance Coverage for Disability Retirees – Only For Employees Hired as of August 7, 2023, and after. All other employees will continue under the current policy.

- 1) The County shall provide hospitalization insurance for employees who qualify for Local Government Disability Retirement for **only two (2) years** if they do not qualify for Social Security Disability or have not applied for Social Security Disability benefits.
- 2) The County shall provide continual hospitalization insurance coverage for after (2) two years for employees who:
 - (a) demonstrate that they have applied for Social Security disability benefits within (1) one month of being approved for LGERS disability, and
 - (b) they have been approved for Social Security disability and they are waiting for their Medicare insurance benefit to become active. This typically takes 24 months or longer.

*** The County will NOT provide hospitalization insurance for employees retiring on LGERS disability retirement who have earned the State Health Plan benefits through employment with the State of North Carolina.



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Discussion

Presenter: Christina Smith and West Overman, Public Works

Agenda Title: Solid Waste Ordinance Update

Summary of Information: Staff will provide an update regarding the new solid waste ordinance.

Submitter Recommendations/Motions: N/A

Attachments:

1. Draft Solid Waste Ordinance
2. Draft Solid Waste Fee Schedule

Chapter 52: SOLID WASTE

Section

General

- 52.001 Title
- 52.002 Purpose
- 52.003 Authority
- 52.004 Jurisdiction
- 52.005 Liability
- 52.006 Choice of Law and Venue
- 52.007 Conflict with Other Ordinances or Laws
- 52.008 Severability
- 52.009—52.049 Reserved
- 52.050 Definitions
- 52.051—52.074 Reserved
- 52.075 Annual Solid Waste Fees
- 52.076-52.099 Reserved

Collection and Disposal

- 52.100 General Provisions
- 52.101 Solid Waste Storage and Disposal
- 52.102 Licensing of Household Solid Waste Collectors
- 52.103 Revocation of Household Solid Waste Collectors License
- 52.104 Solid Waste Collection
- 52.105 Transportation of Solid Waste
- 52.106 Littering and Unauthorized Dumping
- 52.107 Recycling
- 52.108 Scrap Tire Facility
- 52.109 Yard Waste Processing Facility
- 52.110-52.199 Reserved

Enforcement and Penalties

- 52.200 Enforcement
- 52.201 Penalties

General

§ 52.001 TITLE.

This chapter may be cited as the "Solid Waste Ordinance of Beaufort County, North Carolina." "Chapter 51 – Landfills" is hereby repealed and replaced by this Chapter 52.

§ 52.002 PURPOSE.

The purpose of this chapter is to regulate the management, storage, collection, transportation, and disposal of solid waste generated in the county, to ensure proper safe handling, and to provide for the general health of its citizens and protection of the environment.

§ 52.003 AUTHORITY.

The county enacts this chapter pursuant to G.S. Ch. 130A and G.S. Ch. 153A.

§ 52.004 JURISDICTION.

Pursuant to G.S. 153A-122, this Ordinance shall apply to any part of Beaufort County not within a municipality. In addition, the governing board of any municipality within Beaufort County may, by resolution, permit this Ordinance to apply to said municipality. Pursuant to G.S. 153A-132.1, this Ordinance shall also apply to all streets and highways within the county as well as any property owned or operated by the county. Unless otherwise indicated, this chapter also applies to both publicly owned and privately-owned solid waste management facilities located in the unincorporated areas of the county.

§ 52.005 LIABILITY.

As a public service, the county's collection sites may be used by private citizens at the times and under the conditions set forth in this chapter. While the county offers this convenience, the county shall not be responsible for damage to private property or personal injury which may occur on the sites. Neither the county nor its employees shall be liable for damage to private vehicles or personal injury to persons using the county's collection system.

§ 52.006 CHOICE OF LAW AND VENUE.

The State Courts of the State of North Carolina shall have sole jurisdiction over any disputes which arise under this Ordinance or otherwise regarding the parties or properties subjected thereto, and venue shall be proper and shall lie exclusively in the District and Superior Courts of Beaufort County, North Carolina.

§ 52.007 CONFLICT WITH OTHER ORDINANCES OR LAWS.

It is not intended that this Ordinance repeal, abrogate, annul, impair, or interfere with any existing provisions of any other ordinances or laws other than as outlined in Section 52.001 of this chapter. However, if the requirements of any other lawfully adopted rules, regulations, or ordinances of the County of Beaufort conflict with this Ordinance, the more restrictive requirement or the requirement that imposes the higher standard will govern.

§ 52.008 SEVERABILITY.

If any section of this ordinance is determined to be invalid or unenforceable, all other sections shall nevertheless continue in full force and effect.

§ 52.009—52.049 RESERVED.

§ 52-050 DEFINITIONS.

- (A) The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning:

Agricultural solid waste means waste produced wholly from agricultural operations directly related to the growing of crops or raising of animals for the primary purpose of making a profit or for a livelihood.

Board means the Board of Commissioners of Beaufort County, North Carolina.

Clean wood means untreated wood pieces and particles that do not contain paint, laminate, bonding agents, or chemical preservatives or are otherwise unadulterated.

Collection means the act of removing solid waste from a point of generation to a central storage point or to a disposal site and from a central storage point to a disposal site.

Commercial solid waste means solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities excluding residential, industrial, and institutional wastes.

Construction or demolition waste means solid waste resulting from construction, remodeling, repair, or demolition operations on buildings, or other structures but does not include inert, land clearing or yard waste debris or used asphalt mixed with dirt, sand, gravel, rock, concrete, or similar nonhazardous material.

Department means the North Carolina Department of Environmental Quality (NCDEQ).

Director means the Beaufort County Public Works Director who is the administrator designated with the responsibility for the solid waste program, or designated representative.

Disposal means the final placement of collected solid waste into a landfill or other lawful site.

Division means the Solid Waste Division of the Beaufort County Public Works Department.

Electronics means waste consisting of televisions, computers, peripherals, etc.

Fee schedule means a listing of fees charged by the County that is determined by the Board of Commissioners at least once per year, typically during the annual budget process.

Garbage means all putrescible wastes, including animal carcasses, and recognizable industrial byproducts, but excluding sewage and human waste.

Hazardous waste means a solid waste, or combination of solid wastes, which because of its quantity, concentration or physical, chemical or infectious characteristics may:

1. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or
2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

Household bulk waste means solid waste generated in a residence that is generally too large to be accepted by the compactors at the County collection sites. Bulk waste items may include discarded furniture (couches, recliners, tables, mattresses, dressers), and other similar items. For the purpose of this chapter, construction and demolition waste shall not be considered bulk waste.

Household solid waste means any waste generated in a residence in the course of ordinary day-to-day living, including but not limited to food waste, paper, plastic, textiles, metal, and glass.

Incineration means the process of burning solid, semisolid, or gaseous combustible wastes to an inoffensive gas and residue containing little or no combustible material.

Industrial solid waste means solid waste generated by manufacturing or industrial processes that is not hazardous waste.

Inert debris means solid waste which consists solely of material that is virtually inert and likely to retain its physical and chemical structure under expected conditions of disposal.

Inhabitable structural unit means a building structure that has at minimum four walls, foundation, roof, and utilities such as water, sewer or septic, and electrical.

Institutional solid waste means solid waste generated by educational, health care, correctional, and other similar facilities, excluding residential, commercial, and industrial waste.

Land clearing debris means solid waste which is generated solely from land clearing activities, excluding construction and demolition waste.

Landfill means a disposal facility or a part of a disposal facility where solid waste is placed in or on land and which is not a land treatment facility, a surface impoundment, an injection well, a hazardous waste long-term storage facility or a surface storage facility. A landfill may be publicly or privately owned.

Liquid waste is a non-solid material that has no further use and must be treated and disposed of according to local, state, and federal regulations. For the purposes of this chapter, Used Motor Oil shall be excluded from the definition of liquid waste.

Mixed Metal means ferrous and non-ferrous metallic materials.

Non-putrescible waste means waste that does not contain organic matter having the tendency to decompose and create odors.

Operator means any person, including the owner, who is principally engaged in, and is in charge of, the actual operation, supervision, and maintenance of a solid waste management facility and includes the person in charge of a shift or periods of operation during any part of the day.

Person means an individual, corporation, company, association, partnership, unit of local government, state agency, federal agency, or other legal entity.

Processing means any technique designed to change the physical, chemical, or biological character or composition of any solid waste so as to render it safe for transport; amenable to recovery, storage or recycling; safe for disposal; or reduced in volume or concentration.

Putrescible waste means solid waste that contains organic matter capable of being decomposed by microorganisms and of such a character and proportion as to cause obnoxious odors and to be capable of attracting or providing food for birds or animals. The term does not include uncontaminated yard waste or clean wood.

Recovered materials means those materials which have known recycling potential, can be feasibly recycled, and have been diverted or removed from the solid waste stream for sale, use or reuse by separation, collection, or processing.

Recycling means the process by which solid waste or recovered materials are collected, separated, or processed, and reused or returned to use as raw materials or products.

Refuse means all non-putrescible waste.

Sanitary landfill means a facility for disposal of solid waste on land in a sanitary manner in accordance with the rules concerning sanitary landfills adopted by the state and the county or any appropriate federal agency.

Scrap tire means a tire that is no longer suitable for its original, intended purpose because of wear, damage, or defect.

Sharps means needles, syringes, and scalpel blades.

Sludge means any solid, semi-solid or liquid waste generated from a municipal, commercial, institutional, or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility, or any other waste having similar characteristics and effects.

Solid waste is any material no longer used for its originally intended purpose, which will be discarded, treated to reclaim its original properties or processed to be used for an alternative purpose. "Trash" or "garbage" are terms frequently used in place of "solid waste".

Solid waste collector means any person who collects or transports solid waste.

Solid waste container means a container used for the temporary storage of solid waste or recyclables while awaiting collection.

Solid waste collection site means any place owned, leased, or operated by the county at which solid waste containers have been placed.

Solid waste disposal site means any place at which solid waste is disposed of by incineration, sanitary landfill, or any other method.

Solid waste management means purposeful, systematic control of the generation, storage, collection, transport, separation, treatment, processing, recycling, recovery and disposal of solid waste.

Storage means the containment of solid waste, either on a temporary basis or for a period of years in a manner which does not constitute disposal.

Transfer facility means a permanent structure with mechanical equipment used for the collection or compaction of solid waste prior to the transportation of solid waste for disposal.

Treatment means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste to neutralize such waste or so as to render such waste nonhazardous, safer for transport, amenable

for recovery, amenable for storage or reduced in volume. The term "treatment" includes any activity or processing designed to change the physical form or chemical composition of hazardous waste to render it nonhazardous.

Used motor oil means any refined crude oil or synthetic oil intended for use in an internal combustion engine that because of use, storage, or handling has become unsuitable for its original purpose.

White goods means refrigerators, ranges, water heaters, freezers, unit air conditioners, washing machines, dishwashers, clothes dryers, and other similar domestic and commercial large appliances.

Yard waste means solid waste resulting from landscaping and yard maintenance such as brush, grass, tree limbs, leaves, and similar vegetative material. For the purposes of this chapter, this term does not include stumps or material greater than 8" in diameter or 6'-8' in length.

§ 52.051—52.074 RESERVED.

§ 52.075 ANNUAL SOLID WASTE FEES.

- (A) An annual solid waste fee will be billed to the owner of each inhabitable structural unit in the county.
- (B) The annual solid waste fee shall be in accordance with the current schedule of fees adopted by the board of commissioners.
- (C) The annual solid waste fee is intended to recover costs of disposing of household solid waste in the county, the management of the solid waste collection service, scrap tire collection service, yard waste collection service, and other solid waste services.
- (D) Residential, commercial, industrial, or institutional inhabitable structural units will not be billed annual solid waste fees if municipal or private collection services are servicing the tax parcel with a front-end truck, and the County does not pay for the disposal cost of the waste.
- (E) The bill for the annual solid waste fee shall be directed to and paid by the owner of the inhabitable structural unit, even if the unit is occupied or leased by another person. Fees shall be based on the real property tax listings as of January 1 of each year. The tax assessor shall prepare and send bills on or about August 1 of each year.
- (F) As authorized by G.S. 105-360 and G.S. 153A-293, annual solid waste fees shall be billed with the annual ad valorem property tax bill. Fees are payable in the same manner as property taxes and become due upon receipt and past due on January 6 of the following year. Delinquent solid waste fees may be collected by the tax collector in any manner by which delinquent personal or real property taxes can be collected, including garnishment, attachment, and foreclosure. Solid waste fees are a lien on the real property described on the bill that includes the fee. Delinquent solid waste fees become a lien upon publication of the legal notice.

§ 52.076-52.099 RESERVED.

COLLECTION AND DISPOSAL

§ 52.100 GENERAL PROVISIONS.

- (A) All solid waste management in the county shall be in accordance and in compliance with solid waste management rules as set forth by the Department and the Division, as from time to time amended.
- (B) All solid waste shall be stored, collected, transported, treated, processed, reclaimed, recycled, and disposed of in a manner consistent with the requirements of this chapter and with applicable state and federal law.

§ 52.101 SOLID WASTE STORAGE AND DISPOSAL.

- (A) No owner, occupant, tenant, or lessee of any property may deposit, store, or permit to accumulate any solid waste upon his property that is not stored or disposed of in a manner prescribed by this chapter.
- (B) The owner, occupant, tenant, or lessee of any property shall remove or cause to be removed all solid waste from his property at a frequency rate that will control odor, rodents, and other nuisance conditions. The recommended frequency rate is once per week.
- (C) Garbage shall be stored only in containers that are durable, nonabsorbent, nonleaking, and easily cleaned. Each container shall be kept clean so that no other nuisance condition exists.
- (D) Solid waste shall be stored in a manner that will not provide harborage to rodents and vermin and will not create a fire hazard.
- (E) No owner, occupant, tenant or lessee of a building or dwelling, other than a salvage and/or recycling operation, may place or leave or cause to be placed or left outside the building or dwelling, any wastes for longer than one week.
- (F) No owner, tenant or lessee of any building or dwelling, may leave outside the building or dwelling, in a place accessible to children, any abandoned or unattended icebox, freezer, refrigerator or other receptacle that has an airtight door without first removing the door or locking the door closed, so that entry to the appliance or receptacle by children has been eliminated.
- (G) Construction waste must be disposed of at disposal sites approved and permitted by the department or as permitted pursuant to G.S. 130A, Article 9.
- (H) Regulated medical, hazardous, and radioactive waste must be disposed of according to written procedures approved by the Department.
- (I) All sharps must be placed in a sealed, puncture-proof container prior to disposal with other solid waste.
- (J) Open burning of solid waste is prohibited pursuant to 15A NCAC 02D.1903.

- (K) No person, solid waste collector, or company shall dump or deposit waste into any county-owned collection site except as authorized by state and county regulations.
- (L) No person, solid waste collector, or company shall dispose of hazardous or liquid wastes in any county-owned collection site or transfer station.
- (M) No person, solid waste collector, or company shall dispose of solid waste, except by one of the following methods, provided that:
 - 1. Sanitary landfill which has been approved by the department.
 - 2. Collection and recycling centers operated by the county for individual households in the county.
 - 3. Incinerators which meet all requirements of the local, state, and federal air pollution standards and have been approved by the appropriate state and federal agencies.
 - 4. Construction/demolition landfill approved by appropriate county, state and federal agencies.
 - 5. By any other methods including reclaiming or recycling processes which have been approved by the department.
- (N) A violation of this section is punishable as outlined in Section 52.201.

§ 52.102 LICENSING OF HOUSEHOLD SOLID WASTE COLLECTORS.

- (A) Beaufort County will provide payment for disposal of household waste generated in Beaufort County, collected by licensed household solid waste collectors, and disposed of only at the location determined by the County.
- (B) Every person, firm and corporation engaged in the collection of household solid waste in the county, except for one's self, one's firm or corporation, shall first make application to and secure from the Division a privilege license which shall be in a sum per year per person, firm or corporation applying for a privilege, as set in the solid waste fee schedule.
- (C) All licenses issued under this chapter shall be for one year which shall be for the fiscal year beginning July 1, and ending June 30. Licenses issued to household solid waste collectors within a fiscal year shall only be for a period beginning on the date the license is issued and ending the immediately following June 30.
- (D) All licensed household solid waste collectors shall display plainly visible decals or lettering on the collection vehicle showing the name and address or phone number of the owner. The information shall be on file with the Division.
- (E) All licensed household solid waste collectors' vehicles or containers used for the collection of household waste in Beaufort County shall be covered, leakproof, durable and easily cleaned. Open body trucks or other vehicles used in collection and transportation of solid waste shall be covered with canvas or other substantial material to prevent contents from falling, leaking, spilling, or being blown from the vehicle. If spillage or leakage should occur, the material shall be recovered immediately by the licensed solid waste collector and returned to the vehicle or container, and the area properly cleaned.
- (F) Licensed household solid waste collectors shall remove garbage or refuse from the premises of their customers at least once a week.

- (G) Licensed household solid waste collectors shall schedule normal collections between the hours of 6 AM and 9 PM.
- (H) All solid waste collected shall be disposed of frequently in a licensed sanitary landfill or other approved disposal facility.
- (I) Licensed household solid waste collectors are required to notify the Division 30 days prior to any expected closure of the business.
- (J) No solid waste collector shall dispose of solid waste at the solid waste collection sites provided by the county.
- (K) Applicants denied a license by the Division, within 15 days of denial may request a hearing before the Public Works Director who shall hear the appeal within 15 days of receipt of the request for a hearing. This appeal shall be based on the license application record. Within one week after the hearing, the Public Works Director shall give the applicant written notice of his or her decision. If the decision is denial, the applicant may then appeal to the Board by giving written notice to the County Manager within ten days following receipt of the Public Works Director's decision. The Board shall hear the appeal, which shall be based on the application record and record of the hearing before the Public Works Director. The Board shall either affirm the denial or direct the Public Works Director to issue the license.
- (L) A license may be transferred due to the sale of a company or line of business, without the need for a new license or revocation of the existing license being required, if the licensee notifies the Division of the proposed transfer at least 30 days before the proposed date of the transfer; a written agreement containing a specific date of transfer of license responsibility is submitted to the Division; the transferee provides proof that he or she is, or will be, the owner or operator of the vehicles(s) previously identified by the licensee; and the transferee provides proof that he or she is or will be able to comply with all licensing, collection, transportation, storage and disposal requirements of this chapter.

**§ 52.103 REVOCATION OF HOUSEHOLD SOLID WASTE COLLECTORS
LICENSE.**

- (A) A Beaufort County Household Solid Waste Collector privilege license issued for collection and transportation of household solid waste may be revoked for violations of applicable county, state, or federal regulations pertaining to the management of solid waste.
- (B) Whenever, upon inspection of facilities, equipment, or operating methods or practices of a licensee, the Division finds that conditions or practices exist which are not in compliance with applicable regulations the Division will give notice in writing to the licensee that unless the conditions or practices are corrected or remedied within ten days, then the collector's license may be revoked. The notice shall include date, time, and place of reinspection by the Division.
- (C) If, after reinspection, the Division finds conditions or practices not corrected, the licensee will be notified that his or her license has been revoked. Upon receipt of this notice of revocation, the County shall cease providing payment as outlined in Section 52.102(A).
- (D) The Division may reinstate a revoked license after revocation has been in effect for 30 days if the Division finds that the conditions causing the violation have been corrected.

- (E) The license holder may, within 15 days of revocation, request a hearing before the Public Works Director who shall hear the appeal within 15 days. Within one week after the hearing, the Public Works Director shall give the license holder written notice of his or her decision. If the decision is denial, the applicant may then appeal to the Board by giving written notice to the County Manager within ten days following receipt of the Public Works Director's decision. After a hearing on the appeal, the Board shall either affirm the denial or direct the Public Works Director to re-instate the license.

§ 52.104 SOLID WASTE COLLECTION.

- (A) Solid waste shall be collected by the following methods:

1. Transporting the solid waste to a transfer facility or landfill facility permitted by the department.
2. Placing the solid waste in a receptacle provided at a collection site within the county.
3. Placing the solid waste in a receptacle provided by an incorporated municipality or commercial solid waste collector.
4. Other lawful means.

- (B) Collection Sites

1. The county, directly or through contractors, shall provide, operate, and maintain collection sites throughout the county for use by county residents for the purpose of collecting and consolidating residential solid waste prior to transportation to a transfer facility or disposal facility.
2. Collection sites shall be available for use by all persons occupying improved residential property in the county, including persons occupying improved residential property within the incorporated municipalities of the county.
3. Non-residents, businesses, institutions, or any other commercial or industrial establishments are prohibited from using the collection sites.
4. Waste generated outside of Beaufort County is prohibited.
5. The operating schedule will be made public via signage, website postings, press releases, or other appropriate means.
6. All persons entering the collection sites shall observe all rules, regulations, and signs.
7. All persons entering the collection sites shall place all solid waste intended for disposal inside a designated receptacle. No items shall be left at a collection site for the purpose of salvaging by others.
8. No persons shall leave solid waste at the collection site outside the receptacle.
9. The following waste types may be accepted at collection sites when there is a specific area designated for the collection of such items:
 - a. Household Solid Waste
 - b. Household Bulk Waste
 - c. Yard Waste
 - d. White Goods

- e. Mixed Metal
 - f. Used Motor Oil (and associated filters)
 - g. Electronics
 - h. Recycling of specific products, as markets allow.
 - i. Other material as approved by the Commissioners.
10. All other waste types are expressly prohibited from disposal at solid waste collection sites.
 11. No person may loiter, scavenge, or rummage about the collection sites to remove articles therefrom.
 12. No person shall vandalize any property associated with solid waste collection sites.
 13. No person may trespass on property used for solid waste collection during non-operational hours.
 14. Solid waste may be observed and inspected for prohibited materials. Persons attempting to dispose of unacceptable material shall remove such materials from the collection site. Persons refusing to comply shall be subject to penalties set forth in Section 52.201.
 15. Users of the collection sites may be asked to provide information related to their residence location and the origin location of the waste.

(C) Transfer Station

1. The County shall contract with a company to provide transfer station services.
2. The following groups or persons shall be exempt from the payment of fees for disposal of garbage or other waste:
 - a. Any group that brings acceptable waste to the transfer station as a result of roadside cleaning activities including the Department of Transportation, or other groups performing public service cleanup activities as authorized by the County Manager or Solid Waste Division.
 - b. Other parties as authorized by the Division.
3. Residents must pay posted fees for disposal of construction, demolition, land clearing, and all other types of waste other than household waste generated in Beaufort County.

§ 52.105 TRANSPORTATION OF SOLID WASTE.

- (A) Vehicles or containers used for transportation of solid wastes shall be secured by effective means to prevent the blowing or spilling of materials from out of the vehicle. Upon entrance to a collection or disposal site, removal of tarps or similar covers on solid waste shall be prohibited until destination is reached in a designated disposal area.
- (B) Materials blown or spilled during transportation shall be picked up immediately by the transporter and returned to the vehicle or container, and the area properly cleaned.

§ 52.106 LITTERING AND UNAUTHORIZED DUMPING.

- (A) Littering is prohibited pursuant to G.S. 14-399.
- (B) No person may discard, dispose, leave, or dump any solid waste on or along any street or highway or on public or private property unless such solid waste is placed in a receptacle designated for the collection of solid waste.
- (C) It shall be unlawful to leave solid waste at a closed collection site.
- (D) It shall be unlawful for any person to litter at collection sites. Littering shall include dumping solid waste in a solid waste container that causes the container to overflow.
- (E) The owner or operator of a vehicle shall be responsible for dumping, littering, and other violations in which his vehicle is used.
- (F) If any solid waste disposed of in violation of this section can be identified as having last belonged to, been in the possession of, sent to or received by, or to have been the property of any person prior to being disposed of, such identification shall be presumed to be prima facie evidence that such person disposed of or caused to be disposed of such solid waste in violation of this section.
- (G) A violation of this section is punishable as outlined in Section 52.201.

§ 52.107 RECYCLING.

- (A) Each person who owns, leases, or manages a residence, residential unit, or place of business, industry, commerce, or other place providing goods or services, or institution, church, or school is encouraged to remove personal recyclable materials from the solid waste generated.
- (B) Nothing in this section is intended to prevent any person from donating or selling recyclable materials to any other person.
- (C) Recyclable material should not be disposed of with other solid waste. Recyclable material collected at collection sites will be dependent on availability of markets for the material.

§ 52.108 SCRAP TIRE FACILITY.

- (A) The county shall operate at least one facility to collect scrap tires.
- (B) Certified scrap tires are:
 - 1. Generated in North Carolina,
 - 2. Five or fewer tires, or
 - 3. More than five scrap tires that are accompanied by a completed NC Scrap Tire Certification form.
 - 4. Certified scrap tires are not subject to a disposal fee.
- (C) Uncertified scrap tires are:
 - 1. More than five scrap tires that are not accompanied with a completed NC Scrap Tire Certification form, or
 - 2. Any scrap tire generated outside of North Carolina.

3. Uncertified scrap tires are subject to a disposal fee as specified in the fee schedule.
- (D) All tires shall be removed from the rim prior to disposal. Rims shall not be disposed of at the scrap tire collection site.
 - (E) It is the haulers responsibility to provide proof of origin of any scrap tire. Beaufort County holds the right to verify the origin of any scrap tire and to deny disposal.
 - (F) The operating schedule will be made public via signage, website postings, or other appropriate means.
 - (G) All persons entering the scrap tire facility shall observe all rules, regulations, and signs.
 - (H) Persons delivering scrap tires to the scrap tire facility shall be required to weigh in and out.
 - (I) No person may loiter, scavenge, or rummage about the scrap tire facility to remove articles therefrom.
 - (J) No person shall vandalize any property associated with the scrap tire facility.
 - (K) No person may trespass on scrap tire facility property during non-operational hours.
 - (L) Loads may be observed and inspected for prohibited materials.
 - (M) Persons attempting to dispose of unacceptable material shall remove such materials from the scrap tire facility.
 - (N) Persons refusing to comply shall be subject to penalties set forth in Section 52.201.

§ 52.109 YARD WASTE PROCESSING FACILITY.

- (A) The county shall operate at least one yard waste processing facility.
- (B) The operating schedule will be made public via signage, website postings, press releases, or other appropriate means.
- (C) Persons delivering yard waste to the yard waste processing facility shall be required to weigh in and out.
- (D) Persons delivering commercially generated yard waste to the yard waste processing facility shall be charged a tipping fee based on the weight of the material as specified in the fee schedule.
- (E) All persons entering the yard waste processing facility shall observe all rules, regulations, and signs.
- (F) No person may loiter, scavenge, or rummage about the yard waste processing facility to remove articles therefrom.
- (G) No person shall vandalize any property associated with the yard waste processing facility.
- (H) No person may trespass on the yard waste processing facility property during non-operational hours.
- (I) Yard waste will be observed and inspected for prohibited materials. Persons attempting to dispose of unacceptable material shall remove such materials from the processing facility.
- (J) Users may be asked to provide information related to their residence location and the origin location of the waste.
- (K) Persons refusing to comply shall be subject to penalties set forth in Section 52.201.

§ 52.110-52.199 RESERVED.

ENFORCEMENT AND PENALTIES

§ 52.200 ENFORCEMENT

- (A) Enforcement of this article shall rest with those governmental agencies and personnel authorized to exercise police powers under G.S. 14-399 and shall include, without limitation, the Beaufort County Public Works Solid Waste Division, the Beaufort County Health Department, and the Beaufort County's Sheriff's Office.
- (B) The provisions of this article shall be enforced by the inspection of property and by the observation of persons who are suspected of violating any of the provisions contained herein. Enforcement personnel are empowered to issue citations, warning citations, or letters of warning when any of the provisions of this article have been violated.
- (C) Enforcement personnel may issue a warning letter or warning citation. Such a letter or warning citation shall state therein the nature of the violation, the corrective measures to be taken, and the time and date when corrections are to be completed. Failure to comply with the corrective measures stated in such warning notices shall be just cause for enforcement personnel to issue a citation for violation of this article.
- (D) Persons found to be in violation of the provision of this article may be allowed to perform remedial cleanup work in lieu of prosecution, injunctive action, or civil penalties at the discretion of the Beaufort County Public Works Solid Waste Division.
- (E) The County shall have the power to collect delinquent accounts by any remedy provided by law for collection and enforcing private debts as provided for in G.S. 153A-277(b).

§ 52.201 PENALTIES.

- (A) The County may, at its discretion, take any one or more of the following courses of action to remedy any violation of this chapter:
 - 1. Denial of Use
 - a. The County may deny use of any solid waste facility to any person due to violation of any section of this chapter.
 - 2. Recovery of Costs
 - a. In addition to other penalties imposed for violations of this chapter, any person determined to have caused the violation shall be liable to the County for any one or more of the following:
 - i. Costs incurred by the County for any cleaning, repair, or replacement work caused by the violation;
 - ii. Expenses, loss, damage, or costs and expenses incurred by the County, including, but not limited to, attorney fees, engineering fees, and other expert and consulting fees caused by the violation; and

- iii. Other consequential damages, foreseen or otherwise, to the County, including, but not limited to, fees, penalties, damages, and other costs incurred in the County's defense against claims for such consequential damages.
- b. The Division will determine actual charges. If contested, the Board will determine the amount of charges.
- c. All costs associated with the removal of accumulated solid waste on a property shall be billed to the originator if determined through prima facie evidence.
- d. All costs associated with the removal of accumulated solid waste on a property whose originator cannot be determined shall be billed to the property owner. Failure to pay the costs for the removal of the solid waste will constitute a lien against the real estate enforceable in the same manner as real estate taxes.

3. Civil Penalties

- a. The County may assess a civil penalty for violation of this chapter. The civil penalties shall be divided into three tiers:
 - i. Tier One
 - a. Littering. Littering includes the improper disposal of small quantities of solid waste on private or public land and highway rights-of-way.
 - ii. Tier Two
 - a. Scavenging, unauthorized salvaging of discarded items.
 - b. Improper transportation, including uncovered trucks and unsecured loads, or improper vehicles by contract haulers of solid waste.
 - c. Failure to remove solid waste from property within thirty (30) days of notification by the county.
 - d. Violations of county requirements on use of solid waste collection sites.
 - iii. Tier Three
 - a. Illegal dumping, including leaving solid waste at a closed solid waste facility or dumping in unapproved areas.
 - b. Illegal burning of solid waste
- b. Penalty amounts shall be published in the Solid Waste Fee Schedule.

(B) Criminal Penalties

- 1. In addition to or in lieu of the civil penalties described herein, violators may be criminally charged per G.S. 14-4. Violation of the chapter is a Class 3 misdemeanor and shall be subject to a fine of not more than \$500.00.



Beaufort County, North Carolina
Department of Public Works
Solid Waste Division

111 West 2nd Street | Washington, North Carolina | 27889
Phone (252) 975-0720 | co.beaufort.nc.us

FY2024 Solid Waste Fee Schedule

Annual Solid Waste Fee \$180 per household

Commercial Yard Waste Disposal Fee \$30.00 per ton

Commercial After-Hours Landfill Access Card \$10.00 per card
(new & replacement)

Solid Waste Ordinance Civil Penalties

Tier 1

First Offense Written Warning
Second Offense \$250.00
Subsequent Offenses \$500.00

Tier 2

First Offense \$100.00
Subsequent Offenses \$500.00

Tier 3

First Offense \$300.00
Subsequent Offenses \$500.00

Uncertified Scrap Tires Disposal Fee _____ per ton



Beaufort County Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Brad Hufford, Economic Development Director

Agenda Title: Aurora Industrial Park Infrastructure

Summary of Information: In 2019, The Town of Aurora received two grants in the amount of \$750,000 and \$200,000 respectively from the NC Department of Commerce and Golden LEAF. These funds were to be utilized for planning, permits and costs of installation of needed infrastructure for a planned 30-acre industrial park on land to be purchased utilizing funds that Beaufort County loaned the Town of Aurora. Committed purchasers of land include the Beaufort County Community College, Aurora Fire Department and Bul-Head. When the project was put out to bid in March of 2023, the costs came back roughly \$1 Million more than anticipated from when the project was originally planned back in 2019. The planning committee secured additional funds from the NC Department of Commerce for \$500,000 and Golden LEAF for an additional \$500,000, in order to support infrastructure associated with the Beaufort County Community College satellite facility.

In reviewing final budgets before construction was to commence, planners identified a gap of roughly \$200,000 in funding to cover the entire cost of the infrastructure needed for the project. In order to begin construction and move forward with the grant funding documents and to let the contract, we need to ensure that there are enough funds to cover the entire cost of construction. Planners have sought to trim the budget by cutting out any unnecessary expenses and engaging the contractor and sub-contractors to see if material costs might have lowered since the time the project was bid. The \$200,000 total requested will enable the project to move forward and the project to commence.

The County currently has an agreement in place with the Town of Aurora to provide funds for the purchase of the industrial park property. The agreement requires that proceeds from land sales in the Park first go to repay the funds provided by the County. Interest accrues on any outstanding funds.

The Town of Aurora is now seeking assistance from the County to fund the additional \$200,000 needed for the shortfall and to allow the project to commence. Staff proposes that the County provide the \$200,000 in additional funds and that it be handled in a similar manner to the original funding request. This would require the additional \$200,000 to be paid back to the County first as land sales occur in the Park. Staff has calculated the remaining land sales and there are sufficient projected revenues to cover the repayment. The Board might consider not applying interest on the additional \$200,000.

The Town of Aurora has an agreement between the Town and consultants, John Acton and Allen Paul, to divide in thirds the remaining proceeds from the land sales, after the County is repaid its original loan

amount and other legal/closing costs are paid. Attached is a copy of that agreement for the Board's review. The staff's proposal to require the additional \$200,000 to be repaid from land sales would reduce the final distribution outlined in the Town's agreement with the consultants.

Submitter Recommendations/Motions: Approve \$200,000 in funds to support the additional costs of infrastructure associated with building the Aurora Industrial Park and require repayment of those funds with land sales as they occur, similar to the existing agreement between the County and the Town. The Board may also wish to consider waiving interest on the additional \$200,000.

Attachments:

1. Budget Amendment \$200k Aurora Industrial Park
2. Aurora Consultant Agreement

Budget Amendment Request

Date of Request: 8/7/23

[illegible]

State Position No. _____

14/15

STATEMENT OF WORK

Defining:

Deliverables for Development of Aurora Industrial Park

Issued:

Town of Aurora

February 26, 2019

1.0 – INTRODUCTION AND BACKGROUND

The Town of Aurora (the town) expects to develop an Aurora Industrial Park (AIP) on a 51-acre site (the Thompson Tract) on the south side of NC Highway 33 and behind the Aurora Fire Department to accommodate Nutrien contractors currently occupying an area at the Nutrien plant known as “Contractor City.” Occupants of that site have no access to running water or sewer. It is expected that the proposed development will bring a large new payroll and an estimated 65 jobs to Town.

Accomplishment of the deliverables set forth in this Statement of Work (SOW) is a pressing priority for the town because of the sharp decline in growth it has experienced in recent years. Since the 2010 census, Aurora has lost substantial population, tax revenue and water and sewer customers due to its lack of growth. The town’s only grocery store has closed.

2.0 – OBJECTIVES TO BE ACOMPLISHED UNDER THE SOW

The following objectives must be accomplished by consultants (Sandy Acton and Allen Paul) to be engaged to carry out this SOW:

1. Oversee overall project development and implementation;
2. Assess options for land acquisition in and/or adjacent to the Town that are suitable for siting of the proposed Park;
3. Contact landowners of properties to determine their willingness to sell and what their likely sale price would be;
4. Assist the Town, as necessary, with land acquisition;
5. Assist the Town in selecting an attorney to coordinate land transactions;
6. Consult with one or more engineering/architecture/survey firms for advice as to the suitability of properties identified as potential sites;
7. Assess suitability of zoning of such sites and recommend changes to the Town as necessary;
8. Identify potential funding sources for any infrastructure development to provide water and sewer services on potential sites identified;
9. Advise Nutrien and its contractors that the Park is being developed, and assess the interest of contractors in relocating therein;
10. Explore infrastructure funding options with the NC Department of Commerce, the Golden Leaf Foundation and others as necessary;
11. Prepare grant applications for infrastructure funding on behalf of the Town;
12. Advise the Beaufort County Manager and the County Economic Development Officer of the project and enlist their support;

13. Recommend an engineering/architecture/survey firm for the Town to engage;
14. Advise the Town on infrastructure improvements as needed;
15. Market property to Nutrien contractors;
16. Keep the Mayor of Aurora advised at all times of project activities;
17. Report to other parties, as directed by the Mayor, on project activities.

3.0 – CAPABILITIES REQUIRED TO ACCOMPLISH SOW TASKS

Certain capabilities are required of project consultants who have undertaken critical tasks listed in this SOW on behalf of the Mayor as follows:

- In-depth knowledge of and experience with commercial property development;
- “Local knowledge” of the Town of Aurora, Beaufort County and the area’s largest employer, Nutrien;
- Knowledge of infrastructure development funding such as the NC Commerce Department, the Golden Leaf Foundation and various non-profit foundations;
- Experience with grants administration;
- Knowledge of and experience working with area engineering/architecture/survey firms, law firms and design-build firms;
- Senior-level contacts with NC state government, Beaufort County, including the county’s Economic Development Program and the Beaufort County Committee of 100.
- Ability to provide continuing liaison with the mayor and the Town Board to insure that they are adequately informed of work in progress and milestones accomplished.

4.0 – FUNDING OF THE SOW, PROJECT TIMELINE AND TASK TRACKING

The Town of Aurora’s budget is insufficient to advance funding – nor will the Town at any time advance funding – for the cost of services to carry out these SOW tasks. Further, funding for such services will not be forthcoming from potential project funding sources such as the NC Department of Commerce, the Golden Leaf Foundation or Beaufort County. At the same time, the services of highly qualified consultants are indispensable to project success. Therefore, the compensation for consultants will be included in land costs and borne by Nutrien contractors purchasing lots in the proposed park.

In view of the complexity of the tasks to be undertaken, the Mayor of Aurora and the Town Board will need to make clear to any consultants it engages that a timeline of up to five years may be required to complete the project. The Mayor must make clear to such consultants that funding for their services will not be available until lots are sold. Such consultants shall provide the Town with timely reports on tasks they have undertaken; and further, their Task Tracking shall be added as “Appendix A” to this SOW.

The Town recognizes that it is calling for with this SOW a “turnkey approach” involving several types of work product and, further, that in a commercial setting, each of these work products would generally be priced and paid for separately. These work products are:

- Project Management – Principals engaged to carry out this SOW are being engaged to provide a wide range of services that result in an end-product for the Town of Aurora, that being a successful Aurora Contractors Park. High-level management services will be required to execute objectives defined in the SOW.
- Grant Management – A critical project component is to obtain funding in the form of infrastructure grants to provide water, sewer and roads in the park. Such grants are indispensable because it is highly unlikely that alternative funding (commercial, bond issues, etc.) will be available. Therefore, it is essential that the principals identify, pursue and secure the required infrastructure grants. It is estimated that these grants may be in the range of approximately \$1 million.
- Real Estate Marketing – Once site plan with individual lots has been prepared, project principals will need to present purchase options to individual Nutrien contractors. Each lot in the park will be sized to fit custom needs. Principals will need to prepare marketing materials and present same to make final sales.
- Real Estate Closings – A condition of obtaining infrastructure grants from NCDOC and Golden Leaf Foundation is that the Town must own the land where the proposed park is located. Principals will be required to execute appropriate contracts with Nutrien contractors to provide for real estate closings after work funded by infrastructure grants has been completed.

Based on the range of services described above, fair and reasonable compensation of consultants will be recommended by the Mayor and approved by the Town Board based on the total time the consultants have expended and the overall success of the project.

5.0 – CONSULTANT QUALIFICATIONS

5.1 – JOHN “SANDY” ACTON, PRESIDENT/CEO, GLENWOOD PROPERTIES INC.

- Native of Raleigh, NC
- Graduated from Wake Forest College in 1967 with a Business Administration degree
- Commissioned a Second Lieutenant in the US Army and served two years. The last year was with the 25th Infantry Division, in Cu Chi, Viet Nam as the Class I officer.
- Discharged in October 1969
- Cameron Brown Co-1970-1984
- Sunstates Development Co-1984-1990
 - President-1988-1990-Developed neighborhood shopping centers and apartments to be sold to investors
- Glenwood Properties, Inc.1990-Present
 - Commercial brokerage
 - Small developments
 - Developed and sold out a 200-acre office park in Lake Mary, Florida for the N. C. Life and Health Guaranty Association. Profit estimated at \$17 million

5.2 – ALLEN PAUL – BUSINESS DEVELOPMENT EXECUTIVE

- Lifelong native of Aurora, NC with a home on Intra-Coastal Waterway
- President, Unisphere Inc., defense contracting firm that assessed advanced technology for the U.S. Army (10 years)
- Brought technology that converted food and other types waste into natural gas to market (2003);
- President, Agriculture Council of America, Washington, DC (12 years)
- Led successful effort to enact a congressional ban on grain embargoes
- Early career work included writing speeches for the U.S. Secretary of Agriculture; and managing successful political campaigns.
- Author of *New York Times* reviewed and widely read book *Katyn: Stalin's Massacre and the Triumph of Truth*
- Holds graduate degree in International Politics from Johns Hopkins University.

6.0 – RELATIONSHIP BETWEEN CONSULTANTS AND TOWN OF AURORA

Allen Paul and John Acton (Consultants) have been working for several years without compensation to create and develop the Aurora Industrial Park for the Town. Consultants will be compensated for the creation and development of Aurora Industrial Park as follows:

- A. Funds will NOT be provided by the Town of Aurora's operating accounts or from any grant money from Beaufort County, NC Department of Commerce or The Golden Leaf Foundation, but from the sale of land to be acquired by the Town of Aurora with the assistance of the Consultants.
- B. Consultants will market the land to Nutrien contractors at a price to be recommended by Consultants to the Town of Aurora, and approved by the Town.
- C. Funds from the sale of the real estate will first be used to pay for all closing costs, and then the balance of the funds to repay a loan from Beaufort County and any and all costs associated with said loan.
- D. The balance of the funds will then be used to pay all legal costs associated with grants or loans
- E. After the Beaufort County loan is repaid, and all legal costs are paid for items described above, remaining funds will be divided evenly between the Town of Aurora and each Consultant. In other words, each party will receive 33.33% of the remaining funds. The Town of Aurora will share such proceeds because of its oversight role with the project.

full, the Town will make distributions on a monthly basis to the consultants from current cash flow from the sale of lots.

- F. An Aurora Industrial Park Phase II to adjoin Phase I on its south side is contemplated. The parties to this agreement will cooperate on the same basis described in "Part 6/E" above in bringing Phase II to fruition.

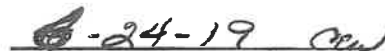
APPROVALS BY THE TOWN OF AURORA AND CONSULTANTS

The signatures affixed below signify the approval of this agreement by the Town of Aurora and the consultants who will coordinate the Town's efforts to develop Aurora Industrial Park.

For the Town of Aurora



Clif Williams, Mayor

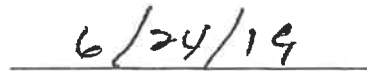


Date

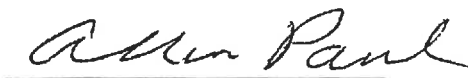
For the Consultants



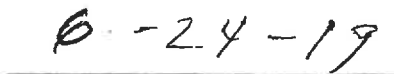
John Acton



Date



Allen Paul



Date

APPENDIX 1 – ACCOMPLISHMENT OF SOW TASKS

2015 (APRIL TO DECEMBER)

Secured Mid-East Commission evaluation of Park project and contact recommendations
Began assessing options for land acquisition
Asked Bobbitt Construction to prepare rough “no cost” site plan
Met Southern Bank’s real estate specialist, Jerry Alexander, re lot on NC 33
Met Paul Proctor in New Bern re acquisition of his property along Pearl Street
Assessed other potential sites adjacent to medical center
Met Elgin Stilley and secured an expression of interest from EnviroVac, a PCS contractor
Secured zoning and setback requirements from Mid-East Commission
Discussed site options with Jeffrey Robinson, Southern Bank Aurora
Met attorney T. R. Thompson about Thompson tract and representation option
Evaluate storm water input from Mid-East
Met Bob Chiles in New Bern, a civil engineer who has done work for PCS
Met Martyn Johnson of Beaufort County Economic Development
Met Steve Broome, Aurora landowner, to discuss land acquisition
Evaluated various Peed tracts
Examined GIS maps for 12 properties – 7-1-15
Outlined presentation for PCS management and PCS contractors
Made photographs of six properties
Briefed Vivian Lamb on project (organizing possible charter school for Aurora)
Met Ray McKiethan of PCS to discuss project
Brief Curtis Brown, PCS Land Office
Briefed Dan Gerlach, CEO of Golden Lean
Evaluated the impact of losing the town’s only grocery store
PCS Credit Union told to leave plant site; called to discuss relocating to Park

2016

Meetings: Dan Alligood, McCloskey; Carl Huddle, trader; and Jeff Hendricks of Coastal Industrial Services to discuss project
Brief T. R. Thompson on project status
Brief Kevin Bryant of Roberts Co
Second meeting with Broome re land acquisition
More briefing of T. R. Thompson for his discussion with Max Thompson on land acquisition
Got Will Marshburn of Bobbitt Design/Build to draw rough “no cost” sketch of site plan
Met with ABC Board re gifting Aurora lot to Town
Secured commitment from Curtis Potter to sell two acres on NC 33 adjacent to Broome tract
Reevaluate PCS position on Park following CEO’s dismissal
Review Bobbitt sketch of site plan
Met Dan Gerlach, CEO Golden Leaf
Evaluate ABC Board draft option
Present option to Kay at ABC Board
Brief Bryant Buck on status

Prepare database of PCS contractors
 Met Terry Groome re town water and sewer capacities
 More evaluation of acreages using county GIS maps
 Brief Ray McKiethan of PCS on park status and briefing of Plant Manager
 Jerry Alexander reports S/Bank won't sell lot on NC 33; means ABC option won't work
 Met with Paul Proctor to discuss buying his acreage in center of town
 Met T. R. Thompson to discuss land acquisition
 Briefed Town Board on project status. Enthusiasm is strong.
 Evaluate Paul Proctor's proposal to sell apartments with his raw acreage
 Evaluate possible land donation from Beaufort Co. not enc April 23
 Received contractor estimate on rehab of Proctor apartments @ \$35K each
 Sandy preps offer to Paul Proctor
 Received proposal from East Group for engineering and survey work
 Consulted with Mack Paul re organization of park project and Proctor land acquisition
 Review town zoning maps
 Met Bryant Buck Mid-East re rezoning Proctor property
 Conference with Clif re above
 Sandy develops / submits bus plan for center of Aurora park project
 AP develops prospect list for Clif and others
 East Group submits prelim storm water and grassed swales costs
 Develop fencing options for park
 Develop milestone checklist on fencing, park covenants and conditions, rezoning
 Obtain more fence options
 Briefed Dan Alligood of McCloskey
 Elgin Stilley reports EnviroVac won't but Hooker Oil property
 Obtained building / property specs from McCloskey
 Update McCloskey, EnviroVac and Roberts on project
 PCS Plant Mark approves contractors moving; assigns McKiethan as our contact
 Informed Elgin, Kevin Bryant and Dan A PM's decision
 Met Kevin Rawls, CEO/ Wimco re design/build services

2017

Provide status report to contractors
 Meet with Beaufort Co Committee 100 / Buck of Mid-East
 Obtain large maps of Thompson tract from co. mapping office
 Explore Duke Energy Site Readiness Program rec by Martyn Johnson
 Sandy / Martyn meet in Raleigh
 Begin discussion with Max Thompson re his purchase conditions
 Review restrictions and covenants for Washington Industrial Park sent by Martyn
 Roberts Co requests order of mag cost / prepare
 Update Dan Gerlach of Golden Leaf
 Martyn provides comp list of grant sources for park
 Chris Bailey / ITAC design-build signifies interest in locating in park
 Mid-East provides application form for land acquisition loan
 Briefed Michelle Clements of The East Group re park plans

Brief Clif on status of Thompson land acquisition
 Estimate contractor requirements in park; six need 36 acres
 Clarify right-of-way from Thompson tract to NC 33
 Met E. Henries to explore acquisition of two acres on NC 33
 Analyze adjacent landowners and brief Clif
 Draft Letter of Intent (LOI) for Thompson acquisition
 Receive comprehensive proposal from Michelle of East Group
 Revisions in LOI / confer with TR
 Generate rezoning app with Mid-East for presentation to Town Board
 Final LOI corrections
 Two briefings on 3/27 with Town Board members: saw Farrow alone;
 Bragg could not come; saw Lee and Boyd second. Got good input and interest
 Discover railroad line thru Thompson prop / decide impact if any
 Prepare rezoning application with Mid-East support
 Obtain petition for rezoning of Thompson tract from Town Board
 Review Mid East flow-chart, site plan sketches
 Review site plan details (especially road width) with Michelle of East Group
 Met Chris Bailey ITAC in Raleigh
 Mack Paul introduces Commercial Properties Realty Trust (CPRT) as potential investor
 Brief Carolyn Martin, President of (CPRT) on overall park project
 Allen briefs Carolyn Martin on obtaining development plans from individual contractors
 Conference with Mid-East re site plan approvals
 Updated prospect list shows 12 PCS contractors have interest in moving to park
 Town Board approves rezoning at May 1 meeting (Sandy presented)
 Met with Bryant Buck re developing comprehensive project proposal and SOW
 Discussion of leasing option offered by CPRT with various contractors
 Hagler and Fla Handling Systems signify interest in park
 Prepare for 5/31 visit of CPRT/CEO to Aurora to meet contractors / review plans
 Report to Mid-East on NCDOT and GLF applications
 Analysis of parking policy for Aurora
 ITAC provides Contractor Requirements Survey for CPRT
 Prepare maps for CPRT/CEO visit to Aurora
 Define CPRT relationship with project principals
 McCloskey returns Contractor Survey Response
 Acton provides written report 5-24-17 to Mayor on status
 5-31-17 meeting at Town Hall with CPRT/CEO and four contractors
 Met CPRT/CEO and George Richards at their office Raleigh to discuss next steps
 Contractor surveys completed by DRI, ITAC, McCloskey, EnviroVac
 Marshburn @ Bobbitt reacts to contractor surveys
 WIMCO expresses interest in design-build relationship
 East Group submits site sketch
 East Group calculates impervious lot space
 Report to contractors on project status
 Written report to Mayor of status
 Mid-East advises on approach to NCDOT
 NCDOT advises that Town of Aurora must own as a grant condition

CPRT declines role as prime 8-23-17
Notify contractors 8-24-17 of CPRT decision
Project principals meet to discuss next steps
Review East Group invoice for services
Met Samet and Duke Power representatives at Town Hall

2018

Introduction made to Kenny Flowers, Deputy Administrator, NCDOC
Project principals meet 8-10-18 with Flowers and Mark Poole at NCDOC
Prepare follow up reports to Mark Poole
Governor's office expresses support for project
Prepare for follow-up meeting with Mark Poole
Prepare preliminary Pre-Proposal for NCDOC
Met Mark Poole to discuss Pre-Proposal
Submit finalized Pre-Proposal to Town 10-10-18 for submission to NC
Respond to Mark Poole questions
Mark Poole reports decline of proposal by his board 10-21-18 due to jobs creation
Mark Poole reports on discussion encouraging Dan Gerlach to consider project
Former Commerce Secretary and Attorney Ernie Pearson offers financing option
Submit Conditions, Covenants, Restrictions to T.R. Thompson for review
12-12 project presentation Beaufort County Eco Dev Advisory Board
Advisory Board passes resolution of support for county funding of land acquisition
Prepare summary of project for Town and County
Martyn Johnson prepares documents on project status
McKiethan of PCS informs Clif that Plant Manager will send letter of support to contractors
Project principals draft letter of support from Nutrien Plant Manager to contractors
Clif send sends draft letter to PM 12-17
Complete financial analysis, flow charts, etc. for meeting with Dan Gerlach of Golden Leaf

2019

On 1-2 Dan Gerlach meets at Town Hall with Clif, Martyn, Sandy and Allen; pledges \$200K infrastructure grant contingent on approval of his board
Gerlach also agrees to urge Tony Copeland, Chairman of NCDOC to provide grant
Prepare land sales calculations
East Group estimates costs for 5,000 square foot building on 1.5-acre lot
Follow up calls with Martyn Johnson re presentation to Town Board on 2-4 and to Beaufort County Commissioners on 3-4
Set meeting for 1-22 with Martyn, Clif, Brad Lee, Town Attorney Brantley Peck
Discuss with Clif and Martyn need to get letter to contractors from Nutrien Plant Manager



Beaufort County Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Brian M. Alligood, County Manager

Agenda Title: Amendment to Hospital Master Lease Agreement to Revert Aurora Clinic to County

Summary of Information: On January 25, 2023, ECU Health announced that it would be closing the Aurora Clinic and four other clinics across eastern North Carolina after losing \$46M in the FY ending 2022. The Board of Commissioners passed a resolution opposing the closures and asked ECU Health to reconsider these actions. After receiving no response from ECU Health, the Board tasked the County Attorney and County Manager with seeking to remove the Aurora Clinic from the master lease agreement between the County and the University Health System of Eastern Carolina, Inc.

Attached is an amendment to the master lease agreement that transfers the leased property, identified as "Tract 9" (151 West 3rd Street, Aurora, NC), and any leasehold interest in "Tract 9" back to Beaufort County upon execution of the agreement.

The Board has indicated that it will seek opportunities to reopen a medical clinic in the facility to provide much needed healthcare services to the area. The County Attorney has reviewed the amendment and the master lease agreement and finds no concerns with any non-compete issues.

Fiscal Impact: Undetermined currently. There will be funding needed for utilities and upkeep during the interim.

Submitter Recommendations/Motions: Approve the attached amendment of the lease agreement between the County and the University Health System of Eastern Carolina, Inc. for removal of the Aurora Clinic property and authorize the County Attorney and County Manager to execute the agreement.

Attachments:

1. Amendment of lease agreement between the County and the University Health System of Eastern Carolina, Inc.

**AMENDMENT OF LEASE AGREEMENT BETWEEN
COUNTY OF BEAUFORT AND UNIVERSITY HEALTH
SYSTEM OF EASTERN CAROLINA, INC.**

THIS AMENDMENT OF LEASE AGREEMENT ("Amendment") is made effective as of August 1, 2023 (the "Effective Date"), by and between **County of Beaufort** ("the County"), a political subdivision of the State of North Carolina and **University Health Systems of Eastern Carolina, Inc. d/b/a ECU Health** ("Tenant"), a North Carolina nonprofit corporation.

WITNESSETH

WHEREAS, the County, Tenant, Beaufort Regional Health System, Beaufort County Hospital Association, Inc., and Beaufort Regional Physicians, LLC have enter into that certain Amended and Restated Lease Agreement, dated August 25, 2011 (the Lease); and

WHEREAS, the County is the owner of the property described as "Tract 9" (151 West 3rd Street, Aurora, North Carolina) and as more particularly described on Exhibit B to the Lease (Tract 9).

WHEREAS, the Tenant has previously operated a family medicine clinic at 151 West 3rd Street, however, recently ceased operations at this location.

WHEREAS, the County and Tenant desire that the Lease be amended transferring the Leased Property as identified as "Tract 9" and any leasehold interest in "Tract 9" back to the County upon the execution of this Amendment.

WHEREAS, upon execution of this Amendment Tenant shall transfer all leasehold interest in the real property identified as Tract 9 to County

WHEREAS, the County and Tenant now wish to amend the Lease as more fully set forth herein.

NOW, THEREFORE in consideration of the premises and mutual undertakings and representations herein contained, and other good and valuable consideration, receipt of which is hereby acknowledged, the County and Tenant hereby covenant, contract, and agree as follows:

1. Defined Terms. All capitalized terms not expressly defined in this Amendment shall have the meaning ascribed to them in the Lease.
2. Exhibit B, Hospital Authority Subdivision Parcels. "Tract 9" in Exhibit B of the Lease shall be deleted in its entirety.
3. Ratification of Lease. Except as expressly amended by this Amendment, the Lease shall remain in full force and effect in accordance with its original terms, and the Lease, as amended pursuant to this Amendment, is hereby ratified by Landlord and Tenant. In the event of inconsistencies between any term of this Amendment and any terms of the Lease, the term of this Amendment shall control.

4. Counterparts. This Amendment may be executed in multiple counterparts, each of which constitute an original hereof.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

This Amendment is executed by Landlord and Tenant effective as of the Effective Date.

TENANT: VIDANT MEDICAL GROUP, LLC d/b/a ECU HEALTH PHYSICIANS

By: Andy Zukowski
Name: Andy Zukowski
Title: CFO
Jul 26, 2023

LANDLOI

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Andy Zukowski
CFO
Jul 26, 2023

By:
Name:
Title:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Brian M. Alligood, County Manager

Agenda Title: Wrights Creek Living Shoreline Project

Summary of Information: In March 2023, Beaufort County was awarded a 2022-2023 Public Beach and Coastal Water Access Grant from the NC Division of Coastal Management for phase 3 of the Wrights Creek Park project. The scope of work included a living shoreline demonstration area on the southeast portion of the parcel. Attached is a copy of a proposal from RK&K that was received through an RFP process managed by the Mid-East Commission. The Mid-East Commission is under contract with the County to manage the entire project.

RK&K will provide engineering services to produce plans and contract documents for construction of the living shoreline demonstration area and provide educational materials for the site. The lump sum project fee is \$23,200. Funds are available in the project ordinance adopted by the Board in March 2023 and no additional funds are needed.

Submitter Recommendations/Motions: Approve the attached proposal from RK&K for design services and educational materials for the Living Shoreline at Wrights Creek Park in the amount of \$23,200.

Attachments:

1. RK&K Living Shoreline Proposal

July 14, 2023

Brian Alligood
County Manager
Beaufort County
121 W. 3rd Street
Washington, NC 27889

Reference: Living Shoreline – Wright's Creek Park

Dear Mr. Alligood:

Please find the attached RK&K scope and fee for design services and educational materials for the Living Shoreline at Wright's Creek Park in Beaufort County. RK&K is very grateful for this unique opportunity to serve the County.

The attached Standard Terms and Conditions to Proposal and the associated scope of services are incorporated by reference into and are part of this Proposal. RK&K will not proceed until this Proposal, both the Proposal and the Terms and Conditions are signed and deemed accepted by Beaufort County.

Please let me know if you have any questions or need any additional information.

Sincerely,
Rummel, Klepper & Kahl, LLP



Doug Keller, PE, LEED AP
Project Manager

Enclosure

cc: RK&K – BKS

ARTICLE I – Base Scope of Services

Project Description

As part of the Wrights Creek Park project, Beaufort County (Client) has requested RK&K to provide engineering to produce plans and contract documents for the construction of a living shoreline demonstration. A map showing the project area is included as Attachment A. The project includes living shoreline site suitability analysis, simple location surveys, simple topographic surveys, living shoreline design, erosion control design, and assisting with development of educational materials. The Engineer will provide the engineering services required to design and prepare construction plans and specifications for work in accordance with the following scope of services:

Surveys

Simple survey services for this project will be provided primarily using survey-grade GSP units. Project limits are defined in Attachment A. Data collected will not be sealed by a surveyor licensed in the State of North Carolina.

Establish Horizontal and Vertical Control Network

Local monuments with known datum information will be required to maximize horizontal and Vertical Control accuracy. RK&K will attempt to achieve a vertical error of $\pm 0.1'$. Accessible and accurate control monuments within a survey traverse up to 300' outside the project limits in Attachment A and based upon United States Geodetic Survey NAVD 88 datum will be needed to ensure this goal. Our crews may be able to achieve 0.1' vertical accuracy by establishing controls with a survey-grade GPS receiver. The GPS receiver is dependent on specific satellite orbit locations for accuracy and may not be accurate on the day of survey. If either of these methods are not possible, vertical control will be collected with up to a $\pm 0.3'$ tolerance. Horizontal Control shall be referenced to North Carolina Geodetic Survey datum, NAD83 2011 adjustment. A report will be created to detail the control used or established to develop the topographic survey data.

Planimetric Location and Mapping

The Engineer shall collect planimetric features using a survey grade data collection. Survey extents will be limited to 15,000 square feet of study area. The Engineer will perform a walk thru/classification of features to aid with labeling features. The survey data will include local bathymetric data and topographic data needed for design. Planimetric information shall include, but is not limited to the following:

- Marsh Delineation
- SAV Delineation
- Landscape areas, woods lines, and all trees in landscaped areas greater than 6" dia, and all ornamental trees shall be located by species and size.
- Utilities*
 - Storm drainage - location, size, type, top and invert elevations, inlet and outlet location both inside and one structure outside planimetric limits. Rim and invert

7/14/2023

- data will be collected with GPS receiver or conventional methods.
- Gravity sanitary sewer - location, size, type, top and invert elevations. Rim and invert data will be collected with GPS receiver or conventional methods.
 - Water - location, valves (including top of nut elevations where accessible), meters, hydrants, wells (as surveyed and/or identified by local County or Municipal records), and associated appurtenances.
 - Gas - location, valves, meters, vents and associated appurtenances.
 - Telephone – above ground appurtenances such as poles, pedestals, manholes and vaults (to include subsurface footprint).
 - Overhead utilities - location, poles, guys, markers, pedestals, pole number, equipment, vertical clearance at grade crossings, and type to include power, telephone, cable TV, traffic signal and other telecommunications and communication lines.
 - Underground utilities - location, pedestals, markers, and type to include power, telephone, cable TV, traffic signal and other telecommunications and communication lines.
- Owner names, addresses, phone numbers and contact persons shall be provided for all utilities when available.
- * Locations of non-gravity underground utilities will be based on 811 or County staff markings. RK&K will not mark or provide locates on underground utilities. Gravity utility (drainage and sanitary sewer) location will be based on above ground appurtenances and visual inspection and depth measurements to determine invert elevations that may be accomplished from the surface. The Engineer will not enter the manhole to determine inverts. Confined space investigation shall be considered Additional Services (Article II).

Concept Phase

During this phase, the Engineer will prepare a site suitability analysis and report with 25% design plans for the living shoreline demonstration site. 25% design plans shall consist of a title sheet and a plan sheet.

Design Phase

The Engineer shall develop 60% design plans and project special provisions in sufficient form and detail for constructability. All 60% designs for the Project shall conform to the appropriate NCDEQ guidance and/or the requirements of the County. 60% design plans shall consist of a title sheet, plan sheets, details sheet, and construction access plans for the selected living shoreline design. Draft educational materials will also be included.

Final Phase

The Engineer shall develop final plans and project special provisions in sufficient form and detail for the County to advertise for construction contracts. All final designs for the Project shall conform to the appropriate NCDEQ guidance and the requirements of the County.

The Engineer shall complete the final construction plans, incorporating and resolving all comments from the County and in such detail as to allow the County to advertise the proposed work for construction. The plans shall include a title sheet, existing condition, plan sheets construction access plan sheet, erosion control plan sheets, erosion control notes as well as details and notes sheets. Erosion control sheets will be intended to be incorporated into the greater Wright's Creek Park project and NCG01. Final educational material and site suitability report shall also be provided. The Engineer shall furnish one (1) hard copy set of 100% final construction plans and one (1) electronic set in PDF format, which will include final educational material and site suitability report documents, to the County for approval.

After final plans are reviewed by County staff, the Engineer shall furnish to the County one (1) electronic set (in PDF format) of sealed documents which shall include references to NCDOT specifications, special provisions, quantities, and sealed project plans.

Educational Materials

The Engineer shall research available public informational materials and draft education materials for shoreline erosion control using living shorelines. The Engineer will participate in one (1) virtual meeting with stakeholders to discuss the educational information. Once stakeholder feedback is received, final information to be included in outreach materials will be provided by the Engineer. Educational information will include signage and brochures.

Meetings, Coordination, and Project Management

Meetings and Coordination

The Engineer shall make available, at reasonable times, responsible staff members to meet with County staff to review the content and progress of the Project.

The Engineer shall provide routine project management and administration activities, including monthly progress reports, project letters/correspondence, and subconsultant coordination through the anticipated three (3) month duration.

MicroStation/GEOPAK

The Engineer shall prepare all plan sheets through a computer aided drafting and design system. At the time of delivery of project plans for bidding, the Engineer shall furnish to the County the final MicroStation/GEOPAK (Version 8i) design files, as represented by the final construction plans, excluding any extraneous working files.

Permitting Fees

The County will pay review fees associated with all permit applications and any mitigation fees required for the project.

Project Schedule

Plans shall reach a level of completeness necessary to apply for permits and approvals by November 7, 2023.

7/14/2023

ARTICLE II - Additional Services

If requested in writing by the County and accepted by the Engineer, the Engineer shall furnish or obtain from others Additional Services, which are not included under Article I. The Additional Services shall be paid for by the County at rates to be agreed upon by the County and the Engineer in writing. Equitable adjustments shall be made to the time of completion for the Additional Services.

ARTICLE III – Excluded Services

- Subsurface Utility Engineering (SUE) and location\
- Property Surveys
- Stream/Wetland Delineations
- Stream/Wetland Permitting
- Coastal Area Management Act (CAMA) Permitting
- NCDEQ / NG01 Erosion Control Permitting and Approvals (to be included with the overall Wrights Creek Park design)
- National Environmental Policy Act (NEPA) Services
- Private Utility Coordination
- Water/Sewer Relocation Design
- Easement Exhibits / Plats
- Bid Assistance (Pre-bid, Addenda, and Bid Opening)
- Construction Management, Observation, and Materials Testing
- As-Builts
- Public Meetings, County Council Meetings, Community Involvement
- Geotechnical Analysis and Design
- Cost Estimates
- Survey data sealed by licensed survey in the State of North Carolina
- Construction Staking
- Grant Administration
- Bulk Production Educational Materials
- Distribution of Educational Materials
- Geotechnical Analysis and Data Collection

ARTICLE IV – Data and Materials to be Provided by the County

- Current design plans for the greater park project
- Survey Control Data
- Front end documents including bond forms, bid forms, and minority business forms

ARTICLE V – Fee for Services**Project Fee**

A lump sum fee of \$19,700 for living shoreline demonstration site analysis and design and \$3,500 for education materials will be a total of **\$23,200**.

7/14/2023

Approval

In lieu of, or in advance of a formal Consultant Agreement between RK&K and Client, the following approval may be executed:

This proposal is approved by Client. The attached Standard Terms and Conditions to Proposal are incorporated by reference into and are part of this Proposal. If Client directs RK&K to proceed by signing this Proposal, both the Proposal and the Terms and Conditions are deemed accepted as soon as RK&K commences work at the direction of the Client.

Approved by Client:

Frankie Waters, Chairman
Beaufort County Board of Commissioners

Date

Approved by Client:

Anita Radcliffe, Finance Officer
Beaufort County Board of Commissioners

Date

Approved by RK&K:

B. Keith Skinner
Partner, RK&K

Date

7/14/2023

Attachment A

Project Limits



7/14/2023

**STANDARD TERMS AND CONDITIONS TO PROPOSAL FOR
CONSULTING ENGINEERING AND SURVEYING SERVICES
BETWEEN RUMMEL, KLEPPER & KAHL, LLP AND BEAUFORT COUNTY**

1. These Terms and Conditions apply to and are a part of Rummel, Klepper & Kahl, LLP's (RK&K) Proposal to Beaufort County, herein referred to as the "County," dated July 13, 2023. In the event of any conflict between these Terms and Conditions and the terms established in the body of the Proposal, the latter shall govern.
2. RK&K will perform its professional services in accordance with the prevailing standard of professional care for similar services in relation to projects of similar scope, size, and complexity. No warranties regarding the fitness, timeliness, or quality of professional services or work product are offered and no such warranties are implied.
3. County agrees to pay all invoices on receipt. After thirty days, interest shall accrue at the rate of one percent per month (simple). After forty-five days from receipt, RK&K may suspend services or terminate for default. County shall defend, indemnify, and hold RK&K harmless from all claims, liability, and damages incurred by County or others in the event of suspension for non-payment or termination for default. If, after a suspension for non-payment, RK&K is paid and agrees to resume services, County shall compensate RK&K for all start-up and remobilization costs associated therewith. In the event that legal action or other collection efforts are required to secure payment, County shall be liable for all reasonable costs, expenses, and attorney fees associated therewith.
4. RK&K's services are performed solely and exclusively for County. No third-party beneficiaries are or will be recognized.
5. RK&K assumes no responsibility for construction means, methods, sequences, safety precautions, or safety programs in connection with the construction of the Project. These responsibilities are reposed exclusively in the Construction Manager and/or General Contractor charged with executing the work described in the Construction Documents.
6. Any construction cost or time estimates offered by RK&K represent the opinion of RK&K as an engineer having familiarity with general construction costs and practices. RK&K does not warrant and shall not be responsible for actual construction costs or construction time.
7. County shall immediately bring to the attention of RK&K any errors or omissions observed in the services or work product of RK&K.
8. Performance of construction phase services, if any, shall not be construed to relieve the Contractor or Construction Manager from responsibility to perform the construction work in accordance with the Construction Documents and accepted industry standards. RK&K is not responsible for the Contractor's failure to perform the construction work in accordance with the Construction Documents.

9. County shall require the Contractor and/or Construction Manager to include RK&K as an additional named insured on all policies of insurance required by or procured pursuant to the Contract Documents.
10. County and RK&K waive all claims against each other and shall require similar waivers from their respective contractors and consultants to the extent of any losses covered by a builder's risk or other property insurance covering the property or the Project.
11. No set-offs are permitted except with respect to claims for which RK&K has been adjudicated liable.
12. Unless otherwise expressly required by the terms of the Proposal, RK&K shall have no liability or responsibility for the presence, handling, or disposal of hazardous or toxic materials on the site.
13. If County directs RK&K to perform services that are beyond the scope of the Proposal without first negotiating a lump sum fee, all such additional services shall be performed at 2.75 times direct personnel costs plus expenses.
14. RK&K shall be entitled to rely on Owner-furnished information, including information relating to the program, scope, and budget for the Project. If the Owner-furnished information is incorrect, or if it changes, RK&K shall be entitled to additional services compensation at 2.75 times direct personnel costs plus expenses based on the actual time required to adapt to the correct or new information and/or revise work product in connection therewith.
15. RK&K retains ownership of, and all intellectual property rights in, its instruments of service. County shall be entitled to use this work product for this Project only and provided that RK&K is paid in accordance with the Proposal and these Terms and Conditions.
16. County and RK&K agree to look exclusively to each other in the event of a claim arising out of the Proposal. Neither party will look to or make a claim against the principals or employees of the other.
17. County and RK&K agree to waive all claims against the other for consequential damages arising out of or relating to, the Proposal or the services. Consequential damages include, without limitation, loss of profits, loss of use, loss of opportunities, and any other expectation losses.
18. The Proposal and these Terms and Conditions, and all services performed in connection therewith, shall be governed by the substantive law of the State in which the Project is situated.
19. The Proposal and these Terms and Conditions are an integrated document. If any one or more of these Terms and Conditions is held to be invalid, the balance shall survive.

**BEAUFORT COUNTY TERMS AND CONDITIONS TO PROPOSAL FOR
CONSULTING ENGINEERING AND SURVEYING SERVICES**

1. Rummel, Klepper & Kahl, LLP (RK&K) is Limited Liability Partnership organized in the state of Maryland.

2. Primary contact and primarily responsible person for the contract will be the following:

<u>RK&K</u>	<u>Beaufort County</u>
Doug Keller	Brian Alligood
8601 Six Forks Road	121 W. 3 rd Street
Forum 1, Suite 700	Washington, NC 27889
Raleigh, NC 27615	(252) 946-0079
(919) 878-9560	

3. Beaufort County will have an opportunity to review and/or inspect the deliverables prior to final acceptance. Deliverables for engineering work shall be in the form of paper copy, as well as (CAD) format.

4. The contract will be paid on a lump sum (fixed fee) basis. RK&K will complete the design services detailed in Article I of the scope for the fixed fee regardless of any costs incurred by the contractor or owner. Any work completed outside of the scope of Article I of the Scope of Services will be considered additional work and will be grounds for additional compensation.

5. All invoices submitted under the contract will include the County's project number.

6. RK&K will assist any necessary audit process through the County's if necessary.

7. All mileage, copying, courier delivery, meals, postage, and other miscellaneous expenditures are included in the lump sum contract amount included within this proposal.

8. Contract documents for the construction contract will utilize base documents provided by Beaufort County as well as those required by NCDEQ.

9. RK&K will evaluate cost comparisons/alternates as the design progresses. Once plans have been approved at each milestone re-work associated with any alternatives will be considered additional work.

10. RK&K is capable in preparing an Engineer's opinion of probable construction cost with each major plan submittal. Any opinions of probable cost provided represent RK&K's good faith professional judgement in light of its experience, knowledge and the information reasonably available to RK&K at the time of preparation of the opinion. However, since RK&K has no control over the market, economic conditions or bidding procedures, RK&K does not make any guarantees or warranties whatsoever, whether express or implied, with respect to such opinions.

11. RK&K will update the schedule monthly or when milestones change and include the schedule with the invoice.



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Chairman Frankie Waters

Agenda Title: Request for Cleanup

Summary of Information: Chairman Waters would like the Board to consider cleaning up the garbage on the property located at 775 Magnolia School Road.

Submitter Recommendations/Motions: Staff will follow the Boards directions.

Attachments:

1. Email

Katie Mosher

Subject:

FW: Rosemary Hendry and 775/963 Magnolia School Road Property

From: Rosemary Hendry <rosemarybhendry@aol.com>

Date: July 20, 2023 at 12:01:35 PM CDT

To: fwaters50@gmail.com

Subject: Rosemary Hendry and 775/963 Magnolia School Road Property

Mr. Waters:

Thank you for your expedient response to my call and your call for action regarding the properties of 775 Magnolia School Road and 963 Magnolia School Road. Richardson told me that Shamel Lodge's name along with three or four other people's names is on the deed for 963. Because of past outs with particular extended family members connected to the property, I'm not excited about asking for ownership of it. In addition, I do not have the funds to build upon it at present and may not be able to do so in the future unless a miracle happens. I might pay the property tax if it isn't too much in arrears. Time will tell. Shamel's mother Karen Lodge-Johnson cussed me out after I gave her \$2,800 to move to NYC and she never stopped by to visit after saying she would.

Hood Richardson claimed he would find out who was dumping garbage on the lands but hasn't yet and I doubt he will even try. I look forward to getting a new surveyor to survey the land and for the tax collector's office and/or a lawyer to place my name back on the deed asap. I believe it's called adverse possession. I have receipts from over a decade ago where I paid the tax and Hood Richards for surveying the land placing columns in the ground to separate it from the neighboring cousins. He didn't measure it correctly and only two of the four columns can be seen. All of the land on the right side of 963 Magnolia School Road belonged to Olivia Mallison Moore and Ivy Moore who were my mother Lucy Mae Moore parents. She maid it heirs property. My siblings and any husbands signed quit claim deeds and I (under duress) signed another quit claim deed. Since my sister's (Ayanna Nkengi Kofi) sudden death in April of 2020, I resumed paying the taxes at 775 Magnolia School Road.

I would appreciate the land at 775 Magnolia School Road being cleaned up and that of 963 Magnolia School Road. Having some of the trees cut down would be a plus especiallu the one in front of 963. The Pecan tree behind where the house was at 775 Magnolia School Road is to forever remain where it is.

Rosemary Hendry
462 East 144th Street
Apt. 204
Bronx, NY 10454
(347) 373-7672
(347) 773-8803



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Discussion

Presenter: Commissioner Hood Richardson

Agenda Title: Beaufort County School Discussion

Summary of Information: Commissioner Richardson would like to discuss the following regarding the Beaufort County Schools:

1. Meeting With School Board on Improving Test Scores
2. Future of Ed tech
3. New Construction of School

Submitter Recommendations/Motions: Staff will follow the Boards direction.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Discussion

Presenter: Commissioner Hood Richardson

Agenda Title: Update on Cable TV Services

Summary of Information: Commissioner Richardson is requesting an update on the progress of cable TV service in the County and Optimum Cable Provider.

Submitter Recommendations/Motions: Staff will follow the Boards direction.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Commissioner Hood Richardson

Agenda Title: Register of Deeds Building

Summary of Information: Discuss and vote to construct a fireproof Register of Deeds building on the west side of Union Alley and to make the space now used by the Register of Deeds available to the Clerk of Court and others if desired.

Submitter Recommendations/Motions: Motion to construct a building for the Register of Deeds.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Commissioner Hood Richardson

Agenda Title: Jail Expansion

Summary of Information: To proceed with the build-out of the basement of the courthouse to increase jail facilities to provide additional cells and intake facilities. Funds to be appropriated from the 2023 \$5.6 million capital ordinance.

Submitter Recommendations/Motions: Motion to appropriate funds to build out the basement of the courthouse to increase jail facilities.

Attachments:

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Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Decision

Presenter: Commissioner Stan Deatherage

Agenda Title: Defense of Election Integrity Resolution

Summary of Information: Commissioner Deatherage would like the Board of Commissioners to consider voting in support of the attached resolution entitled "Resolution in Defense of Election Integrity".

Submitter Recommendations/Motions: Motion to approve resolution as presented.

Attachments:

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Resolution in Defense of Election Integrity

Whereas, in this Constitutional Republic of the United States of America, elections are conceived to be administered by state legislatures, Article I, Section 4, Clause 1, and whereby Beaufort County, as a body politic of the state of North Carolina, is charged with the local administration of these democratic elections for all local, state and federal elected offices, and;

Whereas, in all recent elections since 2016, where most notably the federal bureaucracy, in particular the Department of Justice and the FBI, have used their ominous offices of public power to commit Election Interference to sway public opinion to elect their preferred candidates, and;

Whereas, a majority of the Free Press and Big Tech Social Media and Search, guaranteed by the First Amendment's free speech provision, is proved to have colluded with not only the FBI and Department of Justice, but also, while not limited to, the Democratic Socialist Party, their most notable politicians, and the Deep State to create and channel the elevation of their preferred speech, while restricting non preferred Free Speech by all means available, including political speech that is contrary to their colluded mission, and;

Whereas, in a Constitutionally mandated Representative Republic, it is imperative that the public have the equal opportunity to know what is true about their government, and their representative political leaders, so that the most basic guaranteed freedom - the Right to Vote to be fairly represented in this Representative Republic - is preserved now and for future generations so they may choose wisely when voting, and;

Whereas, even in North Carolina, where Beaufort County is an integral part, election irregularities did exist across the state in the administration of the 2020 general election, **therefore**,

Be it Resolved, that the Beaufort County Commissioners do hereby formally request that our elected representatives to the North Carolina General Assembly do all that is politically possible to insure that all future elections be free and fair, while conducted by the utmost integrity, and furthermore, that the North Carolina congressional delegation do all that is within the scope of their constitutional powers to eliminate all corruption from our federal institutions within our government of this Constitutional Republic of we, a self-governed people.

Written by Beaufort County Commissioner Stan Deatherage to be ratified on August 7, 2023 and sent by email to all members of the North Carolina General Assembly, and to all members of the North Carolina congressional delegation.

Adopted this the 7th day of August, 2023.

Frankie Waters, Chairman
Beaufort County Board of Commissioners

Kathleen Mosher
Clerk to the Board



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Closed Session

Presenter: Brad Hufford, Economic Development Director

Agenda Title: Closed Session - Economic Development

Summary of Information: A motion is needed to go into Closed Session for economic development under North Carolina Statute 143-318-11(a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in open session.

Submitter Recommendations/Motions: Motion to open and close Closed Session under NC Statute 143-318-11(a)(4) for economic development.

Attachments:



Beaufort County
Agenda Abstract

Meeting Date: 8/7/2023

Agenda Section: Item for Discussion

Presenter: Katie Mosher, Clerk to the Board

Agenda Title: Commissioners Comments

Summary of Information: During the June 7, 2021, Board of Commissioners meeting it was agreed that each Commissioner would be allowed two (2) minutes to speak at the end of each meeting.

Submitter Recommendations/Motions: N/A

Attachments:

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