



Agenda

Greenville City Council

January 5, 2009
6:00 PM
City Council Chambers
200 West Fifth Street

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I. Call Meeting To Order

II. Invocation - Council Member Joyner

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Consent Agenda

1. Minutes of the November 24, December 8, and December 11, 2008 City Council meetings
2. Resolution accepting dedication of rights-of-way and easements for Stone Haven at Landover, Section One; Davencroft, Phase 2, Section 1 and Phase 3; and Tull's Cove, Section 2
3. Municipal Bridge Agreement with the North Carolina Department of Transportation for replacement of the King George Road Bridge at Bells Branch
4. Amendment 3 to the contract with Kimley-Horn and Associates for Phase I of the Stantonsburg Road/Tenth Street Connector Project
5. Dropout Prevention Grant for the Police Department from the North Carolina General Assembly
6. Police Department grant applications
7. Personnel changes to implement in-house administration of the False Alarm Reduction Program

8. Budget ordinance amendment #7 to the 2008-2009 City of Greenville budget
9. Various tax refunds

VII. New Business

10. Presentations by boards and commissions
 - a. Community Appearance Commission
 - b. Environmental Advisory Commission
11. Ordinance amending the Animal Control Ordinance
12. General Fund Loan to the Convention Center District Project account for streetscape and property improvements

VIII. Review of January 8, 2009 City Council Agenda

IX. Comments from Mayor and City Council

X. City Manager's Report

13. City Manager 2009 Goals and Performance Objectives

XI. Adjournment



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

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- Title of Item:** Minutes of the November 24, December 8, and December 11, 2008 City Council meetings
- Explanation:** Draft minutes of the November 24, December 8, and December 11, 2008 City Council meetings have been prepared and are ready for consideration by City Council.
- Fiscal Note:** No direct cost.
- Recommendation:** Approval of the November 24, December 8, and December 11, 2008 City Council meeting minutes.
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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [November 24 2008 City Council Minutes 801150](#)
 - [December 8 2008 City Council Minutes 801749](#)
 - [December 11 2008 City Council Minutes 802516](#)
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MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
November 24, 2008

The Greenville City Council met in a regular meeting on the above date at 5:00 PM in the Third Floor Gallery Area of City Hall, with Mayor Patricia C. Dunn presiding. The purpose of the meeting was for diversity training. The following were present.

Mayor Patricia C. Dunn
Mayor Pro-Tem Mildred A. Council
Council Member Rose H. Glover
Council Member Max Joyner, Jr.
Council Member Bryant Kittrell
Council Member Calvin Mercer
Council Member Larry Spell
Wayne Bowers, City Manager
David A. Holec, City Attorney

Also in attendance were Ernie Tompkins and Mary Kendrick with the Tompkins Group and Franchine Pena, Robert Hudak, John Pierpont, Manolita Buck, and Marvin Arrington of the Greenville Human Relations Council.

APPROVAL OF AGENDA

Motion was made by Council Member Kittrell and seconded by Council Member Joyner to approve the agenda as presented. Motion carried unanimously.

DIVERSITY TRAINING

Diversity training entitled "Leading to Create An Inclusive Community" was conducted by The Tompkins Group.

ADJOURNMENT

Motion was made by Council Member Spell and seconded by Council Member Mercer to adjourn the meeting at 9:00 p.m.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
December 8, 2008

The Greenville City Council met in a regular meeting on the above date at 6:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Patricia C. Dunn presiding. The meeting was called to order, followed by the invocation by Mayor Pro-Tem Mildred A. Council and the pledge of allegiance to the flag. The following were present.

Mayor Patricia C. Dunn
Mayor Pro-Tem Mildred A. Council
Council Member Rose H. Glover
Council Member Max Joyner, Jr.
Council Member Bryant Kittrell
Council Member Calvin Mercer
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

Council Member Larry Spell was absent.

APPROVAL OF AGENDA

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Joyner to approve the agenda as presented. Motion carried unanimously.

CONSENT AGENDA - APPROVED

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to approve the consent agenda. Motion carried unanimously.

1. Minutes of the October 21 and November 6, 2008 City Council meetings
2. First reading of an ordinance for a taxicab franchise for one taxicab requested by Christopher Lee Kellam d/b/a Independent Cab Company
3. Resolution accepting dedication of rights-of-way and easements for Greyfox Run Subdivision, Portion of Phase 1 (Resolution No. 08-60)
4. Resolution authorizing the conveyance of City-owned Voice of America Radio Equipment to the Eastern Carolina Regional Science Center (Resolution No. 08-61)
5. Resolution authorizing the disposition of one surplus 2005 Harley Davidson motorcycle to the Town of Winterville (Resolution No. 08-62)

6. Resolution authorizing the disposition of a surplus police canine to Larry Greene (Resolution No. 08-63)
7. Safe Routes to School Infrastructure Grant application (Resolution No. 08-64)
8. Ordinance amending the Greenville Utilities Commission Gas Capital Projects Budget for the Gas Distribution System SCADA Upgrade Project (Ordinance No. 08-119)
9. Budget ordinance amendment and reimbursement resolution for Greenville Utilities Commission Wastewater Treatment Plant Electrical/SCADA Upgrade Project (Ordinance No. 08-120; Resolution No. 08-65)
10. Budget ordinance and reimbursement resolution for Greenville Utilities Commission Technology Application Master Plan Project (Ordinance No. 08-121; Resolution No. 08-66)
11. Changes to positions authorized in 2008-2009 budget (Reclassification of Traffic Engineer to Civil Engineer III)
12. Budget ordinance amendment #6 to the 2008-2009 City of Greenville budget and amendment to Ordinance No. 07-139 Convention Center Expansion Capital Project (Ordinance No. 08-122)
13. Various tax refunds
14. Report on bids awarded

REVISIONS TO THE CITY OF GREENVILLE NEIGHBORHOOD TRAFFIC CALMING GUIDELINES - APPROVED

Director of Public Works Wes Anderson reminded the Council that at the October 9, 2008 meeting, staff was directed to seek additional input from Greenville neighborhoods regarding proposed changes to the City of Greenville Neighborhood Traffic Calming Guidelines. A public meeting was held on November 13, 2008 at the Public Works facility to provide information on proposed changes and to receive comments. Staff distributed 28 notices to representatives of neighborhood associations within Greenville. Two representatives from two neighborhood associations attended this meeting. Those that attended were in support of the proposed changes. The two proposed changes to the current guidelines were (1) removal of multi-way stops as a traffic calming measure and (2) establishment of a traffic calming point system. It is suggested that multi-way stops be removed as a traffic calming measure because the State has adopted a Federal Manual of Uniform Traffic Control Devices, and stop signs should not be used for speed control. The traffic calming point system was described to Council as follows:

Warrant	Criteria	Points	Awarded
8 th Percentile Speed	1-5 mph	0	
	6-10 mph	3	
	11 mph >	5	
Daily Vehicle Volume	0-800	0	
	800-1000	1	
	1000-1499	2	
	1500 >	3	
Crash Data Per Year	1-3	1	
	4 >	2	
Sidewalks	Sidewalks or wide shoulders present	0	
	No sidewalks present	1	
Pedestrian Volume	Pedestrian oriented facility within ¼ mile or petition area	1	
	Schools within a ¼ mile radius of petition area	2	
Total Points Awarded (*)			

Mr. Anderson explained that Sherwood Drive, Fairview Way, Bedford, North River Estates, Forest Hills, and Baywood Lane were locations that were previously disapproved that would possibly meet the new guidelines. They will be reconsidered, which will be done before new requests will be considered; however, other neighborhoods are encouraged to apply because it is done on a first-come-first-served basis. Mr. Anderson recommended that the Council adopt the proposed changes to the Neighborhood Traffic Calming Guidelines.

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to adopt the proposed changes to the Neighborhood Traffic Calming Guidelines, which includes removing the multi-way stop signs as a traffic calming device, and replacing the current qualifying criteria with the traffic calming point system. Motion carried unanimously. (Document No. 08-12)

PRESENTATIONS BY BOARDS AND COMMISSIONS

Public Transportation and Parking Commission

Chairman Shannon White presented the annual report for the Public Transportation and Parking Commission. He stated that Margaret Gemperline and Robert Thompson are on the Intermodal Transportation Center Steering Committee. Commission members attended public meetings held by consulting firm, Moser, Mayer, and Phoenix, which conducted the Facility Program and Site Selection phase of the project.

Chairman White reported on the GREAT system by stating that two new Gillig buses have been received. These buses meet the latest emissions requirements, are fully ADA equipped, and have

a surveillance camera system. On November 1, GREAT expanded to a fifth route to provide better service to the public. The Committee reviews monthly GREAT reports, which include information about ridership, expenses, revenues, and net costs. GREAT ridership increased by over 20%, from 95,508 trips this time last year to 119,413 trips currently. The average number of passengers per day increased from 925 to 1,154. While this increased ridership may indicate more people are riding the bus, the Committee believes this increase also reflects the good experience the riders have. The Commission receives regular updates on the status of Pitt Area Transit System (PATS) and the Rural General Public bus service operated by Pitt County. PATS provides ADA Para transit Service for GREAT.

Chairman White stated that a workshop for Chairpersons of the committees was given by the City Attorney in September. Proper procedures for conducting meetings, information on Robert's Rules of Order and policies regarding public comments and hearings were reviewed. The Public Transportation and Parking Commission has since reviewed the Commission's policies and has adopted the policies presented at that workshop. Also, concern had been expressed about the current limited service area, and a committee was created to study the expansion of the public parking responsibilities. The committee will consist of representatives of Public Works Department, Public Transportation and Parking Commission, and council liaison to study the feasibility of expanding from current 21 block area downtown to cover public parking citywide.

Investment Advisory Committee

Chairman Rick Niswander informed the Council that the Investment Advisory Committee advises the City's staff Investment Committee. The finances of the City are safe and secure, and the cash balance has increased from October 2007 to October 2008. Things to consider for 2009 include continued diversification within restrictions, continued security through volatile times, finalizing the cash flow model, approving the Investment Policy update, and thorough budgeting and management of funds. Two-thirds of the City's investments are tied up for one year or less, and 29% are in three to five year bonds. Seven percent is tied up for one to three years. Those investments in the 1-3 and 3-5 year timeframe are in predominantly Fannie Mae and Freddie Mac, which could be sold at any time. The maturity date may be one to three years or three to five years; however, they could be sold if money is needed, and \$3.5 million is in CDs that have marketable maturities. The vast majority of the City's \$65 million is in money that could be available tomorrow.

Director of Financial Services Bernita Demery stated that interest earnings have declined. The City is 5/12 of the way through the fiscal year. Earnings to date are at 41.3%, and last year at this time they were at 58.81%. The City is in a good position beginning December 1; however, interest rates are expected to decline.

REVISED CITY OF GREENVILLE INVESTMENT POLICY - APPROVED

Director of Financial Services Bernita Demery stated that the Financial Services staff reviews the Cash and Investment Policy to ensure continued compliance with state and local regulations. In

light of the recent economic turmoil, staff deemed it necessary to include some additional clauses within the policy. If revised, the policy will reflect recent changes that further restrict the investments of City funds in efforts of providing additional levels of protection. This policy applies to the investment of all operating funds of the City of Greenville and certain bond proceeds. Where applicable, the revised policy will incorporate the Government Accounting Standards Board Statement No. 31 (Accounting and Financial Reporting for Certain Investments and External Investment Pool) and Government Accounting Standards Board Statement No. 40 (Deposit and Investment Risk Disclosure).

Motion was made by Council Member Joyner and seconded by Council Member Kittrell to approve the revised City of Greenville Investment Policy. Motion carried unanimously. (Document No. 08-11)

REPORT BY CABLE TELEVISION GOVERNMENT ACCESS CHANNEL AD HOC ADVISORY COMMITTEE - EXTENSION FOR FINAL REPORT FROM DECEMBER 31, 2008 TO FEBRUARY 15, 2009

Ms. Beth Winstead presented the Council with a draft report by the Cable Television Government Access Channel Ad Hoc Advisory Committee and requested an extension for the final report from December 31, 2008, to February 15, 2009. An informal survey has been done; however, it was not diverse enough. The Committee is looking at other areas to send it to. The draft report read as follows:

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Draft Report

Cable Television Government Access Channel Ad Hoc Advisory Committee

The Cable Television Government Access Channel Ad Hoc Advisory committee was appointed by members of the City Council and Mayor as defined in the June 12, 2008 resolution to evaluate GTV9. The members of the committee were: Jake Postma, Cherie Speller, Javier Castillo, Frank Schenck, Margie Perkins and Beth Winstead. Steve Hawley served as the city liaison to the committee.

The committee used a variety of methods for evaluating GTV9 including: researched other governmental channels in similar size markets (Cary, Asheville, Durham, Jacksonville, Wake Forest, Raleigh); held a public hearing for input; distributed printed surveys including at Freeboot Friday on November 7th as well as advertised and distributed electronic surveys to a variety of groups.

Evaluation tools:

- Comparison with other governmental channels in similar size markets.
Committee members found that GTV9’s programming is comparable to programming in similar size markets. All channels we investigate showed city council/board of commissioner meetings as well as other boards and commissions, city information

show comparable to CityScene, as well as special events (i.e., Veterans' Day programs, dedications) and bulletin boards with information between shows. Some stations did provide online archiving of program which would be an excellent source of information for citizens if funding allows. Some stations combined the city and county government information however we have a separate channel for that information

- Public hearing
A public hearing was held on October 29, 2009 with two citizens speaking on the subject.
- Survey
Mandee Lancaster, the Director of the Center for Survey Research at ECU, did a brief online survey for the committee at no charge. The committee relied on the link on the City's webpage, inclusion in the City page in the Daily Reflector, a letter to the editor of the Daily Reflector and word of mouth to obtain participation. The surveys are NOT scientific. In order to ensure a scientific study the cost would have been approximately \$12,000.

The informal survey is still being conducted so complete results will be included in committee's final report. As of November 24, 2008, the most popular programs in order are:

- Council meetings
- Cityscene
- Board/Commission meetings
- Bulletin Board

The Committee appreciates the opportunity to serve the citizens of Greenville and to provide input on GTV9. Below are comments and recommendations of the Committee:

- The lack of time and funding meant the survey is nonscientific. During the next review cycle funding should be provided for a scientific survey to be completed
- The Committee should be appointed sooner in order for work to be completed
- A more diverse membership should be appointed to the committee

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Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to grant the extension for the final report from December 31, 2008, to February 15, 2009.

RESOLUTION REQUESTING THAT THE NORTH CAROLINA ALCOHOL BEVERAGE CONTROL COMMISSION AMEND THE ADMINISTRATIVE RULE RELATING TO THE PURCHASE AND TRANSPORT OF KEGS - ADOPTED

City Manager Bowers stated that in its final report, the City of Greenville/East Carolina University Task Force to Study Student-Related Alcohol Issues recommended that the City and East Carolina University issue a joint resolution requesting that the North Carolina Alcohol Beverage Control Commission amend the administrative rule on beer keg permits. The Task

Force felt that this proposed change would be of significant assistance to law enforcement agencies when enforcing underage drinking.

Motion was made by Council Member Kittrell and seconded by Mayor Pro-Tem Council to adopt the resolution requesting that the North Carolina Alcohol Beverage Control Commission amend the administrative rule relating to the purchase and transport of kegs and request that East Carolina University adopt a similar resolution. Motion carried unanimously. (Resolution No. 08-67)

RESOLUTION ADOPTING A POLICY TO IMPLEMENT THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED) PROGRAM WHEN CONSTRUCTING OR RENOVATING CITY BUILDINGS - ADOPTED

Director of Public Works Wes Anderson reminded the Council that the City adopted the U. S. Mayors Climate Protection Agreement and one of the objectives of the agreement is to practice and promote sustainable building practices using the U. S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program or other similar system. Additionally, one of the Council's objectives is to have staff recommend a policy for all City buildings to meet a minimum of the LEED-Certified standard. At the September 8, 2008 City Council meeting, Public Works staff requested guidance on a proposed policy for implementing LEED for City buildings. City Council agreed with the proposed concept. Public Works, in coordination with Greenville Utilities, has developed a LEED building policy for Council consideration.

Motion was made by Council Member Mercer and seconded by Council Member Glover to adopt the resolution adopting a policy to implement the Leadership in Energy and Environmental Design (LEED) Program when constructing or renovating City buildings. Motion carried unanimously. (Resolution No. 08-68)

CONTRACT AWARD FOR THE SOUTH TAR RIVER GREENWAY PROJECT, PHASE 1 AND ALTERNATE - ADOPTED

City Engineer David Brown stated that bids for the South Tar River Greenway Project – Phase I and Alternate (STIP Project No. E-4702) were received on November 20, 2008. The lowest responsive base bid (out of nine bids) was submitted by Hine Sitework, Inc. of Goldsboro, in the amount of \$329,881.31 and \$54,947 for the Alternate). There were two lower bids submitted; however, these bids were determined as non-responsive due to not meeting the “Disadvantaged Business Enterprise requirements” identified in the project specifications. Phase I will involve the installation of 2,640 linear feet of a 10-foot wide asphalt greenway along the south side of the Tar River beginning north of North Woodlawn Avenue and ending just east of North Warren Street. A portion of the greenway segment will follow the alignment of River Road, which will be narrowed to the 10-foot width. This phase also includes the installation of 128 linear feet of storm drainage pipe. The Alternate will involve the installation of 530 linear feet of a 10-foot wide asphalt greenway beginning at a point just west of North Holly Street and ending at North Jarvis Street. An earmark was received from Congress for this.

Motion was made by Council Member Mercer and seconded by Mayor Pro-Tem Council to award the contract for the South Tar River Greenway Project, Phase 1 and Alternate, to Hine Sitework, Inc. for the base bid and alternate in the amount 384,828.31 and approve the resolution requesting a concurrence in award from the North Carolina Department of Transportation. Motion carried unanimously. (Contract No. 1733; Resolution No. 08-69)

INTERLOCAL AGREEMENT WITH HYDE COUNTY FOR BUILDING INSPECTION SERVICES - APPROVED

City Manager Bowers stated that this request is for an interlocal agreement between the City of Greenville and Hyde County to provide supplemental building inspection services three days a week. The arrangement allows Hyde County to meet the demands for inspection services within its corporate jurisdictional area and allows Greenville to maintain its staff during a period of reduced workload. The arrangement benefits both the City of Greenville and Hyde County. In order to accomplish this arrangement, an Interlocal Agreement is required.

Motion was made by Council Member Joyner and seconded by Council Member Kittrell to approve the interlocal agreement with Hyde County for supplemental building inspection services. Motion carried unanimously. (Contract No. 1734)

REVIEW OF DECEMBER 11, 2008 CITY COUNCIL AGENDA

City Attorney Holec reported that the proposed restaurant ordinance for the Jeremy Spengeman request that is on the December 11, 2008 City Council agenda was sent to neighborhood associations that have registered with the City, the applicant, and the Chamber of Commerce. Responses were received from the neighborhood associations for Tar River, Englewood and Colonial Heights, as well as from the Chamber of Commerce. There has not been an opportunity for joint meetings to occur or for written comments to have been responded to. City staff agrees that this should be continued in order to allow opportunity for reaching common ground. Because the January meetings are early in the month, staff recommended that it be continued to the February 12, 2009 meeting.

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to continue the Jeremy Spengeman request and the consideration of any draft ordinance to create a dining and entertainment establishment option until the February 12, 2009 meeting. Motion carried unanimously.

COMMENTS FROM MAYOR AND CITY COUNCIL

The Mayor and City Council gave general comments.

Council Member Joyner asked that an item be placed on an upcoming agenda, how the Council appoints citizens to the boards and commissions.

Staff was asked to pursue the demolition of commercial buildings and was informed that a draft nonresidential building or structure maintenance code ordinance has been prepared; however, the City Manager would like to get input from the business community before presenting it for adoption.

CITY MANAGER'S REPORT

The City Manager had no items to present.

CLOSED SESSION

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to go into closed session (1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law; (2) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; and (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body regarding a lawsuit brought against the City by Erma Adams. Motion carried unanimously.

Motion was made by Council Member Joyner and seconded by Council Member Mercer to return to open session. Motion carried unanimously.

City Attorney Holec reported that there are no items to be reported in open session as a result of the closed session.

Motion was made by Council Member Joyner and seconded by Council Member Kittrell to continue until December 11, 2008, the closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Motion carried unanimously.

ADJOURNMENT

Motion was made by Council Member Mercer and seconded by Council Member Joyner to adjourn the meeting at 7:50 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
December 11, 2008

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Patricia C. Dunn presiding. The meeting was called to order, followed by the invocation by Council Member Glover and the pledge of allegiance to the flag. The following were present.

Mayor Patricia C. Dunn
Mayor Pro-Tem Mildred A. Council
Council Member Rose H. Glover
Council Member Max Joyner, Jr.
Council Member Bryant Kittrell
Council Member Calvin Mercer
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

Motion was made by Council Member Spell and seconded by Council Member Joyner to approve the agenda as presented. Motion carried unanimously.

SPECIAL RECOGNITIONS

City Manager Bowers recognized the Financial Services staff for receiving the GFOA Distinguished Budget Presentation Award.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Pro-Tem Council asked that the appointment to the Human Relations Council be continued until January 8, 2009.

Police Community Relations Committee

Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Council to appoint Bari Muhammad to serve a first two-year term on the Police Community Relations Committee to expire October 2010, replacing Regina Wallace, who is ineligible for reappointment. Motion carried unanimously.

Recreation and Parks Commission

Council Member Spell asked that the appointment to the Recreation and Parks Commission be continued until January 8, 2009.

Redevelopment Commission

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to appoint Chris Mansfield to serve a five-year term on the Redevelopment Commission to expire November 2013, replacing Britt Laughinghouse, who is ineligible for reappointment. Motion carried unanimously.

Youth Council

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Glover to appoint Justin Streeter (Farmville Central High School) and Michael Law (Rose High School) to serve a first one-year term on the Youth Council to expire September 2009. Motion carried unanimously.

NOMINATION TO THE PITT COUNTY COMMISSIONERS OF THREE MEMBERS TO BE CONSIDERED TO SERVE AS CHAIRPERSON OF THE PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Joyner to nominate to the Pitt County Commissioners James Streeter, Joseph Fridgen, and Robert Sheck to be considered to serve as Chairperson of the Pitt-Greenville Convention and Visitors Authority. Motion carried unanimously.

SECOND READING OF AN ORDINANCE ISSUING A TAXICAB FRANCHISE FOR ONE TAXICAB TO CHRISTOPHER LEE KELLAM D/B/A INDEPENDENT CAB COMPANY - ADOPTED

City Clerk Wanda Elks informed the Council that an application for a taxicab franchise to operate a taxicab was received from Christopher Lee Kellam d/b/a Independent Cab Company. The request has been reviewed by the appropriate City departments. The Police Department has indicated that they have no reason, based on criminal or driving history, to preclude Mr. Kellam from being granted a taxicab franchise. The Financial Services Department has indicated that the only debt due the City of Greenville is taxes for a parcel, and there is also a drainage bill due; however, these are not past due until January 2009. The Community Development Department has indicated that a taxicab service would be an incidental use at the location where Mr. Kellam wishes to operate, and staff is working with Mr. Kellam on that process. The City Council approved the ordinance on first reading on December 8, 2008, and the second reading of the ordinance and public hearing are scheduled for December 11. The public hearing was advertised in The Daily Reflector on December 1, 2008, and letters were mailed to the taxicab franchisees advising them of the public hearing on December 11, 2008.

Mayor Dunn declared the public hearing open and solicited comments from the audience.

Mr. Christopher Kellam appeared before the City Council to answer questions.

There being no further comments, the public hearing was declared closed.

Motion was made by Council Member Spell and seconded by Council Member Joyner to adopt the ordinance issuing a taxicab franchise for one taxicab to Christopher Lee Kellam d/b/a Independent Cab Company. Motion carried unanimously. (Ordinance No. 08-123).

ORDINANCE AMENDING THE NUISANCES REGULATIONS OF THE CITY CODE -
CONTINUED

Planner Michael Dail stated that this is an amendment to the nuisances regulations of the City Code to accomplish one of the implementation strategies included in the Lake Ellsworth, Clark's Lake, and Tripp Subdivisions Neighborhood Report and Plan. The proposed amendment is in the process of being reviewed by the Fire/Rescue Department. At the November 6, 2008 meeting, the City Council requested that staff conduct further research on the impact of this ordinance change and to advertise a public hearing for December 11, 2008. It is staff's recommendation that this item be continued to January 8, 2009 in order to allow it to be researched further by the Fire/Rescue Department.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Mercer to continue this request until January 8, 2009. Motion carried unanimously.

ORDINANCE DESIGNATING THE BLOUNT-HARVEY BUILDING AS A HISTORIC
LANDMARK - ADOPTED

Planner Carl Rees informed the Council that the Blount-Harvey Building (Jefferson's) is a contributing structure within the Greenville Commercial National Register Historic District and is significant for its architecture as well as for being one of the most prominent retail commercial buildings in Greenville in the era in which it was built (completed in 1923). A survey and research report that explains the historic significance of the property was completed by Drucilla York, a historic preservation consultant. That report received a favorable review from the State Historic Preservation Office, which approved of the designation of the property as a local landmark.

Ms. Dru York gave a history of the Blount-Harvey Building.

Mayor Dunn declared the public hearing open and solicited comments from the audience.

Mr. Michael Glenn, whose family owns the Blount-Harvey Building and Jefferson's Florist, thanked Ms. York for the presentation. He stated that the National Parks Service has confirmed that they have recognized the building as landmark in the National Register of Historic Places.

There being no further comments, the public hearing was declared closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to adopt the ordinance designating the Blount-Harvey Building as a historic landmark. Motion carried unanimously. (Ordinance No. 08-124)

RESOLUTION APPROVING AN ORDER TO CLOSE AN UNIMPROVED PORTION OF TRIPP LANE LOCATED WEST OF GRACE AVENUE - ADOPTED

City Engineer David Brown stated that City Council adopted a resolution of intent to close the portion of Tripp Lane during its November 6, 2008 meeting, establishing a public hearing on the subject matter to be held on December 11, 2008. The resolution of intent was advertised in The Daily Reflector on four consecutive Mondays (November 17 and 24, 2008 and December 1 and 8, 2008). Signs displaying the notice of a public hearing, the adopted resolution of intent, and a site map were posted on November 14, 2008 at two prominent locations on the street section to be closed. The resolution was also delivered by certified mail to adjoining property owners as listed on the Pitt County tax records. A petition requesting the closure of this portion of Tripp Lane was submitted by Mr. Edgar Denton and his wife, Mrs. Elaine Denton, of 3020 Tripp Lane. It was never improved to public street standards as part of the Clark's Lake Subdivision and is used as a driveway into the Denton's properties. The Dentons own all of the property along both sides of the street right-of-way proposed to be closed. If closed, some of the lots would become non-compliant with City ordinances. If closed, a 50-foot utility and access easement would be maintained. Due to surrounding development, this unimproved section cannot be extended. City staff has reviewed the petition to close this street segment, and based on input from all departments, there are no objections to the closing.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to adopt the resolution approving an order to close an unimproved portion of Tripp Lane located west of Grace Avenue. Motion carried unanimously. (Resolution No. 08-70)

ORDINANCE TO ANNEX TFW COMMERCIAL PROPERTIES, LLC PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF DICKINSON AVENUE AND WEST ARLINGTON BOULEVARD - ADOPTED

Mr. Seth Laughlin informed the Council that the advertisement for the public hearing for the annexation request for the TFW Commercial Properties, LLC property located at the southwest corner of the intersection of Dickinson Avenue and West Arlington Boulevard was in The Daily Reflector on December 1, 2008. The property is contiguous to the corporate limits of the City

and contains 0.4952 acre. It is located in Voting District 2 and is zoned RA-20. The property currently contains one single-family home. The currently population is 2, with one being white and one being minority. The proposed population after annexation will remain the same. The request for annexation was made due to a failing septic tank. The property will be served by Fire Station #2, which is .79 mile away.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to adopt the ordinance to annex TFW Commercial Properties, LLC property located at the southwest corner of the intersection of Dickinson Avenue and West Arlington Boulevard. Motion carried unanimously. (Ordinance No. 08-125)

ORDINANCE TO ANNEX BENT CREEK SUBDIVISION LOCATED WEST OF THE INTERSECTION OF SPRING FOREST ROAD AND LAKE ROAD - ADOPTED

Mr. Seth Laughlin informed the Council that the advertisement for the public hearing for the annexation request for Bent Creek Subdivision located approximately 1000 feet west of the intersection of Spring Forest Road and Lake Road was in The Daily Reflector on December 1, 2008. The property is contiguous to the corporate limits of the City and contains 19.95 acres. It is located in Voting District 1 and is zoned R6. The property is currently vacant. It is anticipated that there will be 54 duplex structures (108 dwelling units) constructed on this property. The anticipated population at full development is 237, with 102 being minority and 135 being white. The property will be served by Fire Station #2, which is 2.07 miles away.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Joyner and seconded by Council Member Glover to adopt the ordinance to annex Bent Creek Subdivision containing 19.95 acres located approximately 1000 feet west of the intersection of Spring Forest Road and Lake Road. Motion carried unanimously. (Ordinance No. 08-126)

AMENDMENT TO THE CONSOLIDATED PLAN HOME PROGRAM - APPROVED

Director of Community Development Merrill Flood reminded the Council that on January 7, 2008, the City of Greenville disbanded the Greenville HOME Consortium to become a "Participating Jurisdiction", which means, beginning July 2009, the City will receive HOME Investment Partnership funding solely for residents within the Greenville City limits. This is a request to revise the 2008-2013 Consolidated Plan approved on May 8, 2008 to allow HOME Investment Partnership Program activities to be extended to qualified applicants citywide. The Plan currently provides that "the 2008-2013 Consolidated Plan Strategy for the City of Greenville CDBG and HOME efforts will be to concentrate efforts to the 45-Block Revitalization Area in West Greenville". CDBG and HOME funds will continue to be expended

within the 45-Block Area. However, the proposed change allows the opportunity to assist more deserving citizens through the affordable housing programs and addresses substandard housing conditions throughout the City.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Glover to adopt the amendment to the Consolidated Plan HOME Program. Motion carried unanimously.

REVISIONS TO HOUSING PROGRAM POLICY AND PROCEDURE GUIDELINES - APPROVED

Director of Community Development Merrill Flood stated that the City of Greenville Housing Division administers and monitors all housing rehabilitation programs for low to moderate income residents. All programs offered have specific guidelines for their implementation as defined by the funding source. A policy and procedure guideline manual was approved on April 3, 2005 and revised on March 17, 2006 and April 10, 2008. This is a request to revise the program guidelines to add three types of housing rehabilitation assistance programs that residents may be eligible for under the City's Housing Rehabilitation Assistance Program to include:

- Housing rehabilitation, which is specifically for homeowners who need assistance to bring their substandard property up to housing codes. The funding limit is \$60,000. This is for the HOME and CDBG programs.
- Substantial rehabilitation, which is specifically for homes that cannot be rehabilitated due to extensive deterioration. Homes are demolished and reconstructed on the same lot. The funding limit is \$95,000. This is for the HOME and CDBG Programs.
- Minor repairs, which is specifically for homes with code violations that pose immediate health and/or safety hazards, for instance, accessible home modifications due to disabling condition and weatherization concerns. The funding limits is \$25,000. This is for the CDBG program only.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Glover to receive the request to revise the Housing Rehabilitation program to add three types of eligible rehabilitation assistance programs. Motion carried unanimously.

PUBLIC COMMENT PERIOD

Mr. Don Cavellini, Co-Chairman of the Pitt County Coalition Against Racism, spoke to the Council about the need to remove the City of Greenville Housing Authority Executive Director, Don Rogers. He then presented a petition containing 349 signatures asking for the immediate removal of Mr. Rogers.

FISCAL YEAR 2010 FEDERAL AGENDA - APPROVED

City Manager Bowers explained how Melissa Hyman and Debra Bryant of the Ferguson Group met with the Mayor, City Council, and City staff on December 10 and 11 to develop priority projects for the City's fiscal year 2010 federal agenda.

Ms. Hyman presented the proposed list of projects that came out of those meetings for review and discussion.

“COPY”

DRAFT AGENDA

City of Greenville, North Carolina Fiscal Year 2010 Federal Agenda Appropriations Requests		
PROJECT	REQUEST	BILL AND PROGRAM
West Greenville Intergenerational Center's After School Programs	\$250,000	Labor, Health and Human Services, and Education Department of Education's Fund for the Improvement of Education
24-Hour Mental Health Intake Center	\$250,000	Labor, Health and Human Services, and Education Health Resources Service Administration
Emergency Operations Center	\$750,000	Department of Homeland Security FEMA State and Local Programs
Downtown Revitalization --Streetscapes --Theatre renovation --Rebuilding town common	\$250,000	Transportation, Housing and Urban Development Economic Development Initiative
Law Enforcement Technology Improvements --Records management system --Security cameras for high crime areas	\$250,000	Commerce, Justice, Science COPS Law Enforcement Technology
REAUTHORIZATION OF SAFETEA-LU		
Greenways	\$3 million	Greenway expansion and improvement project
Tenth Street	\$7 million	Design, engineering, and construction of Tenth Street Connector

LEGISLATIVE INTERESTS
Advocate for increase in funding for Land and Water Conservation Fund, Energy Efficiency and Conservation Block Grant and COPS programs
Monitor and oppose efforts to mandate public sector collective bargaining
Support North Carolina Department of Transportation's request for public transit dollars

“COPY”

Upon being asked about projects that were mentioned during the meetings that were not included in the list, Ms. Hyman stated that the written list is a combination of those the Ferguson Group feels are priorities of the Congressional delegation and those requests that they feel have a chance of being funded. The projects are the ones that will benefit the entire community. Ms. Hyman also stated that the Safetea-Lu is only available every five years, and the City of Greenville was successful the last time it was available.

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to adopt the fiscal year 2010 federal agenda as presented. Motion carried unanimously.

APPLICATION FOR THE NORTH CAROLINA PARKS AND RECREATION TRUST FUND GRANT FOR SUPPORT OF THE DREW STEELE CENTER - APPROVED

Director of Recreation and Parks Gary Fenton requested Council's approval to apply for a 2009 NC Parks and Recreation Trust Fund Grant in the amount of \$500,000, which is the maximum request for the 50/50 matching grant. The project is the first phase of the renovation of the Elm Street Gym into the Drew Steele Center. The Recreation and Parks Commission approved a 2008 grant application for this project in January 2008 and will officially consider approving this 2009 grant application at the December 10, 2008 meeting. A fundraising effort by the Drew Steele Foundation will provide the local match for the grant application (\$500,000), which was reflected in the City's Capital Improvement Plan.

Motion was made by Council Member Spell and seconded by Council Member Joyner to approve the application for North Carolina Parks and Recreation Trust Fund Grant for support of the Drew Steele Center. Motion carried unanimously.

GIFT OF PROPERTY FROM SYNERGY PROPERTIES, LLC - APPROVED

City Attorney Dave Holec stated that Synergy Properties, LLC has offered to make a gift to the City of property consisting of approximately 6.95 acres. The property is located in Bent Creek Subdivision, near Lake Ellsworth Subdivision. The property will be used as a park. The owner of Synergy Properties is Charles E. Lewis. The Recreation and Parks Commission considered the gift last night and recommended that the Council accept the gift.

Motion was made by Council Member Spell and seconded by Council Member Kittrell to accept the gift of property from Synergy Properties, LLC. Motion carried unanimously.

RESOLUTION AUTHORIZING THE DISPOSITION OF 15 SURPLUS WEAVING LOOMS TO THE TOWN OF AYDEN - ADOPTED

Director of Recreation and Parks Gary Fenton stated that the Recreation and Parks Department has leased a modular unit for recreational and office space since 1998 at an annual cost (lease and associated utilities) of about \$13,000. Renovations to the Department's administration building have made it possible for the two employees housed in the modular unit to move into the administration building. The remaining space in the modular unit has, for several years, been exclusively devoted to a weaving program, the nature of which dictates that the looms must remain undisturbed between sessions until each participant's work is completed. Therefore, this space cannot be used for other purposes. There are approximately 12 participants in this program, and sessions run concurrently. While participants want this program to continue, Recreation and Parks staff cannot justify subsidizing it to this degree. Though the Recreation and Parks Department has unsuccessfully sought alternative space for the program, the Ayden Parks and Recreation Department has agreed to sponsor and host it in one of their facilities, using the same instructor and charging the same fee, if the City of Greenville provides the Town of Ayden with the looms. This transaction will enable the program to continue under the sponsorship of another agency. This item was discussed by the Recreation and Parks Commission last night, and approval was recommended.

Motion was made by Council Member Joyner and seconded by Council Member Spell to adopt the resolution authorizing the disposition of 15 surplus weaving looms to the Town of Ayden. Motion carried unanimously. (Resolution No. 08-71)

RESOLUTION APPROVING A LICENSING AGREEMENT WITH USCOC OF GREATER NORTH CAROLINA, LLC (US CELLULAR) - ADOPTED

City Manager Wayne Bowers stated that a request has been made by USCOC of Greater North Carolina, LLC (US Cellular) to attach telecommunications antennas to a tower to be constructed on property owned by the City for the use and benefit of Greenville Utilities on B's Barbecue Road (Westside Electrical Substation). The proposed licensing agreement is similar to a previous agreement Greenville Utilities entered into with US Cellular, which was approved by the Greenville Utilities Commission Board and City Council in 2006 at the Eastside Elevated Water Tank. The proposed agreement includes the attachment of six antennas to the tower, as well as the construction of an equipment shelter on the site. The agreement provides for Greenville Utilities to be compensated for the tower construction and installation of fiber optic cable to the Westside and Greenville West 230 kV substations. In exchange for the financial compensation, Greenville Utilities will provide US Cellular antenna space on the tower and an area for an equipment shelter for a non-compensation period of 104 months, for an initial ten-year contract period. The contract will be renewable in five-year increments after the initial ten-year term. The non-compensation period is based on 424,000 per year for six antennas and an area for an equipment shelter. Compensation beyond the non-compensation period will be \$24,000 per year. Beyond the ten-year initial agreement, the annual fee will be adjusted each year based on the Consumer Price Index. The first year after the initial ten-year period will be adjusted based on

the Consumer Price Index from the initial agreement date (adjusted over the 10-year period). The initial annual price for attachments to the Eastside Water Tank in 2006 was \$21,600. US Cellular has requested this item be considered by both Greenville Utilities Commission and the City Council in December in order for tower construction to begin. In anticipation of approval by the two boards, notice of intent to authorize the licensing agreement has been published by the City. The item was approved by the Greenville Utilities Commission Board on December 9, 2008.

Mr. Todd Rouse from Greenville Utilities Commission and Stanley Sams, representing US Cellular, upon being asked to do so, explained that there are duplexes and transmission facilities in the area. They did not think that the neighbors had been notified of this request. They explained the type of pole and antenna that would be installed, and the Council was informed that it will be a single steel point, a monopole, similar to the light poles on Fire Tower Road. The antenna will not extend out from the pole.

Motion was made by Council Member Joyner and seconded by Council Member Kittrell to table this request until further information is provided.

Mr. Sams explained that if this contract is not executed before December 31, funding may not be available for the project.

Council Member Joyner withdrew his motion and Council Member Kittrell withdrew his second.

Motion was made by Council Member Kittrell and seconded by Mayor Pro-Tem Council to adopt the resolution approving a licensing agreement with USCOC of Greater North Carolina, LLC (US Cellular). Motion carried unanimously. (Resolution No. 08-72; Contract No. 1735A)

STARTING TIME FOR THURSDAY CITY COUNCIL MEETINGS - NO ACTION TAKEN

City Manager Wayne Bowers stated that Council Member Mercer had asked that the City Manager explore the feasibility of changing the starting time for the Thursday City Council meetings from 7:00 to 6:00 pm. In response to the request, a report was presented to City Council on November 5, 2008. After receiving the report, Council Member Mercer requested that this item be placed on the agenda for discussion at tonight's meeting. The City Manager stated that the 2009 calendars had been printed with a 7:00 starting time for the Thursday night meetings.

Council Member Mercer stated that he thought a uniform starting time might be in the best public interest. Thirteen government bodies have evening meetings, and nine start at the same time.

Motion was made by Council Member Mercer to have both the Monday and Thursday night meetings begin at 6:00, beginning January 2010. The motion was seconded by Council Member Kittrell.

It was expressed that the next Council should make the decision if it wouldn't be effective until January 2010.

City Manager Bowers stated that if the Council is considering making the change, staff would recommend eliminating the provision that provides for the third meeting of the month, as it is very confusing to explain the days of the Council meetings with the third meeting, and that meeting is usually canceled.

After discussion, Council Member Mercer withdrew his motion, and Council Member Kittrell withdrew his second.

Staff was asked to put this on the planning session agenda.

COMMENTS FROM MAYOR AND CITY COUNCIL

The Council Members gave general comments.

Mayor Pro-Tem Council distributed information that Council Member Glover and she had gathered at the National League of Cities meeting in Orlando in November.

CITY MANAGER'S REPORT

City Manager Bowers informed the Council that the ordinance providing for a two percent reduction in expenditures may be presented to Council in January or February. He gave a monthly budget update.

City Manager Bowers stated that the South Tar River Greenway groundbreaking will be held tomorrow at noon.

CLOSED SESSION

Motion was made by Mayor Pro-Tem Council to go into closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. Motion carried unanimously.

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to return to open session. Motion carried unanimously.

ADJOURNMENT

Motion was made by Council Member Kittrell and seconded by Council Member Spell to adjourn the meeting at 10:45 p.m. Motion carried unanimously.

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Respectfully submitted,

Wanda T. Elks, MMC
City Clerk



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Resolution accepting dedication of rights-of-way and easements for Stone Haven at Landover, Section One; Davencroft, Phase 2, Section 1 and Phase 3; and Tull's Cove, Section 2

Explanation: In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Stone Haven at Landover, Section One (Map Book 71 at Pages 68-71); Davencroft, Phase 2, Section 1 and Phase 3 (Map Book 70 at Page 90); and Tull's Cove, Section 2 (Map Book 71 at Pages 11-12). A resolution accepting the dedication of aforementioned rights-of-way and easements is attached for City Council consideration. The final plats showing the rights-of-way and easements are also attached.

Fiscal Note: Funds for the maintenance of these rights-of-way and easements are included within the FY 2008-2009 budget.

Recommendation: City Council adopt the attached resolution accepting dedication of rights-of-way and easements for Stone Haven at Landover, Section One; Davencroft, Phase 2, Section 1 and Phase 3; and Tull's Cove, Section 2.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Stone Haven at Landover](#)
- [Davencroft](#)
- [Tull's Cove](#)
- [January_Right_of_Way_Resolution_801938](#)

RESOLUTION NO. 09- _____

A RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160A-374 authorizes any city council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Subdivision Review Board of the City of Greenville has acted to approve the final plats named in this resolution, or the plats or maps that predate the Subdivision Review Process; and

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Greenville City Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the City of Greenville to accept the offered dedication on the plats named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina:

Section 1. The City of Greenville accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plats:

Davencroft, Phase 2, Section 1 and Phase 3	Map Book 70	Page 90
Stone Haven at Landover, Section One	Map Book 71	Pages 68-71
Tull's Cove, Section 2	Map Book 71	Pages 11-12

Section 2. Acceptance of dedication of lands or facilities shall not place on the City any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the City, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 5th day of January, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, a Notary Public, do hereby certify that Wanda T. Elks, City Clerk, personally appeared before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and notarial seal this 5th day of January, 2009.

Notary Public

My Commission Expires: 9/4/2011

SITE DATA

TOTAL AREA 16.269 AC
 NUMBER OF LOTS CREATED 64
 AREA IN COMMON AREA 0
 AREA IN PARKS, RECREATION AREAS
 CEMETERIES AND THE LIKE 0

CURVE TABLE

CURVE	RADIUS	CHORD	CH BEARING
C-1	475.00'	42.95'	S 89°42'42"W
C-2	30.00'	42.43'	N 48°41'30"W
C-3	400.00'	15.11'	05°43'10"W
C-4	420.00'	60.00'	N 07°50'55"W
C-5	420.00'	80.00'	N 10°02'37"W
C-6	370.00'	41.49'	S 04°42'21"E
C-7	30.00'	42.80'	S 4°48'38"W
C-8	975.00'	69.03'	N 88°38'48"W
C-9	975.00'	33.84'	N 85°37'14"W

PITT LAND DEVELOPMENT, LLC
 DB 1750, PG 47

C/L CURVE DATA

CURVE "A"
 R = 500.00'
 Δ = 358°50'
 L = 34.45'
 T = 17.23'
 CH = S 86°20'05" W 34.44'
 CH = N 88°09'27" W 123.28'

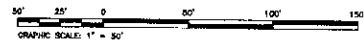
CURVE "B"
 R = 1,000.00'
 Δ = 7°04'05"
 L = 123.36'
 T = 61.76'
 CH = N 88°09'27" W 123.28'

CURVE "C"
 R = 395.00'
 Δ = 18°16'17"
 L = 125.96'
 T = 63.52'
 CH = N 10°49'36" W 125.43'

LEGEND

EPKN = EXISTING PARKER KALON MAIL
 EIP = EXISTING IRON PIPE
 C/L = CENTERLINE
 R/W = RIGHT-OF-WAY
 - - - = NOT TO SCALE
 ○ = IRON PIPE SET UNLESS OTHERWISE NOTED
 (TOT) = TOTAL

PITT LAND DEVELOPMENT, LLC
 DB 1750, PG 47



FINAL PLAT SHEET 1 OF 4

STONE HAVEN @ LANDOVER
 SECTION ONE

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1750, PAGE 47 AND DEED BOOK 2359, PAGE 285 OF THE PITT COUNTY REGISTRY

GREENVILLE, ARTHUR TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: **PITT LAND DEVELOPMENT, LLC**
 ADDRESS: 1156 AUTUMN LAKES DRIVE GRIMESLAND, NC 27837
 PHONE: (252) 752-7921

ROCKY RUSSELL DEVELOPMENT, LLC
 106 REGENCY BLVD GREENVILLE, NC 27834
 (252) 355-7812

SOURCE OF TITLE

THIS IS TO CARRY THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 1750 PAGE 47
 DEED BOOK 2359 PAGE 285
 DEED BOOK 2359 PAGE 285

NC REGISTRATION NO. L-3082

OWNERS STATEMENT

THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

(SEE ABOVE SIGNATURES)

SWORN AND SUBSCRIBED BEFORE ME THIS 13th DAY OF AUGUST, 2008.

NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/09

APPROVAL

THIS FINAL PLAT NO. 08-62 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 3 OF THE GREENVILLE CITY CODE THE 13TH DAY OF AUGUST 2008.

SIGNED: [Signature]
 CITY PLANNER # 2

DEDICATION

THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED: (SEE ABOVE SIGNATURES)
 ATTEST: [Signature]

CERTIFICATION

I, MICHAEL WEST BALDWIN, CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE ET AL OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAIN FROM INFORMATION FOUND IN BOOK PAGE ; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:1000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 7-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 22ND DAY OF JULY, 2008.

SIGNED: [Signature] REGISTRATION NO. L-3082

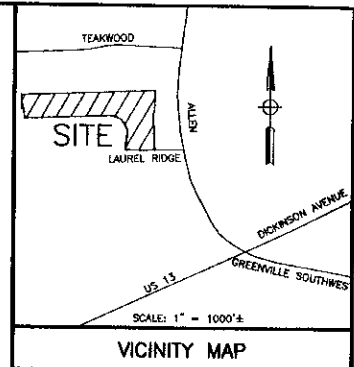


REVIEW OFFICER'S CERTIFICATE

I, ADDRESS THOMAS, JR., REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDS.

SIGNED: [Signature] DATE: 11/10/08
 REVIEW OFFICER

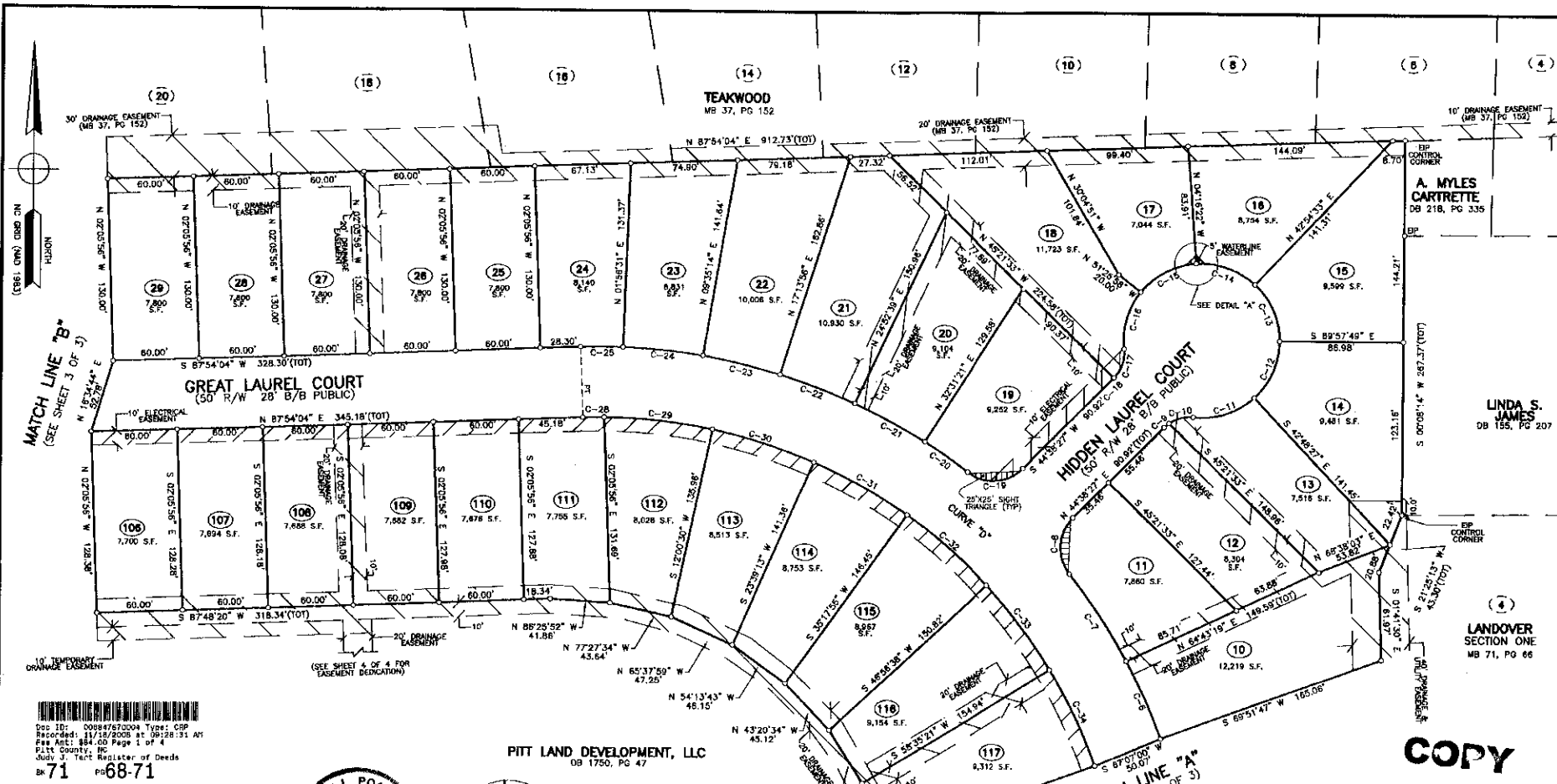
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 Fee Amt: \$84.00 Page 1 of 4
 Pitt County, NC
 Judd J. Tart Register of Deeds
 68-71 PG 68-71



GENERAL NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: 3720468700 J, AND 3720468600 J, DATED JANUARY 2, 2004.
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRICAL LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES, THEREOF, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRUCH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, NO GRID FACTORS HAVE BEEN APPLIED.

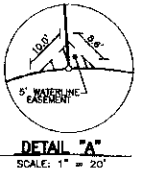
COPY



Doc ID: 00869752004 Type: CIP
Recorded: 11/28/2008 at 09:28:31 AM
Fee Amt: \$84.00 Page 1 of 4
Pitt County, NC
Judy J. Text Registrar of Deeds

71 68-71

PITT LAND DEVELOPMENT, LLC
DB 1750, PG 47



C/L CURVE DATA

CURVE "0"
R = 395.00'
Δ = 72°08'11"
L = 497.31'
T = 287.70'
CH = N 5°01'51" W
465.11'

CURVE TABLE

CURVE	RADIUS	CHORD	CH BEARING	CURVE	RADIUS	CHORD	CH BEARING
C-5	420.00'	60.00'	N 241°38'W	C-20	420.00'	37.38'	N 64°54'47" W
C-6	420.00'	73.28'	N 31°20'02" W	C-21	420.00'	46.00'	N 81°18'00" W
C-7	30.00'	36.75'	N 03°00'04" E	C-22	420.00'	56.00'	N 89°54'43" W
C-8	28.00'	4.85'	N 49°1'32" E	C-23	420.00'	86.00'	N 78°52'26" W
C-9	25.00'	17.46'	N 70°12'24" E	C-24	420.00'	58.00'	N 84°14'07" W
C-10	25.00'	45.41'	N 71°34'33" E	C-25	420.00'	28.81'	S 89°51'18" W
C-11	55.00'	44.00'	N 02°48'52" E	C-26	370.00'	14.82'	N 89°02'34" E
C-12	55.00'	44.00'	N 23°32'31" W	C-27	370.00'	75.00'	S 72°10'56" W
C-13	55.00'	44.00'	N 02°48'52" E	C-28	370.00'	75.00'	S 82°11'28" E
C-14	55.00'	44.00'	S 62°08'54" W	C-29	370.00'	75.00'	S 48°52'43" E
C-15	55.00'	42.31'	S 15°58'42" W	C-30	370.00'	75.00'	S 89°14'02" E
C-16	55.00'	21.85'	S 01°15'42" W	C-31	370.00'	75.00'	S 29°35'17" E
C-17	25.00'	0.22'	N 44°38'27" E	C-32	370.00'	75.00'	S 89°14'02" E
C-18	30.00'	39.75'	S 86°07'50" W	C-33	370.00'	75.00'	S 89°14'02" E
C-19	30.00'	39.75'	S 86°07'50" W	C-34	370.00'	75.00'	S 89°14'02" E

FINAL PLAT SHEET 2 OF 4

STONE HAVEN @ LANDOVER
SECTION ONE

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1750, PAGE 47 AND DEED BOOK 2389, PAGE 285 OF THE PITT COUNTY REGISTRY

GREENVILLE, ARTHUR TOWNSHIP, PITT COUNTY, NORTH CAROLINA

PITT LAND DEVELOPMENT, LLC
1156 AUTUMN LAKES DRIVE
GRIMESLAND, NC 27837
PHONE: (252) 752-7921

ROCKY RUSSELL DEVELOPMENT, LLC
106 REGENCY BLVD
GREENVILLE, NC 27834
(252) 355-7812

SOURCE OF TITLE
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 1750 PAGE 47
DEED BOOK 2389 PAGE 285
DEED BOOK PAGE

NC REGISTRATION NO. L-3082

OWNERS STATEMENT
THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

(SEE ABOVE SIGNATURES)

SWORN AND SUBSCRIBED BEFORE ME THIS 12th DAY OF MAY, 2008.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 03/28/09

APPROVAL
THIS FINAL PLAT NO. 08-62 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 13TH DAY OF AUGUST 2008.

SIGNED: [Signature]
CITY PLANNER # 2

DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED: (SEE ABOVE SIGNATURES)
ATTEST: [Signature]

Baldwin & Anowski
ENGINEERING SURVEYING - PLANNING
1019 CONFERENCE DRIVE
GREENVILLE, NC 27838 252.756.1300

CERTIFICATION

I, MICHAEL WEST BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE (ETC.)) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE; THAT THE RATIO OF PRECISION AS CALCULATED BY THE LANDS AND DEPARTURES IS 1:10,000; THAT A MAP WAS PREPARED IN ACCORDANCE WITH GS 67-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 30th DAY OF JULY, AD 2008.

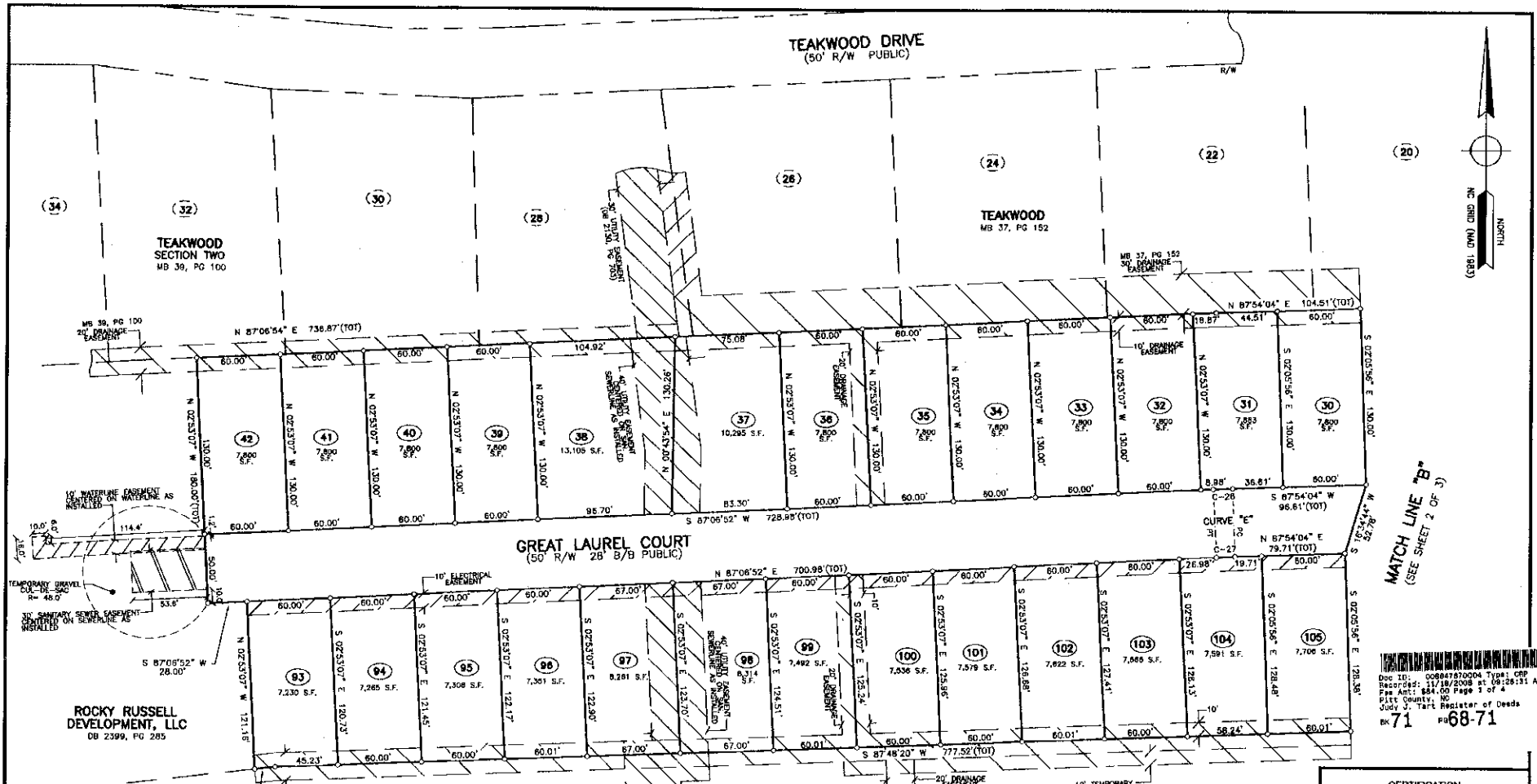
SIGNED: [Signature]
REGISTRATION NO. L-3082



REVIEW OFFICER'S CERTIFICATE

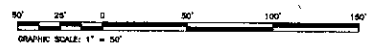
Andrew Thomas, Jr.
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

SIGNED: [Signature]
DATE: 7/11/08



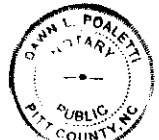
CURVE TABLE

CURVE	RADIUS	CHORD	CH BEARING
C-26	1020.00'	14.00'	S 87°30'28" W
C-27	870.00'	13.31'	N 87°30'28" E



C/L CURVE DATA

CURVE "E"
 R = 995.00'
 Δ = 67°11'
 L = 13.6'
 E = 5.83'
 CH = S 87°30'28" W 13.60'



PITT LAND DEVELOPMENT, LLC
 DB 1750, PG 47

COPY

FINAL PLAT SHEET 3 OF 4
STONE HAVEN @ LANDOVER
 SECTION ONE
 REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1750, PAGE 47 AND DEED BOOK 2399, PAGE 285 OF THE PITT COUNTY REGISTRY
 GREENVILLE, ARTHUR TOWNSHIP, PITT COUNTY, NORTH CAROLINA



Sam Harder Jr.
 ROCKY RUSSELL DEVELOPMENT, LLC
 PITT LAND DEVELOPMENT, LLC

Sam Harder Jr.
 ROCKY RUSSELL DEVELOPMENT, LLC
 PITT LAND DEVELOPMENT, LLC

OWNER: PITT LAND DEVELOPMENT, LLC
 ADDRESS: 1156 AUTUMN LAKES DRIVE GRIMESLAND, NC 27837
 PHONE: (252) 752-7921

ROCKY RUSSELL DEVELOPMENT, LLC
 106 REGENCY BLVD GREENVILLE, NC 27834
 (252) 355-7812

Baldwin & Janowski
 ENGINEERING - SURVEYING - PLANNING
 1015 CONFERENCE DRIVE GREENVILLE, NC 27608 252.758.1390

SURVEYED: JP APPROVED: MWB
 DRAWN: SCB DATE: 07/30/2008
 CHECKED: MWB SCALE: 1" = 50'

SOURCE OF TITLE
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 1750 PAGE 47
 DEED BOOK 2399 PAGE 285
 DEED BOOK 1750 PAGE 47

NC REGISTRATION NO. L-3082

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

(SEE ABOVE SIGNATURES)

SWORN AND SUBSCRIBED BEFORE ME THIS 27 DAY OF JULY, 2008.
Dawn L. Poletti
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/09

APPROVAL
 THIS FINAL PLAT NO. 08-82 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 5, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 13TH DAY OF AUGUST 2008.

SIGNED: *Adel...*
 CITY PLANNING DEPT # 2

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLIOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED: (SEE ABOVE SIGNATURES)
 ATTEST: *Dawn Poletti*

CERTIFICATION
 I, MICHAEL WEST BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE ETC. (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 86 AS AMENDED; WITNESS MY HAND AND SEAL, THIS 28TH DAY OF JULY 2008.

SIGNED: *Michael West Baldwin*
 REGISTRATION NO. L-3082

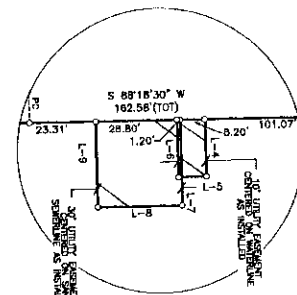
REVIEW OFFICER'S CERTIFICATE
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS ATTACHED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
Andrew Thomas Jr.
 REVIEW OFFICER DATE: 11/18/08

CURVE TABLE

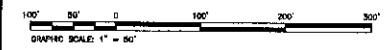
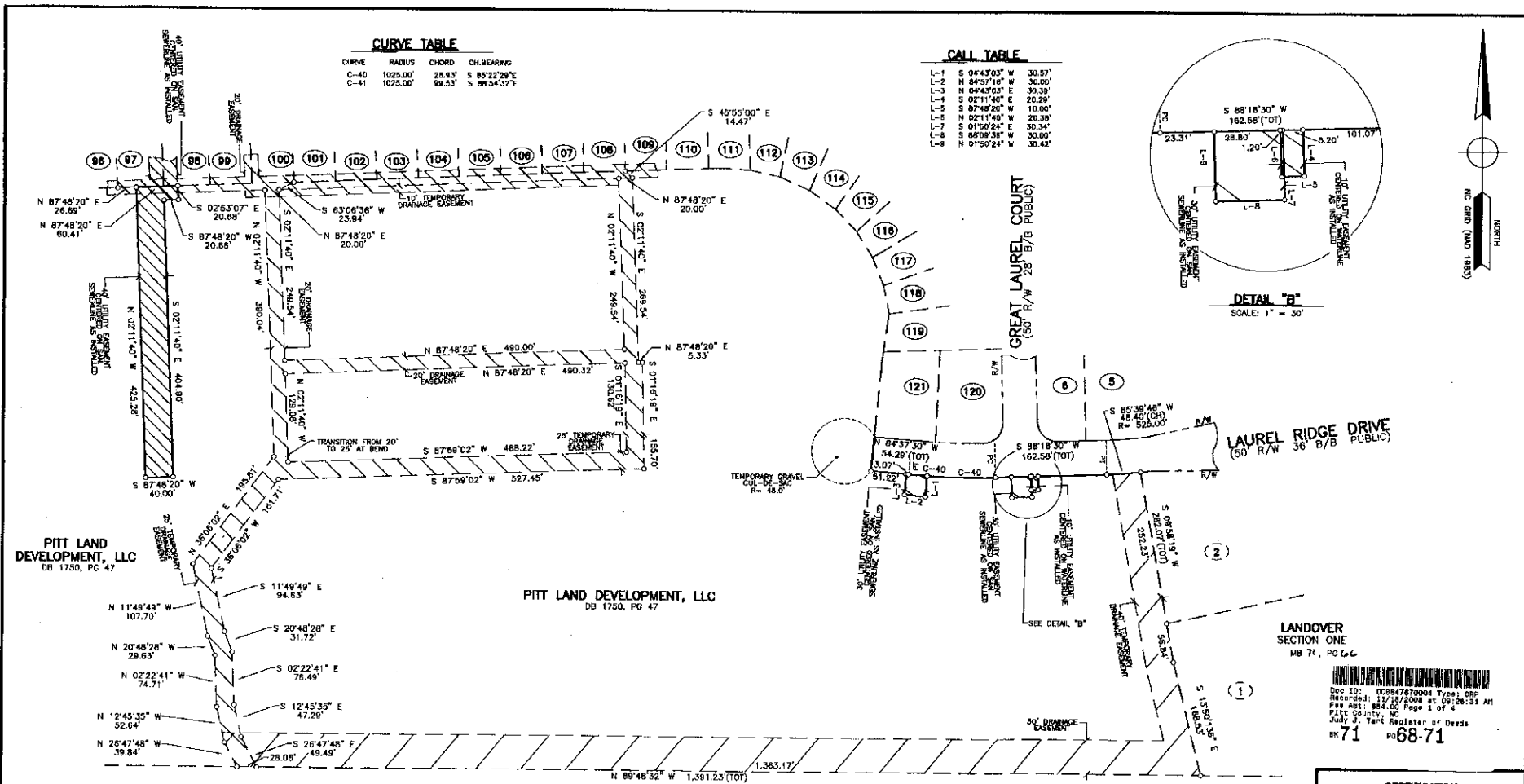
CURVE	RADIUS	CHORD	CH. BEARING
C-40	1023.00'	28.43'	S 85°22'29" E
C-41	1023.00'	89.33'	S 88°54'32" E

CALL TABLE

L-1	S 04°43'03" W	30.57'
L-2	N 84°53'18" W	30.80'
L-3	N 04°43'03" E	30.39'
L-4	S 02°11'40" E	20.29'
L-5	S 87°48'20" W	10.00'
L-6	N 02°11'40" W	28.39'
L-7	S 01°50'24" E	30.34'
L-8	S 88°08'51" W	30.00'
L-9	N 01°50'24" W	30.42'



DETAIL "B"
SCALE: 1" = 30'

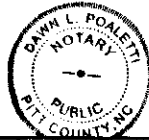


COPY

FINAL PLAT SHEET 4 OF 4
STONE HAVEN @ LANDOVER
SECTION ONE
REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1750, PAGE 47 AND DEED BOOK 2399, PAGE 285 OF THE PITT COUNTY REGISTRY
GREENVILLE, ARTHUR TOWNSHIP, PITT COUNTY, NORTH CAROLINA



Rocky Russell
ROCKY RUSSELL DEVELOPMENT, LLC
Sean Handley
PITT LAND DEVELOPMENT, LLC



Rocky Russell
ROCKY RUSSELL DEVELOPMENT, LLC
Sean Handley
PITT LAND DEVELOPMENT, LLC

OWNER: PITT LAND DEVELOPMENT, LLC ADDRESS: 1156 AUTUMN LAKES DRIVE GRIMESLAND, NC 27837 PHONE: (252) 752-7921	ROCKY RUSSELL DEVELOPMENT, LLC 106 REGENCY BLVD GREENVILLE, NC 27834 (252) 335-7812	SOURCE OF TITLE THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS: DEED BOOK 1750 PAGE 47 DEED BOOK 2399 PAGE 285 DEED BOOK 2527 PAGE 130
Baldwin & Janowska ENGINEERING - SURVEYING - PLANNING 1015 CONFERENCE DRIVE GREENVILLE, NC 27656 252.756.1300	SURVEYED: JP APPROVED: MWB DRAWN: SCB DATE: 07/30/2008 CHECKED: MWB SCALE: 1" = 100'	SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF <u>11</u> , 2008. <i>Dawn L. Poaletti</i> NOTARY PUBLIC MY COMMISSION EXPIRES: 03/28/09

APPROVAL
THIS FINAL PLAT NO. 08-62, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 5, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 13TH DAY OF AUGUST 2008.

OWNERS STATEMENT
THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
(SEE ABOVE SIGNATURES)
SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF 11, 2008.
Dawn L. Poaletti
NOTARY PUBLIC
MY COMMISSION EXPIRES: 03/28/09

DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED: (SEE ABOVE SIGNATURES)
ATTEST: *Dawn Poaletti*

CITY PLANNING
Item # 2

REVIEW OFFICER'S CERTIFICATE
Andrew Thomas Jr.
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS ATTACHED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
REVIEW OFFICER: *Andrew Thomas Jr.* DATE: 11/11/08

CERTIFICATION
I, MICHAEL WEST BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE, ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH AS 17C-30 AS AMENDED; WITNESS MY HAND AND SEAL THIS 30TH DAY OF JULY 2008.
SIGNED: *[Signature]*
REGISTRATION NO. L-3082
SEAL L-3082
MICHAEL WEST BALDWIN
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR

SITE DATA

TOTAL AREA 7.083 AC
 NUMBER OF LOTS CREATED 4
 AREA IN COMMON AREA 0
 AREA IN PARKS, RECREATION AREAS
 CEMETERIES AND THE LIKE. 0

CURVE TABLE

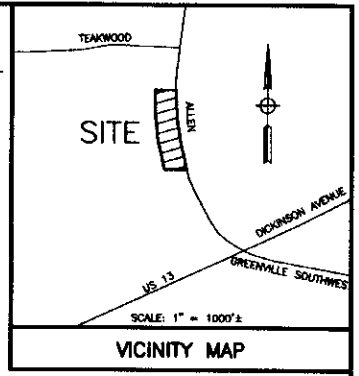
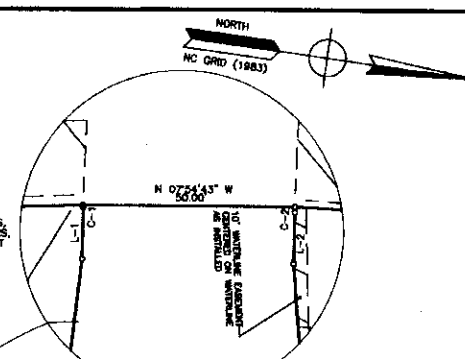
CURVE	RADIUS	CHORD	BEARING
C-1	525.00'	0.56'	N 83°17'48" E
C-2	475.00'	1.32'	S 83°10'10" W

CALL TABLE

L-1	N 82°57'50" E	12.30'
L-2	S 82°57'49" W	12.30'

GENERAL NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY, REF: 3720466700 J, AND 3720466800 J, DATED JANUARY 2, 2004.
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRICAL LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, STORAGE TANKS, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRUMPH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, NO GRID FACTORS HAVE BEEN APPLIED.

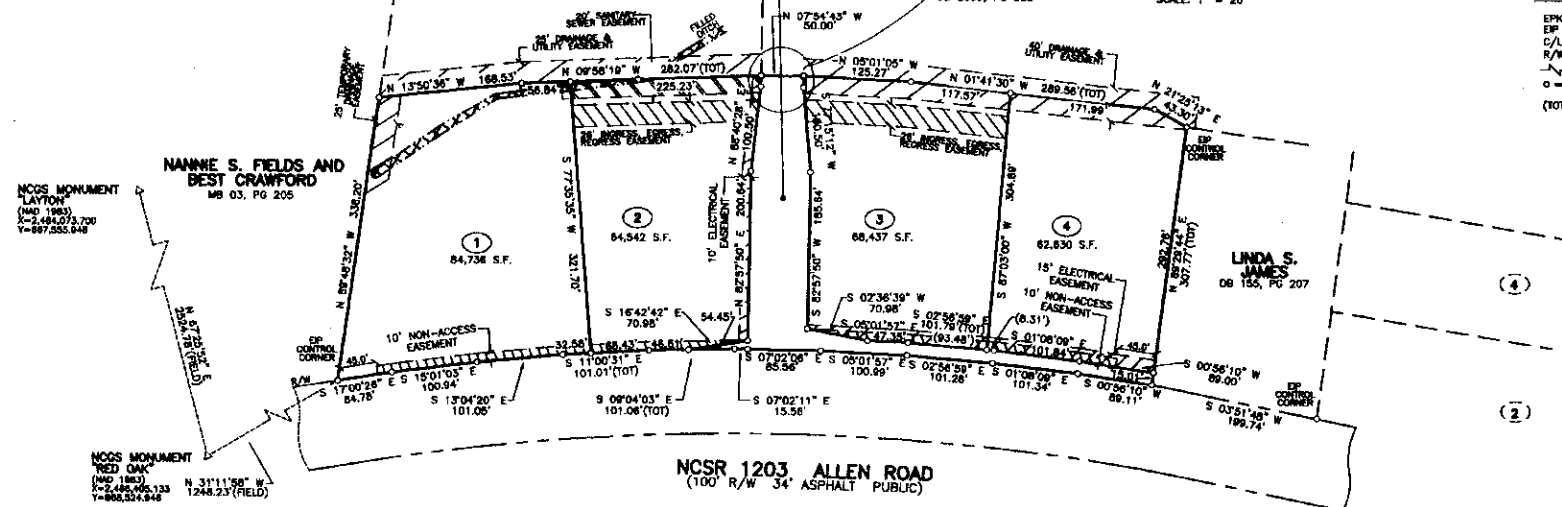


LAUREL RIDGE DRIVE
 (R/W VARIES B/B VARIES PUBLIC)

PITT LAND DEVELOPMENT, LLC
 DB 1750, PG 47

ROCKY RUSSELL DEVELOPMENT, LLC
 DB 2309, PG 285

DETAIL
 SCALE: 1" = 20'



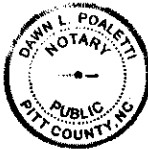
LEGEND

- EP/ON = EXISTING PARKER (AL)ONNALN
- EP = EXISTING IRON PIPE
- C/L = CENTERLINE
- R/W = RIGHT-OF-WAY
- - - = NOT TO SCALE
- = IRON PIPE SET UNLESS OTHERWISE NOTED
- (TOT) = TOTAL

Doc ID: 0068912000 Type: CR
 Recorded: 17/12/2008 at 04:42:46 PM
 Fee Act: 821.00 Page 1 of 1
 PISE COUNTY, NC
 Judy J. Tart Register of Deeds
 BK 71 Pg 66

COPY

TEAKWOOD
 MB 37, PG 152



CERTIFICATION

I, MICHAEL WEST BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION INCORPORATED IN BOOK PAGE, ETC.) (OTHER), THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SHOWN FROM INFORMATION FOUND IN BOOK PAGE, THAT THE RATIO OF PRECISION IS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10000 THAT THE MAP WAS PREPARED IN ACCORDANCE WITH GS 7-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 30th DAY OF JULY, 2008.

SIGNED: *[Signature]*
 REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE

[Signature]
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

SIGNED: *[Signature]* 11/10/08
 REVIEW OFFICER DATE

NORTH CAROLINA PITT COUNTY
 FILED FOR REGISTRATION THIS DAY OF 20
 JUDY J. TART REGISTER OF DEEDS
 BY: *[Signature]* DEPUTY REGISTER OF DEEDS

FINAL PLAT SHEET L OF L

LANDOVER

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1750, PAGE 47 AND DEED BOOK 2309, PAGE 285 OF THE PITT COUNTY REGISTRY
 GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: **PITT LAND DEVELOPMENT, LLC**
 ADDRESS: 1156 AUTUMN LAKES DRIVE GRIMESLAND, NC 27837
 PHONE: (252) 752-7821

OWNER: **ROCKY RUSSELL DEVELOPMENT, LLC**
 ADDRESS: 106 REGENCY BLVD GREENVILLE, NC 27834
 PHONE: (252) 355-5812

Baldwin & Janowski
 ENGINEERING - SURVEYING - PLANNING
 1015 CONFERENCE DRIVE GREENVILLE, NC 27602 252.754.1380

SURVEYED: JP APPROVED: MMB
 DRAWN: SCB DATE: 07/30/2008
 CHECKED: MMB SCALE: 1" = 100'

SOURCE OF TITLE
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 1750 PAGE 47
 DEED BOOK 2309 PAGE 285
 DEED BOOK 2309 PAGE 285

REGISTRATION NO. L-3082

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

(SEE ABOVE SIGNATURES)

SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF JULY, 2008.

[Signature]
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/09

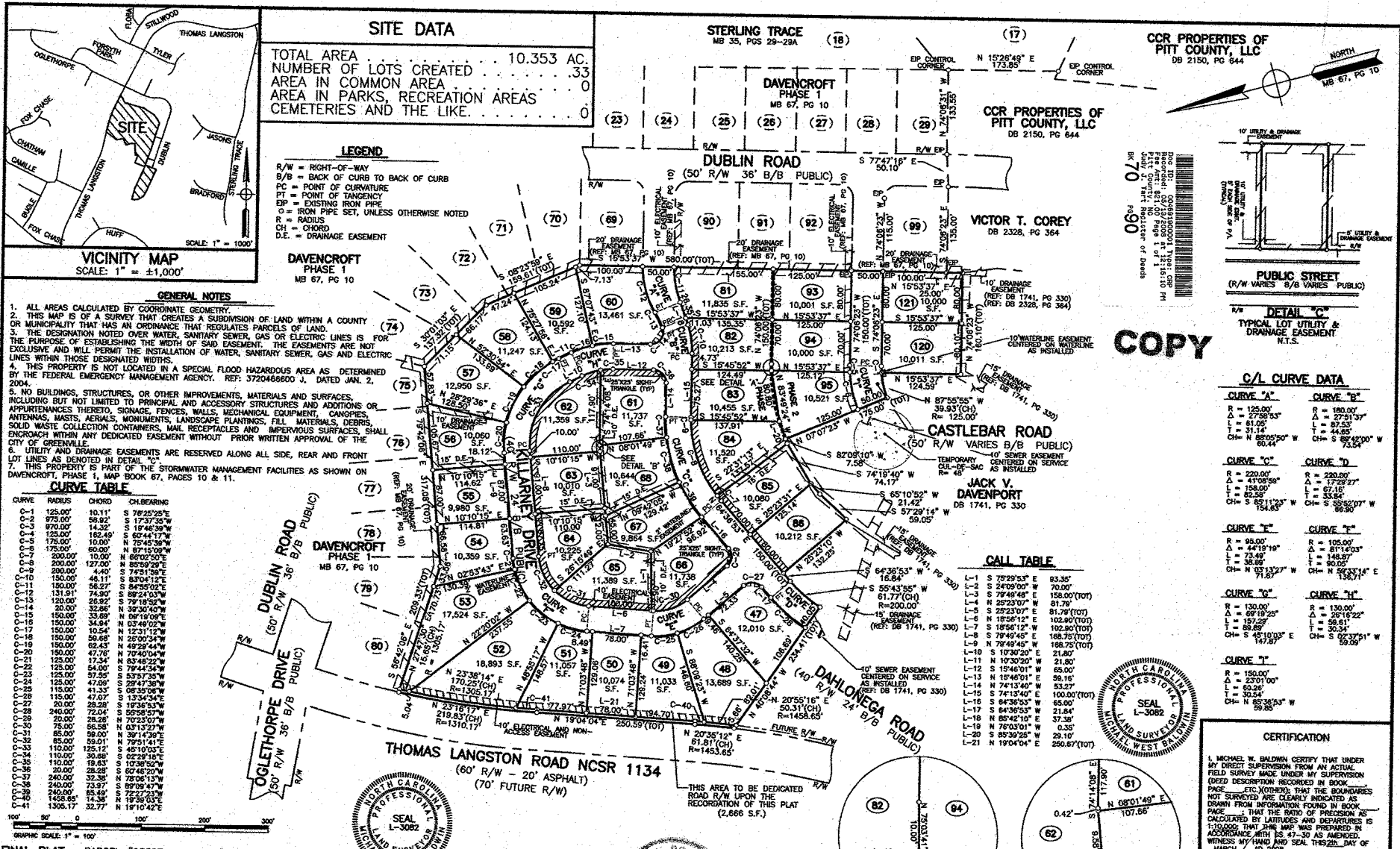
APPROVAL
 THIS FINAL PLAT NO. 08-53, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 5, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 13th DAY OF AUGUST 2008.

SIGNED: *[Signature]* 2
 CITY CLERK

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

(SEE ABOVE SIGNATURES)

SIGNED: *[Signature]*
 ATTEST: *[Signature]*



SITE DATA

TOTAL AREA OF LOTS CREATED . . . 10.353 AC.
 NUMBER OF LOTS CREATED . . . 33
 AREA IN COMMON AREA . . . 0
 AREA IN PARKS, RECREATION AREAS, CEMETERIES AND THE LIKE . . . 0

LEGEND

R/W = RIGHT-OF-WAY
 B/B = BACK OF CURB TO BACK OF CURB
 PC = POINT OF CURVATURE
 PT = POINT OF TANGENCY
 EP = EXISTING IRON PIPE
 I = IRON PIPE SET, UNLESS OTHERWISE NOTED
 R = RADIUS
 CH = CHORD
 D.E. = DRAINAGE EASEMENT

DAVENCROFT PHASE 1
 MB 67, PG 10

VICINITY MAP
 SCALE: 1" = ±1,000'

GENERAL NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: 3720468600 J, DATED JAN. 2, 2004.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPOINTMENTS THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPROVED SURFACES, SHALL ENROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- UTILITY AND DRAINAGE EASEMENTS ARE RESERVED ALONG ALL SIDE, REAR AND FRONT LOT LINES AS DENOTED IN DETAIL "C".
- THIS PROPERTY IS PART OF THE STORMWATER MANAGEMENT FACILITIES AS SHOWN ON DAVENCROFT, PHASE 1, MAP BOOK 67, PAGES 10 & 11.

CURVE TABLE

CURVE	RADIUS	CHORD	CHL BEARING
C-1	125.00'	10.11'	S 76°25'26"E
C-2	975.00'	58.82'	S 17°37'35"W
C-3	870.30'	14.32'	S 18°46'36"W
C-4	125.00'	182.49'	S 62°44'17"W
C-5	175.00'	10.00'	N 75°45'38"W
C-6	175.00'	82.00'	S 82°00'00"E
C-7	200.00'	10.00'	N 82°00'00"E
C-8	200.00'	127.00'	S 85°52'00"E
C-9	150.00'	48.11'	S 74°51'25"E
C-10	150.00'	44.90'	S 74°51'25"E
C-11	131.91'	74.90'	S 89°24'03"W
C-12	120.00'	25.82'	S 79°18'52"E
C-13	20.00'	32.86'	S 79°24'40"W
C-14	150.00'	33.69'	N 08°18'08"E
C-15	150.00'	34.84'	N 03°42'02"E
C-16	150.00'	10.54'	N 23°11'12"E
C-17	150.00'	56.68'	N 26°00'34"W
C-18	150.00'	82.49'	S 42°29'44"W
C-19	125.00'	17.24'	N 85°46'22"W
C-20	125.00'	56.00'	N 79°24'34"W
C-21	125.00'	57.55'	S 53°57'35"W
C-22	125.00'	57.55'	S 53°57'35"W
C-23	115.00'	41.33'	S 08°39'06"W
C-24	115.00'	47.07'	S 13°34'34"E
C-25	20.00'	28.28'	S 03°12'27"E
C-26	240.00'	72.04'	S 58°58'57"W
C-27	240.00'	18.53'	N 10°38'50"W
C-28	240.00'	28.28'	S 60°46'20"W
C-29	240.00'	72.04'	S 58°58'57"W
C-30	85.00'	59.01'	S 79°14'16"E
C-31	85.00'	59.01'	S 79°14'16"E
C-32	110.00'	125.12'	S 45°10'03"E
C-33	110.00'	30.89'	S 02°29'18"E
C-34	110.00'	18.53'	N 10°38'50"W
C-35	240.00'	28.28'	S 60°46'20"W
C-36	240.00'	72.04'	S 58°58'57"W
C-37	240.00'	18.53'	N 10°38'50"W
C-38	240.00'	72.04'	S 58°58'57"W
C-39	240.00'	88.48'	S 72°27'25"W
C-40	150.00'	153.63'	S 14°38'14"E
C-41	1305.17'	32.77'	N 19°10'42"E

GRAPHIC SCALE: 1" = 100'

FINAL PLAT PARCEL #05587 PARCEL #72493 SHEET 1 OF 1

DAVENCROFT
 PHASE 2, SECTION 1 AND PHASE 3
 REFERENCE DEED BOOK 2444, PAGE 476 AND BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 2097, PAGE 444 OF THE PITT COUNTY REGISTRY
 GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: CCR PROPERTIES OF PITT COUNTY, LLC.
 ADDRESS: PO BOX 1549 WINTERVILLE, NC 28590
 PHONE: (252) 355-4688

JACK V. DAVENPORT
 2251 THOMAS LANGSTON ROAD WINTERVILLE, NC 28590
 (252) 355-2901

Baldwin & Janowski
 ENGINEERING-SURVEYING-PLANNING
 1015 CONFERENCE DRIVE GREENVILLE, NC 27639 252.758.1300

SURVEYED: TS APPROVED: MWB
 DRAWN: SCB DATE: 03/25/2008
 CHECKED: MWB SCALE: 1" = 100'

CLOSURE CHECK BOUNDARY
 CHECKED: BAW DATE: 01/29/2008

CLOSURE CHECK LOT
 CHECKED: BAW DATE: 01/29/2008

SOURCE OF TITLE
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 2097 PAGE 444
 DEED BOOK 2444 PAGE 476
 DEED BOOK 2097 PAGE 476

NO REGISTRATION NO. L-3082

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

Jack V. Davenport
 SWORN AND SUBSCRIBED BEFORE ME THIS 25th DAY OF MARCH, 2008.

Drum Calotta
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/2009

APPROVAL
 THIS FINAL PLAT NO. 08-33 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 5th DAY OF APRIL, 2008.

Al J. J. #2
 SIGNED CITY PLANNER #2

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED *Jack V. Davenport*
 SIGNED *Drum Calotta*
 ATTEST

CERTIFICATION

I, MICHAEL W. BALDWIN, CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE 476 HEREON) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE 444 HEREON. THAT THE RATIO OF PROVISION IS CALCULATED BY LATITUDES AND DEPARTURES IS FOLLOWS: THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH §§ 47-30 AS AMENDED BY §§ 47-31 AND 47-32, AND SEAL THIS 25th DAY OF MARCH, 2008.

SIGNED *Michael W. Baldwin*
 REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE

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

SIGNED *Al J. J.* 5/12/08
 REVIEW OFFICER DATE

NORTH CAROLINA, PITT COUNTY
 FILED FOR REGISTRATION THIS 25th DAY OF MARCH, 2008 BY *Al J. J.* REGISTER OF DEEDS
 DEPUTY REGISTER OF DEEDS

SITE DATA

TOTAL AREA 8.129 AC.
NUMBER OF LOTS CREATED 35
AREA IN COMMON AREA 8,428 SF
AREA IN PARKS, RECREATION AREAS
CEMETERIES AND THE LIKE 0

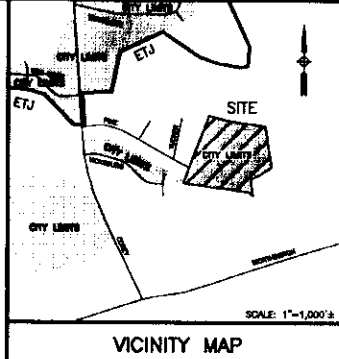
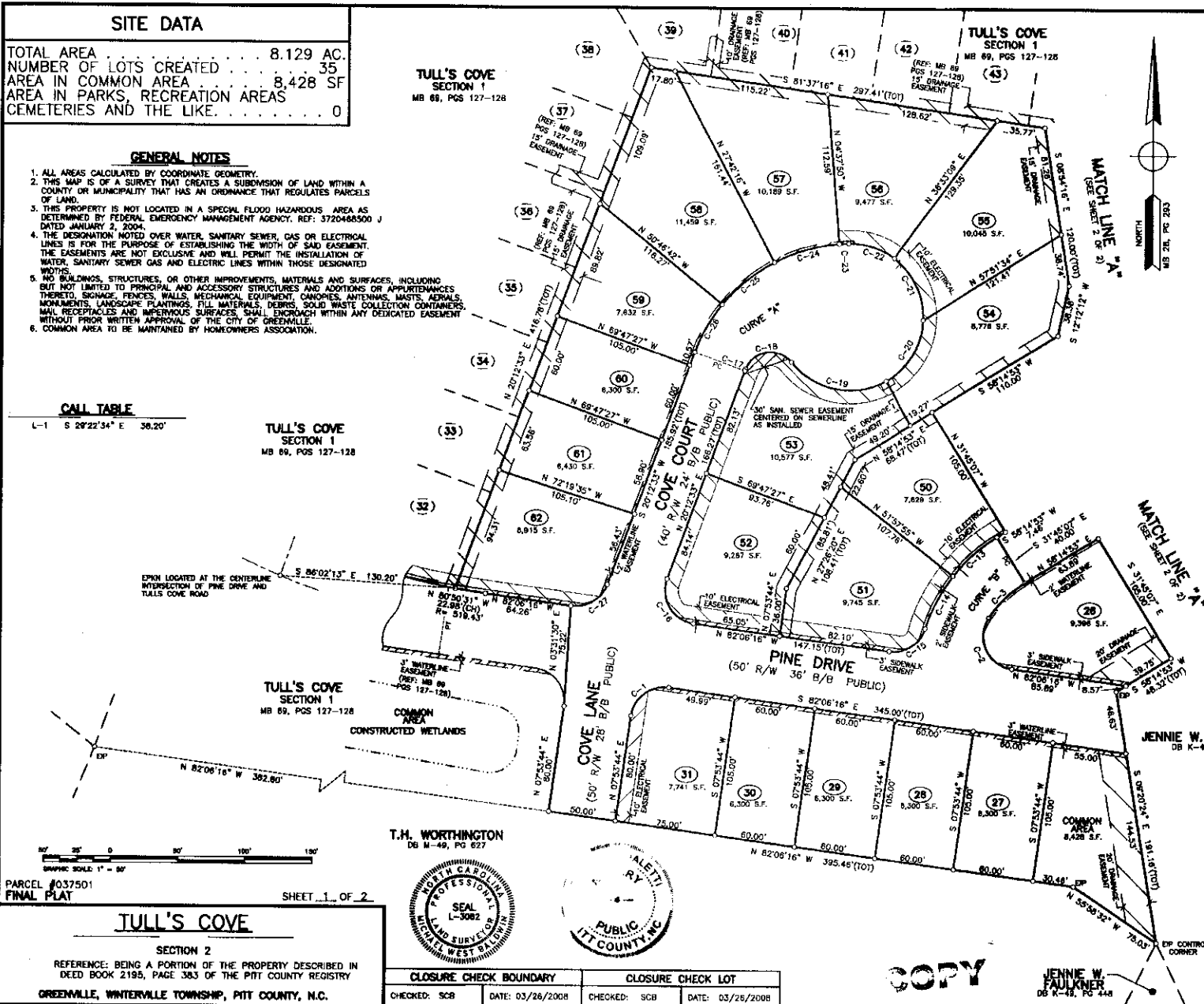
GENERAL NOTES

- 1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
3. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: 3720488500 J DATED JANUARY 2, 2004.
4. THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRICAL LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
5. NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CHIMNEYS, ANTENNAS, MASTS, ADIRALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRoACH WITHIN ANY DESIGNATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
6. COMMON AREA TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION.

CALL TABLE

L-1 S 29°22'34" E 38.20'

TULL'S COVE SECTION 1 MB 89, PGS 127-128



C/L CURVE DATA table with columns for CURVE 'A' and CURVE 'B', listing R, A, L, T, and CH values.

Doc ID: 021378008
Recorded: 02/15/2008 at 10:26:46 AM
Fee Amt: \$42.00 Page 1 of 2
Pitt County, NC
Judd J. Tart Register of Deeds
BK 71 PG 11-12



CERTIFICATION
I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (FIELD DESCRIPTION RECORDED IN BOOK PAGE ETC.(OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DEDICATED FROM INFORMATION FOUND IN BOOK PAGE THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH THE 47-30 AS AMENDED.
WITNESS MY HAND AND SEAL THIS 22ND DAY OF MARCH 2008.

REVIEW OFFICER'S CERTIFICATE
Andrew Thomas, Jr.
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED, MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
DATE 9/15/08

PARCEL #037501 FINAL PLAT SHEET 1 OF 2

TULL'S COVE SECTION 2

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 2195, PAGE 383 OF THE PITT COUNTY REGISTRY GREENVILLE, WINTERTVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: CHARIS PROPERTIES, LLC
ADDRESS: PO BOX 1549 WINTERTVILLE, NC 28590
PHONE: (252) 355-4688

Baldwin & Janowska Engineering & Planning logo and contact information.

Professional seals for T.H. WORTHINGTON and Michael Aletti, License No. L-3062.

CLOSURE CHECK BOUNDARY and CLOSURE CHECK LOT table with checked status and dates.

SOURCE OF TITLE
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS: DEED BOOK 2195 PAGE 383 DEED BOOK 2289 PAGE 628

OWNERS STATEMENT
THIS IS EVIDENCE THAT THIS SUBMISSION IS MADE AT THE REQUEST OF SWORN AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF MARCH, 2008. NOTARY PUBLIC MY COMMISSION EXPIRES: 03/28/09

APPROVAL
THIS FINAL PLAT NO. 08-34 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 9th DAY OF APRIL 2008.

DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

COPY

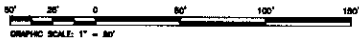
JENNIE W. FAULKNER DB K-49, PG 448

CURVE TABLE

CURVE	RADIUS	CHORD	CHORD BEARING
C-1	25.00'	35.34'	N 82°53'44"E
C-2	25.00'	42.08'	N 24°47'33"W
C-3	85.00'	37.86'	N 45°23'00"E
C-4	125.00'	31.88'	N 67°50'11"E
C-5	125.00'	50.00'	N 32°03'19"E
C-6	125.00'	50.00'	N 08°58'48"E
C-7	125.00'	13.84'	N 09°43'50"W
C-8	125.00'	37.86'	N 17°38'18"W
C-9	125.00'	50.00'	N 37°43'53"W
C-10	85.00'	56.80'	S 29°10'31"E
C-11	85.00'	75.11'	S 17°15'00"E
C-12	85.00'	21.76'	S 50°53'36"W
C-13	125.00'	43.87'	S 48°08'29"W
C-14	125.00'	44.98'	S 27°45'44"W
C-15	25.00'	32.27'	S 57°41'33"W
C-16	25.00'	38.84'	N 30°56'52"W
C-17	85.00'	1.49'	N 30°41'25"E
C-18	20.00'	34.73'	N 81°27'34"E
C-19	55.00'	71.51'	N 78°48'11"E
C-20	55.00'	63.79'	N 31°20'57"E
C-21	55.00'	51.24'	N 29°41'19"W
C-22	55.00'	36.79'	N 72°25'53"W
C-23	125.00'	7.01'	S 86°58'37"W
C-24	125.00'	50.00'	S 73°48'57"W
C-25	125.00'	50.00'	S 50°45'31"W
C-26	125.00'	41.29'	S 29°42'36"W
C-27	25.00'	31.36'	S 50°03'08"W

C/L CURVE DATA

CURVE "C"	CURVE "D"
R = 105.00'	R = 105.00'
Δ = 67°09'08"	Δ = 40°32'36"
L = 121.09'	L = 74.30'
T = 66.70'	T = 36.78'
Ch = S 24°48'18" W	Ch = S 22°02'11" E
118.14'	72.46'



PARCEL #037501
FINAL PLAT

SHEET 2 OF 2

TULL'S COVE

SECTION 2

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 2195, PAGE 383 OF THE PITT COUNTY REGISTRY

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER: CHARIS PROPERTIES, LLC
ADDRESS: PO BOX 1549
WINTERVILLE, NC 28590
PHONE: (252) 355-4688



SURVEYED: DF APPROVED: MWB
DRAWN: SCB DATE: 03/20/2008
CHECKED: MWB SCALE: 1" = 50'

CLOSURE CHECK BOUNDARY		CLOSURE CHECK LOT	
CHECKED: SCB	DATE: 03/26/2008	CHECKED: SCB	DATE: 03/26/2008

SOURCE OF TITLE
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 2195 PAGE 383
DEED BOOK 2259 PAGE 628
DEED BOOK 2259 PAGE 628
NC REGISTRATION NO. L-3062

OWNERS STATEMENT
THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF April, 2008.
David L. Callett
NOTARY PUBLIC
MY COMMISSION EXPIRES: 03/28/09

APPROVAL
THIS FINAL PLAT NO. 08-31 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 5, CHAPTER 5 OF THE GREENVILLE CITY CODE THE SIX DAY OF APRIL, 2008.

SIGNED: *Andrew Titomas, Jr.*
CITY PLAT # 2

DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

SIGNED: *David L. Callett*
ATTEST: *David L. Callett*

CERTIFICATION
I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE ETC. (OTHERS) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE THAT THE MARGINS OF PRECISION AS CALCULATED BY LAPLACE'S AND DEPARTURES IS 1:110,000 THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. § 17-30 AS AMENDED. WITNESS MY HAND AND SEAL, THIS 22ND DAY OF MARCH, 2008.

SIGNED: *Michael W. Baldwin*
REGISTRATION NO. L-3062

REVIEW OFFICER'S CERTIFICATE
Andrew Titomas, Jr.
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
REVIEW OFFICER: *Andrew Titomas, Jr.* DATE: 4/15/08

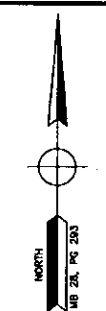
NORTH CAROLINA - PITT COUNTY
FILED FOR REGISTRATION THIS 22 DAY OF MARCH AT GREENVILLE IN
OFFICE OF THE REGISTER OF DEEDS
BY: David L. Callett DEPUTY REGISTER OF DEEDS

COPY

JOHNNY B. WORTHINGTON, JR.
DB K-49, PG 452

JOHNNY B. WORTHINGTON, JR.
DB W-34, PG 435

Doc ID: 005029310002 Type: CRP
Recorded: 03/15/2008 at 10:05:46 AM
Fee Amt: \$42.00 Page 1 of 2
Pitt County, NC
Judy J. Tarr, Register of Deeds
BK 71 P 11-12

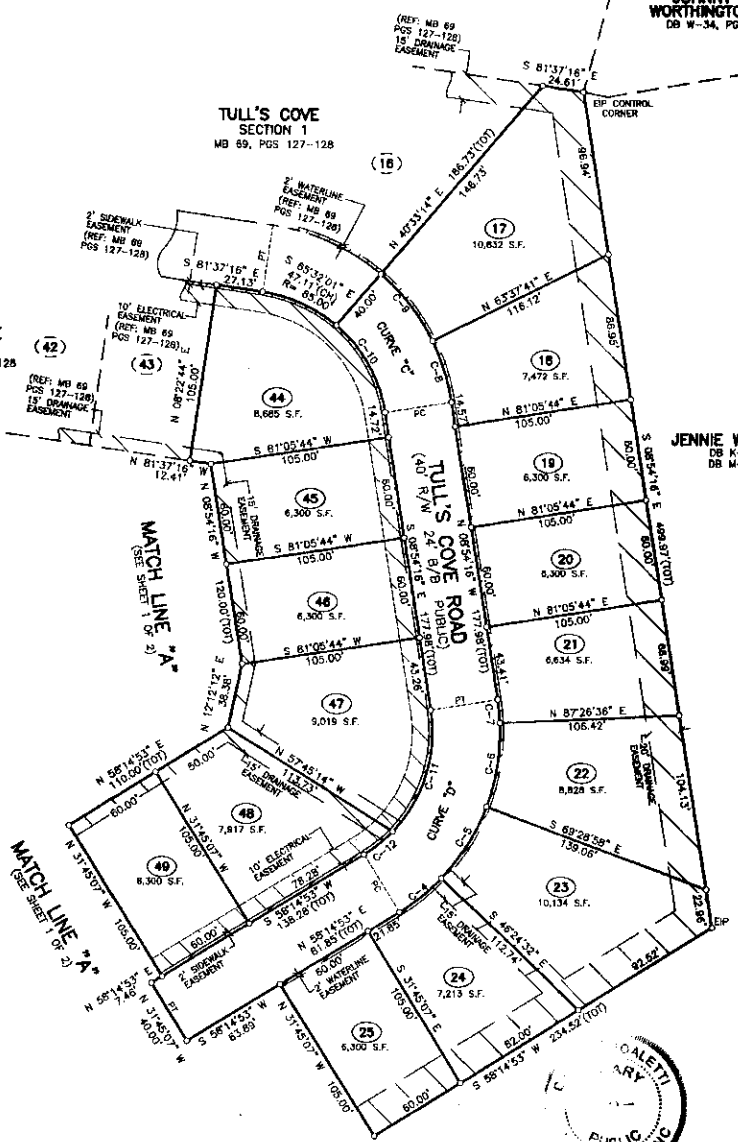


TULL'S COVE SECTION 1
MB 69, PGS 127-128

TULL'S COVE SECTION 1
MB 68, PGS 127-128

JENNIE W. FAULKNER
DB K-49, PG 448
DB W-49, PG 824

- LEGEND**
- R/W = RIGHT-OF-WAY
 - B/B = BACK OF CURB TO BACK OF CURB
 - R = RADIUS
 - CH = CHORD
 - PC = POINT OF CURVATURE
 - PT = POINT OF TANGENCY
 - EIP = EXISTING IRON PIPE
 - - - = NOT TO SCALE
 - = IRON PIPE SET UNLESS OTHERWISE NOTED
 - EPKN = EXISTING PARKER KALON NAL



JENNIE W. FAULKNER
DB K-49, PG 448



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Municipal Bridge Agreement with the North Carolina Department of Transportation for replacement of the King George Road Bridge at Bells Branch

Explanation: This project (NCDOT #B-5100) involves the replacement of an existing, prestressed concrete bridge located over a tributary to Bells Branch 300 feet south of York Road. Located in Brook Valley, King George Road serves as a major neighborhood collector street to and from this large residential area to surrounding major thoroughfares (i.e., Highway 33, Fourteenth Street, SR-1726).

The proposed project will provide for continued safe use of King George Road by passenger and heavier vehicles without limitation to load. It will also allow for a wider structure so as to support joint pedestrian/vehicular use. The existing structure is suited to vehicular use only because of its width.

Presently, the bridge is posted with maximum load limits of 21 tons for single-axle vehicles and 27 tons for legal gross weight for semi-trailers. The posting occurred in FY 1990-91, following a regular bridge inspection by NCDOT, during which this bridge was found in usable but functionally obsolete condition.

Currently, NCDOT offers assistance to local governments in replacement of structurally deficient or otherwise functionally obsolete bridges through the Federal Highway Bridge Replacement Program. Bridges qualifying for such assistance may be replaced by the involved municipality with NCDOT paying 80% of the costs and the City the remaining 20%. Total estimated cost of this project is \$505,000 inclusive of design fees, easement/right-of-way acquisition, and construction. Should this bridge structure qualify under the NCDOT program, the State will pay \$405,000 and the City \$100,000. For scheduling purposes, the design phase is proposed for FY 2009-10 with construction to follow in FY 2011-12.

The Bridge Replacement Program generally requires the municipality to follow stringent guidelines in the design, construction, administration, and bookkeeping

for the bridge replacement project. Reimbursement to the City occurs after payments are made to the contractor and NCDOT has been satisfied that the program guidelines have been met.

Fiscal Note:

The FY 2009-2013 Capital Improvement Program includes \$75,000 in FY 2009-10 towards the City's share to replace this bridge. Staff will review the Capital Improvement Program as part of the scheduled budget review process to obtain the additional \$25,000 from other programmed projects. Additionally, this proposal will not increase operations and maintenance personnel but will decrease maintenance and operational costs by \$2,000 per year.

Recommendation:

The City Council approve the attached Municipal Bridge Agreement (Project: B-5100) for the replacement of Bridge No. 421 on King George Road.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [King George Road Bridge Agreement](#)

NORTH CAROLINA
PITT COUNTY

10/28/08

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

AND

CITY OF GREENVILLE

MUNICIPAL BRIDGE AGREEMENT
PROJECT: B- 5100
DESCRIPTION: REPLACEMENT OF
BRIDGE #421 ON KING GEORGE
ROAD OVER MEETING HOUSE
BRANCH
DIVISION: 2
WBS: 42236.1.1
42236.2.1
42236.3.1

THIS AGREEMENT is made and entered into on the last date executed below, by and between the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the Department, and the CITY OF GREENVILLE, a municipal corporation, hereinafter referred to as the Municipality.

WITNESSETH:

WHEREAS, Federal Regulations provided funding for a Federal-Aid Highway Bridge Program including bridges located on public roads other than those on the Federal-Aid system; and,

WHEREAS, the Municipality proposes to make certain improvements under the Federal-Aid Highway Bridge Program; and,

WHEREAS, the Municipality and the Department are authorized to enter into an agreement for such improvement under the provision of G.S. 136-18 (12), G.S. 136-41.3, and G.S. 136-66.1; and,

WHEREAS, the Council of the Municipality has approved the construction of the hereinabove referenced project and has agreed to participate in certain costs thereof in the manner and to the extent as hereinafter set out.

NOW, THEREFORE, the Department and the Municipality agree as follows:

GENERAL PROVISIONS:

Detailed Municipal Bridge Program Guidelines, Contacts and Forms, are located on the Municipal Bridge Website: <http://www.ncdot.org/planning/development/TIP/mbridge/mbridge.html>

Execution of this agreement certifies that the Municipality shall abide by the Municipal Bridge Guidelines.

PROFESSIONAL ENGINEERING SERVICES:

1. If the Municipality causes the professional engineering services required by this Agreement to be performed partially or in full by contracting with a private engineering firm, it is agreed as follows:

(A) The Municipality shall ensure that a qualified contractor is obtained through an equitable selection process, and that prescribed work is properly accomplished in a timely manner, at a just and reasonable cost.

(B) The Municipality, when procuring architectural, professional and engineering services, must adhere to North Carolina Department of Transportation *Rules and Regulations for Major Professional or Specialized Services Contracts*. This policy conforms to N.C.G.S. 143-64, Parts 31 and 32, and Title 23 of the Code of Federal Regulations, Part 172. The Municipality shall comply with the policies and standards for negotiated contracts as contained in the Federal-Aid Policy Guide, Part 172; said policies and standards being incorporated in this Agreement by reference, and currently available at (www.fhwa.dot.gov/legregs/legislat.html).

(C) The Municipality shall submit all professional services contract Proposals to the Department for review and prior to execution of the professional services contract by the Municipality. In the event that the professional services contract proposal (professional and/or engineering) exceeds \$30,000, a pre-negotiation audit must be requested from the Department's External Audit Branch.

(D) The Municipality shall perform project administration in accordance with all State and Federal policies and procedures. If the Municipality elects to procure a private consulting firm to conduct project administration, the Municipality shall be responsible for submitting the consulting firm's proposal to the Department for review and approval.

2. The Municipality shall prepare or cause to be prepared the Project Planning Report, including environmental reports and applications for permits, in accordance with the Department's standard practices and submit it to the Department for review and approval. During the review of the planning report, it will be determined if a public hearing is required.

3. If a public hearing is required, the Municipality shall prepare or cause to be prepared the public hearing maps and submit them to the Department for review and approval.

PROJECT PLANS & DESIGN:

4. The Municipality shall prepare, or cause to be prepared, the project plans and specifications for the project. All work shall be performed in accordance with departmental standards and specifications and submitted to the Department for review and approval.

5. The Municipality shall design and prepare or cause to be designed and prepared preliminary right of way plans for the project in accordance with the Department's standard practices as defined in the Highway Design Branch's Roadway and Structure Design Manuals and Policy Manuals. The Municipality shall submit or cause to be submitted said preliminary plans to the Department for review and approval. The plans shall be completed to show the design, profiles, typical section, construction limits, drainage, proposed right of way, easements, and a traffic handling plan. The general drawing for all structures shall also be submitted.

6. The Municipality shall complete the plans and specifications for the project in accordance with the Department's standard practices for highway construction and in accordance with the comments received from the preliminary review.

RIGHT OF WAY AND UTILITIES:

7. The Municipality, without any liability whatsoever to the Department, shall acquire right of way necessary to provide right of way of the width and length as called for in the project plans as approved by the Department. However, the Municipality shall acquire said right of way only after being authorized in writing by the Department to proceed with said acquisition of right of way. In acquiring said right of way, the Municipality shall comply with the Right of Way Acquisition Policy contained in the Federal-Aid Policy Guide, Part 710, Subpart B; said policy being incorporated in this Agreement by reference, and currently available at

<http://www.fhwa.dot.gov/legregs/directives/fapgtoc.htm>). In addition, the Municipality will obtain the necessary right of way in accordance with policies and procedures as set forth in the North Carolina Department of Transportation Right of Way Manual. Prior to initiating any right of way acquisition, the Municipality shall meet with the Department's Division Right of Way Agent to review federal guidelines and regulations for right of way acquisition. Payment to the Municipality for right of way expenditures will not be made by the Department until this meeting has occurred.

8. The Municipality shall provide relocation assistance services and payments for families, businesses, and non-profit organizations being displaced by the project. Such services and payments shall be made in accordance with Public Law 91-646 and the North Carolina General Statutes, Chapter 133, Article 2, Sections 133-5 through 133-18. Relocation assistance services and payments may be accomplished by contract with any other municipal corporation, or State or Federal agency, rendering such services upon approval by the Department and the Federal Highway Administration. Appraisal and relocation guidelines will be reviewed by the Department and the Municipality at the above referenced meeting with the Division Right of Way Agent.

9. The Municipality shall accomplish or cause to be accomplished the relocation or adjustment of any and all publicly or privately-owned utilities in conflict with construction of the project. A plan showing utility conflicts shall be included in the final plans.

CONSTRUCTION:

10. In the event the project is not let to contract within six (6) months after receiving final approval of construction plans and proposals from the Department, the Municipality shall be responsible for re-submitting two (2) sets of plans and proposals to the Department for review to ensure that they remain in compliance with any revisions in the Department's standard practices and regulations.

11. Prior to advertising the project for construction bids, the Municipality shall submit or cause to be submitted for approval by the Department the final construction plans, the total contract proposal, and an estimate of the project costs. Bids received along with proper documentation of Municipal approval shall be submitted for review and approval by the Department and the Federal Highway Administration prior to the contract being awarded by the Municipality. Further, upon award of the project to contract, the Municipality shall furnish to the Department five (5) copies of the executed contract and five (5) sets of plans. The Municipality shall follow Department regulations and Federal Highway Administration regulations pertaining to bid procedures in the award of the contract. Said Federal Highway Administration regulations are contained in Title 23 code of Federal Regulations, Part 633, Subpart A and 23 CFR Part 635, Subpart A; said policy being incorporated in this Agreement by reference and currently available at (<http://www.fhwa.dot.gov/legregs/directives/fapgtoc.htm>) as fully as if herein set out. Letting of contracts for construction and purchases shall be in accordance with North Carolina General Statutes 143-129.

12. Subject to successful completion of the planning document and all required environmental work, the Municipality shall construct, or cause to be constructed, the project in accordance with the plans and specifications of the project as filed with and approved by the

Department. During the construction of the project, the procedures set out hereinbelow shall be followed:

(A) The Municipality shall perform or cause to be performed the necessary construction engineering, sampling and testing, and supervision required during construction of the project.

(B) During construction of the project, if any changes in the project plans are necessary, such changes must be approved by the Department's Division Engineer prior to the work being performed.

(C) The Department's Division Engineer and representatives of the Federal Highway Administration shall have the right to inspect, sample or test, and approve or reject, any portion of the project during construction.

(D) Prior to final approval and payment by the Department, said Division Engineer and a representative of the Federal Highway Administration shall make a final inspection of the completed work.

(E) The Municipality will be responsible for insuring that the contractor complies with all of the terms of the contract and any instructions issued by the Department's Division Engineer as a result of any review or inspection made by said Division Engineer.

(F) Upon completion of the project, the Municipality will furnish or cause to be furnished the Department's Division Engineer with a certification that contract administration has been accomplished in accordance with the Municipality's procedures that have been approved by the Department. The Municipality shall also furnish certification that materials used in the construction meet the requirements as set forth in the contract.

(G) Upon completion of the project, the Municipality will furnish the Department with two complete sets of "As Built" plans.

(H) The Municipality shall maintain records to document quantities for which the contractor is paid during any monthly estimate period.

(I) The Municipality shall maintain all records that establish final documentation of quantities incorporated into the project in accordance with established Department procedures.

(J) All project records developed by the Municipality that are not submitted to the Department shall be retained by the Municipality for a period of five (5) years after the final voucher is paid by the Federal Highway Administration.

(K) During construction of the project, the Municipality shall provide and maintain adequate barricades, signs, signal lights, flagmen, and other warning devices for the protection of traffic in conformance with the traffic control plan for the project and with the current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, or any subsequent revision of the same, published by the Federal Highway Administration and effective at the time of award of the contract.

(L) Failure on the part of the Municipality to comply with any of these provisions will be grounds for the Department to withdraw participation on any or all of the items of work involved.

FUNDING:

13. The Department shall reimburse the Municipality to the extent of eighty percent (80%) of the approved **allowable** project costs incurred by the Municipality under this Agreement. Said reimbursement shall be subject to the policies and procedures contained in Federal-Aid Policy Guide Part 140, Subpart G and Federal-Aid Policy Guide Part 172 by reference and currently available at [http:// www.fhwa.dot.gov/legsregs/legislat.html](http://www.fhwa.dot.gov/legsregs/legislat.html). Said reimbursement shall also be subject to the Department being reimbursed through the Federal Aid Highway Bridge Program of the Federal Highway Administration, which is to participate in the costs of the project to the extent of eighty percent (80%) of allowable project costs subject to compliance with all applicable federal policy and procedural rules and regulations. The **estimated** total project cost is \$505,000.00. It is understood by all parties that this is an estimated cost and is subject to change. The Municipality is responsible

for paying all **actual** project costs that exceed 80% of approved allowable project costs incurred by the Municipality under this agreement. Project cost reimbursement to the Municipality shall be made as follows:

(A) The Municipality may bill the Department for 80% of actual project costs on a quarterly basis as herein stated by submitting an invoice along with proper supporting documentation to the Municipal Bridge Coordinator for preliminary engineering and right of way costs and to the Department's Division Engineer for construction costs. The Municipal Bridge Coordinator and the Financial Management Division will reimburse the Municipality quarterly upon approval of said invoice for preliminary engineering and right of way costs. The Department's Division Engineer and the Financial Management Division will reimburse the Municipality quarterly upon approval of said invoice for construction costs. The project must progress in a satisfactory manner in the opinion of the Department and the Municipality must invoice the Department for work accomplished at least once every six (6) months to keep the project funds active and available. If the project does not remain active, the Department and/or FHWA reserves the right to de-obligate said funding. If any work is performed by the Department for review and inspection and/or at the request of the Municipality, the Department's Division Engineer shall reduce the maximum federal award amount available to the Municipality under this Agreement, accordingly.

(B) The Municipality shall be responsible for adhering to applicable administrative requirements of 49 CFR Part 18, and currently available at: <http://www.fhwa.dot.gov/legregs/directives/fapgtoc.htm> and Office of Management and Budget (OMB) Circular A-102, and currently available at www.whitehouse.gov/omb/circulars/a102/a102.html.

(C) Force account work is only allowed when there is a finding of cost effectiveness for the work to be performed by some method other than contract awarded by a competitive bidding process. Written approval from the Department is required prior to the use of force account by the Municipality. Federal Highway Administration regulations governing Force

Account are contained in Federal-Aid Policy Guide, Title 23 Code of Federal Regulations, Part 635.201, Subpart B; said policy being incorporated in this Agreement by reference www.fhwa.dot.gov/legregs/directives/cfr23toc.htm. North Carolina General Statutes governing the use of Force Account, Chapter 143, Article 8 (Public Contracts) can be found at www.ncleg.net/gascripts/Statutes/Statutes.asp.

(D) In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" (www.whitehouse.gov/omb/circulars/a133/a133.html) dated June 27, 2003 and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an independent financial and compliance audit of its fiscal operations. The Municipality shall furnish the Department with a copy of the independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

(E) Any costs incurred by the Municipality prior to written notification by the Department of federal authorization to proceed with the work shall not be eligible for reimbursement.

(F) A final itemized invoice listing all costs shall be submitted to the Department's Division Engineer. Upon completion of the work, the Municipality must submit an invoice that is clearly stamped or marked "Final Invoice" for reimbursement of any remaining costs to be paid under the terms of this Agreement. Upon receipt of the "Final Invoice," the Department will de-obligate any remaining funds and close the project subject to final review and audit.

(G) The Municipality agrees that it shall bear all costs for which it is unable to substantiate actual costs, or any costs, which have been deemed unallowable by the Federal Highway Administration and/or the Department's Financial Management Division. In the event funding is withdrawn by FHWA, project reimbursement shall be subject to the availability of any remaining federal funds.

(H) Failure on the part of the Municipality to comply with any of these provisions will be grounds for the Department and/or FHWA to terminate participation in the costs of the work.

(I) All invoices must be submitted within six (6) months of completion and acceptance of the work by the Department and FHWA or said invoices will be considered ineligible items for payment.

(J) The Municipality agrees that, if the Federal Highway Administration does not participate in certain costs because of noncompliance with federal regulations by the Municipality, the Municipality will reimburse the Department for such costs. All costs not reimbursed to the Department by the FHWA for noncompliance by the Municipality shall be borne by the Municipality.

(K) The Department reserves the right to deduct monies from the Municipality's Powell Bill Fund if monies paid to the Municipality from the project funds are determined by the Department and/or FHWA, either by audit and/or inspection of books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs, not to be in compliance with the terms of this agreement.

(L) Reimbursement for construction contract work will be made on the basis of contract unit prices in the construction contract and any approved supplemental agreements.

(M) Reimbursement for construction contract administration will be made as governed by Section 106(c) Title 23 of the U.S. Code that limits federal participation, and Departmental policy that limits reimbursement for construction contract administration to no more than fifteen (15%) percent of the actual construction contract of the project.

14. The Municipality agrees that, if the Federal Highway Administration should not participate in certain costs because of noncompliance with Federal and/or State regulations, it will reimburse the Department for such costs regardless of any nonparticipation in the costs by the Federal Highway Administration. All costs not reimbursed to the Department by the Federal Highway Administration shall be borne by the Municipality. Following completion of the project, the Department shall invoice the Municipality for all costs incurred by said Department that are not reimbursed by the Federal Highway Administration. Reimbursement shall be made by the Municipality to the Department within sixty - (60) days of receiving an invoice from the Department.

A late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23.

15. The Municipality, and/or its agent, shall also comply with the following federal policies: (a) Conflict of Interest; (b) Equal Employment Opportunity; and, (c) Title VI – Civil Rights Act of 1964 as fully as if herein set out, and currently available at:

[http:// www.fhwa.dot.gov/legsregs/legislat.html](http://www.fhwa.dot.gov/legsregs/legislat.html).

CONSTRUCTION SUBCONTRACTOR REQUIREMENTS:

16. Any contract entered into with another party to perform work associated with the requirements of this agreement shall contain appropriate provisions regarding the utilization of Disadvantaged Business Enterprises (DBEs), or as required and defined in Title 49 Part 26 of the Code of Federal Regulations and the North Carolina Administrative Code. These provisions are incorporated into this Agreement by reference

www.ncdot.org/doh/preconstruct/ps/contracts/sp/2006sp/municipal.html

(A) The Municipality shall not advertise nor enter into a contract for services performed as part of this Agreement, unless the Department provides written approval of the advertisement or the contents of the contract.

(B) If the Municipality fails to comply with these requirements, the Department will withhold funding until these requirements are met.

ADDITIONAL PROVISIONS:

17. The Municipality and its contractor shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office and shall require its contractor to make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of payment of the final voucher by the

Federal Highway Administration under this Agreement, for inspection and audit by the Department, the Federal Highway Administration, or any authorized representatives of the Federal Government.

18. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency and that it will not enter into agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

19. Upon completion of the project, the Municipality shall be responsible for the establishment and maintenance of traffic operating controls on the project. Such controls shall be in accordance with the approved project plans and the Manual on Uniform Traffic Control Devices for Streets and Highways published by the Federal Highway Administration.

20. The Municipality shall be responsible for the proper maintenance of the completed improvements and for the costs thereof. However, in the event the Municipality fails to maintain or to provide for the proper maintenance and operation of the completed improvements, the Municipality hereby authorizes the Department to maintain the improvements and deduct the costs thereof from allocations made to the Municipality under the provisions of the North Carolina General Statutes, Section 136-41.1.

21. The Municipality will complete the project in accordance with the plans and specifications adopted therefore, or as altered or amended by the Department. The Department shall have the right to abandon the project at any time it sees fit prior to the time the Municipality has been called upon to perform any part of its agreement.

IT IS UNDERSTOOD AND AGREED that the approval of the project by the Department is subject to the conditions of this Agreement, and that no expenditures of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S.

ATTEST:

CITY OF GREENVILLE

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Approved by City Council of the City of Greenville as attested to by the signature of _____, Clerk of the City Council on _____ (Date)

(MUNICIPAL SEAL)

Federal Tax Identification Number

City of Greenville

Remittance Address:
City of Greenville
P. O. Drawer A
Greenville, NC 27533-9701
Attn: David Brown, PE

DEPARTMENT OF TRANSPORTATION

BY: _____
STATE HIGHWAY ADMINISTRATOR

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Amendment 3 to the contract with Kimley-Horn and Associates for Phase I of the Stantonsburg Road/Tenth Street Connector Project

Explanation: Presented for City Council consideration is Amendment 3 to the professional services contract between the City and Kimley-Horn and Associates for Phase I of the Tenth Street Connector Project. This project involves the extension of Tenth Street from Dickinson Avenue to Memorial Drive at its intersection with Stantonsburg Road. The project is a joint effort of the City, East Carolina University (ECU), Pitt County Memorial Hospital (PCMH), and the North Carolina Department of Transportation. The initial contract for Phase I was approved by the City Council during its August 11, 2005 meeting. Amendment 3 is attached. The amendment details the amended scope of work and proposed fee adjustment.

This amendment is necessary to complete the environmental documentation required to construct the project. During the conduct of the study, Federal Highway Administration and N.C. Department of Transportation requirements changed for the Community Characteristics Report and the Community Impact Assessment. The amendment addresses additional efforts necessary to meet the new requirements to obtain approval to construct the project. The contractor, in coordination with staff and NCDOT, adjusted their approved work effort to meet the new requirements; however, the new requirements are more extensive, requiring additional effort on the part of the contractor. The fee associated with this amendment is \$56,195.44.

City staff and NCDOT have reviewed and concur with this amendment to the professional services contract between the City and Kimley-Horn and Associates for Phase I of the project.

Fiscal Note: This phase of the project is being funded from the \$6 million committed by the City, ECU, and PCMH. The City's share, \$2,000,000, is being funded through the General Obligation Bonds approved by a vote of the public in November 2004.

Recommendation: City Council approve the attached amendment to the professional services contract with Kimley-Horn and Associates in the amount of \$56,195.44 for Phase I of the planning, environmental studies, and design of the Stantonsburg Road/Tenth Street Connector Project.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Tenth Street Connector Amendment](#)
 - [Tenth Street Connector Direct Expenses](#)
 - [Tenth Street Connector Environmental Task Order](#)
-

**AMENDMENT NUMBER 3 TO THE AGREEMENT BETWEEN THE
CLIENT AND KIMLEY-HORN AND ASSOCIATES, INC.**

AMENDMENT NUMBER 3 DATED DECEMBER 11, 2008 to the Agreement between the City of Greenville, ("Client") and Kimley-Horn and Associates, Inc., ("Engineer") dated September 9, 2005 ("the Agreement") concerning Tenth Street Connector Project (the "Project").

The Engineer has entered into the Agreement with Client for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Engineer and provisions for additional compensation by the Client to the Engineer, all as set forth in Exhibit A hereto. The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

CLIENT:

ENGINEER:

CITY OF GREENVILLE, NC

KIMLEY-HORN AND ASSOCIATES, INC.

By: _____
Patricia C. Dunn

By: _____

Title: Mayor

Title: _____

ATTEST:

Wanda T. Elks, City Clerk

APPROVED AS TO FORM:

David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION

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

Bernita W. Demery, Director of Financial Services

Exhibit A to Amendment Number 3 dated
December 11, 2008.

Engineer shall perform the following Additional Services:

The scope for a Community Impact Assessment was included in the Phase I (Task 1.A.3(18)) Agreement. The approved mandays for the Community Impact Assessment, as approved in Phase I, was 30 mandays. The following scope of services replaces the Community Impact Assessment scope of services that was included in the Phase I Agreement.

----- **COMMUNITY CHARACTERISTICS REPORT** -----

A Community Characteristics Report was submitted and reviewed by the City of Greenville in January 2007. The below scope reflects the submitted Community Characteristics Report.

I. PREFACE AND SUMMARY

- 1) **Preface** – The ENGINEER will provide a summary of the Community Impact Assessment process, of which the Community Characteristic Report is a preliminary step. This summary will include a list of applicable legislation and a description of the purpose of this process.
- 2) **Summary** – The ENGINEER will conclude the report with a summary, which should briefly describe the purpose of the community characteristics report.
- 3) **References** – The ENGINEER will develop a list of sources that were used to prepare the community characteristics report.

II. OVERVIEW OF STUDY AREA

- 1) **Project Description and History** – The ENGINEER will prepare a brief overview of the project, including the project's history.
- 2) **Community Background** – The ENGINEER will research the history of the study area, and describe the community today within the study area. This should include the primary land uses and major community facilities within each subarea of the study area.
- 3) **Community Issues** – The ENGINEER will summarize existing community issues. These should include key issues and concerns by residents, businesses, and EMS providers.

III. COMMUNITY DATA COLLECTION

The ENGINEER will review appropriate online or physical data sources to gather specific needed information about the project area. The ENGINEER will also conduct interviews with appropriate personnel as needed to obtain information. These interviews may be in person if combined with a previously-scheduled visit, or via phone.

- 1) **Initial Demographics Pull and Examination** – The ENGINEER will complete a data pull of the census block groups within the study area and conduct a preliminary examination of the data. This analysis should focus on three key areas: population, economic and housing. The data

should be examined at a block group level and an overall demographic study area level. The characteristics of the area should be compared to overall county census statistics. The population and economic trends should provide insight into any environmental justice or other sensitive populations in the demographic area and any other noteworthy demographic features or trends that may be relevant to potential impacts of the project. The ENGINEER will prepare charts and maps that graphically depict the key information provided in table and text format.

2) Employment Centers – The ENGINEER will identify major employment centers (those with 50 or more employees) within the study area. This information will be shown on a map and compared with city and county employment data.

3) Community Features – The ENGINEER will identify and map points or polygons that note the important community features within the study area. These areas could include churches, parks, medical or office complexes, and school sites within the study area.

4) Historic Resources – The ENGINEER will summarize the Historic Resources Survey Report (September 2006), and list historic districts and structures within the study area. The ENGINEER will also provide a map of historic resources within the study area.

5) Public Services – The ENGINEER will describe the existing police, fire, and EMS services within and through the study area, including showing a map with police and fire districts. This section will also include a discussion about concerns of these public service providers, as it relates to the transportation network.

IV. LAND USE AND PLANNING

1) Neighborhood Identification and Current Land Use Patterns – The ENGINEER will prepare a map showing neighborhoods as identified by available resources. The ENGINEER will also prepare a map showing the existing land uses, using mapping provided by the city.

2) Consistency with Local/Regional Plans – The ENGINEER will research available land use plans, zoning ordinances, and transportation plans for the city. This section will include a summary of all sections of those plans that relate to this project for the purpose of determining if this project is consistent with those plans. This section will also include a description of the zoning and future land uses for the study area, and will include maps for both zoning and future land use. The ENGINEER will prepare maps for all land use and transportation plans that have available mapping. The ENGINEER will briefly describe other available local plans, including county, school, and hospital master plans.

V. COMMUNITY CHARACTERISTICS REPORT DELIVERABLES

1) Submit Draft Community Characteristics Report – The ENGINEER will compile the data, analysis, and recommendations of the previous sections into a draft community characteristics report. This report will include all required supporting figures, photographs and sources. Three paper copies of an 8 ½” x 11” draft report should be provided to the City of Greenville for review.

2) Submit Revised Draft Community Characteristics Report – The ENGINEER will revise the draft report based on City comments. Three paper copies of an 8 ½” x 11” revised draft report should be provided to the City of Greenville. One paper copy of an 8 ½” x 11” draft report and a digital copy (e-mail preferred) of the report text in a Microsoft Word readable format should be provided to NCDOT.

3) Submit Final Community Characteristics Report – The ENGINEER will revise the draft report based on comments by the City of Greenville and NCDOT. The ENGINEER will provide three paper copies of a final 8 ½” x 11” community characteristics report to the City, including all supporting figures, photographs, summaries, records and sources. The ENGINEER will provide two paper copies of the final community characteristics report to NCDOT to review at the same time that the community impact analysis is submitted for review. The ENGINEER will also provide a digital copy of the final report text in Microsoft Word readable format and the complete document in Adobe Portable Document format. The ENGINEER will also provide GIS Shapefile information on the Direct Community Impact Area, and the Community Context Mapping (if applicable) to HEU.

----- **COMMUNITY IMPACT ASSESSMENT** -----

The below scope is based on a combination of the 2008 Community Characteristics Report guidelines and the 2006 Community Impact Assessment guidelines. It has been modified as necessary to reflect the previously submitted CCR (January 2007).

I. COMMUNITY ISSUE SCOPING

1) PROJECT INITIATION / SET-UP

a) Project Description and Road Network Discussion – The ENGINEER will prepare a preliminary discussion of the project and the surrounding road network using project description data provided by NCDOT and available GIS mapping. This summary should state the length of the project, note the roads this project connects to and determine the primary transportation routes in the area. The summary should state the existing roadway conditions (width, capacity, safety concerns) and address the expected project modifications. The summary should also note the primary destinations in the area as they relate to employment, schooling, services or others. The summary should also address other related transportation projects proposed in the area.

b) Direct Community Impact Area - The ENGINEER will determine and develop mapping of an area to be assessed for direct impacts. The boundary should include all properties that could be directly affected by the project. The boundaries of the community study area should run along property lines where possible. Roadways, right-of-way lines and County or State boundaries should not be used arbitrarily. The ENGINEER should provide a map of the block groups with numbers so that identified features can be identified geographically. The ENGINEER will coordinate with the City and NCDOT via email to finalize the Direct Community Impact Area.

c) Initial Demographics Pull and Examination – The ENGINEER will summarize the demographics information provided in the Community Characteristics Report.

d) Larger Community / Regional Area Understanding – The ENGINEER will develop a short summary of the notable trends in the larger community around the project. The summary should include a quick overview of the geographic placement of the region within the State. The summary should then focus on the population or economic trends that affect the project area. The regional understanding should also include land development trends and policies where notable.

e) Watershed / Water Supply Overview – The ENGINEER will generate a quick summary of the watershed context of the project. This overview shall note the watershed the area is in and whether watershed regulations, stream buffers or 303 d and b designations apply in the area. This section should also note why a stream is designated on the list.

II. COMMUNITY CHARACTERISTICS REPORT ELEMENTS

1) CONTINUED DATA GATHERING

- a) **Aerial Map / GIS Mapping Review** – The ENGINEER will examine available aerial maps and local property mapping to look for community features. The ENGINEER should look at clusters of structures; areas of new development, primary land cover, major facilities, property ownership trends, open space and natural features. The ENGINEER should also look for major connection points or boundaries in the area.
- b) **Field Visit to Inspect Project Area** – The ENGINEER (2 people) will conduct a field visit to the proposed project location. The ENGINEER will develop a write-up that details field observations. This write-up should provide detailed information including approximate distances, land use, business names and observed patterns in the agreed upon survey area. In general the write-up should provide observational details on all of the properties within the direct community impact area. Photographs of representative areas of the community will be taken as part of the field survey. The write-up should specifically address any specific activities (examples: farm equipment, farm operations, cyclists, pedestrians, worn pedestrian paths, swimming, fishing, boating, evidence of likely recreation and property development) observed while in the field. The write-up should specifically address areas where cohesive attributes were observed. The write-up should also provide information on the characteristics of the existing roadway that were not previously documented. Previous field visits should be documented using available historical information.
- c) **Specific Data Sources** – The ENGINEER will review appropriate online or physical data sources to gather specific needed information about the project area. These sources could include but are not limited to local economic development goals, local historic, aesthetic or character goals, farmland districts or prime soils, crime statistics, and state and local bicycle, pedestrian and infrastructure plans. These sources could also provide detailed information about the use of properties within the direct community impact area, including enrollment or customer base, hours of operation, applicable regulations, and contact information. The resources reviewed should specifically relate to a possible project impact.
- d) **Land Use Authority Contact** – The ENGINEER will provide documentation on previous contact with local planning officials. Standard interview forms shall be used whenever possible. The ENGINEER will gather information on development regulations, land use plans, and goals and objectives in the direct community impact area. The City will provide a summary of previous correspondence.
- e) **Community Contacts (as agreed upon in the coordination meeting)** – The ENGINEER will provide documentation on previous contact with local officials, and citizens as appropriate. Standard interview forms shall be used whenever possible. The ENGINEER shall notify NCDOT if the site visit or additional resources suggests that expanded community coordination may be appropriate. The City will provide a summary of previous correspondence.
- f) **Business Contacts (as agreed upon in the coordination meeting)** – The ENGINEER will provide documentation on previous contact with Business owners and operators as appropriate. Standard interview forms shall be used whenever possible. The ENGINEER shall notify NCDOT if the site visit or additional resources suggests that expanded community coordination may be appropriate. The City will provide a summary of previous correspondence. The ENGINEER will coordinate with the City prior to initiating new contacts, and a list of potential contacts will be approved by the City.

g) Specific Contacts (as agreed upon in the coordination meeting) – The ENGINEER will provide documentation on previous contact with the local emergency response services coordinator and the local school transportation coordinator. Standard interview forms shall be used. The ENGINEER will coordinate with the City prior to initiating new contacts, and the communication should be done per the City's direction (phone or written request).

h) Additional Statistical Resources (as agreed upon in the coordination meeting) – DELETED.

i) Parkland, Open Space and Natural Resources – The ENGINEER will investigate recreational and open space areas to determine ownership, use and any special designations (i.e. federal parks, local parks, century farms, agricultural preservation districts, and conservation easements) applied to a property. The ENGINEER should also address 6(f) resources as applicable.

2) DATA REPORTING / DOCUMENTATION

The ENGINEER will update the preliminary information generated in the project initiation phase to include information from the continued data gathering. Wherever possible observed information should be tied to census information and other sources to provide a more complete picture. Each section will be focused on providing the necessary details in a clear and succinct manner. The order of and inclusion of sections in the report shall conform to the standard CCR template as provided by NCDOT and determined at the initiation meeting. Any community element that will be mentioned in the impact section must be mentioned in the community context, direction and notable features.

3) COMMUNITY CONTEXT DIAGRAM

The ENGINEER will create a diagram that geographically maps the important community features identified. This diagram shall denote the important districts, nodes, community features and landmarks in the area as well as the important paths and edges. All attributes should be documented as existing or pre-project. Available community context shapefiles (nodes, districts, etc) will be provided by the City. The City will review the community context diagrams prior to submittal of the report.

a) Community Districts – These polygons will note sections of the community which have identifying and unifying attributes. Depending on the scale and location of the project these polygons could define neighborhoods, communities or municipal areas. Areas where attributes of community cohesion were observed or reported should be highlighted.

b) Community Nodes – These points or polygons will note community focal points or areas where concentrations of features exist. These areas could include commercial clusters, rural cross roads or community centers.

c) Community Features – The ENGINEER will summarize the community features identified as part of the Community Characteristics Report.

d) Community Landmarks – The ENGINEER will identify and map points that note the important community identification points and reference points (that weren't included in the Community Features section above). The areas could include stores, community services, and historic structures the community members are connected to.

e) Community Pathways – These lines or arrows will note the channels by which people move the community. Although major vehicle commuting routes should be identified, the focus should be on non-motorized modes of travel and transit routes. Pathways that connect the features identified above should be highlighted. This section will identify existing facilities for citizens with physical disabilities (sidewalks, curb cuts, and cross walks).

f) Community Edges \ Barriers – These lines will note the existing edges in the area. These could include river or streams, existing transportation routes, dedicated conservation land, and topographic features.

g) Crime, Safety, and Emergency Services – These lines or polygons will note existing station locations, response routes, and patrol routes of applicable public safety services.

4) IMPACT ASSESSMENT CATEGORIES

The ENGINEER will assess the likely impact of the proposed project based on the impact categories listed below. A discussion of why impacts are or are not expected for each category will be provided. Each section will be focused on providing the necessary details in a clear and succinct manner. Impact issues will be discussed in the most likely category and only “major” issues will be detailed in multiple categories. The ENGINEER shall notify HEU if “major” issues are expected on the project.

a) Physical – This category will document the possible direct property effects (new right of way impacts, noise, vibration) likely from the project and provide a clear position on the impact this affect may have on properties in the area.

b) Community/ neighborhood cohesion and stability – This category will document how the project could affect community connections or the physical make-up of community and provide a clear position on the impact the affect may have on communities in the area. These impacts may relate to direct property effects or access issues but should be addressed in this category if related to the overall functioning of an identified district. Any discussion of relocation or property values should be coordinated with the ICE documentation.

c) Economic and business resources - This category will document the possible business effects that could result from the project and provide a clear position on the impact that these effects may have on area businesses. Farm operations will be considered businesses in the community characteristics report. These impacts may relate to direct property effects or access issues but should be addressed in this category if related to an area business. Any discussion of business attraction or relocation should be coordinated with the ICE documentation.

d) Local land use, character, and development plans- This category will document the possible visual, character and aesthetic effects that could result from the project and provide a clear position on the impact that these effects may have on the area. These impacts should only be identified if they relate to an identified value or economic attraction of the community around the project. The community position on visual, character and aesthetic issues should be documented in the Community Context, Direction and Notable Features section. Any discussion of tourist or new resident attraction should be coordinated with the ICE documentation.

e) Mobility and access - This category will document the access effects (barrier effect, multi-modal accommodation, available detours, detour and likely user interaction) likely from the project and provide a clear position on the impact this affect may have on properties in the area. This category will specifically address bike, pedestrian and transit concerns if applicable. This category will also document school transportation concerns as addressed in the coordination meeting. This category will document changes in commuting patterns as a result of this project.

f) Community safety and emergency response - This category will document the way the project could interact with area crime issues (lighting, isolated areas, existing crime issues) and provide a clear position on the impact this interaction may have on properties in the area. This report should also document the local emergency service provider’s position on how this project could impact service.

g) Environmental justice – This category will document whether or not areas meeting environmental justice criteria (typically double the county) were identified in the demographic area. If possible, the section should clearly state where these communities are located geographically and note whether the project is likely to impact these communities. Standard environmental justice purpose language should be included in this section *after* the project specific discussion. Note: these areas must also be identified in the demographics (race, ethnicity, economic) portion of the Community Context, Direction, and Notable Features section.

h) Recurring community / neighborhood impacts – This category will document the way the project could affect areas that have been previously impacted by transportation or other development projects. This section should clearly separate the impact of the current project from the impact of the previous project.

i) Important natural features, open space and parkland – This category will document the way the project could interact with identified, designated, or deeded open spaces or parkland.

j) Disabilities – This category will document the impacts on citizens with disabilities, and compliance of this project with Americans with Disabilities Act (ADA) requirements.

k) Summary – The ENGINEER will summarize the impacts for each alternative in table format (where applicable) for all impact categories, using ranges such as “high-medium-low.”

5) FINDINGS / NEXT STEPS

The ENGINEER will provide next step recommendations on the types of actions NCDOT could take to resolve or address the potential impacts addressed in the impact assessment section. The ENGINEER will also recommend actions to address specific community concerns addressed in the community inventory if not related to an impact. Based on the timing of these findings (pre NEPA scoping), additional public coordination and communication should be recommended where practical. The findings / next steps will be provided in list form.

6) EXECUTIVE SUMMARY

The ENGINEER will develop an executive summary for this report detailing most important aspect of the three phases, the community context, direction and notable features, the impact assessment section and the recommendation section. To the extent possible the executive summary should be limited to 1 to 3 pages in length.

7) MAPPING

The ENGINEER will develop up to four map figures for inclusion in the report that clearly identify the geographic areas and notable features examined for the report. All reports should include a figure that details the demographic study area, the direct community impact area, and the community context diagram. The direct community impact area boundary should be displayed on all mapping. The ENGINEER will refer to maps from the Community Characteristic Report when applicable.

8) SOURCES

The ENGINEER will develop a list of sources used to develop the report. All sources shall include the information, including telephone numbers and web addresses if available, needed to return to the original source of the information if required.

III. COMMUNITY CHARACTERISTICS REPORT ADDITIONAL TASKS

1) NCDOT DIVISION NOTIFICATION

DELETED.

2) COMMUNITY INFORMATION

The ENGINEER will ensure that staff members who are in the field have valid basic information about the project and the contact information for PDEA's planning engineer and the district engineer. The ENGINEER shall provide this information to citizens and officials when interactions occur.

3) CONTROVERSY ISSUES / CONTROVERSY DISCUSSION

The ENGINEER will summarize any controversial issues or controversy's identified in the project area during previous meetings or communications with the public or local agencies. The summary will identify the major issues, decision points and major players involved in the controversy. The summary will also tie the controversial issues to features identified in the direct community impact area where possible.

IV. COMMUNITY CHARACTERISTICS REPORT DELIVERABLES

1) PREPARE AND SUBMIT DRAFT COMMUNITY IMPACT ASSESSMENT

The ENGINEER will compile the data, analysis, and recommendations of the previous sections into a draft community impact assessment. The order of and inclusion of sections in the report shall conform to the standard community impact assessment template and as determined at the coordination meeting. This report will include all required supporting figures, photographs and sources. A copy of the site visit summary and all interview records will also be included with this draft. Three paper copies of an 8 ½" x 11" draft report and a digital copy (e-mail preferred) of the report text in a Microsoft Word readable format should be provided to the City of Greenville for review. One paper copy of an 8 ½" x 11" draft report and a digital copy (e-mail preferred) of the report text in a Microsoft Word readable format should be provided to NCDOT.

2) REVISE AND RESUBMIT REVISED DRAFT COMMUNITY IMPACT ASSESSMENT

The ENGINEER will revise the draft report based on City and NCDOT comments. NCDOT and the City will coordinate regarding report comments prior to submitting them to the ENGINEER, and will address inconsistencies. The ENGINEER will specifically respond to each City and NCDOT comment. Each response will be documented on a separate document submitted with the final report. A revised draft report should be provided to the City of Greenville in PDF format for a final review. The ENGINEER will make final revisions based on the City's review.

3) SUBMIT FINAL COMMUNITY IMPACT ASSESSMENT

The ENGINEER will submit the final report following approval by the City. The ENGINEER will provide three paper copies of a final 8 ½" x 11" community impact assessment, including all supporting figures, photographs, summaries, records and sources to the City of Greenville and provide four copies to NCDOT. The ENGINEER will also provide a digital copy of the final report text in Microsoft Word readable format and the complete document in Adobe Portable Document format to the City and NCDOT. The ENGINEER will also provide GIS Shapefile information on the Direct Community Impact Area, and the Community Context Mapping (if applicable) to HEU.

----- INDIRECT LAND USE SCREENING REPORT -----

I. GATHER AND DOCUMENT SCREENING INFORMATION

1) BASE SCREENING INFORMATION

a) Project Description – The ENGINEER will prepare a summary of the project details. This summary should note the length of the project, the roadway section likely, the design speed likely, whether the project will be on a new or existing alignment, the current and projected annual average daily vehicle count on the project, and major connecting routes along the project. The summary should note if the project is proposed to effect economic development in the area or to serve a specific development. This should reflect local goals for economic development not just the purpose and need for the project. The summary should also note the type of environmental document being produced and note the level of study typically associated with the document type.

b) Determine the Future Land Use Study Area (ICE Guidance Step 1) – The ENGINEER will determine and develop mapping of an area to be assessed for indirect impacts. The boundary should include all properties that could be indirectly affected by the project and combined projects. The boundaries of the future land use study area should run along property lines, waterways or ridgelines where possible. Roadways, right-of-way lines and County or State boundaries should not be used arbitrarily. The ENGINEER will coordinate with the City and NCDOT via email to finalize the Direct Community Impact Area. *Because the FLUSA is primarily used as boundary for gathering base data it is generally better to error on the side of making the FLUSA too big rather than too small. On projects that will likely have multiple alternatives the FLUSA should be defined to encompass these alternatives.*

c) Identify and Document the ICE Study Time Horizon (ICE Guidance Step 1) - The ENGINEER will develop a write-up that details the ICE Study Time Horizon for the project. The Time Horizon for the project should be based on the forecast date of local land use plans. In general it is preferred that the Time Horizon extend to or past the project design year for the project.

d) Determine the Other Transportation, Infrastructure, and Active Development Projects in the Area – The ENGINEER will list the other notable projects underway or foreseeable in the area. NCDOT projects shall be limited to the larger projects listed on the state transportation improvement plan (TIP) or on a fiscally constrained long range transportation plan (LRTP). Local infrastructure or road projects shall be limited to projects that are currently under construction, are funded, or are being planned with a clear funding stream. The likely modifications proposed by each project should be summarized.

e) Gather and Summarize the Population Trends and Projections in the Area (ICE Guidance Step 2) – The ENGINEER will document and provide support for the annual rate of population growth or decline expected in the future land use study area to the time horizon for the study. The ENGINEER shall review and document the County population trends and County population projections based on the North Carolina State Demographers official estimates. Population trends or projections in the future land use study area that diverge notably from the county trends should be specifically documented. The population trends and projections in a two county area shall be weighted toward the characteristics of the future land use study area. The methodology should be clearly documented.

f) Gather and Summarize the Job Trends and Projections in the Area (ICE Guidance Step 2) – The ENGINEER will document and provide support for the rate of annual job growth expected in the future land use study area to the time horizon for the study. The ENGINEER shall review and document the County job trends and the job projections for the Workforce Development Boards (WDBs), the Economic Development Regions (EDRs) or the County based on the North Carolina Employment and Security Commissions official estimates. Job trends or projections in the future land use study area that diverge notably from the county trends should be specifically documented. The job trends and projections in a two WDB/EDR/county area shall be weighted toward the characteristics of the future land use study area. The methodology should be clearly documented.

g) Document Notable Environmental Features in the Area (ICE Guidance Step 3) – The ENGINEER will list the notable human and natural environmental features in the future land use study area. Notable features are those resources that are identified by locals, organizations, or agencies as important, special, or unique. Examples of notable features would include but are not limited to, community centers, historic districts, parkland, major water ways, habitat areas, preservation designations, cohesive communities, water supply areas, 303 (d) listed streams, and trout streams. The report should clearly note the geographic location of the notable features within the future land use study area. The notable feature identification process should be coordinated with other reports underway or completed.

2) ANALYTICAL SCREENING INFORMATION

a) Transportation Impact Causing Activities (TICAs) for the Project (ICE Guidance Step 4) – The ENGINEER will report on how the modifications of the project will likely be perceived. This section will specifically address the extent to which the project will effect: travel-time, property access, travel patterns, and property exposure. The section will also address the likelihood that the project and combined projects in the area will create a transportation or land use node.

b) Detail the Location and Plans for Water and Sewer Lines in the Area (ICE Guidance Step 2, 4) – The ENGINEER will report on the likelihood that public water and / or public sewer lines will be in the study area by the horizon year. The section should note the location of existing lines, plans to extend lines, policies to extend lines, and budgeting to extend lines. The sections should also address existing and planned capacity at the water and wastewater treatment plants. The public utilities discovery process should be coordinated with other reports underway or completed.

c) Gather and Summarize the Development Regulations in the Area (ICE Guidance Step 2, 4) – The ENGINEER will collect and summarize the pertinent plans, policies and development regulations in the jurisdictions contained in the future land use study area. The summary shall focus the following points: plans or policies that prioritize potential development areas, plans or regulations that determine what will be allowed, regulations that notably effect how development occurs on a site, regulations that specifically manage storm-water run-off, regulations that provide stream buffers, and the record of the local area in adhering to plans, policies or regulations.

d) Calculate Available Land Estimates (ICE Guidance Step 2) – The ENGINEER will use GIS tools to determine the amount of land contained in the identified Future Land Use Study Area. The ENGINEER will subtract from this value the amount of land that is already developed, included in road or other rights-of-way, or protected from development by enforced regulation. The resulting number shall be reported as the amount of land available in the study area. The ENGINEER will document all values used to determine this number. The ENGINEER should note if any redevelopment is occurring in the area.

e) **Identify Market for Development in the Area (ICE Guidance Step 2, 4, 5)** - The ENGINEER will document the current development pressures in the area and document how these will likely project into the design year (Development Market Assumptions). The current development pressures summary shall specifically document the development trends in the Future Land Use Study Area

II. ANALYZE AND EVALUATE DATA

1) **Indirect Land Use Screening Matrix Set-up (ICE Guidance Step 7)** - The ENGINEER will review and verify that the standard matrix set-up language is accurate for the project. If a project has two or more notably different alternatives, multiple versions of the Matrix could be considered.

2) **Prepare Indirect Land Use Screening Matrix (ICE Guidance Step 5, 6, 7)** - The ENGINEER will fill in the values on the standard ICE screening matrix based on the results of the section I documentation.

3) **Evaluate Indirect Land Use Screening Matrix (ICE Guidance Step 5, 6)** - The ENGINEER will summarize the result of the screening matrix. The summary will highlight the primary factors that affected the result and note the end result of the matrix. *(If the Screening Matrix denotes that a Land Use Scenario Assessment is not warranted go the Step 4, If the Screening Matrix denotes that a Land Use Scenario Assessment is warranted go to Step 5)*

4) **Project Under Indirect Effects Thresholds (ICE Guidance Step 6)**

a) **Prepare an Indirect Land Use Summary Statement** - The ENGINEER will develop a summary statement of the findings in the screening report. This summary should reiterate the primary factors that influenced the screening result and note how these relate to the screening tool. This summary should clearly state that no indirect land use effects are expected from the project.

b) **Prepare Water Quality Statement** - The ENGINEER will modify the standard water quality effects language to fit the project. This statement should include language from the cumulative report as applicable. The statement should clearly state that no further indirect and cumulative analysis is recommended.

5) **Project Issues Identified**

a) **Prepare Indirect Land Use Summary** - The ENGINEER will develop a summary statement of the findings in the screening report. This summary should reiterate the primary factors that influenced the screening result and note how these relate to the screening tool. This summary should clearly state that there are characteristics about the project or in the area that could modify the way land develops. The summary should also note that only a screening was conducted and a land use scenario assessment will be needed to determine if the effects indicated will translate into likely impacts.

b) **Recommendations / Next Steps (ICE Guidance Step 8)** - The ENGINEER will provide recommendations on the types of actions NCDOT or local areas could take to proactively resolve or address the higher concern areas on the indirect screening matrix. All indirect screening reports that identify issues should recommend that a land use screening analysis be conducted. Reports with a high number of higher concern areas can recommend that early local coordination occur.

III. ADDITIONAL INDIRECT LAND USE SCREENING REPORT ELEMENTS

1) ABSTRACT

The ENGINEER will develop an abstract for this report detailing the primary findings of the report. To the extent possible the abstract should be limited to 1 to 3 paragraphs in length.

2) MAPPING

The ENGINEER will develop map figures for inclusion in the report that clearly identify the geographic areas and notable features examined for the report. All reports should include a figure that details the Future Land Use Study Area. The Future Land Use Study Area boundary should be displayed on all mapping.

3) SOURCES

The ENGINEER will develop a list of sources used to develop the report. All sources shall include the information, included telephone numbers and web addresses if available, needed to return to the original source of the information if required.

IV. INDIRECT LAND USE SCREENING REPORT DELIVERABLES

1) PREPARE AND SUBMIT DRAFT INDIRECT LAND USE SCREENING REPORT

The ENGINEER will compile the data, analysis, and recommendations of the previous sections into a draft indirect land use screening report. The order of and inclusion of sections in the report shall conform to the standard indirect land use screening report template and as determined at the coordination meeting. This report will include all required supporting figures, photographs and sources. A copy of the site visit summary and all interview records will also be included with this draft. Three paper copies of an 8 ½" x 11" draft report and a digital copy (e-mail preferred) of the report text in a Microsoft Word readable format should be provided to the City of Greenville for review.

2) REVISE AND RESUBMIT REVISED DRAFT INDIRECT LAND USE SCREENING REPORT

The ENGINEER will revise the draft report based on City comments. The ENGINEER will specifically respond to each City comment. Each response will be documented on a separate document submitted with the final report. Three paper copies of an 8 ½" x 11" revised draft report should be provided to the City of Greenville. Two paper copies of an 8 ½" x 11" draft report and a digital copy (e-mail preferred) of the report text in a Microsoft Word readable format should be provided to NCDOT.

3) SUBMIT FINAL INDIRECT LAND USE SCREENING REPORT

The ENGINEER will revise the revised draft report based on City and NCDOT comments within fourteen (14) business days of the receipt of NCDOT comments unless alternative arrangements are made. The ENGINEER will specifically respond to each City and NCDOT comment. Each response will be documented on a separate document submitted with the final report. The ENGINEER will provide three paper copies of a final 8 ½" x 11" indirect land use screening report, including all supporting figures, photographs, summaries, records and sources to the City of Greenville and provide four copies to NCDOT. The ENGINEER will also provide a digital copy of the final report text in Microsoft Word readable format and the complete document in Adobe Portable Document format to the City and NCDOT. The ENGINEER will also provide GIS Shapefile information on the Future Land Use Study Area to HEU.

FEE AND BILLING

For the Additional Services set forth above, Client shall pay Engineer the following additional compensation:

A lump sum amount of **\$56,195.44** in accordance with Exhibit C of the Agreement (Article 4) for a revised total contract amount of **\$2,048,126.62**.

DIRECT EXPENSES

PROJECT DESCRIPTION: Tenth Street Connector					
PREPARED BY: Teresa Gresham, Jeff Moore, Ron Hair					
TIP NUMBER: U-3315			PROJECT NUMBER:		
DATE PREPARED: 12/10/2008			REVIEWED BY UNIT HEAD ON:		
GENERAL PROJECT WORK:	ITEM	QTY	DESCRIPTION	UNIT COST	
	Travel:				
	Car Rental			2 days @	\$45.00 \$90.00
	Gas for Rental	1		225 miles @	\$0.235 \$52.88
	Per Diem:				
		3	Breakfast		\$7.50 \$22.50
		6	Lunch		\$9.75 \$58.50
		3	Dinner		\$16.75 \$50.25
		3	Lodging (Including taxes)		\$71.50 \$214.50
			Subtotal		\$488.63
TECHNICAL REPORTS:	ITEM:	QTY:	DESCRIPTION	UNIT COST	
-	CCR	12			
	Reproduction:				
		525	8 1/2 x 11 B & W Copies @	\$0.04	\$21.00
		225	11 x 17 Color Copies @	\$1.66	\$373.50
		12	Cover(s) @	\$0.50	\$6.00
			Subtotal		\$400.50
TECHNICAL REPORTS:	ITEM:	QTY:	DESCRIPTION	UNIT COST	
	CIA	14			
	Reproduction:				
		595	8 1/2 x 11 B & W Copies @	\$0.04	\$23.80
		255	11 x 17 Color Copies @	\$1.66	\$423.30
		14	Cover(s) @	\$0.50	\$7.00
			Subtotal		\$454.10
TECHNICAL REPORTS:	ITEM:	QTY:	DESCRIPTION	UNIT COST	
	ISR	14			
	Reproduction:				
		340	8 1/2 x 11 B & W Copies @	\$0.04	\$13.60
		170	11 x 17 Color Copies @	\$1.66	\$282.20
		14	Cover(s) @	\$0.50	\$7.00
			Subtotal		\$302.80
			TOTAL		\$1,646.03

ENVIRONMENTAL DOCUMENT TASK ORDER

PROJECT DESCRIPTION: Tenth Street Connector		FIRM: Kimley-Horn and Associates, Inc.					TASK ORDER NUMBER:					DATE PREPARED: 12/10/2008				
PREPARED BY: Terese Gresham, Jeff Moore, Ron Hair		TIP NUMBER: 11-3315					WBS NUMBER:					REVISION DATE:				
TASK NUMBER	KHA Personnel NCDOT Categories TASK DESCRIPTION	Bohrbaugh	Moore	Hair	Gresham	Van Durn					Dunforth	Wilson	ROADWAY DESIGN DEDUCTED RATE	DISPERSED RATE	SUB-TOTAL	PERCENTAGE
		BRANCH MAN. (1D-1)	UNIT HEAD (TM-1)	GROUP MAN. (TF3)	PROJ. ENG. (TE-3)	DRAFT & RPRO. TECH. (11-4)	COMM. PLNR (CP-2)	ENV. SPRV. (EP3-4)	ENV. Spec. (EPC)	TRANS. ENG. SPVR. (TE-2)	TRANS. ENG. (TE-3)	TRANS. TECH (11-5)				
ENVIRONMENTAL																
1	COMMUNITY CHARACTERISTICS REPORT			2.50	20.00	3.00						13.50	2.25		41.25	
2	COMMUNITY IMPACT ASSESSMENT			1.50	23.73							4.30	1.00		30.75	
3	INDIRECT SCREENING REPORT			1.75	12.25							1.50	1.00		16.50	
4																
5																
6																
7																
8																
9																
10																
DESIGN																
11																
12																
13																
14																
15																
WORKDAYS/CATEGORY WITHOUT DEDUCTION:				5.75	56.00	3.00						19.50	4.25		88.50	
DEDUCT PHASE I CIA MANDAYS:				3.23	12.50	2.75						11.50			30.00	
TOTAL WORKDAYS/CATEGORY:				2.50	43.50	0.25						8.00	4.25		58.50	
RATES PER DAY:		\$607.68	\$392.32	\$492.32	\$319.28	\$246.16						\$160.32	\$128.88	\$255.44	\$254.84	
PAYROLL BURDEN:				\$1,730.80	\$13,888.68	\$61.54						\$1,282.50	\$547.74			
TOTAL WORKDAYS:			58.50													
TOTAL PAYROLL BURDEN:		\$17,011.32														
AVERAGE COST PER HOUR:		\$36.36														
GENERAL OVERHEAD @ 193.06 %:		\$32,842.05														
SUBTOTAL:		\$49,853.37														
COMPARATIVE FEE @ 9%:		\$4,486.80														
FACILITIES COST OF CAPITAL @ 1.23%:		\$209.24														
TOTAL:		\$54,549.42														
DIRECT EXPENSES:		\$1,646.03														
SUBCONSULTANT FEES:																
GRAND TOTAL:		\$56,195.44														

Name of Subconsultant(s)

REVIEWED BY
GROUP MNGT:
REVIEWED BY
UNIT HEAD:

Total Mandays*	58.50
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* Consultant and all Subconsultants

Item # 4

ENVIRONMENTAL BREAKDOWN WORKSHEET

TASK NO.	TASK DESCRIPTION	KITA Personnel															SUB-TOTAL	% OF PROJECT	PEF ESTIMATE	% OF PROJECT
		Radiant	Moore	Harr	Gresham		Van Dusen					Danforth	Wilson							
	NCIDOT Categories	BRANCH (TD-1)	UNIT (TM-1)	GROUP (TES-3)	PROJ. ENG. (TE-3)	DRAFT & REPO. TECIL (TT-4)	COMM. PLNR (CPSC-)	ENV. SPRV. (EPS-1)	ENV. SPEC. (FPC)	TRANS. ENG. SPVR. (TES-2)	TRANS. ENG. (TE-3)	TRANS. TECH (TT-5)	WORD. PROC. (AS-1)							
COMMUNITY CHARACTERISTICS REPORT																				
I.	PREFACE AND SUMMARY																			
	1) Preface				0.25												0.25	0.78%	0.00	#DIV/0!
	2) Summary				0.25												0.25	0.78%	0.00	#DIV/0!
	3) References				0.20												0.50	0.56%	0.00	#DIV/0!
II.	OVERVIEW OF STUDY AREA																			
	1) Project Description and History				0.25								0.20				0.75	0.83%	0.00	#DIV/0!
	2) Community Background				1.50												1.50	1.69%	0.00	#DIV/0!
	3) Community Issues				1.50												1.50	1.69%	0.00	#DIV/0!
III.	COMMUNITY DATA COLLECTION																			
	1) Initial Demographics Pull and Examination				2.00		1.00						3.00				6.00	6.78%	0.00	#DIV/0!
	2) Employment Census				0.75								1.50				2.25	2.54%	0.00	#DIV/0!
	3) Community Features				2.00								1.50				3.50	3.92%	0.00	#DIV/0!
	4) Historic Resources				0.75								0.75				1.50	1.69%	0.00	#DIV/0!
	5) Public Services				1.00								0.50				1.50	1.69%	0.00	#DIV/0!
IV.	LAND USE AND PLANNING																			
	1) Neighborhood Identification and Current Land Use Patterns				0.75												0.75	0.83%	0.00	#DIV/0!
	2) Consistency with Local/Regional Plans				0.50			2.00									2.25	2.54%	0.00	#DIV/0!
V.	COMMUNITY CHARACTERISTICS REPORT DELIVERABLES																			
	1) Subarea Draft Community Characteristics Report				1.00	3.00							1.00	0.75			5.75	6.50%	0.00	#DIV/0!
	2) Subarea Revised Draft Community Characteristics Report				1.00	3.00							1.00	0.75			5.75	6.50%	0.00	#DIV/0!
	3) Subarea Final Community Characteristics Report				0.50	3.00							0.75	0.75			4.00	4.52%	0.00	#DIV/0!
COMMUNITY IMPACT ASSESSMENT																				
I.	COMMUNITY ISSUE SCOPING																			
	1) PROJECT INITIATION / SET-UP																			
	a) Project Description and Road Network Discussion				0.50												0.50	0.56%	0.00	#DIV/0!
	b) Direct Community Impact Area				0.25								0.25				1.00	1.12%	0.00	#DIV/0!
	c) Initial Demographics Pull and Examination				0.50												0.50	0.56%	0.00	#DIV/0!
	d) Larger Community / Regional Area Understanding				0.50												0.50	0.56%	0.00	#DIV/0!
	e) Watershed / Water Supply Overview				0.50												0.50	0.56%	0.00	#DIV/0!
II.	COMMUNITY IMPACT ASSESSMENT DOCUMENTATION																			
	1) CONTINUED DATA GATHERING																			
	a) Aerial Map / GIS Mapping Review				0.50												0.50	0.56%	0.00	#DIV/0!
	b) Field Visit to Inspect Project Area				2.00								1.50				3.50	3.92%	0.00	#DIV/0!
	c) Specific Data Sources				0.75												0.75	0.83%	0.00	#DIV/0!
	d) Land Use Authority Contact				0.50												0.50	0.56%	0.00	#DIV/0!
	e) Community Contacts				0.75												0.75	0.83%	0.00	#DIV/0!
	f) Business Contacts				0.75												0.75	0.83%	0.00	#DIV/0!

Item # 4

ENVIRONMENTAL BREAKDOWN WORKSHEET

TASK NO.	TASK DESCRIPTION	KIA Personnel														SUB-TOTAL	% OF PROJECT	PEF ESTIMATE	% OF PROJECT
		Rohrbough	Moore	Hair	Graham		Van Dusen						Dantforth	Wilson					
	NCDOT Categories	DRANCII MAN. (TD-1)	UNIT HEAD (TM-1)	GROUP MAN. (TF-3)	PROJ. ENG. (TE-3)	DRAFT & REPO. TLCL (TT-4)	COMML. PLNR (CPSC-)	ENV. SPRV. (EPS-4)	ENV. SPEC. (EPC-)	TRANS. ENG. SPVR. (TFS-2)	TRANS. ENG. (TE-2)	TRANS. TECH (TT-5)	WORD. PROC. (AS-1)						
	a) Specific Contacts				0.50											0.50	0.50%	0.00	#DIV/0!
	b) Additional Statistical Resources (DELETED)															0.00	0.00%	0.00	#DIV/0!
	i) Parkland, Openspace, Natural Resources				0.25											0.25	0.28%	0.00	#DIV/0!
	2) DATA REPORTING / DOCUMENTATION				0.75											0.75	0.85%	0.00	#DIV/0!
	3) COMMUNITY CONTEXT DIAGRAM																		
	a) Community Districts				1.00									0.50		1.50	1.69%	0.00	#DIV/0!
	b) Community Nodes				0.50											0.50	0.56%	0.00	#DIV/0!
	c) Community Features				0.50											0.50	0.56%	0.00	#DIV/0!
	d) Community Landmarks				0.50											0.50	0.56%	0.00	#DIV/0!
	e) Community Pathways				0.50											0.50	0.56%	0.00	#DIV/0!
	f) Community Edges / Barriers				0.50											0.50	0.56%	0.00	#DIV/0!
	g) Crime, Safety, and Emergency Services				0.50											0.50	0.56%	0.00	#DIV/0!
	4) IMPACT ASSESSMENT CATEGORIES				0.50											0.50	0.20%	0.00	#DIV/0!
	a) Physical				0.25											0.25	0.28%	0.00	#DIV/0!
	b) Community / neighborhood cohesion and stability				0.50											0.50	0.56%	0.00	#DIV/0!
	c) Economic and business resources (including farming)				0.50											0.50	0.56%	0.00	#DIV/0!
	d) Local land use, character and development goals				0.25											0.25	0.28%	0.00	#DIV/0!
	e) Mobility and access				0.50											0.50	0.56%	0.00	#DIV/0!
	f) Community safety and emergency response				0.25											0.25	0.28%	0.00	#DIV/0!
	a) Environmental justice				0.50											0.50	0.56%	0.00	#DIV/0!
	b) Recurring neighborhood / community impacts				0.50											0.50	0.56%	0.00	#DIV/0!
	i) Important natural features, openspace and parkland				0.50											0.50	0.56%	0.00	#DIV/0!
	j) Disabilities				0.25											0.25	0.20%	0.00	#DIV/0!
	k) Summary				0.50											0.50	0.56%	0.00	#DIV/0!
	5) FINDINGS / NEXT STEPS				0.25											0.25	0.28%	0.00	#DIV/0!
	6) EXECUTIVE SUMMARY				0.50											0.50	0.56%	0.00	#DIV/0!
	7) MAPPING				0.50									1.50		2.00	2.20%	0.00	#DIV/0!
	8) SOURCES				0.25											0.25	0.28%	0.00	#DIV/0!
	COMMUNITY CHARACTERISTICS REPORT ADDITIONAL TASKS																		
	1) NCDOT DIVISION NOTIFICATION (DELETED)															0.00	0.00%	0.00	#DIV/0!
	2) COMMUNITY INFORMATION				0.25											0.25	0.28%	0.00	#DIV/0!
	3) CONTROVERSY ISSUES / CONTROVERSY DISCUSSION				0.50											0.50	0.56%	0.00	#DIV/0!
	COMMUNITY CHARACTERISTICS REPORT DELIVERABLES																		
	1) PREPARE AND SUBMIT DRAFT COMMUNITY CHARACTERISTICS REPORT			0.75	1.50								0.25	0.50		3.00	3.39%	0.00	#DIV/0!
	2) REVISE AND RESUBMIT DRAFT COMMUNITY CHARACTERISTICS REPORT			0.50	2.00								0.25	0.25		3.00	3.39%	0.00	#DIV/0!
	3) SUBMIT FINAL COMMUNITY CHARACTERISTICS REPORT				0.25								0.25	0.25		0.75	0.85%	0.00	#DIV/0!
	INDIRECT SCREENING REPORT																		
	I. GATHER AND DOCUMENT SCREENING INFORMATION																		

Item # 4

ENVIRONMENTAL BREAKDOWN WORKSHEET

TASK NO.	TASK DESCRIPTION	KHA Personnel														SUB TOTAL	% OF PROJECT	PEF ESTIMATE	% OF PROJECT	
		Rohrbough	Moore	Hair	Gresham		Van Dusen						Danforth	Wilson						
	NCDOT Categories	BRANCH MAN. (1D-1)	UNIT HEAD (TM-1)	GROUP MAN. (TES-3)	PROJ. ENG. (TF-3) (TF-2)	DRAFT & REPO. TECH. (TI-4)	COMM. PLNR. (CPSC-) (CP-2)	ENV. SRV. (EPS-4) (EPS-2)	ENV. SPEC. (EPC-) (EST)	TRANS. ENG. (TES-2)	TRANS. ENG. (TE-3)	TRANS. TECH (TT-5)	WORD. PROC. (AS 1)							
I) BASF SCREENING INFORMATION																				
	a) Project Description				0.25												0.25	0.28%	0.00	#DIV/0!
	b) Determine the Future Land Use Study Area (ICF Guidance Step 1)			0.25	0.75												1.50	1.69%	0.00	#DIV/0!
	c) Identify and Document the INDIRECT Study Time Horizon (ICF Guidance Step 1)				0.75							0.50					1.50	0.85%	0.00	#DIV/0!
	d) Determine the Other Transportation, Infrastructure, and Active Development Projects in the Area				0.75												0.75	0.85%	0.00	#DIV/0!
	e) Gather and Summarize the Population Trends and Projections in the Area (ICE Guidance Step 2)				0.50												0.50	0.56%	0.00	#DIV/0!
	f) Gather and Summarize the Job Trends and Projections in the Area (ICE Guidance Step 2)				0.50												0.50	0.56%	0.00	#DIV/0!
	g) Document Notable Environmental Features in the Area (ICE Guidance Step 3)				0.25												0.25	0.28%	0.00	#DIV/0!
2) ANALYTICAL SCREENING INFORMATION																				
	a) Transportation Impact Causing Activities (TICAs) for the Project (ICE Guidance Step 4)				0.75												0.75	0.85%	0.00	#DIV/0!
	b) Detail the Location and Plans for Water and Sewer Lines in the Area (ICE Guidance Step 2, 4)				0.50												0.50	0.56%	0.00	#DIV/0!
	c) Gather and Summarize the Development Regulations in the Area (ICE Guidance Step 3, 4)				0.75												0.75	0.85%	0.00	#DIV/0!
	d) Calculate Available Land Estimates (ICE Guidance Step 2)			0.25	0.50												0.75	0.85%	0.00	#DIV/0!
	e) Identify Market for Development in the Area (ICE Guidance Step 2, 4, 5)				0.50												0.50	0.56%	0.00	#DIV/0!
II. ANALYZE AND EVALUATE DATA																				
	1) PREPARE INDIRECT LAND USE SCREENING MATRIX (ICE Guidance Step 5, 6, 7)				0.25												0.25	0.28%	0.00	#DIV/0!
	2) EVALUATE INDIRECT LAND USE SCREENING MATRIX (ICE Guidance Step 5, 6)				0.25												0.25	0.28%	0.00	#DIV/0!
	3) PREPARE INDIRECT LAND USE SUMMARY STATEMENT (ICE Guidance Step 6)				0.25												0.25	0.28%	0.00	#DIV/0!
III. ADDITIONAL INDIRECT LAND USE SCREENING REPORT ELEMENTS																				
	1) ABSTRACT				0.50												0.50	0.56%	0.00	#DIV/0!
	2) MAPPING				0.25							0.25					0.50	0.56%	0.00	#DIV/0!
	3) SOURCES				0.25												0.25	0.28%	0.00	#DIV/0!
IV. INDIRECT LAND USE SCREENING DELIVERABLES																				
	1) SUBMIT DRAFT INDIRECT LAND USE SCREENING REPORT			0.75	1.50								0.25	0.50			3.00	3.39%	0.00	#DIV/0!
	2) SUBMIT REVISED DRAFT INDIRECT LAND USE SCREENING REPORT			0.50	2.00								0.25	0.25			3.00	3.39%	0.00	#DIV/0!
	3) SUBMIT FINAL INDIRECT LAND USE SCREENING REPORT				0.25								0.25	0.25			0.75	0.85%	0.00	#DIV/0!
TOTAL WORKDAYS/CATEGORY:		0.00	0.00	5.75	56.00	0.00	3.00	0.00	0.00	0.00	0.00	19.50	3.25				88.50	100.00%	0.00	#DIV/0!

Item # 4



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Dropout Prevention Grant for the Police Department from the North Carolina General Assembly

Explanation: The Greenville Police Department applied for a grant from the North Carolina General Assembly to start a Dropout Prevention Program.

The grant program will be implemented in the Greenville/Pitt County area. The project is a multi-layered strategy designed to prevent 100 youth aged 16 to 21 who are on probation and still in school from dropping out of school or going further into the criminal justice system. The Police Department will work with the North Carolina Department of Corrections, Probation and Parole, and the Juvenile Justice system to identify youth who are on probation and still in school.

Fiscal Note: The total grant award is for \$150,000. There is no local match.

Recommendation: Authorize acceptance of the Dropout Prevention grant.

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City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Police Department grant applications

Explanation: The Greenville Police Department has the opportunity to apply for five grants:

1. 2008-09 North Carolina Street Gang Prevention and Intervention Grant Initiative--The Police Department will be requesting a maximum of \$200,000 per year for two years (grant still under development) to fund gang prevention and intervention activities to include the implementation of the High Point Model of Violence and Crime Reduction, BluePrint for Peace, community mobilization, and acquisition of surveillance equipment. Match: 25% of which one half (12.5%) may be in-kind
2. 2009 Crime Victim's Services--The Police Department will be requesting a maximum of \$200,000 per year for two years (grant still under development) to fund services for victims of domestic violence and sexual abuse, providing services at one safe location – Family Justice Center (San Diego Model), purchase forensics equipment, and provide training for patrol officers. Match: 25% of which one-half (12.5%) may be in-kind
3. 2009 Criminal Justice System Improvement--The Police Department will be requesting a maximum of \$200,000 per year for two years (grant still under development) to fund the Ex-Offender Reentry Program. Services for non-violent ex-offenders who were convicted in Pitt County will include skills assessment, job search, job creation, temporary transitional housing, training, and support during pre- and post release. Match: 25% cash match
4. 2009 Criminal Justice Improvement--The Police Department will be requesting an Automated Fingerprint Identification System/Automated Palm Print Identification System for \$40,000, a Forensic Comparison Microscope for \$54,500, and a Downflow Workstation vent hood for \$4,500, for a total of \$99,000. Match: 25% cash match
5. 2009 GREAT Grant--The Police Department will apply for third-year funding for the Gang Resistance Education Grant, which provides a training curriculum

for sixth graders in Pitt County. The amount is unknown at this time, but will be less than \$100,000. Match: 10% in-kind or cash

Fiscal Note:

All five grants require some local match. The Department is unable to determine those totals until the grants are awarded. Whenever possible, the Department will use in-kind match as opposed to cash.

Recommendation:

Approve the Police Department applying for these five grants.

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City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Personnel changes to implement in-house administration of the False Alarm Reduction Program

Explanation: At the August 11, 2008, City Council meeting, Police Chief William Anderson presented a False Alarm Reduction Program report. Staff reported that the program's goal, which is to reduce the number of false alarms in order to improve the efficiency of public safety resources, had led to a 28% reduction. Further, staff concluded its report presentation with a new fee schedule and several recommendations to enhance the program's effectiveness in meeting the unique needs of the City. The City Council approved staff's recommendations at the October 9, 2008, City Council meeting.

One of the approved changes was to terminate the City's program administration third-party contract with AOT Public Safety Corporation and run it with City staff. In order to operate the program in-house, staff has developed a plan of administration that includes:

1. Make the False Alarm Coordinator position full time by transferring the off duty coordinator responsibilities to the half time Police Athletic League Program Director making that position now also full time (PG 19)
2. Create a one half FTE Police Clerk-Typist (PG 18)

The above personnel changes add the equivalent of one FTE position to the City's staffing plan. A total of 1.5 FTE positions were approved by City Council at the October 9, 2008, City Council meeting. At this time, staff feels the use of the additional 0.5 FTE position is not required. The Police Department, with assistance from Financial Services, will conduct an assessment of the program after a few months of operation to determine whether the additional 0.5 FTE position will be needed in the future.

Fiscal Note: A budget amendment incorporating the changes needed to implement in house administration of the False Alarm Reduction Program is presented as part of budget ordinance amendment #7 later on the consent agenda. Total fiscal year

2008-2009 impact for five months of the current fiscal year is \$64,646 in expenses and an equal amount in additional revenues.

Recommendation: Approve proposed personnel changes to implement the False Alarm Reduction Program using City staff.

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City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Budget ordinance amendment #7 to the 2008-2009 City of Greenville budget

Explanation: Attached is an amendment to the 2008-2009 budget ordinance for consideration at the January 5, 2009, City Council meeting. For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanations below:

A To appropriate grant funds to be received from the North Carolina General Assembly for dropout prevention. This project will be the responsibility of Pitt County Schools, the Greenville Police Department, and the North Carolina Division of Community Corrections. The program will be implemented in Pitt County through a three pronged multi-layered strategy designed to prevent 100 at risk youth aged 16-21 from dropping out of school. There is no match required for this grant (\$149,629).

B To transfer and allocate funds from the Capital Reserve to the General Fund to remove asbestos and the remaining blocks, and demolish the buildings that are on the Hurst Property [Public Works Yard expansion site on Skinner Street] (\$33,200).

C To appropriate funds to cover additional costs needed to take over responsibility of the false alarm management system from the 3rd party contractor, AOT Public Safety Corporation. Additional costs include the net personnel impact of establishing a full time False Alarm Coordinator position in the Police Department, the implementation and maintenance of the software, costs for payment processing services by a lock box agreement, and early contract termination costs. Where appropriate, program costs have been prorated to reflect 5-months, beginning February 1, 2009. Transferring the false alarm program management in-house was approved during the October 9, 2008 City Council meeting (\$64,646).

Fiscal Note: The budget ordinance amendment affects the following fund: increase the General Fund by \$247,475.

<u>Fund Name</u>	<u>Current Approved Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
General Fund	\$ 72,978,778	\$ 247,475	\$ 73,226,253

Recommendation: Approve budget ordinance amendment #7 to the 2008-2009 City of Greenville budget.

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 [Budget_Ordinance_Amendments_2008_2009_776865](#)

ORDINANCE NO. 09-____
CITY OF GREENVILLE, NORTH CAROLINA
ORDINANCE (#7) AMENDING ORDINANCE NO. 08-73

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I. Estimated Revenues. General Fund, of Ordinance 08-73, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Spec State/Fed/Loc Grants ^A	\$ 1,334,827	\$ 149,629	\$ 1,484,456
False Alarms ^C	50,000	64,646	114,646
Transfer from Capital Reserve ^B	854,750	33,200	887,950
Total		<u>\$ 247,475</u>	

Section II. Appropriations. General Fund, of Ordinance 08-73, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Police ^{A,C}	\$ 20,350,876	\$ 214,275	\$ 20,565,151
Capital Improvements ^B	5,631,841	33,200	5,665,041
Total		<u>\$ 247,475</u>	

Section III. Appropriations. Capital Reserve, of Ordinance 08-73, is hereby amended by decreasing estimated appropriations in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Increase in Reserve ^B	\$ 734,392	\$ 33,200	\$ 701,192

Section IV. Appropriations. Capital Reserve, of Ordinance 08-73, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Transfer to Other Funds ^B	\$ 854,750	\$ 33,200	\$ 887,950

Section V. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section VI. This ordinance will become effective upon its adoption.

Adopted this 5th day of January, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Various tax refunds

Explanation: The Director of Financial Services reports the refund of the following taxes:

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
Daimler Chrysler Motors Corporation	Refund of City Taxes Paid	\$ 107.50
Pitt County Tax Collector	Refund of City Taxes Paid	\$ 148.86
Jeffrey & Nancy Meyer	Refund of City Taxes Paid	\$ 113.28
Damon Sanger	Refund of City Taxes Paid	\$ 232.59

Fiscal Note: The total amount to be refunded is \$602.23.

Recommendation: Approval of tax refunds by City Council

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City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Presentations by boards and commissions

- a. Community Appearance Commission
- b. Environmental Advisory Commission

Explanation: The Community Appearance Commission and the Environmental Advisory Commission will make their annual presentations to City Council at the January 5, 2009 meeting.

Fiscal Note: N/A

Recommendation: For information only; no action recommended

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City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: Ordinance amending the Animal Control Ordinance

Explanation: The proposed changes to the Animal Control Ordinance provide the police clearer definitions to use when making determinations regarding vicious, potentially dangerous, and aggressive animals. The proposal also includes definitions of key terms not included in the current ordinance.

The proposal also extends the ordinance to include all animals, while currently only dogs are addressed. The proposed ordinance includes language defining animals that are owned or harbored for the purpose of fighting or trained for fighting as dangerous/vicious animals.

The proposed changes outline the procedures that will be followed when an animal has been involved in an incident and the method the citizen has to address their concerns or make appeals. The proposal also includes a \$250 civil fine for any owner that refuses to comply with a seizure order within 24 hours.

Fiscal Note: No direct cost.

Recommendation: Adopt the amended Animal Control ordinance.

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[Proposed Animal Control Ordinance 803510](#)

ORDINANCE NO. 08

AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 12 OF THE
GREENVILLE CITY CODE SAID CHAPTER BEING ENTITLED ANIMAL
CONTROL

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES
HEREBY ORDAIN:

Section 1. That Chapter 2 of Title 12 of the Code of Ordinances, City of Greenville,
is hereby amended by adding definitions to paragraph 1 as follows:

(a) Dangerous/Vicious Animals

(1) An animal whether or not on the owner's or keeper's real property and without provocation kills or inflicts severe injuries to a person; or

(2) An animal that is owned or harbored primarily or in part for the purpose of fighting, or a dog trained for fighting; or

(3) An animal that leaves the owner's or keeper's real property and approaches a person in a vicious or terrorizing manner and in an apparent attitude of attack, that causes the person to be killed, or sustain severe injuries; or

(4) An animal that has been ruled "potentially dangerous" and subsequently attacks again causing injury.

(b) Potentially dangerous animal

(1) An animal whether or not on the owner's or keeper's real property and without provocation inflicts a bite on a person and causing severe injuries to the person; or

(2) An animal that killed or severely injured the domesticated animals of another when not on the owner's or keeper's real property and without provocation; or

(3) An animal when not on the owner's or keeper's real property and without provocation in a vicious or terrorizing manner approaches another person in an apparent attitude of attack.

(c) Aggressive animal

(1) An animal when not on the owner's property that attacks or attempts to attack a person without provocation and such attack does not result in severe injuries; or

(2) An animal, on more than one occasion, and when not on the owner's property attacks livestock or other domesticated animals causing minor injury of that livestock or other domesticated animals.

(d) *Attack by a dog* means any assault or battery by a dog upon a person or domestic animal, to include biting, felling or toppling, tearing of clothing, provoking flight to escape attack, or any other act which could reasonably cause any injury to the person or domesticated animal.

(e) *Bite of a dog* means any seizing, gripping or grasping, no matter how slight or momentary, by a dog between its jaws the body parts of a person or domestic animal, so as to cause physical injury to such person or domestic animal. This does not include the playful behavior by a dog that is welcomed and not likely to cause any injury, fear or harm to the person or animal.

(f) *Owner's Real Property* means any real property owned or leased by the owner of the dog, not including any public right-of-way or a common area of a condominium, apartment complex, or town house development.

(g) *Severe injury* means any physical injury that results in broken bones or disfiguring lacerations or requires cosmetic surgery or hospitalization.

Section 2. That Chapter 2 of Title 12 of the Code of Ordinances, City of Greenville, is hereby amended by deleting paragraph 14 in its entirety and substituting a revised paragraph 14 as follows:

(a) It shall be unlawful for any person(s) to own, keep, have charge of, shelter, feed or harbor any vicious or dangerous animal within the city limits.

(b) The Animal Control Division of the Greenville Police Department shall enforce this section, and it shall be the duty of the Animal Control Division Supervisor to initially determine if an animal is "vicious" or "potentially dangerous" in accordance with this ordinance.

If a dog that has been declared "dangerous/vicious" or if a dog has been declared "potentially dangerous" under this ordinance, attacks, or bites a person or domesticated animal without provocation, the animal control supervisor will direct the animal be confiscated, will be deemed "vicious" and will be confiscated by the Animal Control Division. The dog will then be placed in quarantine, if necessary, for the proper length of

time, or impounded and held for ten business days after the owner is given written notification. If no action is taken by the owner of the dog within the time prescribed; then the dog will be humanely destroyed in a manner prescribed by law.

(c) When an animal is initially determined to be “vicious” or “potentially dangerous”, the Animal Control Division is authorized and directed to seize the animal and confine it in a place determined by the Animal Control Division Supervisor. The owner of the animal, if known, shall be notified in writing that the Animal Control Division seized the animal, and where the animal will be held pending the outcome of the hearing. The written notification shall state the facts that lead the Animal Control Division Supervisor to determine the animal “vicious” or “potentially dangerous”. A hearing will be set with the Animal Control Division Supervisor within (7) days. The written notification will state the time, date and purpose of the hearing.

If the dog owner elects to appeal the Animal Control Division Supervisor’s initial determination, the owner shall file a notice of appeal in writing to the Chief of Police through the Animal Control Division Supervisor within seventy-two (72) hours of the initial hearing.

If the owner of the “vicious” or “potentially dangerous” dog does not appear for the hearing, it shall be the duty of the Animal Control Division Supervisor to order the humane destruction of such “vicious” or “potentially dangerous” animal.

(d) The penalty for violation of this section shall be considered a civil penalty. If the owner refuses to comply with the surrender order of the Animal Control Division within 24 hours of the seizure order, the amount of the civil penalty shall be \$250.00. If the owner fails to surrender the animal after the initial 24-hour period, the owner is subject to an additional civil penalty in the amount of \$250.00 for each 24-hour period that the owner refuses to surrender the animal in addition to any criminal penalties that may be imposed including arrest.

(e) A dog impounded under this section shall be at the expense of the owner, keeper, or harbinger of the dog. Cost would include impoundment at the local animal shelter, veterinary center or kennel. In no event shall the City of Greenville subject to this ordinance be liable for or pay for impoundment at a private or public facility.

(f) If the dog owner appeals the Animal Control Division Supervisor’s initial decision, the Chief of Police shall conduct a hearing and make a ruling based on the guidelines set forth in this ordinance.

Should the Chief of Police sustain the ruling by the Animal Control Division Supervisor and determine the animal to be “vicious” or “potentially dangerous”, the Animal Control Division shall take the appropriate enforcement action as set forth in this ordinance. Should the Chief of Police overrule the decision of the Animal Control Division Supervisor and determine the animal not to be “vicious” or “potentially dangerous”, the

dog will be returned to its rightful owner. The Chief of Police shall have the final decision in the appeals process.

(g) The Animal Control Division, with the approval of the Chief of Police, may establish procedures and regulations implementing this ordinance to provide for public safety and protection. Failure of owners and keeper's to comply with the regulations shall subject the owner and keeper to a civil penalty for a first finding of noncompliance in the amount of \$50. For second and subsequent violations of the regulations, the owner and keeper may be subject to an additional civil penalty in the amount of \$50.00 per day that the owner and keeper fail to comply. Owners and keepers will be provided a copy of the implementing regulations. Penalties assessed for violations of this ordinance shall be in addition to the civil penalties assessed for violations of the surrender order for a dangerous or vicious animal.

(h) Failure to pay any civil penalty assessed under this section, will subject the owner and keeper to additional penalties and interest as provided in the Manual for Fees of the City of Greenville and attorneys fees and costs if a civil action is filed to enforce this section or collect any civil penalty.

(i) **Exceptions**

1. A law enforcement dog or guard dog used by a law enforcement officer or bona fide professional security guard to carry out law enforcement officer's or security guard's official duties or professional responsibilities.
2. A dog that causes injury to a person who, at the time of the injury, was tormenting, abusing, or assaulting the dog, or was committing or attempting to commit a crime.

Nothing in this ordinance shall be construed to prevent an Animal Control Officer or any other person from pursuing remedies under Chapter 67, Article 1 A of the North Carolina General Statutes.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 5. This ordinance will become effective upon its adoption.

This the _____ day of _____, 2009.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: General Fund Loan to the Convention Center District Project account for streetscape and property improvements

Explanation: Greenville and the greater Pitt County community are fortunate to have elected and civic leadership possessing the vision to invest the time, resources, and monies to construct a high-quality convention center. During the center's six years of operation, the Convention Center has been successful. Affirmation of its success can be seen in the high-profile, benchmark conferences that will be hosted for the first time. In 2009, the North Carolina League of Municipalities annual conference will be hosted, and another example is the 2010 North Carolina Association of County Commissioners annual conference.

Convention centers, which are mainly owned by public entities, operate in a competitive environment. Improving the aesthetic quality of the Convention Center campus, improving pedestrian mobility and safety, and creating a sense of place are investments that will help the facility continue attracting high-quality conferences. In return, those high-caliber conferences generate significant economic benefits; for example, the NCLM 2009 annual conference is projected to pump roughly \$829,000 of outside money into the local economy. According to the NC Department of Tourism, that money will get turned over at least 2.5 times, which translates into more than \$2 million for Pitt County and surrounding cities.

A diverse group of representatives from the Exhibit Hall Management Group, Hilton/Hampton Hotels, GUC, Convention and Visitors Authority, and the City formed a project development team and have been working since March 2008 exploring options to achieve the aforementioned goals. The team developed the concept for the Convention Center District and the planned improvements to provide an attractive and safe place for visitors, tourists, and conventioners to experience the Greater Greenville area; promote Greenville as a destination of choice east of I-95; and work with neighboring businesses to leverage investments in the district. Infrastructure, streetscape, and Convention Center campus improvements will also be available for residents' enjoyment because

some of the Convention Center events attract area residents.

The key streetscape themes during the planning process were:

- Create a sense of place
- Provide a safe & low maintenance environment
- Integrate green design
- Position Greenville as a modern leader in the East

A copy of the Schematic Streetscape Master Plan for the Convention Center District is attached. During the staff presentation, City Council will receive an update on the final schematic, project scope of work, and estimated construction budget.

Attached is the initial scope of work and project team roster. The team proposes funding the improvements mainly from the occupancy tax revenues that the City receives after payment of debt service, which can be used to improve and support the Convention Center District. City Attorney Dave Holec has been consulted about the use of occupancy tax funds for this purpose and finds that the use of occupancy taxes for this purpose is consistent with the statutes authorizing adoption of the occupancy tax.

In order to enjoy the construction cost savings that accrue with economies of scale, the project team recommends the Phase I work be done at the same time. Phase I improvements exceed the occupancy tax revenues the City anticipates being available in this fiscal year. To fund Phase 1, City staff proposes dedicating fiscal years 2009-2010 and 2010-2011 anticipated surplus occupancy tax receipts to cover the additional Phase 1 project costs.

Since those dedicated funds are unavailable at this time, staff proposes the City Council approve an occupancy tax anticipation loan from the General Fund. Annual payments will be made to the General Fund in fiscal years 2009-2010 and 2010-2011 with interest accrued charges to fully repay this anticipation loan.

Approval of this request helps achieve one of the City Council's 2008-2009 Goals:

Goal #4 - Develop transportation initiatives

Objective A - Upgrade Greenville Boulevard and other State-maintained streets within the City (safety and more attractive).

Action Item #2 - Construct sidewalks along both sides of Greenville Boulevard between Landmark Street and Bismarck Street as part of the Convention Center Business District.

City Council approved awarding a bid to Rivers and Associates for design services at the November 6, 2008, City Council meeting.

Assistant City Manager Thom Moton, Public Works Director Wes Anderson, and Rivers and Associates representative Myriah Shewchuck will make a short presentation and be available at the City Council meeting to answer questions.

Fiscal Note: Occupancy tax anticipation loan from General Fund undesignated reserves for \$420,000.

Recommendation: Approval of an occupancy tax anticipation loan to enable Phase 1 of the Greenville Convention Center District streetscape improvements to move forward.

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 [Convention Center District Schematic](#)

 [Convention_Center_Streetscape_Pres_804298](#)

City of Greenville
Convention Center District Streetscape Improvement Project
As of 26 Sep 08

Scope of work Phase 1:

Replace existing traffic signal system with mast arms and poles at Hooker/Greenville Blvd and Landmark/Greenville Blvd. Install illuminated street name signs on the mast arms.

Estimated cost \$250K per intersection

Construct sidewalks within the existing right of way to support pedestrian movements between Landmark and Bismarck (Estimated Cost \$60K). Construct a low maintenance decorative crosswalk system across the intersection of Greenville Blvd and Hooker.

Construct a "grand" walkway and courtyard in the parking lot (present greenspace) that leads from the sidewalk on Greenville Blvd to the front entrance to the Convention Center. The "grand" entrance is to have some form of water feature. Flagpoles to remain unchanged and attempt to retain the existing trees in the greenspace.

Move the marquee sign to the entrance to the Convention Center and improve the sight lines to the marquee sign to include removing trees if necessary. Install a modern LED changeable message sign. (City to consider changing the City Code in regards to operational procedures of these signs.)

Improve the landscaping features in the Convention Center Campus (Hampton/Hilton/City Bistro area)

Install street lighting system on the access road to the Convention Center. The system must be capable of supporting banners (72" by 24") hung on arms from the street lights

City in conjunction with the owners of the Hilton will change the name of the access road to the Convention Center.

Other scope of work Phase 1:

“Clean up” the overhead utilities at the intersection to provide space for mast arms and poles and to reduce the impact on the sight lines.

Other planning information for Phase 1:

Not all scope of work for phase 1 must be completed by Oct 09, but all should be underway and critical components completed.

Critical components include:

Sidewalks within the existing right of way to support pedestrian movements between Landmark and Bismark

Grand walkway and courtyard in the parking lot (present greenspace) that leads from the sidewalk on Greenville Boulevard to the front entrance to the Convention Center.

Move of the marquee sign to the entrance to the Convention Center.

Improve the landscaping features in the Convention Center Compound (Hampton/Hilton/City Bistro area)

Initial Scope of work for Phase 2:

Replace existing traffic signal system with mast arms and poles at two intersections, Bismark/Greenville Blvd and Landmark/Greenville Blvd. Install illuminated street name signs on the mast arms.

Estimated cost \$250K per intersection

Prepared by Wes Anderson, Public Works Director

City of Greenville
Convention Center District Streetscape Improvement
Project Development Team

City of Greenville

Wayne Bowers, City Manager
Thom Moton, Assistant City Manager, Project Development Leader
Wes Anderson, Public Works Director, Construction Project Leader
Scott Eaton, City Manager's Office Intern
Dave Holec, City Attorney
Merrill Flood, Community Development
Carl Rees, Community Development

Greenville Convention Center

Rhesa Tucker, Exhibit Hall Managers Group

Convention and Visitors Authority

Debbie Vargas, Executive Director

Greenville Utilities Commission

Brian Murphy, Electric Engineering Assistant

Hilton –Greenville/ Hampton Hotel

Tom Tysinger

Rivers and Associates

Myriah Shewchuk, Landscape Designer
Ronald Sessoms, Intern



Schematic Streetscape Master Plan for the CONVENTION CENTER DISTRICT: Greenville Boulevard from Memorial Drive to Evans Street

CREATE A 'SENSE OF PLACE'

- Define the gateways to the District
- Improve signage & wayfinding
- Integrate public art
- Provide unique materials and furnishings



PROVIDE A SAFE & LOW MAINTENANCE ENVIRONMENT

- Improve lighting & maintain high visibility
- Delineate pedestrian areas
- Provide urban & drought tolerant plants
- Use durable materials



INTEGRATE 'GREEN' DESIGN

- Decrease heat island effect
- Minimize light pollution
- Encourage pedestrian access
- Use native or adaptable plant material
- Treat stormwater quantity and quality



POSITION GREENVILLE AS A MODERN LEADER IN THE EAST

- Provide opportunities for education
- Set a precedent for future projects
- Integrate interpretive signage



A "Green Street" Concept



City of Greenville, North Carolina

Meeting Date: 1/5/2009
Time: 6:00 PM

Title of Item: City Manager 2009 Goals and Performance Objectives

Explanation: The City Manager's employment agreement provides in Section 5(b) that the Council and City Manager shall annually define goals and performance objectives in writing to be used as the basis for an annual City Manager performance evaluation. A draft list of 16 goals and performance objectives for 2009 is attached for your review and consideration. Further refinement and possibly amendments to the goals and performance objectives may be needed following the City Council planning session on January 24, 2009 and adoption of the City Council goals in March 2009. Establishing clear goals early in the year at this time, however, is preferred instead of waiting until the spring.

A status report on progress made toward completing the approved goals and performance objectives will be prepared in November 2009 and will serve as the basis for the annual City Manager performance evaluation.

Fiscal Note: Approval of the objectives has no fiscal impact. The financial implications of a specific goal will be determined as each is addressed during the year.

Recommendation: Approve the City Manager 2009 Goals and Performance Objectives.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[City Manager Goals 2009 804045](#)

DRAFT

CITY MANAGER GOALS AND PERFORMANCE OBJECTIVES

2009

1. Continue to monitor the redevelopment efforts for the 45 Block Revitalization Program and provide regular status updates to the City Council
2. Work with the Redevelopment Commission to attract a residential condominium project to the uptown area
3. Present a draft non-residential building maintenance code for City Council consideration by January 8, 2009 and fully implement the adopted code by March 2009
4. Prepare for City Council consideration by April 2009 a comprehensive annexation plan to address areas in the ETJ that meet legal requirements for annexation
5. Evaluate with the Police Chief current community policing efforts and determine if any major adjustments are needed to address crime issues by April 2009
6. Acquire a site for the future construction of Fire Station #7 by June 2009
7. Insure completion of the new public safety computer aided dispatch/records management system and transition to the VIPER radio system by July 2009
8. Continue to assist the NCDOT with constructing the improvements that will reduce the impact of the railroad switching yard operations on City streets; first phase of construction to begin by May 2009
9. Continue process for constructing an Intermodal Bus Transportation Center with completion of property acquisition by October 2009
10. Complete construction of the South Tar River Greenway by September 2009
11. Obtain grant funding for construction of the Drew Steele Center at Elm Street Park by June 2009
12. In consultation with The Ferguson Group pursue funding for projects included in the City's FY 2010 federal agenda
13. Present to the City Council by May 6, 2009 proposed adjustments to the 2009-2010 financial plan as part of the two year budget process
14. By February 2009 make available to the City Council and citizens a monthly report that provides the status of all City capital projects
15. Complete the health insurance study and evaluate all consultant recommendations by June 2009
16. Complete the employee classification & compensation study and evaluate all consultant recommendations by September 2009