

**REGULAR SESSION MINUTES OF THE  
PAMLICO COUNTY BOARD OF COMMISSIONERS  
MONDAY, MARCH 18, 2019**

The Pamlico County Board of Commissioners met in regular session on Monday, March 18, 2019 at 7:00 pm in the Patsy H. Sadler Room of the Pamlico County Courthouse. All Commissioners were present. Also present were County Attorney Dave Baxter, County Manager Tim Buck, Finance Officer Bill Fentress, and Clerk to the Board Courtney L. Norfleet.

Chairman Paul Delamar called the meeting to order.

Chairman Paul Delamar declared the Hearing Regarding Excise Tax Refund for a Recorded Deed open. On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Candy Bohmert, the following resolution was unanimously approved.

**BE IT RESOLVED, the Pamlico County Board of Commissioners hereby approves refunding one \$60 Excise Tax fee for a Recorded Deed to Mr. Chris Venters.**

Chairman Paul Delamar asked if there were any additions, and/or deletions to the agenda. There were three (3):

On a motion made by Commissioner Missy Baskervill and seconded by Commissioner Ed Riggs, the following was added to the Consent Agenda.

- Recommendation from County Manager and County Attorney regarding Water Department Policy Changes – **Item 4a**

On a motion made by Commissioner Doug Brinson and seconded by Commissioner Pat Prescott, the following was added to the Correspondence Agenda.

- Resolution Opposing Bridge Replacement – **Item 12**

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, the following was added to the Consent Agenda.

- Budget Amendment – **Item 3a**

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Candy Bohmert, the following resolutions were unanimously approved.

**BE IT RESOLVED, the following Tax Relief and Release is hereby approved.**

<b>Name:</b>	<b>Year</b>	<b>Tax/Ticket</b>	<b>Reason</b>	<b>Amount</b>
Spruill Family Farms LLC / Alston Spruill Jr	2014	6555895	Current owner pd previous owner principal. Current owner not notified of bill in prev owner name. Ckd multiple times	\$ 721.97

**BE IT RESOLVED, the following Budget Amendments are hereby approved.**

***Department: Inspections***

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
104350-529000	Departmental Supplies		\$ 1,000.00
104350-519900	Contracted Services	\$ 1,000.00	

***Reason for Budget Revision:*** To transfer funds due to Hurricane Florence unforeseen expenses from Departmental Supplies to Contracted Services to cover Systel copier contract.

***Department: Sheriff's Department***

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
104310-529000	Departmental Supplies		\$ 300.00
104310-521200	Uniforms	\$ 300.00	

***Reason for Budget Revision:*** To cover anticipated overage in uniform expenditure line.

***Department: Water Department***

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
307120-555000	Capital Outlay		\$ 600.00
307120-532000	Telephone	\$ 200.00	
307120-532001	Postage	\$ 200.00	
307120-533001	Water & Sewer	\$ 200.00	

***Reason for Budget Revision:*** To move money to cover anticipated line item overruns.

*Department:* **Health Department**

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105165-518200	Health Promotion Retirement Expense	\$ 255.00	
105165-537000	Health Promotion Advertising		\$ 255.00

*Reason for Budget Revision:* To move money to cover program shortages.

*Department:* **Health Department**

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105168-519900	WICN Contracted Services		\$ 4,000.00
105167-519900	WIC Contracted Services		\$ 10,000.00
105167-512100	WIC Salaries & Wages		\$ 6,000.00
105167-523900	WIC Medical Supplies		\$ 640.00
105169-512100	WIC Breast Feeding Salaries & Wages	\$ 5000.00	
105169-518100	WIC Breast Feeding FICA	\$ 300.00	
105169-518300	WIC Breast Feeding Group Insurance	\$ 600.00	
105171-512100	WIC Salaries & Wages	\$ 12,500.00	
105171-518100	WIC FICA	\$ 470.00	
105171-518200	WIC Retirement	\$ 750.00	
105171-518300	WIC Group Insurance	\$ 1,020.00	

*Reason for Budget Revision:* To move money to cover shortages throughout the WIC Programs.

*Department:* **Health Department**

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105110-518101	General Medicare Expense	\$ 1,500.00	
105110-518300	General Group Insurance	\$ 12,000.00	
105110-518500	General Unemployment Insurance	\$ 2,000.00	
105110-512105	General Insurance Supplement	\$ 500.00	
105110-531000	General Travel		\$ 3,000.00
105110-519900	General Contracted Services		\$ 2,000.00
105110-535100	General M & R Grounds		\$ 2,000.00
105110-535200	General M & R Equipment		\$ 3,000.00
105110-549100	General Dues & Subscriptions		\$ 3,000.00
105110-538100	General Programming		\$ 3,000.00

*Reason for Budget Revision:* To move money to cover program shortages.

*Department:* **Health Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105191-531000	Food & Lodging Travel		\$ 300.00
105191-529000	Food & Lodging Departmental Supplies	\$ 300.00	

*Reason for Budget Revision:* To move money that was moved to cover travel expenses until grant money was received. Grant monies have been received and deposited.

*Department:* **Health Department**

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105182-512100	Mosquito Control Salaries & Wages		\$ 35.00
105182-518100	Mosquito Control FICA	\$ 2.00	
105182-518300	Mosquito Control Group Insurance	\$ 33.00	

*Reason for Budget Revision:* To move money to cover program shortages.

*Department:* **Health Department**

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105160-512600	Child Health Salaries & Wages P/T	\$ 725.00	
105160-512100	Child Health Salaries & Wages		\$ 725.00

*Reason for Budget Revision:* To move money to cover program shortages.

*Department:* **Health Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105180-518100	Environmental Health FICA	\$ 3,210.00	
105180-518600	Environmental Health Worker's Comp	\$ 1,790.00	
105180-549100	Environmental Health Dues and Subscriptions		\$ 200.00
105180-537000	Environmental Health Advertising		\$ 100.00
105180-531000	Environmental Health Travel		\$ 50.00
105180-529005	Environmental Health Safety Supply & Equip.		\$ 250.00
105180-538100	Environmental Health Programming		\$ 800.00
105180-525100	Environmental Health Auto Supplies		\$ 1,800.00
105180-518101	Environmental Health Medicare Expense		\$ 1,000.00
105180-532000	Environmental Health Telephone		\$ 800.00

*Reason for Budget Revision:* To move money to cover program shortages.

*Department:* **Health Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100211-435114	Mosquito Abate 912 Revenue	\$ 26,327.00	
105182-529000	Mosquito Departmental Supplies	\$ 26,327.00	

*Reason for Budget Revision:* Additional funding received by State.

*Department:* **Health Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100211-435164	Maternal Health Revenue	\$ 700.00	
105163-529000	Maternal Health Departmental Supplies	\$ 700.00	

*Reason for Budget Revision:* Additional funding received by State.

*Department:* **Health Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100211-435125	AIDS State	\$ 100.00	
105190-529000	HIV/STD Departmental Supplies	\$ 100.00	

*Reason for Budget Revision:* Additional funding received by State.

**Department: Health Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100211-435163	Child Health Revenue	\$ 20,757.00	
105160-529000	Child Health Departmental Supplies	\$ 20,757.00	

*Reason for Budget Revision:* Additional funding received by State.

**Department: Water Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
307140-555000	Field Operations Capital		\$ 20,000.00
307140-519900	Field Operations Contract Services	\$ 20,000.00	
307140-519200 KER	Field Operations Professional Services		\$ 1,500.00
307140-537000	Field Operations Advertising	\$ 300.00	
307140-531000	Field Operations Travel	\$ 1,200.00	

*Reason for Budget Revision:* To move money to contracted services to finish out fiscal year, to cover advertising short fall and upcoming expenses for required notices, and travel for required training to be completed.

**Department: Soil Conservation**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
104961-529005	Safety Supplies & Equipment	\$ 1,412.31	
104961-531000	Travel		\$ 648.26
104961-526000	Office Supplies		\$ 7.45
104962-531000	Travel		\$ 727.00
104962-532001	Postage		\$ 29.60

*Reason for Budget Revision:* To move money to purchased required equipment requested by the District Board.

*Department:* **Water Department**

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<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
307120-512700	Longevity	\$ 2,250.00	
300226-430010	Contribution from General Fund	\$ 2,250.00	
104130-512700	Longevity		\$ 2,250.00
100000-439900	Fund Balance Appropriations		\$ 2,250.00

*Reason for Budget Revision:* To move funds to cover longevity for employee that transferred from finance department to water department.

*Department:* **Health Department**

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
100211-435155	BCCCP Revenue	\$ 5,100.00	
105159-519900	BCCCP Contracted Service	\$ 5,100.00	

*Reason for Budget Revision:* Additional money received from the state.

*Department:* **DSS**

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
105000-555000 CTHSE	Buildings Capital Outlay		\$ 5,000.00
105310-535600	DSS M & R Building	\$ 5,000.00	

*Reason for Budget Revision:* To move funds to cover heat pumps.



*Department: Recycling*

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**FISCAL YEAR 2018-2019**

<b>ACCOUNT NUMBER</b>	<b>ACCOUNT DESCRIPTION</b>	<b>AMOUNT (+) INCREASED</b>	<b>AMOUNT(-) DECREASED</b>
104721-525100	Auto Supplies	\$ 14,000.00	
104721-519900	Contracted Services		\$ 6,000.00
104721-529000 MAJ	Dept Supplies		\$ 2,000.00
104721-535100	M & R Grounds		\$ 6,000.00

*Reason for Budget Revision:* To cover budget line overrun.

**BE IT RESOLVED, the proposed changes to the Water Department Rules and Regulations are hereby approved.**

**RULES & REGULATIONS FOR  
PAMLICO COUNTY WATER DEPARTMENT**

## ARTICLE I - SERVICE CLASSES

All services are classified under one of two categories:

Residential – to include all ¾ inch and 1 inch sized meters

Commercial – to include all meters greater than 1 inch in size.

Water service provided for a specific lot will be used on that lot only. Multiple users from a single ¾” meter are prohibited whether it involves the same or different classes of service. For purposes of this article, user is defined as lot owner. (WATER SERVICE MAY BE TERMINATED UPON DISCOVERY.)

## ARTICLE II – RATE SCHEDULE/TAP-ON FEES

### A. Rate Schedule

**All customers will be billed a fixed facility fee and usage fee per the approved fee schedule. Said fee schedule is attached hereto as Appendix “A” and is incorporated herein by reference.**

Trailer courts/parks and other multi-dwelling users served through on meter will be billed based on the size of the meter at the published rate schedule.

Trailer courts/parks and multi-dwelling water service will require the following meter services:

1 trailer/ dwelling – ¾” meter service

2-5 trailers/dwellings – 1” meter service

6-20 trailers/dwellings – 2” meter service  
All services for more than 20 dwellings will be designed on a per customer basis.

NOTE: Trailer courts/parks will be defined as a tract of land on which spaces are rented or leased for the purpose of maintaining a trailer, mobile home, or modular home for overnight accommodations of one or more people.

**Cost of Service installations will be paid by owner of the property before installation of the water meter. A request for new tap should be made at least four (4) weeks to six (6) weeks in advance of desired service date.**

### B. Tap-on Fees

1. Tap-on Fees will be charged for providing water service to any location – Residential or Commercial. All tap-on fees will be paid **prior** to installation and will be charged at the rate currently in effect at the time of application. Tap on fee rates are approved annually by the Board of County Commissioners of Pamlico County. Said fee schedule is attached hereto as Appendix “A” and is incorporated herein by reference.

C. Assessment Fees

1. In addition to the above fees required by the Water Department, any and all assessment fees imposed must be paid prior to service installation.

### ARTICLE III – APPLICATION FOR SERVICE

A. Application for Water Service

Service will be supplied only to those consumers who have completed the written application form and paid the required fees and/or deposits. At the time of application submission, all deposits and account activation fees will be required. The consumer is asked to provide a Social Security Number, as well as adequate proof of identification (valid driver’s license or other official picture ID),

The Water Department Office Supervisor will review and consider the following factors in approving an application for service:

*Applicants record of paying utilities at previous residences*

*Applicants right to establish water service at the applied location*

*Availability of service at the requested location.*

3. Based on review of the application, the following information may be requested:
  - a) *The consumer may be asked to appear in person to sign the application form or to send a notarized application form directly to the Water Department Business Office.*
  - b) **Proof** *of right to establish water service on the property. Such proof can be provided by deed (for owners) or lease (for renters or tenants).*
4. Service will be cut-on prior to 5:00 pm, if possible, on the date of application. If not, service may be provided on the next **working** day, unless the consumer pays the after hour's fee per the approved fee schedule. After hours fees apply to applications received after 4:00 pm. No new or re-activated service will be supplied on weekends.

The Water Department may reject any application for service not available under a standard rate or which involves excessive service cost, or which may affect the supply of service to other customers or for other good and sufficient reasons, in which case the account activation fee will be refunded

For violation of any of the provisions of these Rules & Regulations, the Water Department may discontinue service. The Water Department must mail written notice to the address on record for the consumer of the violation and provide fifteen (15) days for correction of said violation. If water service is discontinued, all delinquent service bills and any applicable fees must be paid in full to service re-installation.

#### ARTICLE IV – DEPOSITS

A. Renters or tenants are required to make a minimum deposit as set by the Pamlico County Board of Commissioners. Said fee schedule is attached hereto as Appendix “A” and is incorporated herein by reference. There will be no water deposit required for property owners, if the property owner is the responsible party for the water account. (At the discretion of the Water Department Office Manager, ownership will be determined by presentation of deed at the time of application.)

Where a deposit is required, a separate deposit will be made for each individual account.

Deposits will not draw interest, and will be credited to the account upon presentation to the Water Department of a registered deed showing the renter or tenant is now the legal owner of said property.

Once service is discontinued, any deposit will be applied toward the final billing for each account. Any amount remaining will be refunded to the consumer at the address on record at the time of final billing. Refunds will be issued from the Pamlico County Finance Office, approximately two (2) weeks after the end of the month in which the water account is closed and service is discontinued.

If a property owner elects to have the tenant be responsible for water service only during the rental period, and then elects to be responsible during any periods of vacancy, the property owner must agree, in writing, with the Water Department to such an arrangement. The property owner's account will immediately be reactivated and an account activation fee will be charged per the approved fee schedule upon notification from the tenant that water service is to be terminated. Property owners should contact the Water Department after a renter has moved out to be certain renter closed account. This will only apply to rental property.

#### ARTICLE V – TEMPORARY WATER SERVICE

- A. Effective April 1, 2019, floating meters will not be assigned.
- B. Use of a fire hydrant by unauthorized personnel is strictly prohibited. Use of a fire hydrant for temporary water service may be permitted under the following conditions:
  - 1. Interested party must complete an Application for Use of Public Fire Hydrant for Temporary Water Service Permit with Hydrant Meter and pay the required fees and deposits per the approved rate schedule.
  - 2. Applicant must agree to the following provisions:
    - a) In no cases will hydrant hoses be allowed to traverse areas exposed to vehicular traffic.
    - b) If a hydrant and/or shut-off valve and/or backflow prevention device is damaged, it is the Applicant/Customer's responsibility to contact the Pamlico County Water Department.
    - c) The Applicant/Customer will be responsible for any property damage at or near the hydrant, due to using any hydrant device.
    - d) The Applicant/Customer agrees to assume liability for personal/personnel safety when operating and/or using hydrant device attached to a public fire hydrant.
    - e) Pamlico County Water Department reserves the right to inspect and test hydrant devices at its discretion.
    - f) Pamlico County Water Department reserves the right to limit specific hydrants.
    - g) The device cannot be altered or disassembled. If altered or disassembled, the Applicant/Customer will be charged for time and damages at the prevailing rate.

- h) Failure to comply with the provisions of this application (and/or if the permit is used by a different person or Applicant/Customer other than the name for which it is issued and if there has been any false statements or misrepresentations as to the condition or activity listed on the permit) will result in revocation or suspension of the permit.
- 3. There are a limited number of hydrant meter assemblies available for rental: therefore, hydrant meter assemblies are available on a first come first serve basis. Temporary hydrant meters are not allowed to be used as a permanent source of water to any business, customer, or facility.
- 4. It is understood that the Applicant/Customer assumes responsibility for the hydrant and the hydrant meter assembly (backflow assembly, meter and all appurtenances) during the rental period. The Applicant/Customer agrees to be financially liable for any and all damages to either the meter assembly or the fire hydrant, including damages that occur due to freezing, vandalism, theft or operation of the fire hydrant that occur during the rental period. All cost associated with theft or damage to a hydrant or hydrant meter assembly that occur during the rental period will be billed to the Applicant/Customer. The Applicant/Customer will not be allowed to rent a hydrant meter assembly until all damages, repair cost and/or replacement parts have been paid for in full.
- 5. Violations of the Pamlico County Water Department Rules and Regulations and/or this temporary hydrant meter rental agreement may result in the removal of the meter and no money will be refunded.

## **ARTICLE VI – MISCELLANEOUS**

A. The initial and/or minimum charge for each water account is established by the current rate schedule, and will be charged for each water account, even when there is no recorded usage of water.

To accommodate seasonal occupants or for other reasons, at the request of consumers, water department staff, will at no charge turn the water valve off at the meter. The account will remain active and be billed monthly according to the approved fee schedule.

For rental property, the property owner will be responsible for the tap-on fee as outlined by the current rate schedule. Property Owners may elect to remain the responsible party for water accounts where renters or tenants reside. However, the Water Department will bill the property owner and pursue the property owner for any delinquent accounts. Should property owner have one or more active accounts with the Water Department, service may be terminated to all meters should an account become delinquent.

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## ARTICLE VII – COUNTY RESPONSIBILITY AND LIABILITY

A. The County will run a service line from the distribution line to the consumer's property line. The meter will be located at the public right of way on which a water main exists.

The County may install a meter at the property line or, at the County's option, on the consumer's property, or on a location mutually agreed upon.

When two (2) or more meters are installed on the same premises for different consumers, the meters will be grouped closely, but each will be designated as to which consumer is serviced by the meter. Property easements will be required to be notarized and recorded with the Register of Deeds for each meter placed on the property owned by another party.

Under no conditions will cross-connections with County System be permitted. All connections must be compliant with the Pamlico County Water Department Cross Connection Policy found in Appendix "B" of this document and incorporated herein by reference.

The County will not be liable for damage of any kind whatsoever resulting from water or the use of water on the consumer's premises, unless such damage results directly from negligence on the part of the County. The County will not be responsible for any damage done by or resulting from any defect in piping, fixtures, or appliance on the consumer's premises. The County will not be responsible for negligence of third party persons or forces beyond the control to the County resulting in an interruption of service.

## ARTICLE VIII-ADJUSTMENTS

- A. A customer with a high water bill due to a leak or busted pipe may request that the Water Department make an adjustment to the account in question.
- B. The customer shall make application for adjustment. The customer shall provide all requested information to the best of his or her knowledge.
- C. To be eligible for an adjustment:
  1. The customer must make application for adjustment no later than the end of the month immediately following the due date of the bill reflecting the leak or busted pipe (no swimming pool or irrigation adjustments are given). This provision is effective for any leak adjustment applications submitted on or after July 1, 2018.
  2. The customer has not been granted a leak adjustment for a different leak on the same account within the last twelve (12) months.

3. The water bill to be adjusted is at least double the average bill for the proceeding twelve (12) month period. For leak adjustments where the consumer has less than twelve (12) months usage, the estimated normal usage will be figured using the current American Water Works Association number of gallons of water used per day per person of 88 gallons multiplied by the number of people in the household (number to be reviewed annually).
  4. All needed repairs or actions to prevent any further loss of water have been made.
- D. The bill will be adjusted to the average bill for the proceeding twelve month period. For example, a customer whose average bill is \$30 a month with a leak causing their bill to increase to \$100 would see \$70 of the leaked amount adjusted off of the bill. Therefore, the water bill after the adjustment would be  $\$100 - \$70 = \$30.00$ .
  - E. If it is determined that the leak occurred during a period which overlaps two consecutive billing periods, both bills may be adjusted provided both bills qualify for adjustment. No more than two bills may be adjusted for each request.
  - F. The office supervisor shall review the application to determine the eligibility of the request.
  - G. If the office supervisor denies a customer a leak adjustment, the customer may request a hearing with the County Manager to appeal the decision. The County Manager will determine if the Office Supervisor followed policy when making a decision. If the County Manager determines that the Office Supervisor did not follow policy, it may reverse the decision. At the request of the customer, any request made by the customer outside of policy may be forwarded to the Water Committee for consideration. The Water Committee will render a decision on the request and forward the results of the decision to the full Board of Commissioners for review. Any member of the Board of County Commissioners may request the Water Committee to reconsider the issue or bring the issue before the Board of Commissioners.

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## ARTICLE IX – CONSUMER’S RESPONSIBILITY

A. Piping of the consumer’s premises must be conveniently located with respect to the County’s lines or mains.

If the consumer’s piping is so arranged that the County must provide additional meters, each metering will be considered a separate and individual account.

A suitable place will be provided by the consumer for placing a meter to ensure unobstructed access for the meter reader or service personnel at all times. If a meter is obstructed, the customer will be sent a written request to remove the obstruction within 15 days. Should the consumer fail to remove the obstruction, the obstruction may be removed at the owner’s expense or the service will be terminated.

The consumer’s piping and apparatus will be installed and maintained at his/her expense in a safe and efficient manner in accordance with the County’s rules and full compliance with the sanitary regulations of the State Board of Health.

The consumer will furnish and maintain a private cut-off on his/her side of the meter, and the County will provide a cut-off valve on its side thereof.

In the event that any loss or damage to the property of the County or any accident or injury to persons or property is caused by or results from negligence or wrongful act of the consumer, his/her agents, or employees, the cost of the necessary repairs or replacements will be paid by the consumer to the County; and any liability otherwise resulting will be assumed by the consumer. The cost will include parts and materials along with a service fee as stated in the approved rate schedule.

The consumer shall guarantee proper protection for the property of the County located on the consumer’s premises and permit access by authorized representatives of the County.

## ARTICLE X – ACCESS TO PREMISES

A. Duly authorized agents of the County will have access at all reasonable hours to the consumer premises for the purpose of installing or removing county property, inspecting piping, reading or testing meters, or for any other purpose in connection with County service and facilities.

- B. Each consumer will grant or convey, or cause to be granted or conveyed, to the County, a perpetual easement and right-of-way across any property owned or controlled by the consumer whenever the same is necessary to accommodate the necessary county water facilities and lines.

#### ARTICLE XI – CHANGE OF OCCUPANCY

- A. A request for discontinuance or transfer of service should be made at least three (3) days before the desired effective date.
- B. The outgoing party will be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longest. The new tenant or owner will be charged an account activation fee, plus any required deposits and/or fees, prior to extension of service.

#### ARTICLE XII – EXTENSIONS TO MAINS AND SERVICES

- A. The County may extend its water lines to points within the service area if the consumer makes application for service and advances to the County the entire cost of installation.
- B. A written contract will be entered into between the applicant and the County. Such contracts will be approved by the Board of Commissioners.
- C. All water line extensions will be constructed in accordance with the manual “Requirements For The Design and Construction of Water System Extensions for Pamlico County,” as approved by the Board of Commissioners on March 13, 1989, as amended.
- D. The following terms and conditions shall apply when a water line must be extended to serve a New Subdivision.
  - 1. The developer must submit water line plans and specifications to the Pamlico County Manager in advance for review and approval by the County. These plans must meet the North Carolina Administration Code - Rules Governing Public Water Systems, and also must meet Pamlico County’s (“County”) then-current requirements. Such plans and specifications shall then be submitted to NCDENR-Public Water Supply (“DENR”) in the name of Pamlico County upon payment of all required fees.
  - 2. The developer shall be charged any applicable fees as set forth in the approved fee schedule.
  - 3. Once an Authorization to Construct has been issued by the DENR pursuant to 15A NCAC 18C Section .0300 (as may be amended), the developer shall install the water lines in accordance with the approved plans and specifications.

4. All work shall be subject to the inspection and approval of the County and its engineer. The developer shall reimburse the County for any cost that may be incurred by the County during inspection, including but not limited to engineering and inspection fees.
5. Upon the issuance of the Final Approval from DENR of the construction of all water lines and improvement related thereto pursuant to 15A NCAC 18C Section .0300 (as may be amended), and issuance of an Operations Permit (if applicable), the developer shall:
  - a. Request in writing that the extension be dedicated to Pamlico County;
  - b. Convey title to the completed facility and water lines and appurtenances thereto, including all permits, franchises and authorizations, to the County;
  - c. Provide an easement for all necessary right-of-ways, authorizations, and other needed instruments for the operation and maintenance of the facility, together with an opinion on title from an attorney licensed to practice law in the State of North Carolina, evidencing that the developer has the right to execute such instruments and that they are valid and binding;
  - d. Reimburse the County for any legal and engineering costs that it may have incurred;
  - e. Provide as-built plans and details as required by the County; and
  - f. Execute any and all other documents reasonably requested by the County.
6. After the County accepts the completed extension, the developer shall provide full warranty on the extension for a period of one (1) year, starting on the day of acceptance by the County.
7. The County shall not be required to provide water to the New Subdivision until the completed extension is accepted by the County in accordance with the requirements of this Policy.

#### E. New Subdivisions Not Requiring Water Line Extensions

1. The developer shall be charged applicable fees as established by the Board of Commissioners

F. Existing Subdivision Lots and Other Parcels of Land

1. The following terms and conditions shall apply to all subdivision lots, and other tracts and parcels of land, existing as of the effective date of this Policy; and to all other newly created lots or tracts of land created after the effective date of this Policy which are exempt from the Pamlico County Subdivision Ordinance.
  - a) Upon an application for new water service, the applicant shall be required to pay any applicable fees as required by the approved fee schedule.

G. The County policy for extending water distribution lines at the expense of County will be as follows:

1. The extension of a water main along a public or private road qualifies to be considered feasible if the cost thereof does not exceed \$4,000 per user. For purposed of this section, "User" will mean owner of property with an occupied dwelling or building under construction with valid building permit who has demonstrated, in writing, their willingness to receive service and who has paid the required fees and/or deposits. Extensions must be approved by the Board of Commissioners on a case by case basis.
2. "User" as the term is used in Section 1, may mean a lot in a residential subdivision, the developer of which seeks to be served by the extension if:
  - a) The developer, prior to letting of the contract by the County for the extension, obligates in writing to reimburse the County for all costs of the extensions immediately upon completion, and
  - b) Secures his/her obligation by depositing the estimated cost of the project in escrow at no interest with the Finance Officer at the Pamlico County Finance office, and
  - c) Immediately upon completion of the project, the developer reimburses the County for all costs of the project.

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3. Public roads for purpose of these regulations are roads which are maintained by the Department of Transportation.
4. Upon completion of the new extension on private road, the property owner will convey title to the completed facility, including all right-of-ways, easements, permits, franchises, and authorizations to the County without consideration or remuneration by deed, bill of sale, or other appropriate instruments.

#### ARTICLE XIII – BILLING AND COLLECTION

- A. Water meters will be read every month by the contracted meter reader, unless extenuating circumstances, such as hurricane, snow storm, etc., prohibit the Water Department from securing the readings. In the event actual readings are unavailable, an average of the previous six months readings will be used for billing purposes.
- B. Meter readings that are determined to be in excess of consumer's normal average usage will be re-read by the Water Department personnel. Prior to receiving billing for high usage, the Water Department will attempt to contact the consumer by telephone or mail whenever possible.**
- C. Bills for water will be figured in accordance with the published rate schedule currently in effect, and will be based on the amount consumed for the period covered by the meter reading, except where a consumer requests termination of water service less than one month after previous reading. In such case, the bill will be at least the minimum fixed rate.
- D. Charge for services commences when the meter is installed.
- E. Readings from different meters will not be combined for billing, irrespective of the fact said meters may be for the same or different premises, or for the same or different consumers, or for the same or different services.
- F. All bills are due the last day of the current month. If a bill is not paid by the 15<sup>th</sup> day of the month after the due date, the water service associated with the past due bill is subject to being discontinued.**
- G. Any consumer may be granted an extension for payment to the end of the month following the due date on the bill. In order to be granted an extension, the consumer must agree to pay the past due and current bill for each account for which an extension is granted. No extension will be granted if a service is discontinued for nonpayment.

- H.** Extensions shall be granted only three (3) times per calendar year and must be paid, in full, before another extension will be granted. An extension may only be authorized by the Utilities Office Supervisor.
- I.** Failure of a consumer to receive a bill does not constitute a defense to a delinquent charge.
- J.** A consumer may arrange to pay the monthly water billing by bank draft, subject to the following rules:
  - 1. The consumer shall deliver to the Water Department instruments in writing, satisfactory to the drawee bank, authorizing drafts from the account.
  - 2. The Water Department will draft the consumer's account on or after the 25<sup>th</sup> day of the month.
  - 3. If a draft should be returned by the bank, for any reason there will be added to the consumer's account the same penalty and conditions as charged by the County for a returned check.
- K.** With approval of the Water Committee, the County Manager can authorize payment arrangements on a case by case basis.

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## ARTICLE XIV – SUSPENSION OF SERVICE

- A. Water service terminated for non-payment will be restored only after the account balance is paid in full and all fee(s) are paid for each meter reconnected. A reconnect fee will be added for each water and sewer service upon termination of service for non-payment. Service will only be restored during regular working hours. If reconnect is requested after **4:00 pm**, an additional after hours fee will apply as specified in the approved fee schedule and must be paid prior to service being restored. To ensure the safety of our servicemen, there will be no service reconnections after 9 pm. **If an account is cutoff for non-payment, and payment is not received within 5 days, the account may be closed, deposits credited to account, and a final bill will be sent.**
- B. The Water Department reserves the right to discontinue service, without notice, for any of the following reasons:
1. To prevent fraud or abuse
  2. Consumer willful disregard of the County rules and regulations
  3. Discovery of multiple users on a  $\frac{3}{4}$ " meter
  4. Emergency repairs
  5. Insufficient supply of water due to circumstances beyond the control of the Water Department
  6. Legal processes
  7. Direction of public authorities
  8. Strike, riot, fire, flood, accident, or other unavoidable cause
  9. Discovery of a cross-connection
- C. The Water Department may, in addition to exercising any and all other remedies provided by law, permanently refuse service to any person, firm, or corporation who has violated the provisions of Subchapter VI, Criminal Trespass, Article 22, Section 14-151.1 of the General Statutes of North Carolina. In accordance with section (d) of this statute, anyone who tampers with, alters, or bypasses a water meter will be fined triple the amount of losses and damages sustained or five hundred dollars (\$500.00), whichever is greater.

1. 14-151.1 Interfering with electric, gas or water meters; prima facie evidence of intent to alter, tamper with or bypass electric, gas or water meters: unlawful reconnection of electricity, gas, or water; civil liability.
2. **TAMPERING, for this purpose, is defined as “any interference with any water meter or water line with the willful intent to access water without payment”**

D. Each water service account will be treated as a separate entity for purposes of termination for non-payment, regardless of the name in which the account is registered. However, if the consumer moves and does not pay the final bill for a location, the service will be terminated at any new or existing location for which this consumer is responsible. (NOTE: For consumers with one or more accounts, all water service may be terminated should any account become delinquent.)

E. Water service accounts are subject to immediate termination if a check (or bank draft) accepted for payment is returned unpaid by the consumer’s bank. A returned check fee, as authorized by GS 25-3.512 will be added to the water service account and a letter mailed notifying the consumer of this action, allowing ten (10) calendar days for repayment with cash or certified funds. After three (3) returned checks (or bank drafts) within a 36 month period, the Water Department will accept only certified checks, money orders, or cash for payment.

F. Water service can be terminated or discontinued by either consumer request or by the Water Department. Once service is terminated, the water meter will be locked and service will only be restored when an application is completed and the proper fees and/or deposits are paid.

## **ARTICLE XV – COMPLAINTS AND ADJUSTMENTS**

- A. If the consumer believes the water service billing to be in error, the claim must be presented, in person, at the Water Department prior to the bill becoming delinquent. The claim, if made after the billing becomes delinquent, will not be effective in preventing termination of service. The consumer may pay such bill under protest and said payment will not prejudice his claim.
- B. The Water Department will make special meter readings at the request of the consumer for a fee as defined in the approved rate schedule, unless such reading discloses the meter has been read incorrectly, in which case there will be no charge.

Pamlico County is an equal opportunity provider and as such no person on the basis of race, color, national origin, sex, religion, age, or disability is to be excluded from participation in, admission or access to, denied the benefits of, or otherwise be

subjected to discrimination under any of this Department's programs or activities. The person responsible for coordinating this Department's nondiscrimination compliance efforts is the County Manager. Any individual or specific class of individuals, who feels that this Department has subjected them to discrimination, may file a written complaint to Pamlico County Manager, P.O. Box 776, Bayboro, NC 28515.

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**BE IT RESOLVED**, the request for approval of Board of Health Meeting / Training March 25, 2019 at 6:00 pm in the Commissioner's Meeting Room is hereby approved.

**BE IT RESOLVED**, the request for approval to table the Local Library Board vacancy per Board policy is hereby approved.

**BE IT RESOLVED**, the request for approval of 2019 Board of Equalization and Review Appointment / Reappointments is hereby approved.

**Missy Baskervill  
Josh Rose  
Booker T Jones  
Derek Potter  
Wyatt Cutler  
John Barlow  
Hiram Lupton**

On a motion made by Commissioner Carl Ollison and seconded by Commissioner Candy Bohmert, the following resolution was unanimously approved.

**BE IT RESOLVED**, the request for approval to purchase a new Volvo front-end loader in the amount of \$135,045, a new International roll-off truck in the amount of \$154,027, and to finance both purchases through a combined equipment loan not to exceed seven (7) years is hereby approved.

On a motion made by Commissioner Ed Riggs and seconded by Commissioner Carl Ollison, the following resolution was unanimously approved.

**BE IT RESOLVED**, County Manager Tim Buck is hereby authorized to submit a formal request to Bay River Sewer to assist Pamlico County with sewer connection to Breighmere Subdivision.

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Missy Baskervill, the following resolution was unanimously approved.

**BE IT RESOLVED**, the request for approval of Resolutions Authorizing Minimum Tax Bill and Write Off of Small Underpayments / Overpayments is hereby approved.

**RESOLUTION AUTHORIZING  
MINIMUM TAX BILL AMOUNT**

**WHEREAS**, North Carolina General Statute §105-321(f) authorizes the governing body of a taxing unit to direct its assessor and tax collector not to collect minimal taxes charged on the tax records and receipts; and

**WHEREAS**, minimal taxes are the combined taxes and fees of the taxing unit due on a tax receipt prepared pursuant to N.C.G.S. §105-320 in a total original principal amount that does not exceed an amount set by the governing; and

**WHEREAS**, the minimal tax amount set by the governing body should be the estimated cost to the taxing unit of billing the taxpayer for the amounts due on a tax receipt or tax notice; and

**WHEREAS**, Pamlico County Board of Commissioners has determined the minimal tax amount for Pamlico County to be \$3.00; and

**NOW, THEREFORE BE IT RESOLVED**, Pamlico County Board of Commissioners sets the minimum tax for Pamlico County at \$3.00 and the Pamlico County Tax Administrator is directed not to collect taxes charged on the tax records and receipts that are \$3.00 and less.

**BE IT FURTHER RESOLVED**, the Tax Administrator is to execute this order pursuant to North Carolina General Statute §105-321(f).

The Clerk to the Board is directed to deliver copies of this resolution to the Pamlico County Tax Administrator and to keep a copy on file in the Office of the Clerk to the Board.

Adopted this the 18<sup>th</sup> day of March, 2019.

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Chairman

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Clerk to the Board

Minimal Taxes. – Notwithstanding the provisions of N.C.G.S. §105-380, the governing body of a taxing unit that collects its own taxes may, by resolution, direct its assessor and tax collector not to collect minimal taxes charged on the tax records and receipts. Minimal taxes are the combined taxes and fees of the taxing unit and any other units for which it collects taxes, due on a tax receipt prepared pursuant to G.S. 105-320 in a total original principal amount that does not exceed an amount, up to five dollars (\$5.00), set by the governing body. The amount set by the governing body should be the estimated cost to the taxing unit of billing the taxpayer for the amounts due on a tax receipt or tax notice.

Upon adoption of a resolution pursuant to this subsection, the tax collector shall not bill the taxpayer for, or otherwise collect, minimal taxes but shall keep a record of all minimal taxes by receipt number and amount and shall make a report of the amount of these taxes to the governing body at the time of the settlement. These minimal taxes shall not be a lien on the taxpayer's real property and shall not be collectible under Article 26 of this Subchapter. A resolution adopted pursuant to this subsection must be adopted on or before June 15 preceding the first taxable year to which it applies and remains in effect until amended or repealed by resolution of the taxing unit. A resolution adopted pursuant to this subsection shall not apply to taxes on registered motor vehicles.

### **RESOLUTION AUTHORIZING WRITE OFF OF SMALL UNDERPAYMENTS / OVERPAYMENTS**

**WHEREAS**, North Carolina General Statute §105-357(c), authorizes the governing body of a taxing unit to permit its tax collector to treat small underpayments of taxes as fully paid and to not refund small overpayments of taxes unless the taxpayer requests a refund before the end of the fiscal year in which the small overpayment is made; and

**WHEREAS**, a "small underpayment" is a payment made, other than in person, that is no more than one dollar (\$1.00) less than the taxes due on a tax receipt; and

**WHEREAS**, a "small overpayment" is a payment made, other than in person, that is no more than one dollar (\$1.00) greater than the taxes due on a tax receipt; and

**WHEREAS**, the tax collector shall keep records of all underpayments and overpayments of taxes by receipt number and amount and shall report these payments to the governing body as part of his settlement.

**NOW, THEREFORE BE IT RESOLVED**, the Pamlico County Tax Administrator is authorized to treat underpayments or underpayments of taxes that are one dollar (\$1) or less as fully paid and to execute this authority under North Carolina General Statute 105-357 (c).

**BE IT FURTHER RESOLVED**, this resolution is effective for taxes levied for tax year beginning January 1, 2019, all previous fiscal years, and will continue in effect until repealed or amended by resolution of the taxing unit.

The Clerk to the Board is directed to deliver copies of this resolution to the Pamlico County Tax Administrator and to keep a copy on file in the Office of the Clerk to the Board.

Adopted this the 18<sup>th</sup> day of March, 2019.

On a motion made by Commissioner Candy Bohmert and seconded by Commissioner Ed Riggs, the following resolution was unanimously approved.

**BE IT RESOLVED, Ms. Glenda Merritt is hereby appointed to the Regional Aging Advisory Committee for a three (3) year term.**

On a motion made by Commissioner Carl Ollison and seconded by Commissioner Pat Prescott, the following resolution was unanimously approved.

**BE IT RESOLVED, the request for approval of Resolution Opposing the Current Location for Replacement of Bridge Number 36 and One Lane Traffic Flow During Construction is hereby approved.**

**Resolution Opposing the Current Location  
For Replacement of Bridge Number 36  
And One Lane Traffic Flow During Construction**

**WHEREAS**, the North Carolina Department of Transportation (DOT) proposes to replace Bridge Number 36 over South Prong of the Bay River; and

**WHEREAS**, this bridge is located on Highway 55, a federal highway that serves as a primary transportation corridor for an estimated 8,000 vehicles per day;

**WHEREAS**, the bridge is adjacent to Pamlico Middle School, a public school with over 400 students and teachers; and

**WHEREAS**, current draft plans presented by DOT propose closing the traffic to one lane during construction (temporary bridge); and

**WHEREAS**, the temporary bridge width is estimated to be less than 18 feet in width; and

**WHEREAS**, the current bridge design proposes that DOT take portions of two properties currently occupied by a resident and a small business; and

**WHEREAS**, the current bridge design may result in closure of at least one small business; and

**WHEREAS**, the Pamlico County Sheriff, Pamlico County Emergency Manager/Fire Marshal, and Pamlico Rescue Squad have voiced serious concerns about the ability of their respective agencies to timely respond to emergencies when the traffic is restricted to one lane; and

**WHEREAS**, Pamlico County Schools have voiced serious concerns about the effect only one lane of traffic may have on the transport of students to and from school; and

**WHEREAS**, there are at least five farms encompassing over 20,000 acres that utilize the bridge regularly to transport farm equipment; and

**WHEREAS**, the safe transport of farm equipment requires at least 20 feet of road lane width; and

**WHEREAS**, there are numerous marinas, boat yards, and other marine trade interests located in Pamlico County that transport boats over this bridge in the conduct of their business; and

**WHEREAS**, tree farming and logging are significant business activities in Pamlico County; and

**WHEREAS**, many citizens in Pamlico County rely on mobile homes as affordable means of housing; and

**WHEREAS**, large boats, logging equipment and mobile homes require road lane widths of 20 feet or more; and

**WHEREAS**, Pamlico County relies on tourism and traffic along Highway 55 to support many small businesses located along Highway 55; and

**WHEREAS**, increased traffic wait times associated with a one lane temporary bridge design may result in the use of alternative routes of travel and decreased traffic flow along Highway 55; and

**WHEREAS**, increased traffic wait times associated with a one lane temporary bridge design may result in tourists potentially choosing other locations as destinations, resulting in loss of tourism revenue; and

**WHEREAS**, viable detours may add as much as 30 miles to travel times; and

**WHEREAS**, Pamlico County, including the proposed bridge section, is in a flood plain; and

**WHEREAS**, Pamlico County has been significantly impacted by hurricane storm events including but not limited to Hurricanes Florence, Irene, Isabel, and Tropical Storm Dennis; and

**WHEREAS**, Highway 55, including the proposed bridge construction area, is a primary evacuation route; and

**WHEREAS**, many citizens and businesses in Pamlico County are still struggling to recover from Hurricane Florence and the current bridge design with one lane construction traffic may inhibit continued recovery from the storm; and

**WHEREAS**, there is adequate land available adjacent to the existing bridge that would enable alternate designs that eliminate the taking of two lots while also allowing two-way traffic during construction; and

**NOW, THEREFORE, BE IT RESOLVED**, the Pamlico County Board of Commissioners is opposed to the recommended location of the replacement for Bridge Number 36 and its proposed one lane traffic design during construction.

**BE IT FURTHER RESOLVED**, the Pamlico County Board of Commissioners urges the North Carolina Department of Transportation to consider alternative bridge designs that: 1) minimize the impact on residents, small business, and schools and 2) keep two lanes of traffic flowing during bridge construction.

The Clerk to the Board is hereby directed to deliver copies of this resolution to State legislators representing Pamlico County, Office of the Governor of North Carolina, and Pamlico County's representative on the State Board of Transportation.



Adopted this 18th day of March, 2019.

There being no further business, on a motion made by Commissioner Carl Ollison and seconded by Commissioner Pat Prescott, the Board adjourned until Monday, April 1, 2019 at 7:00 pm.

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Chairman

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Clerk to the Board