
AGENDA
TOWN COUNCIL OF THE TOWN OF TARBORO, NC
REGULAR MEETING HELD AT 7:00 PM, MONDAY, JULY 12, 2021
IN THE COUNCIL ROOM, TOWN HALL, TARBORO, NC

1. MEETING CALLED TO ORDER BY THE MAYOR

PLEASE TURN CELL PHONES OFF

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA BY COUNCIL

5. REQUESTS AND PETITIONS OF CITIZENS

(Five minute time limit per person)

6. TOWN MANAGERS RECOMMENDATIONS

Consent Items

- (1) Approve minutes of the June 14, 2021 regular meeting.
- (2) Tax Collector's Report
- (3) Budget Transfers

Action Items

- (4) Session Law 2021-56 (Senate Bill 722) Election Delay Procedures
- (5) Budget Amendment - Part-Time Salaries
- (6) NCDOT - Wilson Street Widening - Right-of-Way Acquisition
- (7) NCDOT - Tarboro "Hometown Homecoming" Parade Ordinance
- (8) Special Event - OkTarborofest - Request for Co-Sponsorship
- (9) American Rescue Plan Act of 2021
- (10) EPA Brownfields Award and Contract
- (11) ESFRLP-19 Contract for Rehabilitation
- (12) Resolution - Hazard Mitigation Grant Program
- (13) Resolution-NCGHSP Region 4 Law Enforcement Liaison
- (14) Appointment for July - Tarboro-Edgecombe Arts Commission

7. OTHER REPORTS

- A. Town Manager
- B. Town Attorney
- C. Council Members

8. CLOSED SESSION

- (1) Closed Session as per NCGS § 143-318.11(a)(6)

9. ADJOURNMENT

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF TARBORO, HELD AT 7:00 PM ON MONDAY, JUNE 14, 2021 IN THE
COUNCIL ROOM, TOWN HALL, TARBORO, NORTH CAROLINA**

MEMBERS PRESENT

Mayor Pitt
Councilman Woodard - Phone
Councilman Taylor
Councilman Burnette
Councilman Brown
Councilman Jenkins
Councilmember Jordan
Councilmember Bynum
Councilman Mayo

MEMBERS ABSENT

ALSO PRESENT

Troy Lewis, Town Manager
Leslie Lunsford, Town Clerk
Chad Hinton, Town Attorney

1. MEETING CALLED TO ORDER BY THE MAYOR

2. INVOCATION

Councilman Taylor.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA BY COUNCIL

Agenda approved as presented.

John Jenkins made a motion, which was seconded by Leo Taylor and Passed, Motion.

Agenda approved as presented.

John Jenkins made a motion, which was seconded by and Passed, Motion.

5. PRESENTATION BY COUNCIL

(1) Recognition of Tarboro High School Vikings - 1AA State Football Championship

Mayor Pitt presented a Resolution honoring the Tarboro High School Vikings, 2021 NCHSAA 1AA State Champions, to Head Coach Jeff Craddock and Assistant Coach Andy Harding.

6. REQUESTS AND PETITIONS OF CITIZENS

None.

7. MATTERS SCHEDULED FOR PUBLIC HEARING

2021-2022 Fiscal Year Budget - A public hearing will be held on the proposed 2021-2022 fiscal year budget. Upon closure of the public hearing, it would be appropriate for Council to take action concerning the FY 2021-2022 budget ordinance.

The Mayor declared the public hearing open.

No one spoke in favor of or against the 2021-2022 Fiscal Year Budget.

Everyone having an opportunity to speak, the Mayor declared the public hearing closed.

Councilman Woodard made a motion, which was seconded by Councilmember Jordan that the FY 2021-2022 budget be amended to include a \$10.00 an hour minimum for all part time employees. The motion did not pass, Councilmembers Woodard, Jordan, Taylor and Bynum voted for the motion, Councilmembers Burnette, Mayo, Jenkins and Brown voted against the motion. Mayor Pitt voted against the motion.

Council further discussed the budget. Councilman Woodard made a motion, which was seconded by Councilmember Jordan to call for question. Motion did not pass due to a 3 to 5 vote. Councilmembers Woodard, Jordan and Bynum voted for the motion. Councilmembers Burnette, Mayo, Jenkins, Taylor, and Brown voted against the motion. Council continued the discussion.

Councilman Taylor made a motion, which was seconded by Councilman Mayo, and passed by a 5 to 3 vote that Council approve the Fiscal Year 2021-2022 Budget as presented. Councilmembers Burnette, Jenkins, Mayo, Brown and Taylor voted for the motion. Councilmembers Jordan, Woodard and Bynum voted against the motion.

Council approved the following Ordinance:

ORDINANCE NO. 21-05

TOWN OF TARBORO, NORTH CAROLINA BUDGET ORDINANCE FOR FISCAL YEAR 2021 – 2022

UDO Text Amendment 21-02 - A public hearing will be held to consider amending Chapter 160D of the UDO.

The Mayor declared the public hearing open. Catherine Grimm provided information on the UDO amendment. No one spoke in favor of or against. The Mayor declared the public hearing closed. Council approved a resolution approving the UDO amendment and ordinance 21-06.

ORDINANCE 21-06

AN ORDINANCE AMENDING THE ORDINANCE OF THE TOWN OF TARBORO CODE OF ORDINANCES TO MEET THE REQUIREMENTS OF CHAPTER 160D OF THE NORTH CAROLINA GENERAL STATUTES.

Tate Mayo made a motion, which was seconded by John Jenkins and Passed, Motion.

UDO Text Amendment #21-03 - A public hearing will be held to consider amending the permitted use table for short-term rental requirements.

The Mayor declared the public hearing open. Catherine Grimm provided information on the UDO amendment. No one spoke in favor of or against. The Mayor declared the public hearing closed. Council approved a resolution approving the UDO amendment and ordinance 21-07.

ORDINANCE 21-07

AN ORDINANCE AMENDING THE PERMITTED USE TABLE FOR SHORT-TERM RENTAL REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF TARBORO.

John Jenkins made a motion, which was seconded by Leo Taylor and Passed, Motion. Ayes: Brown, Burnette, Bynum, Jenkins, Jordan, Mayo, Taylor; Nays: Woodard

UDO Text Amendment #21-04 - A public hearing will be held to consider increasing the current window signage allowed in the UDO.

The Mayor declared the public hearing open. Catherine Grimm provided information on the UDO amendment. No one spoke against. Loretta Draughn spoke in favor of the amendment. The Mayor declared the public hearing closed. Council adopted ordinance 21-08.

ORDINANCE 21-08

AN ORDINANCE AMENDING THE ALLOWED WINDOW SIGNAGE PERCENTAGE ALLOWED IN THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF TARBORO.

Deborah Jordan made a motion, which was seconded by Clarence Brown and Passed, Motion. Ayes: Brown, Burnette, Bynum, Jordan, Woodard; Nays: Jenkins, Mayo, Taylor

8. TOWN MANAGERS RECOMMENDATIONS

Consent Items

Consent Items approved as presented.

John Jenkins made a motion, which was seconded by Tate Mayo and Passed, Motion.

(1) Approve minutes of the May 10, 2021 regular meeting.

(2) Budget Transfers

(3) Tax Collector's Report

Action Items

(4) Code of Ordinances Revisions

Council approved ordinance revisions

Leo Taylor made a motion, which was seconded by John Jenkins and Passed, Motion.

(5) ESFRLP-19 Budget Amendment

Council approved and adopted the ESFRLP-19 Budget Amendment.

Deborah Jordan made a motion, which was seconded by Sabrina Bynum and Passed, Motion.

(6) NCDOT - Commerce Center Drive Acceptance

Council adopted a resolution requesting that the NCDOT assume ownership and maintenance responsibility for Commerce Center Drive.

Deborah Jordan made a motion, which was seconded by Clarence Brown and Passed, Motion.

(7) Piedmont Natural Gas - Easements

Council adopted the easements granting Piedmont Natural Gas, Inc. access to Town of Tarboro property to improve natural gas service in the Downtown Tarboro area.

Deborah Jordan made a motion, which was seconded by Clarence Brown and Passed, Motion.

(8) Appointment for June - Tarboro-Edgecombe Airport Authority

Council appointed Richard Anderson to fill the expired term on the Tarboro-Edgecombe Airport Authority.

John Jenkins made a motion, which was seconded by Leo Taylor and Passed, Motion.

(9) Appointment for June - Tarboro-Edgecombe Arts Commission

No action taken.

9. OTHER REPORTS

A. Town Manager

None.

B. Town Attorney

None.

C. Council Members

Councilman Woodard - none.

Councilman Taylor - requested an update on the Code Enforcement Officer position. That position will be moved to the Planning Department.

Councilman Mayo - none.

Councilmember Jordan - thanked the Police Chief for handling code enforcement.

Councilman Jenkins - none.

Councilmember Bynum - none.

Councilman Burnette - none.

Councilman Brown - requested an update on the Town's billboards. Project is in progress.

10. ADJOURNMENT

Meeting adjourned.

Tate Mayo made a motion, which was seconded by Leo Taylor and Passed, Motion.

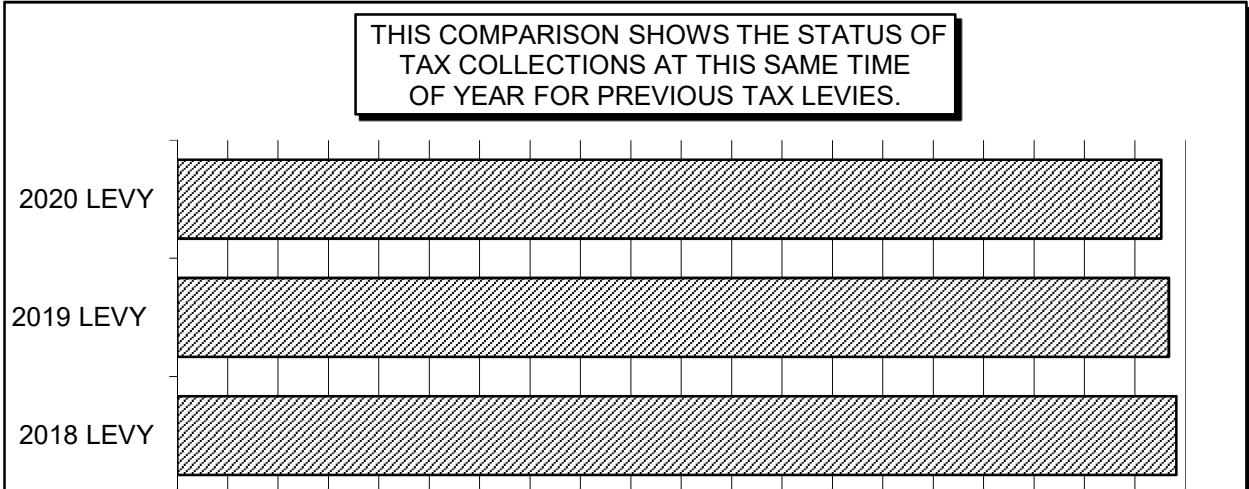
TOWN OF TARBORO, NORTH CAROLINA

TAX COLLECTOR'S REPORT

For the Year Ended June 30, 2021

| Levy Year | Current Fiscal Year Charges | COLLECTIONS | | Uncollected Balance | Collected Percentage |
|-------------------------|-----------------------------|-------------|---------------------|--------------------------|----------------------|
| | | This Month | Fiscal Year-To-Date | | |
| 2020 | 3,332,912.81 | 3,992.54 | 3,372,121.05 | 112,779.16 | 98.00% |
| 2019 | 107,185.89 | 1,039.17 | 68,639.80 | 38,546.09 | 98.82% |
| 2018 | 53,197.48 | 214.37 | 31,604.91 | 21,592.57 | 99.34% |
| 2017 | 23,861.41 | 154.55 | 8,260.50 | 15,600.91 | 99.52% |
| 2016 | 19,318.84 | 220.94 | 4,365.90 | 14,952.94 | 99.55% |
| 2015 | 15,540.44 | 164.16 | 2,711.98 | 12,828.46 | 99.62% |
| 2014 | 12,033.85 | 164.16 | 2,571.25 | 9,462.60 | 99.72% |
| 2013 | 9,279.68 | 164.16 | 1,302.56 | 7,977.12 | 99.77% |
| 2012 | 7,909.33 | 146.95 | 949.56 | 6,959.77 | 99.81% |
| 2011 | 4,969.36 | 0.00 | 441.53 | 4,527.83 | 99.87% |
| 2010 | 3,135.46 | 0.00 | 282.99 | 2,852.47 | 99.91% |
| Prior | 7,776.79 | 0.00 | 448.46 | 7,328.33 | - |
| Subtotal | 3,597,121.34 | 6,261.00 | 3,493,700.49 | 255,408.25 | |
| | | 876.68 | 34,386.22 | <== Interest on Taxes | |
| Net Tax Collections ==> | | 7,137.68 | 3,528,086.71 | | |
| | | 0.00 | 390.00 | <== Beer & Wine Licenses | |
| TOTAL COLLECTED ==> | | 7,137.68 | 3,528,476.71 | | |

prepared by: Leslie M. Lunsford, Collector of Revenue



To: Troy Lewis, Town Manager

From: Anne Mann, Finance Director

Date: July 7, 2021

Re: Reallocation of Departmental Appropriations



In accordance with Section 8 of the FY 2020-2021 Budget Ordinance of the Town of Tarboro, in your capacity as the Budget Officer, you have approved certain reallocations of departmental appropriations. Such transfers are required to be reported to Town Council within sixty (60) days.

Also, in accordance with Section 8 of the FY 2020-2021 Budget Ordinance of the Town of Tarboro, in your capacity as the Budget Officer, you have approved certain transfers between departments within the same fund. Such transfers shall be reported to Town Council at its next regular meeting and entered in the minutes.

These reallocations and transfers are summarized on the following pages for presentation to Town Council.

| Account Id | Description | Previous Budget | Budget Transfer | Modified Budget |
|--------------|---|-----------------|-----------------|-----------------|
| 10-4120-5400 | Administration / Insurance & Bonds | 425,000.00 | -29,755.00 | 395,245.00 |
| 10-4110-1100 | Governing Body / Salaries | 51,500.00 | 505.00 | 52,005.00 |
| 10-4110-4300 | Governing Body / Professional Services | 23,500.00 | 4,250.00 | 27,750.00 |
| 10-4340-1100 | Fire Department / Salaries | 1,054,367.00 | 25,000.00 | 1,079,367.00 |
| 10-4140-4400 | Finance-Collections / Tax Foreclosures | 60,000.00 | -5,500.00 | 54,500.00 |
| 10-4135-4300 | Finance-Administration / Professional Services | 35,250.00 | 5,500.00 | 40,750.00 |
| 10-4340-3300 | Fire Department / Department Supplies | 32,750.00 | -1,600.00 | 31,150.00 |
| 10-4340-1300 | Fire Department / Utilities | 25,000.00 | 1,600.00 | 26,600.00 |
| 10-4900-1400 | Planning / Travel & Training | 9,500.00 | -2,750.00 | 6,750.00 |
| 10-4900-1100 | Planning / Salaries & Wages | 145,100.00 | 2,750.00 | 147,850.00 |
| 10-6120-3300 | Parks and Rec / Department Supplies & Materials | 42,500.00 | -3,000.00 | 39,500.00 |
| 10-6135-1500 | Parks & Rec / Recreation Maint / Maintenance & Repa | 29,370.00 | 3,000.00 | 32,370.00 |
| 30-7210-1400 | Electric Operations / Travel & Training | 18,000.00 | -10,000.00 | 8,000.00 |
| 30-7200-1400 | Electric Admin / Travel & Training | 4,000.00 | 10,000.00 | 14,000.00 |
| 32-7500-3100 | Sanitation / Auto Supplies | 75,000.00 | -21,250.00 | 53,750.00 |
| 32-7500-0600 | Sanitation / Group Insurance | 106,250.00 | 1,250.00 | 107,500.00 |
| 32-7500-3200 | Sanitation / Landfill Fees | 300,000.00 | 20,000.00 | 320,000.00 |
| | | 2,437,087.00 | 0.00 | 2,437,087.00 |



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: Session Law 2021-56 (Senate Bill 722) Election Delay Procedures

Date: 7/12/2021

Memo Number: 21-42

The delay in receipt of Census results has prevented local governments from being able to redraw district boundaries in time to hold elections on the typical election schedule. In an effort to address this issue, Session Law 2021-56 (Senate Bill 722) went into effect on Monday, June 28, 2021. This legislation postpones all elections where candidates are elected by wards/districts until March 8, 2022 and requires those local governments to amend their ward boundaries according to the 2020 Census numbers when released.

In that the Mayor for the Town of Tarboro is elected at-large, Senate Bill 722 gives the Town of Tarboro the option of holding the Mayor's election in November or postponing the same until the other ward elections are held in 2022. If the Council chooses to hold the Mayor's election on November 8, 2021, then the filing period for the Mayoral Election will run from July 26 through August 13, 2021. Municipalities are required to notify their county board of elections by July 19, 2021 of their decision to hold an at-large election on its regular election date.

It is recommended that the Town Council of the Town of Tarboro make a decision regarding postponement of the Mayor's At-Large election and authorize the Town Manager to notify the Edgecombe County Board of Elections of their decision by July 19, 2021.

ATTACHMENTS:

| Description | Upload Date | Type |
|-----------------|-------------|------------|
| SB 722 | 7/6/2021 | Cover Memo |
| SB 722 Guidance | 7/6/2021 | Cover Memo |

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2021-56
SENATE BILL 722**

AN ACT TO REQUIRE THAT ELECTIONS IN LOCAL GOVERNMENTS WITH ONE OR MORE OFFICES UP FOR ELECTION IN 2021 WHERE THE CANDIDATE FOR THAT OFFICE IS ELECTED BY DISTRICT SHALL BE DELAYED UNTIL 2022; TO REQUIRE LOCAL GOVERNMENTS WITH DELAYED 2021 ELECTIONS TO REVIEW AND REVISE THOSE ELECTORAL DISTRICTS FOLLOWING THE RELEASE OF THE 2020 U.S. CENSUS DATA; TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF RALEIGH SHALL BE HELD IN EVEN-NUMBERED YEARS; AND TO ALLOW RESOLUTIONS REDISTRICTING COUNTY ELECTORAL DISTRICTS TO BECOME EFFECTIVE UPON ADOPTION FOR THE 2022 ELECTIONS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Delay of Certain 2021 Municipal Elections. – Notwithstanding Articles 23 and 24 of Chapter 163 of the General Statutes and any local act of the General Assembly, the regular 2021 elections in any municipality where there is an election of municipal officers scheduled for 2021 and where less than the entire jurisdiction is eligible to vote for candidates for one or more offices on the 2021 ballot shall be delayed until 2022 in accordance with this act. The terms of office of the Mayor and any council member serving on the effective date of this act in a municipality with elections delayed in accordance with this act shall be extended until a successor is chosen, qualified, and sworn into office in 2022.

SECTION 1.(b) Revision of Districts After Release of 2020 Census Data. – G.S. 160A-23.1, and any resolution adopted under that statute, shall not apply with respect to any election delayed to 2022 in accordance with this act. Notwithstanding G.S. 160A-23.1, upon the release of the 2020 Census data by the U.S. Census Bureau, each municipality with elections delayed in accordance with this act shall review and revise its electoral districts in accordance with State and federal law on or before the date provided in Section 1(c) of this act. In revising the electoral districts, the municipality with elections delayed in accordance with this act may seek and provide an opportunity for public input prior to the release of the 2020 Census data. In addition, the municipality with elections delayed in accordance with this act shall provide an opportunity for public input after the release of the 2020 Census data and shall conduct at least one public hearing prior to adopting revised districts.

SECTION 1.(c) Filing Period for Delayed 2021 Municipal Elections. – The form of the notice of candidacy shall be as provided in Article 23 or 24 of Chapter 163 of the General Statutes for the method of election for that municipality. No later than November 12, 2021, each municipality with an election delayed to 2022 in accordance with this act shall notify the appropriate county board or boards of elections with jurisdiction over that municipality's election contests whether the municipality will be able to provide electoral districts revised in accordance with State and federal law on or before November 17, 2021, and if not, the municipality must provide the electoral districts revised in accordance with State and federal law on or before December 17, 2021. The appropriate county board or boards of elections shall then set the filing period that will be used for that municipality's elections delayed to 2022 in accordance with this act as follows:



- (1) Open at 12:00 noon on December 6, 2021, and close at 12:00 noon on December 17, 2021, for municipalities providing the electoral districts revised in accordance with State and federal law to appropriate county board or boards of elections on or before November 17, 2021.
- (2) Open at 12:00 noon on January 3, 2022, and close at 12:00 noon on January 7, 2022, for municipalities providing the electoral districts revised in accordance with State and federal law to appropriate county board or boards of elections on or before December 17, 2021.

SECTION 1.(d) Withdrawal of Notice of Candidacy. – Any person who has filed a notice of candidacy for any elected office with an election delayed to 2022 in accordance with this section shall have the right to withdraw his or her candidacy in accordance with G.S. 163-106.4.

SECTION 1.(e) Date of Election. – With respect to any elected office with an election delayed to 2022 in accordance with this act, the following dates of election shall apply:

- (1) For any municipality elected by the partisan primary and election method, the primary shall be March 8, 2022, and the general election shall be on the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the general election shall be on April 26, 2022. No second primary shall be held for these offices in 2022.
- (2) For any municipality elected by the nonpartisan primary and election method, the primary shall be March 8, 2022, and the general election shall be held on the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the general election shall be on April 26, 2022.
- (3) For any municipality elected by the nonpartisan plurality method, the date of the election shall be March 8, 2022.
- (4) For any municipality elected by the nonpartisan elections and runoff method, the election shall be March 8, 2022, and the runoff election shall be held on the date of any second primary held under G.S. 163-111. If no second primary is held under G.S. 163-111, the runoff election shall be on April 26, 2022.

SECTION 1.(f) The individual certified as the winner of the 2022 election held in accordance with this act shall hold office until the expiration of the term under the municipal charter as if the election had been held in 2021. Notwithstanding G.S. 160A-68, the individual certified as the winner of the 2022 election may be sworn into office at any time after issuance of the certificate of election.

SECTION 1.4. In each county where the county is divided into electoral districts for the purpose of nominating or electing persons to the board of commissioners, the board of county commissioners shall review and revise its electoral districts in accordance with State and federal law, and adopt a resolution containing the revised electoral districts on or before November 17, 2021. Notwithstanding G.S. 153A-22, the resolution becomes effective upon its adoption.

SECTION 1.5.(a) G.S. 163-111(e) reads as rewritten:

"(e) Date of Second Primary; Procedures. – If a second primary is required under the provisions of this section, the appropriate board of elections, State or county, shall order that it be held 10 weeks after the first primary if any of the offices for which a second primary is required are for a candidate for the office of United States Senate or member of the United States House of Representatives. Otherwise, the second primary shall be held seven weeks after the first primary.

~~There shall be no registration of voters between the dates of the first and second primaries. Persons whose qualifications to~~ Subject to G.S. 163-82.6 and G.S. 163-82.6A, persons who register and to vote ~~may register after the day of the first primary and before the day of the second primary may register on the day of the second primary and, when thus registered, shall be entitled to vote in the second primary. The second primary is a continuation of the first primary and any~~

voter who files a proper and timely written affirmation of change of address within the county under the provisions of G.S. 163-82.15, in the first primary may vote in the second primary without having to refile that written affirmation if the voter is otherwise qualified to vote in the second primary. Notwithstanding G.S. 163-82.17, no person shall be permitted to change party affiliation or unaffiliated status between the date of a primary and a second primary. Subject to this provision for registration, the second primary shall be held under the laws, rules, and regulations provided for the first primary."

SECTION 1.5.(b) G.S. 163-82.6(f) reads as rewritten:

"(f) Instances When Person May Register and Vote on Primary or Election Day. – If a person has become qualified to register and vote between the twenty-fifth day before a primary or election and primary or election day, then that person may apply to register on primary or election day by submitting an application form described in G.S. 163-82.3(a) or (b) to:

- (1) A member of the county board of elections;
- (2) The county director of elections; or
- (3) The chief judge or a judge of the precinct in which the person is eligible to vote,

and, if the application is approved, that person may vote the same day. The official in subdivisions (1) through (3) of this subsection to whom the application is submitted shall decide whether the applicant is eligible to vote. The applicant shall present to the official written or documentary evidence that the applicant is the person he represents himself to be. The official, if in doubt as to the right of the applicant to register, may require other evidence satisfactory to that official as to the applicant's qualifications. If the official determines that the person is eligible, the person shall be permitted to vote in the primary or election and the county board shall add the person's name to the list of registered voters. If the official denies the application, the person shall be permitted to vote a challenged ballot under the provisions of G.S. 163-88.1, and may appeal the denial to the full county board of elections. The State Board of Elections shall promulgate rules for the county boards of elections to follow in hearing appeals for denial of primary or election day applications to register. ~~No person shall be permitted to register on the day of a second primary unless he shall have become qualified to register and vote between the date of the first primary and the date of the succeeding second primary.~~"

SECTION 1.5.(c) G.S. 163-302(b) reads as rewritten:

"(b) The provisions of Articles 20 and 21 of this Chapter shall apply to absentee voting in municipal elections, special district elections, and other elections for an area less than an entire county other than elections for the General Assembly, except that the earliest date by which absentee ballots shall be required to be available for absentee voting in such elections shall be 30 days prior to the primary or election or as quickly following the filing deadline ~~specified in G.S. 163-291(2) or G.S. 163-294(e)~~ as the county board of elections is able to secure the official ballots. In elections on incorporation of a municipality not held at the same time as another election in the same area, the county board of elections shall adopt a special schedule of meetings of the county board of elections to approve absentee ballot applications so as to reduce the cost of the process, and to further implement the last paragraph of G.S. 163-230(2)a. If no application has been received since the last meeting, no meeting shall be held of the county board of elections under such schedule unless the meeting is scheduled for another purpose. If another election is being held in the same area on the same day, or elsewhere in the county, the cost of per diem for meetings of the county board of elections to approve absentee ballots shall not be considered a cost of the election to be billed to the municipality being created."

SECTION 1.5.(d) This section becomes effective March 9, 2022, and expires on June 1, 2022.

SECTION 1.6.(a) Notwithstanding S.L. 1993-167, elections to the Charlotte-Mecklenburg Board of Education shall not be held in 2021. Members elected to the Charlotte-Mecklenburg Board of Education in 2017, or persons filling vacancies for those terms,

whose terms were set to expire on December 6, 2021, shall hold over in office until their successors are elected and qualified. Election for those terms of office shall be held at the time of the general election for county offices in 2022, with the results determined as provided by G.S. 163-292. Candidates shall file their notices of candidacy for the election in 2022 with the Mecklenburg Board of Elections no earlier than 12:00 noon on July 25, 2022, and no later than 12:00 noon on August 12, 2022. Terms of office of members of the Charlotte-Mecklenburg Board of Education elected in 2022 shall commence on December 6, 2022, and shall expire on December 2, 2025.

SECTION 1.6.(b) Section 1.6(a) of this act shall become effective only if the federal decennial census information for the 2020 census has not been received by the Charlotte-Mecklenburg Board of Education by July 19, 2021. If the Charlotte-Mecklenburg Board of Education has not received notice of the federal decennial census information by July 19, 2021, the Board shall adopt a resolution to that effect which states that census information was not received and that, pursuant to this act, the next election for the Charlotte-Mecklenburg Board of Education will occur at the time of the 2022 general election. The Board of Education shall adopt the resolution prior to July 26, 2021, and shall publish notice of the delay in the election both on the website of the Charlotte-Mecklenburg Board of Education and at least once in a newspaper of general circulation within seven days of adoption of that resolution. The resolution shall also be submitted to the Mecklenburg Board of Elections and to the State Board of Elections prior to July 26, 2021.

SECTION 1.7.(a) Notwithstanding S.L. 1993-167, elections to the Lexington City Board of Education shall not be held in 2021. Members elected to the Lexington City Board of Education in 2017, or persons filling vacancies for those terms, whose terms were set to expire on December 6, 2021, shall hold over in office until their successors are elected and qualified. Election for those terms of office shall be held at the time of the general election for county offices in 2022, with the results determined as provided by G.S. 163-292. Candidates shall file their notices of candidacy for the election in 2022 with the Davidson County Board of Elections no earlier than 12:00 noon on July 25, 2022, and no later than 12:00 noon on August 12, 2022. Terms of office of members of the Lexington City Board of Education elected in 2022 shall commence on December 6, 2022, and shall expire on December 2, 2025.

SECTION 1.7.(b) Section 1.6(a) of this act shall become effective only if the federal decennial census information for the 2020 census has not been received by the Lexington City Board of Education by July 19, 2021. If the Lexington City Board of Education has not received notice of the federal decennial census information by July 19, 2021, the Board shall adopt a resolution to that effect which states that census information was not received and that, pursuant to this act, the next election for the Lexington City Board of Education will occur at the time of the 2022 general election. The Board of Education shall adopt the resolution prior to July 26, 2021, and shall publish notice of the delay in the election both on the website of the Lexington City Board of Education and at least once in a newspaper of general circulation within seven days of adoption of that resolution. The resolution shall also be submitted to the Davidson County Board of Elections and to the State Board of Elections prior to July 26, 2021.

SECTION 1.8.(a) Section 9 of the Charter of the City of Raleigh, being Session Law 1949-1184, as amended by Chapter 286 of the 1963 Session Laws and Chapter 319 of the 1973 Session Laws, City of Raleigh Ordinance No. 1978-837, reads as rewritten:

"Sec. 9. Number and Election of Members of City Council. – The mode of election of the City Council and Mayor shall be as follows:

- (a) The City Council shall consist of eight (8) members, including the Mayor of the City.
- (b) The mode of election of the City Council and Mayor shall be as follows:
 - (1) The City Council shall divide the City into five (5) electoral districts and shall cause a map of the districts to be prepared and filed as provided by G.S. 160A-22 and 160A-23; one member of the City Council shall be

apportioned to each district so that each member represents the same number of persons as nearly as possible, except for the members apportioned to the City at large; and the qualified voters of each district shall nominate and elect candidates who reside in the district for the seat apportioned to that district.

- (2) The qualified voters of the City shall nominate and elect two (2) candidates apportioned to the City at large.
- (3) The Mayor of the City of Raleigh shall be elected by all the qualified voters of the City of Raleigh.

(c) The method of election of the City Council of the City of Raleigh shall be the nonpartisan ~~election and runoff election~~ plurality method to be conducted as provided in ~~G.S. 163-293~~ G.S. 163-292.

(d) Each member of the City Council and the Mayor shall be elected for a term of two years and until his successor is elected and qualified.

(e) Vacancies in the City Council shall be filled by the Council for the remainder of the unexpired term.

(f) Vacancies in the office of Mayor shall be filled by the Council from their own number for the remainder of the unexpired term.

(g) Elections shall be held in even-numbered years. All other related dates shall be determined in accordance with the uniform municipal election laws of North Carolina."

SECTION 1.8.(b) No municipal elections shall be conducted in the City of Raleigh in 2021. The next regular municipal election shall be conducted in the City of Raleigh on November 8, 2022. The terms of office of the Mayor and all Council members serving on the effective date of this act shall be extended until their successor is elected and qualified. Regular municipal elections shall be conducted in 2022 and every two years thereafter.

SECTION 1.8.(c) The City of Raleigh shall review and revise its electoral districts in accordance with State and federal law prior to March 31, 2022. The revised electoral districts shall be delivered to the appropriate county boards of elections no later than March 31, 2022.

SECTION 1.9. This act shall not apply to offices elected at large in any municipality where there is an election of municipal officers scheduled for 2021, where less than the entire jurisdiction is eligible to vote for candidates for one or more offices on the 2021, and that municipality has notified the county board of elections at least five business days prior to the opening of the 2021 filing period as provided in Article 23 or 24 of Chapter 163 of the General Statutes for the method of election for that municipality. If the county board of elections is so notified, the county board of elections shall open the filing period for the offices elected at large only for that municipality and conduct the election in 2021 in accordance with that municipality's charter and Chapter 163 of the General Statutes.

SECTION 2. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 15th day of June, 2021.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Destin Hall
Presiding Officer of the House of Representatives

This bill having been presented to the Governor for signature on the 16th day of June, 2021 and the Governor having failed to approve it within the time prescribed by law, the same is hereby declared to have become a law. This 28th day of June, 2021.

s/ Olwen Blessing
Enrolling Clerk

Session Law 2021-56: Revise Local Government Redistricting/Census

[Session Law 2021-56 \(Senate Bill 722\)](#) became law on Monday, June 28, 2021, without the Governor's signature. Below is a summary of the law, as well as answers to frequently asked questions. All counties should review this guidance in its entirety as provisions within the law affect all counties, not just those with municipalities that elect by district. Please let us know if you have questions.

Delay of Certain Municipal Elections to 2022 (Sections 1.(a) through 1.(f))

Senate Bill 722 moves elections for municipalities that elect by district to 2022, under the following schedule by election method:

- Partisan primary and election method:
 - Primary on March 8, 2022
 - No second primary in 2022
 - General election on April 26, 2022, or May 17, 2022 if a federal second primary is held
 - Affected municipalities:
 - Charlotte (Mecklenburg)*
 - Sanford (Lee)*
- Nonpartisan primary and election method:
 - Primary on March 8, 2022
 - General election on April 26, 2022, or May 17, 2022 if a federal second primary is held
 - Affected municipalities:
 - Fayetteville (Cumberland)*
 - Greensboro (Guilford)*
 - Hickory (Burke, Catawba)*
 - Mooresville (Iredell)*
- Nonpartisan plurality method:
 - General election on March 8, 2022
 - Affected municipalities:
 - Ahoskie (Hertford)*
 - Clinton (Sampson)*
 - Edenton (Chowan)*
 - Enfield (Halifax)*
 - Greenville (Pitt)*
 - Jacksonville (Onslow)*
 - Kings Mountain (Cleveland, Gaston)*
 - Laurinburg (Scotland)*
 - Lexington (Davidson)*
 - Long View (Burke, Catawba)*
 - Lumberton (Robeson)
 - Mount Olive (Duplin, Wayne)*
 - Plymouth (Washington)*
 - Princeville (Edgecombe)*
 - Roanoke Rapids (Halifax)*
 - Siler City (Chatham)*

- Smithfield (Johnston)*
 - St. Pauls (Robeson)
 - Tarboro (Edgecombe)*
 - Whiteville (Columbus)*
 - Wilson (Wilson)
- Election and runoff method:
 - Election on March 8, 2022
 - Runoff on April 26, 2022, or May 17, 2022 if a federal second primary is held
 - Affected municipalities:
 - Cary (Chatham, Wake)*
 - Elizabeth City (Camden, Pasquotank)*
 - Erwin (Harnett)*
 - Henderson (Vance)
 - New Bern (Craven)*
 - Rocky Mount (Edgecombe, Nash)
 - Statesville (Iredell)*

Mayors and council members who are serving on councils that are delayed to 2022 will serve until a successor is elected and sworn into office in 2022. The individual certified as the winner of the 2022 election may be sworn into office at any time after issuance of the certificate of election.

The filing period for the delayed election depends on how quickly the municipality can adopt a new redistricting plan. The affected municipalities must notify their county board of elections by November 12, 2021, as to whether the municipality will be able to revise their electoral districts by November 17, 2021.

- If they can revise the districts by November 17, 2021, the filing period is noon on December 6, 2021, through noon on December 17, 2021.
- If they cannot revise the districts by November 17, 2021, the municipality must provide the new districts to the county board by December 17, 2021, and the filing period is noon on January 3, 2022, through noon on January 7, 2022.

***Exception for at-large contests in the affected municipalities (Section 1.9):** If one of the affected municipalities normally has an at-large contest on the ballot in 2021 (mayoral or at-large council races), it can opt to hold those at-large contests on its regular election date in 2021 if the municipality notifies the county board of elections by **July 19, 2021**. The following contests could be subject to this exception:

- Town of Ahoskie Council Member At-Large (1 seat)
- Town of Cary Town Council At-Large (1 seat)
- City of Charlotte Mayor and City Council At-Large (4 seats)
- City of Clinton Mayor
- Town of Edenton Council Member At-Large (1 seat)
- City of Elizabeth City Mayor
- Town of Enfield Mayor
- Town of Erwin Mayor
- City of Fayetteville Mayor

- City of Greensboro Mayor and City Council At-Large (3 seats)
- City of Greenville Mayor and City Council At-Large (1 seat)
- City of Hickory Mayor
- City of Jacksonville Council Member At-Large (2 seats)
- City of Kings Mountain City Council At-Large (1 seat)
- City of Laurinburg City Council Member At-Large (1 seat)
- City of Lexington Mayor
- Town of Long View Mayor
- Town of Mooresville Mayor and Commissioner At-Large (1 seat)
- Town of Mount Olive Mayor and Commissioner At-Large (1 seat)
- City of New Bern Mayor
- Town of Plymouth Mayor
- Town of Princeville Mayor
- City of Roanoke Rapids Mayor
- City of Sanford Mayor and Council Member At-Large (1 seat)
- Town of Siler City Mayor and Town Commissioner At-Large (1 seat)
- Town of Smithfield Mayor
- City of Statesville Mayor and Councilman At-Large (2 seats)
- Town of Tarboro Mayor
- City of Whiteville Mayor

County Board of Commissioners Redistricting (Section 1.4) – AFFECTS ALL COUNTIES

This section provides that a county board of commissioners must adopt a new redistricting plan by November 17, 2021, and the resolution becomes effective at that time. The effect of this provision is that it takes the place of the current statutory process for county commissioner redistricting, which requires a board of commissioners to adopt a redistricting resolution at least 150 days before the day of the primary. This would have required a county board of commissioners to adopt their new districts by October 9, 2021, which would have been virtually impossible if the county doesn't receive Census data until late September 2021.

Voter Registration Between First and Second Primaries (Section 1.5) – AFFECTS ALL COUNTIES

For 2022 only, this law permits voter registration between the first and second primaries. Voters still may not change their party affiliation or unaffiliated status between the first and second primaries. Generally, voter registration is not permitted between a first and second primary. However, because municipal general elections are held in 2022 on the same date as a potential second primary for other statewide contests, this provision addresses the complication that some voters would be eligible to vote in the municipal election who would not be eligible to vote in the second primary held on the same day.

Charlotte-Mecklenburg Board of Education (Section 1.6)

If Census data is not received by July 19, 2021, this law delays the election for the Charlotte-Mecklenburg Board of Education to November 8, 2022, upon the adoption of a resolution by the school board by July 26, 2021. The filing period would begin at noon on July 25, 2022, and end at noon on August 12, 2022.

Lexington City Board of Education (Section 1.7)

If Census data is not received by July 19, 2021, this law delays the election for the Lexington City Board of Education to November 8, 2022, upon the adoption of a resolution by the school board by July 26, 2021. The filing period would begin at noon on July 25, 2022, and end at noon on August 12, 2022.

City of Raleigh Permanent Election Changes (Section 1.8)

This section permanently changes the method of election for the City of Raleigh from the nonpartisan election and runoff method to the nonpartisan plurality method, and moves those elections from odd-numbered years to even-numbered years. The 2022 municipal election will be held on November 8, 2022, and filing begins at noon on July 1, 2022, and ends at noon on July 15, 2022. This section also requires the City of Raleigh to adopt new electoral districts by March 31, 2022.

Frequently Asked Questions

Q: Does this law automatically delay mayoral contests if the municipality elects its town council by district, even though everyone in the town can vote for the office of mayor?

A: Yes, this law automatically delays the at-large contests (including mayor and at-large town council contests) in municipalities that would have elected at least one town office by district in 2021. If a town wishes to hold its at-large contests in 2021, it must adopt a resolution and notify the county board of elections by July 19, 2021.

Q: Does a city have the authority to hold an ABC election in 2021 if the municipal election for that town is delayed to 2022?

A: No, a city may not hold an ABC election in 2021 if its municipal election was delayed to 2022 unless the city has an at-large election that would normally be held in 2021 and it decides by July 19 to hold that election on its regular schedule. Otherwise, G.S. 18B-601(f) provides that the board of elections must conduct and set the date for the alcoholic beverage election in accordance with G.S. 163-287, which provides that the election can only be held on one of the following dates:

- At the same time as any other State or county general election.
- At the same time as the primary election in any even-numbered year.
- At the same time as any other election requiring all the precincts in the county to be open.
- At the same time as a municipal general election, if the special election is within the jurisdiction of the municipality only.

Q: Does this law affect municipal school board, sanitary district, or other local elections, if those entities elect by district?

A: Not necessarily. In general, this law only affects municipal elections, not school boards or other local elections. However, if the language of the charter or session law states that the election for that entity is to be held on the same date as the municipal election, that election may also be delayed to 2022. Please contact legal@ncsbe.gov if you think this may apply to a local election in your county.

Q: A small municipality in my county does not elect by district and is concerned about the cost of having its election in 2021 when a larger municipality's election in the county has been moved to 2022. Can the small municipality postpone its election? What other options does it have?

A: The small municipality may not move its election from 2021 because, absent a local act, there is no statutory authority to do so for municipalities that do not elect by district. The municipality could decide to eliminate absentee voting (this includes absentee by mail and early voting). Pursuant to G.S. 163-302, a municipality may authorize (or deauthorize) absentee voting by resolution. Such resolution must be adopted no later than 60 days prior to an election in order to be effective for that election. Any such resolution shall remain effective for all future elections unless repealed no later than 60 days before an election.



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: Budget Amendment - Part-Time Salaries

Date: 7/12/2021

Memo Number: 21-43

In an effort to support existing Town Employees and continue to attract new employees, including part-time and seasonal workers, it is proposed that the minimum hourly rate for Town Employees be set at no less than \$8.50 per hour. This minimum will continue to be reviewed annually for appropriate increases to ensure Town wages are appropriate to the cost of living in our community. In order to make this change, the budget will need to be amended to reflect the additional costs associated with the increase.

Therefore, it is recommended that Council adopt the attached budget resolution amending the FY 2021-2022 Budget to increase the Town of Tarboro's minimum employee wage to \$8.50 per hour.

ATTACHMENTS:

| Description | Upload Date | Type |
|------------------------------------|-------------|------------|
| Budget Amendment - Part-time Wages | 7/7/2021 | Cover Memo |

BUDGET RESOLUTION

TOWN COUNCIL OF THE TOWN OF TARBORO

July 12, 2021

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TARBORO, NORTH CAROLINA, that the 2021-2022 Fiscal Year Budget be amended by amending Revenue and Expenditure line items as follows:

| <u>Account Number</u> | <u>Account Name</u> | <u>Current Budget</u> | | <u>Amount of Change</u> | | <u>Revised Budget</u> |
|-----------------------|---------------------------------|---------------------------|---|-----------------------------|---|---------------------------|
| REVENUES | | | | | | |
| 10-3991-0100 | Fund Balance Appropriated | 697,313 | + | 6,090 | = | 703,403 |
| EXPENDITURES | | | | | | |
| 10-6120-0500 | FICA Tax | 48,250 | + | 175 | = | 48,425 |
| 10-6120-1120 | Part-Time Wages (Centers) | 53,650 | + | 2,150 | = | 55,800 |
| 10-6125-0500 | FICA Tax | 3,250 | + | 130 | = | 3,380 |
| 10-6125-1120 | Part-Time Wages (Pools) | 42,500 | + | 1,700 | = | 44,200 |
| 10-6130-0500 | FICA Tax | 2,575 | + | 100 | = | 2,675 |
| 10-6130-1120 | Part-Time Wages (Athletics) | 33,550 | + | 1,350 | = | 34,900 |
| 10-6135-0500 | FICA Tax | 700 | + | 25 | = | 725 |
| 10-6135-1120 | Part-Time Wages (Maintenance) | 8,750 | + | 350 | = | 9,100 |
| 10-6140-0500 | FICA Tax | 3,865 | + | 10 | = | 3,875 |
| 10-6140-1120 | Part-Time Wages (Cultural Arts) | 1,500 | + | 100 | = | 1,600 |

BE IT FURTHER RESOLVED that the Budget Officer is hereby authorized and directed to implement said budget as amended.



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: NCDOT - Wilson Street Widening - Right-of-Way Acquisition

Date: 7/12/2021

Memo Number: 21-44

The North Carolina Department of Transportation is widening NC 111 (Wilson Street) to a 3-lane section from US 64 Alternate (Western Boulevard) to NC 122 (McNair Road) and adding a multi-purpose path. In order to engage in this project, NCDOT has asked to purchase land from the Town of Tarboro from two tracts along W. Wilson Street. An offer was made for both totaling \$5,075.00. Although an offer was made for both tracts, NCDOT is also requesting that the Town of Tarboro donate the areas needed from the property located at 1800 W. Wilson Street.

NCDOT has requested that the Town of Tarboro approve the offer to purchase property located at Tax Parcel 4727-18-5083 for the construction, which includes the removal and reinstallation of a fence. Approval is also needed for the donation of the areas needed from 1800 W. Wilson Street. The purchase price for property at Tax Parcel 4727-18-5083 is \$4,100.00.

NCDOT is also requesting that the Town of Tarboro approve the transfer of property by Temporary Easement and voluntary donation to NCDOT pursuant to the acceptance of the offer to purchase.

It is recommended that the Town Council approve the purchase and donation of rights-of-way and easements necessary to widen NC 111 and install a multi-use trail to benefit the citizens of Tarboro. It is further requested that the Mayor be authorized to execute the documents necessary to accomplish the same.

ATTACHMENTS:

| Description | Upload Date | Type |
|-----------------------------------|-------------|------------|
| NCDOT U-4424 Map 1 | 7/6/2021 | Cover Memo |
| NCDOT U-4424 Map 2 | 7/6/2021 | Cover Memo |
| NCDOT U-4424 Offer to Purchase | 7/6/2021 | Cover Memo |
| NCDOT U-4424 Temporary Easement | 7/6/2021 | Cover Memo |
| NCDOT U-4424 Request for Donation | 7/6/2021 | Cover Memo |
| NCDOT U-4424 Right-of-Way Deed | 7/6/2021 | Cover Memo |

REVISIONS

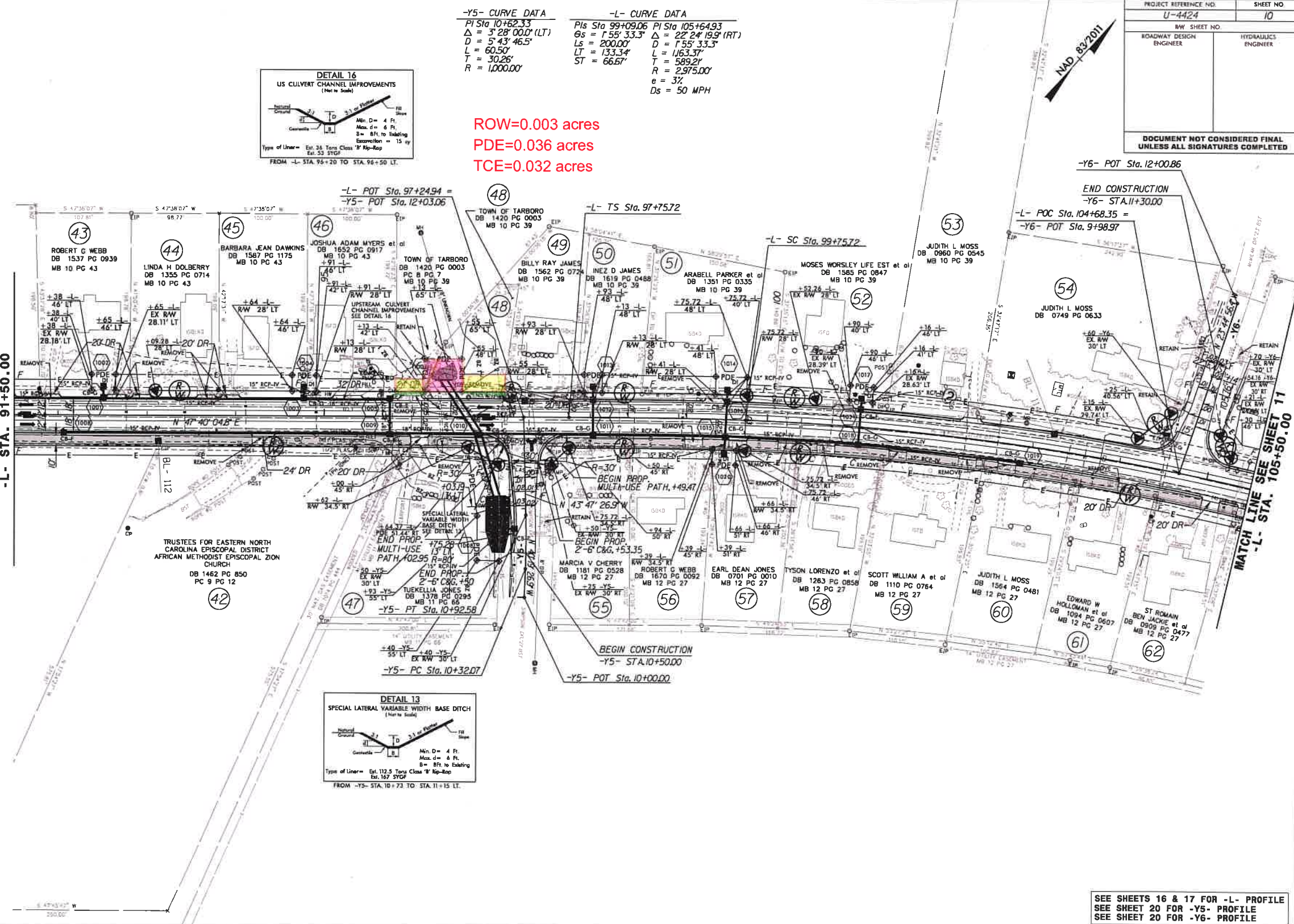
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-L- STA. 91+50.00**

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7-14238 Pdy-pch-18.dgn

MATCH LINE SEE SHEET 11
-L- STA. 105+50.00

| | | | |
|---|--|------------------------|--|
| PROJECT REFERENCE NO. | | SHEET NO. | |
| U-4424 | | 10 | |
| RW SHEET NO. | | | |
| BROADWAY DESIGN ENGINEER | | HYDRAULICS ENGINEER | |
| <p>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</p> | | | |

SEE SHEETS 16 & 17 FOR -L- PROFILE
SEE SHEET 20 FOR -Y5- PROFILE
SEE SHEET 20 FOR -Y6- PROFILE



B/17/99

REVISIONS

9/29/80 AN
07/22/80
08/06/80

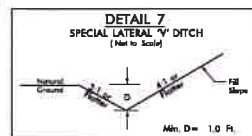
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 $L = 72.53'$
 $T = 36.33'$
 $R = 500.00'$
 $e = \text{Match Exist}$

-L- CURVE DATA

PI Sta 34+72.78
 $\Delta = 0'16" 02.6'$ (RT)
 $D = 0'08" 35.7'$
 $L = 186.66'$
 $T = 93.33'$
 $R = 40,000.00'$
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 $Ds = 50 \text{ MPH}$

PI Sta 46+84.69
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 $D = 1'52" 18.5'$
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FROM -Y4- STA 10+25 TO STA 10+75 LT
FROM -Y4- STA 10+67 TO STA 11+00 RT

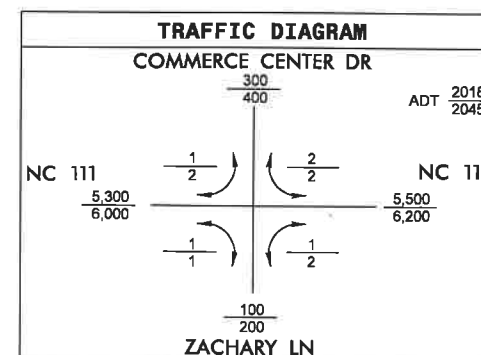
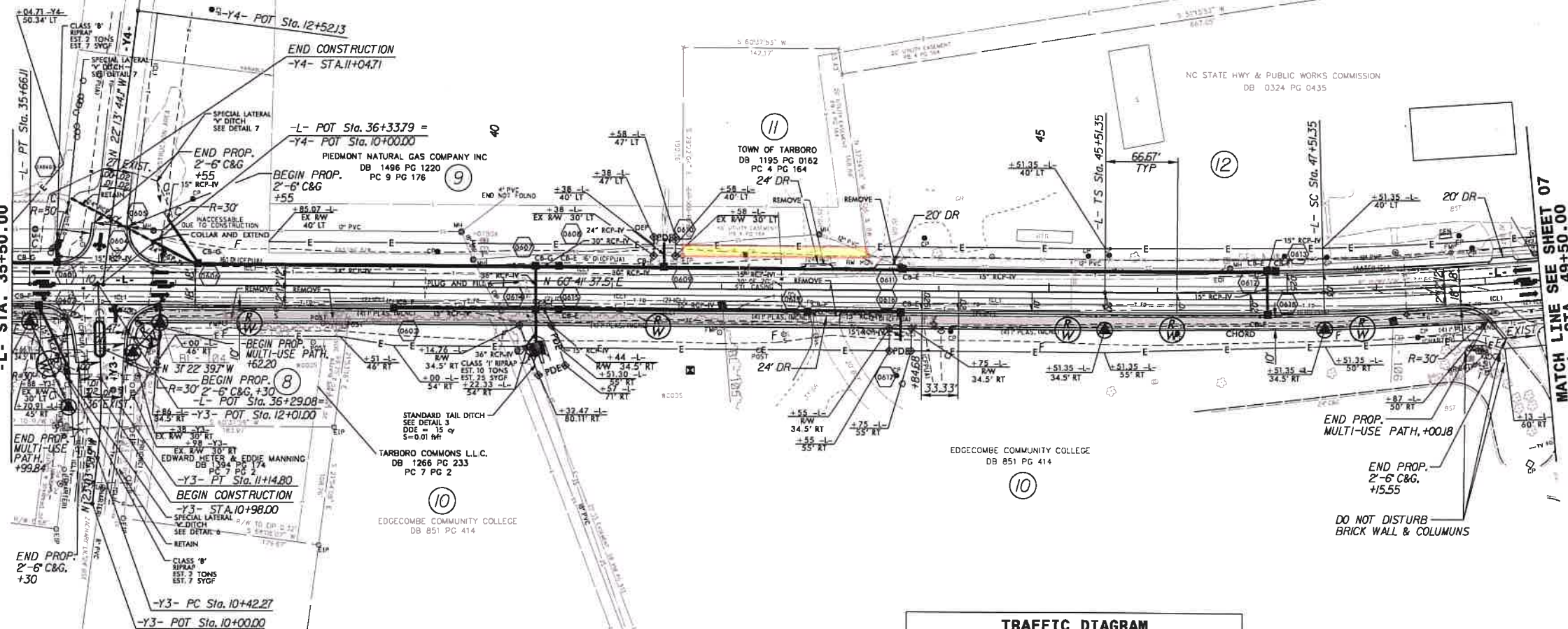
TCE = 0.039 ac.

NAD 83/2011

| | |
|--|---------------------|
| PROJECT REFERENCE NO. | SHEET NO. |
| U-4424 | 6 |
| R/W SHEET NO. | |
| ROADWAY DESIGN ENGINEER | HYDRAULICS ENGINEER |
| DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED | |

MATCH LINE SEE SHEET 05
-L- STA. 35+50.00

MATCH LINE SEE SHEET 07
-L- STA. 49+50.00



SEE SHEETS 14 & 15 FOR -L- PROFILE
SEE SHEET 19 FOR -Y3- PROFILE
SEE SHEET 19 FOR -Y4- PROFILE

SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES

TO: Town of Tarboro DATE: 5/18/21
PO Box 220 TO: Lessee, if Applicable
Tarboro, NC 27886

TIP/PARCEL NO.: U-4424 011
COUNTY Edgecombe WBS ELEMENT: 39062.2.2
DESCRIPTION: NC 111 (Wilson Street) from NC 122 (McNair Road) to US 64 Alternate (Western Boulevard)

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

| | |
|---|--------------------|
| Value of Right of Way to be Acquired | \$ 0 |
| Value of Permanent Easements to be Acquired | \$ 0 |
| Value of Temporary Easement (Rental of Land) to be Acquired | \$ 225.00 |
| Value of Improvements to be Acquired | \$ 3,875.00 |
| Damages, if any, to Remainder | \$ 0 |
| Benefits, if any, to Remainder | minus \$ 0 |
| TOTAL CONTINGENT OFFER | \$ 4,100.00 |

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 1618, page 1104Edgecombe County Registry, contains approximately 1.530 acres of which 0.00 acres is being acquired as right of way, leaving 1.530 acres remaining on the left with access to W Wilson Street. Being acquired is a temporary construction easement containing approximately 0.034 acres.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
150 l.f. chain link fencing w/ barbed wire, double chain link gate

Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ N/A
Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/mailed, if out of state owner, to Mr. Lewis -- Town Manager
on 5/18 20 21 . Owner was furnished a copy of
the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 727-267-2467

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.

(Signed)

Ashley Horton - Right of Way Agent

SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES

TO: Town of Tarboro DATE: 5/18/21
PO Box 220 TO: Lessee, if Applicable
Tarboro, NC 27886

TIP/PARCEL NO.: U-4424 048
COUNTY Edgecombe WBS ELEMENT: 39062.2.2
DESCRIPTION: NC 111 (Wilson Street) from NC 122 (McNair Road) to US 64 Alternate (Western Boulevard)

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

| | |
|---|------------------|
| Value of Right of Way to be Acquired | \$ 50.00 |
| Value of Permanent Easements to be Acquired | \$ 600.00 |
| Value of Temporary Easement (Rental of Land) to be Acquired | \$ 175.00 |
| Value of Improvements to be Acquired | \$ 150.00 |
| Damages, if any, to Remainder | \$ 0 |
| Benefits, if any, to Remainder | minus \$ 0 |
| TOTAL CONTINGENT OFFER | \$ 975.00 |

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 1195, page 162 Edgecombe County Registry, contains approximately 64.370 acres of which 0.003 acres is being acquired as right of way, leaving 64.367 acres remaining on the left with access to W Wilson Street. Also being acquired is a temporary construction easement containing approximately 0.032 acres and a permanent drainage easement containing approximately 0.036 acres.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
landscaping


Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ N/A
Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/mailed, if out of state owner, to Mr. Lewis – Town Manager
on 5/18 20 21 . Owner was furnished a copy of
the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 727-267-2467

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.

(Signed) 
Ashley Horton - Right of Way Agent

Revenue Stamps \$

TEMPORARY EASEMENT

THIS INSTRUMENT DRAWN BY Lloyd Johnston CHECKED BY Ashley Horton

RETURN TO: Ashley Horton, American Acquisition Group, LLC
4509 Creedmoor Rd. Suite 201, office 259
Raleigh, NC 27612

NORTH CAROLINA TIP/PARCEL NUMBER: U-4424 011
COUNTY OF Edgecombe WBS ELEMENT: 39062.2.2
TAX PARCEL 472718508300 ROUTE: NC 111 (Wilson Street) from
NC 122 (McNair Road) to US
64 Alternate (Western
Boulevard)

THIS EASEMENT, made and entered into this the day of 20 21
by and between Town of Tarboro, a Municipal Corporation
PO Box 220
Tarboro, NC 27886

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

THAT the GRANTORS, for themselves, their heirs, successors, executors, and assigns, for and in consideration of the sum of \$ agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors, and assigns, a temporary easement for highway purposes, subject to the terms and provisions hereinafter set forth, over a portion of real property described in deed(s) recorded in Book 1195, Page 162 in the office of the Register of Deeds of Edgecombe County, said easement being described as follows:

Point of beginning being N 71°8'18.7" W, 53.684 feet from -L- Sta 42+00 thence to a point on a bearing of S 29°22'3.9" E 10.000 feet thence to a point on a bearing of N 60°41'37.5" E 169.604 feet thence to a point on a bearing of N 37°34'8.2" W 10.105 feet thence to a point on a bearing of S 60°41'37.5" W 168.162 feet returning to the point and place of beginning. Having an area of 1688.829 Sqr feet being 0.039 acres.

Said easement widths, station numbers, survey lines and additional easement areas being delineated on that set of plans for State Highway Project 53083.2.2 on file in the office of the Department of Transportation in Raleigh, North Carolina, and also on a copy of said project plans which will be recorded, pursuant to N.C.G.S 136-19.4, in the Office of the Register of Deeds of Edgecombe County, to which plans reference is hereby made for greater certainty of description of the easement areas herein conveyed and for no other purpose.

This EASEMENT is subject to the following terms and provisions only:

The undersigned property owners request that the Department enter upon our lands outside the right of way to the extent necessary for the reconnection of our driveway and we will have no further claim as a result of said reconnection.

There are no conditions to this EASEMENT not expressed herein.

COUNTY: Edgecombe **WBS ELEMENT:** 39062.2.2 **TIP/PARCEL NO.:** U-4424 021

TO HAVE AND TO HOLD said temporary easement for highway purposes, subject to the terms and provisions hereinabove set forth, unto the DEPARTMENT, its successors and assigns, and the GRANTORS, for themselves, their heirs, successors, executors and assigns, hereby warrant and covenant that they are the sole owners of the property; that they solely have the right to grant the said temporary easement; and that they will warrant and defend title to the same against the lawful claims of all persons whomsoever;

The Grantors acknowledge that the project plans for Project # 39062.2.2 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 39062.2.2, Edgecombe County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

IN WITNESS WHEREOF, GRANTOR, pursuant to a resolution dated _____, has caused this instrument to be signed in its corporate name by its MAYOR, its corporate seal hereto affixed, and attested by its TOWN CLERK, by order of the TARBORO TOWN COUNCIL, this the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

Town of Tarboro

(CORPORATE SEAL)

BY: Joe W. Pitt, Mayor of Town of Tarboro

ATTEST: _____
Clerk of Town of Tarboro

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

| | |
|-----------------|---|
| (Official Seal) | North Carolina, _____ County |
| | I, _____, a Notary Public for _____, County, North Carolina, certify that _____ personally came before me this day and acknowledged that he/she is the CLERK of the TOWN OF Tarboro _____, and that by authority duly given, the foregoing instrument was signed in its name by its MAYOR of the TOWN OF Tarboro, , sealed with its corporate seal, and attested by _____ as its TOWN CLERK. |
| | Witness my hand and official seal this the _____ day of _____, 20 _____. |
| | _____ Notary Public My commission expires: _____ |

VENDOR REGISTRATION FORM
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Pursuant to Internal Revenue Service (IRS) Regulations, vendors must furnish their Taxpayer Identification Number (TIN) to the State. If this number is not provided, you may be subject to a 20% withholding on each payment. To avoid this 20% withholding and to insure that accurate tax information is reported to the Internal Revenue Service and the State, please use this form to provide the requested information exactly as it appears on file with the IRS.

NAME ON FORM SHOULD BE THE LEGAL ENTITY OR INDIVIDUAL NAME DOING BUSINESS WITH NCDOT:
INDIVIDUAL AND SOLE PROPRIETOR - ENTER NAME AS SHOWN ON SOCIAL SECURITY CARD
CORPORATION OR PARTNERSHIP - ENTER YOUR LEGAL BUSINESS NAME

NAME: Town of Tarboro
(NAME OF COMPANY OR INDIVIDUAL REGISTERED TO THE PROVIDED TAX ID)
PHYSICAL ADDRESS: STREET/PO BOX: PO Box 220

CITY, STATE, ZIP: Tarboro, NC 27886

DBA / TRADE NAME (IF APPLICABLE):

BUSINESS DESIGNATION: ☐ INDIVIDUAL (use Social Security No.) ☐ SOLE PROPRIETOR (use SS No. or Fed ID No.)
☐ CORPORATION (use Federal ID No.) ☐ PARTNERSHIP (use Federal ID No.)
☐ ESTATE/TRUST (use Federal ID no.) ☒ STATE OR LOCAL GOVT. (use Federal ID No.)
☐ OTHER / SPECIFY

SOCIAL SECURITY NO. - - - - - (Social Security #)
OR
FED.EMPLOYER IDENTIFICATION NO. - - - - - (Employer Identification #)

COMPLETE THIS SECTION WITH CHECK MAILING ADDRESS AS IT APPEARS ON INVOICES:

REMIT TO ADDRESS: STREET / PO BOX: PO Box 220
CITY, STATE, ZIP: Tarboro, NC 27886

Participation in this section is voluntary. You are not required to complete this section to become a registered vendor. The information below will in no way affect the vendor registration process and its sole purpose is to collect statistical data on those vendors doing business with NCDOT. If you choose to participate, circle the answer that best fits your firm's group definition.

What is your firm's ethnicity? ☐ Prefer Not To Answer, ☐ African American, ☐ Native American, ☐ Caucasian American, ☐ Asian American, ☐ Hispanic American, ☐ Asian-Indian American, ☐ Other:)
What is your firm's gender? ☐ Prefer Not to Answer, ☐ Male, ☐ Female Disabled-Owned Business? (☐ Prefer Not to Answer, ☐ Yes, ☐ No)

IRS Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification and
 - I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the IRS that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
 - I am a U.S. person (including a U.S. resident alien).
- The IRS does not require your consent to any provision of this document other than the certifications required to avoid backup withholding. For complete certification instructions please see IRS FORM W-9 at <http://www.irs.gov/pub/irs-pdf/fw9.pdf>.

Joe W. Pitt Mayor
NAME (Print or Type) TITLE (Print or Type)

SIGNATURE (Typed, fonted and scripted Signatures are not acceptable. DocuSigned signatures are accepted) DATE PHONE NUMBER
EMAIL

To avoid payment delays, completed forms should be returned promptly to:

NC Department of Transportation
Fiscal /Commercial Accounts
1514 Mail Service Center
Raleigh, North Carolina 27699-1514
ap@ncdot.gov FAX (919) 733-9247



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

DATE:
WBS ELEMENT: 39062.2.2
FA PROJECT: N/A
TIP/PARCEL: U-4424 048
COUNTY: Edgecombe
DESCRIPTION: NC 111 (Wilson Street) from NC 122 (McNair Road) to US 64 Alternate
(Western Boulevard)

Property Owner Acknowledgement of the Terms for the Voluntary Donation Of Property to the North
Carolina Department of Transportation.

The undersigned property owner and/or the undersigned property owner's legal representatives freely acknowledge their desire and willingness to voluntarily transfer their ownership of privately owned real property to the North Carolina Department of Transportation for the benefit of the above sited public transportation project without receipt of just compensation. It is further agreed and acknowledged by the undersigned property owner and/or the property owner's legal representative that the property owner and/or legal representative has been advised that he/she is entitled to have an appraisal made on his/her property to determine just compensation and the owner releases the Department from this obligation and waives any compensation in exchange for the donation of property as right of way in full settlement of his/her claim. The purpose of this document is to ensure compliance under Title 23 of the United States Code of Federal Regulations (CFR), Subchapter H (Right-of-Way and Environment), Part 710 (Right-of-Way and Real Estate), Subpart E (Property Acquisition Alternatives), Subsection .505 (Real Property Donations).

Town of Tarboro

(CORPORATE SEAL)

BY: _____
Joe W. Pitt, Mayor of Town of Tarboro

ATTEST: _____
Clerk of Town of Tarboro

ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____

| | |
|-----------------|---|
| (Official Seal) | North Carolina, _____ County |
| | I, _____, a Notary Public for |
| | _____ County, North Carolina, certify that |
| | _____ personally came before |
| | me this day and acknowledged that he/she is the CLERK of the TOWN OF <u>Tarboro</u> , and that by authority duly given, the foregoing instrument was signed in its name by its MAYOR of the TOWN OF Tarboro, sealed with its corporate seal, and attested by _____ as its TOWN CLERK. |
| | Witness my hand and official seal this the _____ day of _____, 20 <u>21</u> . |
| | _____ Notary Public |
| | My commission expires: |

Revenue Stamps \$

DEED FOR HIGHWAY RIGHT OF WAY

THIS INSTRUMENT DRAWN BY Lloyd Johnston CHECKED BY Ashley Horton

The hereinafter described property ☐ Does ☒ Does not include the primary residence of the Grantor

RETURN TO: Ashley Horton, American Acquisition Group LLC
4509 Creedmoor Rd. Suite 201, Office 259
Raleigh, NC 27612

| | |
|-------------------------|------------------------------------|
| NORTH CAROLINA | TIP/PARCEL NUMBER: U-4424 048 |
| COUNTY OF Edgecombe | WBS ELEMENT: 39062.2.2 |
| TAX PARCEL 472851750000 | ROUTE: NC 111 (Wilson Street) from |
| 472853307500 | NC 122 (McNair Road) to US |
| | 64 Alternate (Western |
| | Boulevard) |

THIS FEE SIMPLE DEED, made and entered into this the 20 day of 21
by and between Town of Tarboro, a Municipal Corporation
PO Box 220
Tarboro, NC 27886

hereinafter referred to as GRANTORS, and the Department of Transportation, an agency of the State of North Carolina, 1546 Mail Service Center, Raleigh, NC 27611, hereinafter referred to as the Department;

WITNESSETH

That the GRANTORS, for themselves, their heirs, successors, and assigns, for and in consideration of the sum of \$ agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant and convey unto the DEPARTMENT, its successors and assigns, in FEE SIMPLE that certain property located in Number One Township, Edgecombe County, North Carolina, which is particularly described as follows:

AREA 1

Point of beginning being N 76°41'35.4" W, 33.919 feet from -L- Sta 96+00 thence to a point on a bearing of S 42°16'22.7" E 0.701 feet thence to a point on a bearing of N 47°48'57.2" E 31.696 feet thence to a point on a bearing of N 19°16'16.1" W 0.851 feet thence to a point on a bearing of S 47°40'4.8" W 32.029 feet returning to the point and place of beginning. Having an area of 23.644 Sqr feet being 0.001 acres.

AREA 2

Point of beginning being N 17°37'18.8" W, 30.822 feet from -L- Sta 96+00 thence to a point on a bearing of S 19°16'16.1" E 0.851 feet thence to a point on a bearing of N 47°48'57.2" E 88.940 feet thence to a point on a bearing of N 34°3'13.6" W 1.023 feet thence to a point on a bearing of S 47°40'4.8" W 46.638 feet thence to a point on a bearing of S 47°40'4.8" W 42.000 feet thence to a point on a bearing of S 47°40'4.8" W 0.115 feet returning to the point and place of beginning. Having an area of 79.771 Sqr feet being 0.002 acres.

IN ADDITION, and for the aforestated consideration, the GRANTORS further hereby convey to the DEPARTMENT, its successors and assigns the following described areas and interests:

PERMANENT DRAINAGE EASEMENT described as follows:
AREA 1

Point of beginning being N 18°33'19.9" W, 71.029 feet from -L- Sta 96+00 thence to a point on a bearing of S 19°16'16.1" E 39.919 feet thence to a point on a bearing of S 42°19'55.2" E 0.271 feet thence to a point on a bearing of N 47°40'4.8" E 42.000 feet thence to a point on a bearing of N 42°19'55.2" W 20.000 feet thence to a point on a bearing of N 42°19'55.2" W 17.000 feet thence to a point on a bearing of S 47°40'4.8" W 26.363 feet returning to the point and place of beginning. Having an area of 1266.844 Sqr feet being 0.029 acres.

AREA 2

Point of beginning being N 18°33'19.9" W, 71.029 feet from -L- Sta 96+00 thence to a point on a bearing of S 47°40'4.8" W 15.637 feet thence to a point on a bearing of S 42°19'55.2" E 23.000 feet thence to a point on a bearing of S 42°19'55.2" E 13.729 feet thence to a point on a bearing of N 19°16'16.1" W 39.919 feet returning to the point and place of beginning. Having an area of 287.156 Sqr feet being 0.007 acres.

Said Permanent Drainage/Utility easement in perpetuity is for the installation and maintenance of drainage facilities and/or utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility and/or utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and/or utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility and/or utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described permanent drainage/utility easement area(s). It is further understood and agreed that Permanent Drainage/Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent drainage/Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

TEMPORARY CONSTRUCTION EASEMENT described as follows:

AREA 1

Point of beginning being N 32°15'56.8" E, 105.424 feet from -L- Sta 96+00 thence to a point on a bearing of N 34°3'13.6" W 20.210 feet thence to a point on a bearing of S 47°40'6.9" W 49.548 feet thence to a point on a bearing of S 42°19'55.2" E 20.000 feet thence to a point on a bearing of N 47°40'4.8" E 46.638 feet returning to the point and place of beginning. Having an area of 961.846 Sqr feet being 0.022 acres.

AREA 2

Point of beginning being N 17°38'15.0" W, 31.117 feet from -L- Sta 96+00 thence to a point on a bearing of N 42°19'55.2" W 13.729 feet thence to a point on a bearing of S 47°40'4.8" W 32.130 feet thence to a point on a bearing of S 42°16'22.7" E 14.000 feet thence to a point on a bearing of N 47°40'4.8" E 32.029 feet thence to a point on a bearing of N 19°16'16.1" W 0.295 feet returning to the point and place of beginning. Having an area of 449.901 Sqr feet being 0.010 acres.

It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described temporary easement area(s) until such time that the property owners alter the adjacent lands in such a manner that the cut and/or fill slopes are no longer needed for the lateral support of the roadway. Any additional construction areas lying beyond the cut and/or fill slopes and extending beyond the right of way limits and beyond any permanent easement areas will terminate upon completion and acceptance of the project. The underlying fee owner shall have the right to continue to use the Temporary Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

SPECIAL PROVISIONS. This deed is subject to the following provisions only: None.

The property hereinabove described was acquired by the GRANTORS by instrument(s) recorded in the Edgecombe County Registry in Deed Book 1195 Page 162

The final right of way plans showing the above described right of way are to be certified and recorded in the Office of the Register of Deeds for said County pursuant to N.C.G.S. 136-19.4, reference to which plans is hereby made for purposes of further description and for greater certainty.

The Grantors acknowledge that the project plans for Project # 39062.2.2 have been made available to them. The Grantors further acknowledge that the consideration stated herein is full and just compensation pursuant to Article 9, Chapter 136 of the North Carolina General Statutes for the acquisition of

COUNTY: Edgecombe **WBS ELEMENT:** 39062.2.2 **TIP/PARCEL NO.:** U-4424 048

the said interests and areas by the Department of Transportation and for any and all damages to the value of their remaining property; for any and all claims for interest and costs; for any and all damages caused by the acquisition for the construction of Department of Transportation Project # 39062.2.2, Edgecombe County, and for the past and future use of said areas by the Department of Transportation, its successors and assigns for all purposes for which the said Department is authorized by law to subject the same.

TO HAVE AND TO HOLD the aforesaid premises and all privileges and appurtenances thereunto belonging to the DEPARTMENT, its successors and assigns in FEE SIMPLE, or by easement as indicated, for the past, present and future use thereof and for all purposes which the said Department is authorized by law to subject the same.

And the GRANTORS covenant with the DEPARTMENT, that the GRANTORS are seized of the premises in fee simple, have the right to convey the same in fee simple, or by easement as indicated, that the title thereto is marketable and free and clear of all encumbrances, and that the GRANTORS will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is hereby conveyed subject to the following exceptions: Restrictive covenants and easements of record, government regulations, and the lien of property taxes for the current year.

IN WITNESS WHEREOF, the GRANTORS have hereunto set their hands and seals (or if corporate, has caused the instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors) the day and year first above written.

IN WITNESS WHEREOF, GRANTOR, pursuant to a resolution dated _____, has caused this instrument to be signed in its corporate name by its MAYOR, its corporate seal hereto affixed, and attested by its TOWN CLERK, by order of the TARBORO TOWN COUNCIL, this the day and year first above written.

This instrument does not transfer the herein described interests unless and until this document is accepted by an authorized agent of the Department of Transportation.

Town of Tarboro (CORPORATE SEAL)

BY: Joe W. Pitt, Mayor of Town of Tarboro

ATTEST: _____
Clerk of Town of Tarboro

| | |
|--|--|
| ACCEPTED FOR THE DEPARTMENT OF TRANSPORTATION BY: _____ | |
| (Official Seal) | North Carolina, _____ County |
| | I, _____, a Notary Public for |
| | _____ County, North Carolina, certify that |
| | me this day and acknowledged that he/she is the CLERK of the |
| | TOWN OF Tarboro _____, and that by authority duly given, the |
| foregoing instrument was signed in its name by its MAYOR of the | |
| TOWN OF Tarboro, sealed with its corporate seal, and attested by | |
| _____ as its TOWN CLERK. | |
| Witness my hand and official seal this the _____ day of | |
| _____, 20 ____ 21 . | |
| _____ Notary Public | |
| My commission expires: _____ | |



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: NCDOT - Tarboro "Hometown Homecoming" Parade Ordinance

Date: 7/12/2021

Memo Number: 21-45

In order to receive approval from the North Carolina Department of Transportation (NCDOT) to close Main Street for the Tarboro "Hometown Homecoming" parade, it is necessary to adopt an ordinance declaring the road closure. It is recommended that Council adopt the attached ordinance declaring the closure of N. Main Street from Granville Street to Johnston Street for the purpose of holding the 2021 "Hometown Homecoming" parade.

ATTACHMENTS:

| Description | Upload Date | Type |
|------------------|-------------|-----------|
| Parade Ordinance | 7/7/2021 | Ordinance |

ORDINANCE NO. _____

**AN ORDINANCE DECLARING A ROAD CLOSURE FOR A
“HOMETOWN HOMECOMING” PARADE**

THE TOWN COUNCIL OF THE TOWN OF TARBORO ORDAINS:

WHEREAS, the Town Council of the Town of Tarboro acknowledges a long tradition of co-sponsoring parades for the pleasure of its citizens; and

WHEREAS, the Town Council of the Town of Tarboro acknowledges its citizens realize a financial benefit from holding a special Homecoming parade; and

WHEREAS, the Town Council of the Town of Tarboro acknowledges a parade requires approximately two (2) hours to include installing traffic control, and for removing traffic control and litter after the parade is over;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Tarboro pursuant to the authority granted by N.C.G.S. 20-169 that they do hereby declare a temporary road closure during the day and times set forth below on the following described portion of a State Highway System route:

Date: Saturday, September 25, 2021

Time: 9:00 AM – 11:00 AM

Closure: N. Main Street (NC 33) between Granville Street and Johnston Street

Time: 10:00 AM – 3:00 PM

Closure: 700 Block of N. Main Street (NC 33) between Wilson Street and Porter Street

Time: 4:00 PM – 12 AM

Closure: 300 Block of N. Main Street (NC 33) between Pitt Street and St. James Street

This ordinance to become effective when signs are erected giving notice of the limits and times of the parade/events, and implementation of adequate traffic control to guide through vehicles around the parade route.

Adopted this 12th day of July, 2021.

Joseph W. Pitt, Mayor

Attest:

Leslie M. Lunsford, Town Clerk



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: Special Event - OkTarborofest - Request for Co-Sponsorship

Date: 7/12/2021

Memo Number: 21-46

Tarboro Brewing Company (TBC) is looking to create a new event for Tarboro to take place on Sunday, September 19th from 12:00 pm to 6:00 pm on Saint John Street adjacent to the brewery. The event will be called OkTarborofest and will feature an 18 piece German Band, food trucks, and beer from 7 local breweries. TBC is requesting that the Town of Tarboro co-sponsor the event by providing the stage, tables, trash cans, trash pickup afterwards, portable toilets, hand washing stations, security and the closure of St John Street. The inaugural event is estimated to bring over 500 attendees to Downtown Tarboro.

It is recommended that Council agree to co-sponsor the OkTarborofest Event scheduled for September 19, 2021 from 12:00 pm to 6:00 pm by providing in-kind services and equipment as listed above.



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: American Rescue Plan Act of 2021

Date: 7/12/2021

Memo Number: 21-47

On March 11, 2021, the American Rescue Plan Act of 2021 was signed into law and established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Funds, which together make up the Coronavirus State and Local Fiscal Recovery Funds program. This program is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses. Treasury expects to distribute these funds directly to each state, territorial, metropolitan city, county, and Tribal government. Local governments, such as Tarboro, that are classified as non-entitlement units will receive this funding through their applicable state government. \$3,414,843.11 has been allocated for Tarboro and will be disbursed in equal amounts over 2 years.

In order to receive and expend these funds, Town Council must vote to accept the Town's allocation and agree to comply with all applicable state and Federal regulations.

It is recommended that Council approve the attached Resolution, Grant Project Ordinance and Grant Agreement for the Coronavirus State and Local Fiscal Recovery Funds. It is also recommended that Council authorize the Town Manager and Finance Director to execute any necessary agreements.

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------------------|-------------|-------------------|
| Resolution | 7/6/2021 | Resolution Letter |
| Grant Project Ordinance | 6/22/2021 | Ordinance |
| Grant Agreement - ARP | 7/6/2021 | Backup Material |

Town of Tarboro Resolution for Accepting American Rescue Plan Act funds

WHEREAS, the Town of Tarboro is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF).

WHEREAS, the North Carolina General Assembly will provide for the distribution of funds to eligible North Carolina municipalities; and

WHEREAS, before receiving a payment, the Town Council is required to formally accept the CSLRF funds;

WHEREAS, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law;

WHEREAS, revenue received under the CSLRF must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

WHEREAS, the Town of Tarboro must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Tarboro that we do hereby accept and request CSLRF funding to be distributed by the State of North Carolina; and

FURTHER RESOLVED that the Town of Tarboro affirms that the CSLRF revenue will only be used for the purposes prescribed in the CSLRF, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

FUTHER RESOLVED that the Town of Tarboro will comply with procedures created by the North Carolina General Assembly and the US Treasury Department to receive funds under the act; and

FURTHER RESOLVED that the Town of Tarboro will account for CSLRF in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and

FURTHER RESOLVED that the Town Council of the Town of Tarboro designates and directs the Town Manager and Finance Officer to take all actions necessary on behalf of the town council to receive the CSLRF funds.

ADOPTED, this the ____ day of _____, 20____.

/s/_____

Joseph W. Pitt, Mayor

/s/_____

Leslie M. Lunsford, Town Clerk

Grant Project Ordinance for the Town of Tarboro

Coronavirus State and Local Fiscal Recovery Funds

BE IT ORDAINED by the town council of the Town of Tarboro, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF). The Town of Tarboro's first tranche of CSLRF funds is in the amount of \$1,707,421.56. The total allocation is \$3,414,843.11, with the remainder to be distributed no sooner than one year after the first disbursement. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The following amounts are appropriated for the project and authorized for expenditure:

| | |
|---------------|----------------|
| CSLRF Project | \$3,414,843.11 |
|---------------|----------------|

Section 3: The following revenues are anticipated to be available to complete the project:

| | |
|-------------|----------------|
| CSLRF Funds | \$3,414,843.11 |
|-------------|----------------|

Section 4: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 5: The Finance Officer is hereby directed to report the financial status of the project to the governing board on no less than an annual basis.

Section 6: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

Section 7: This grant project ordinance expires on December 31, 2026, or when all the CSLRF funds have been obligated and expended by the town, whichever occurs sooner.

Adopted this 12th day of July, 2021

/s/_____

Joseph W Pitt, Mayor

/s/_____

Leslie M Lunsford, Town Clerk

June 15, 2021

The Honorable Joseph W Pitt
Mayor of Tarboro

Dear Mayor Pitt:

Thank you for your hard work and steady leadership through this pandemic. You have worked tirelessly to keep your communities safe, and our sustained progress in lowering COVID-19 metrics and vaccinating 4.6 million North Carolinians gives us all hope. With the American Rescue Plan (ARP), we now have a once-in-a-generation opportunity to invest in a shared and sustained recovery.

In May, I recommended that the North Carolina General Assembly match State Fiscal Recovery Funds from the ARP with your Local Fiscal Recovery Funds so that we can maximize the value and impact of these federal dollars. From water and sewer infrastructure to housing, I want to give communities that cooperate a bigger share of state funds. By matching money, we can do big things. As the General Assembly continues its budget considerations, I will be working with them and you to create the best environment for us to take this historic opportunity to tackle chronic challenges and build a North Carolina that not only recovers but thrives.

The Local Fiscal Recovery Funds you are receiving because of the ARP should be transformational to your community. As we work to build a bridge from COVID-19 response to recovery, these funds allow for communities to take more time and consideration in making investments than the federal CARES Act allowed. A December 31, 2026 deadline to spend these funds should encourage you to consider how your share of the ARP might be best leveraged with other resources and partners, such as neighboring towns, counties, or the state, to most effectively invest in transformational projects.

I look forward to our continued partnership in service to North Carolinians now and in the future. Thank you for your commitment to the people of North Carolina.

With kind regards, I am

Very truly yours,

Roy Cooper

RAC/II

NEU Award Summary 2021

[Tarboro]
[2021-0461]

The Coronavirus Local Fiscal Recovery Funds provide a singular opportunity to address community recovery needs and to make significant investments for the future. In addition to municipalities, counties are also receiving significant funds.

- We encourage and are available to help with thoughtful planning and an equitable approach to the use of these funds. We encourage consultation and collaboration with your neighboring communities, and with communities facing common challenges.
- An authorized signature is required accepting the grant award terms and conditions.
- The total estimated grant amount is \$ 3414843.11. This will be provided in two disbursements:
 - Your first disbursement for 2021 will be in the amount of \$ 1,707,421.56
 - Your second disbursement for 2022 will be released no sooner than one year after the first disbursement, and may vary slightly depending on funds returned and other factors.
- You have until December 31, of 2024 to use or encumber these funds and if encumbered, you have until December 31, 2026 to finish any associated work.
- You have a unique grant agreement number: NC0461. Please include it in all correspondence with the United States Treasury (UST).
- You are considered by the UST to be the prime recipient of these funds and will have reporting duties for these funds. The first report is due on October 31st.
 - The UST has yet to provide directions on how to prepare and submit this report.
 - It's anticipated that this first report will be simple and denote that funds have been received and provide documents that support your topline budget number that you've provided NCPRO.
- These funds can be used only for the allowable categories outlined by the UST for pandemic recovery. These categories and other information about allowable uses can be found at: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>
- A PROtalk that addresses the grant process in more depth can be found (<https://www.nc.gov/agencies/pandemic-recovery-office/news-information/presentations-videos>).

For additional questions please reach out to NCPRO! Additional resources, conferences, and technical support will be provided through joint efforts with Councils of Government, the NC League of Municipalities, the UNC School of Government and others.



OMB Approved No. 1505-0271
Expiration Date: November 30, 2021

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

| | |
|---|--|
| Recipient name: TARBORO, TOWN OF Address: 500 MAIN ST , TARBORO, NC, 27886 | DUNS Number: 088560941 Taxpayer Identification Number: 566001350 Assistance Listing Number: 21.027 |
|---|--|

Sections 602(b) and 603(b) of the Social Security Act (the Act) as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorize the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund.

Recipient hereby agrees, as a condition to receiving such payment from Treasury, to the terms attached hereto.

Recipient: **TARBORO, TOWN OF**

Authorized Representative: **Anne Y. Mann**

Title: **Finance Director**

Date signed:

U.S. Department of the Treasury:

Authorized Representative:

Title:

Date:

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS LOCAL FISCAL RECOVERY FUND
AWARD TERMS AND CONDITIONS

1. Use of Funds.
 - a. Recipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act (the Act), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. Recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Recipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
3. Reporting. Recipient agrees to comply with any reporting obligations established by Treasury as they relate to this award.
4. Maintenance of and Access to Records
 - a. Recipient shall maintain records and financial documents sufficient to evidence compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations.
 - c. Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. Administrative Costs. Recipient may use funds provided under this award to cover both direct and indirect costs.
7. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.
8. Conflicts of Interest. Recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

9. Compliance with Applicable Law and Regulations.

- a. Recipient agrees to comply with the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
- b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
 - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
 - ix. Generally applicable federal environmental laws and regulations.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

- i. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - ii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iii. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - iv. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
10. Remedial Actions. In the event of Recipient's noncompliance with section 603 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the receipt of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 603(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 603(e) of the Act.
11. Hatch Act. Recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
12. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
13. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."
14. Debts Owed the Federal Government.
- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to section 603(e) of the Act and have not been repaid by Recipient shall constitute a debt to the federal government.
 - b. Any debts determined to be owed the federal government must be paid promptly by

Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.

15. Disclaimer.

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

16. Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

18. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

OMB Approved No. 1505-0271

Expiration Date: November 30, 2021

ASSURANCES OF COMPLIANCE WITH CIVIL RIGHTS REQUIREMENTS

ASSURANCES OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

As a condition of receipt of federal financial assistance from the Department of the Treasury, the recipient named below (hereinafter referred to as the "Recipient") provides the assurances stated herein. The federal financial assistance may include federal grants, loans and contracts to provide assistance to the Recipient's beneficiaries, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits.

The assurances apply to all federal financial assistance from or funds made available through the Department of the Treasury, including any assistance that the Recipient may request in the future.

The Civil Rights Restoration Act of 1987 provides that the provisions of the assurances apply to all of the operations of the Recipient's program(s) and activity(ies), so long as any portion of the Recipient's program(s) or activity(ies) is federally assisted in the manner prescribed above.

1. Recipient ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d *et seq.*), as implemented by the Department of the Treasury Title VI regulations at 31 CFR Part 22 and other pertinent executive orders such as Executive Order 13166, directives, circulars, policies, memoranda, and/or guidance documents.
2. Recipient acknowledges that Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). Recipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Department of the Treasury's implementing regulations. Accordingly, Recipient shall initiate reasonable steps, or comply with the Department of the Treasury's directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Recipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Recipient's programs, services, and activities.
3. Recipient agrees to consider the need for language services for LEP persons when Recipient develops applicable budgets and conducts programs, services, and activities. As a resource, the Department of the Treasury has published its LEP guidance at 70 FR 6067. For more information on taking reasonable steps to provide meaningful access for LEP persons, please visit <http://www.lep.gov>.

4. Recipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of federal financial assistance and is binding upon Recipient and Recipient's successors, transferees, and assignees for the period in which such assistance is provided.
5. Recipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances 1-4 above, and agrees to incorporate the following language in every contract or agreement subject to Title VI and its regulations between the Recipient and the Recipient's sub-grantees, contractors, subcontractors, successors, transferees, and assignees:

The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.

6. Recipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Recipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.
7. Recipient shall cooperate in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Recipient shall comply with information requests, on-site compliance reviews and reporting requirements.
8. Recipient shall maintain a complaint log and inform the Department of the Treasury of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome. Recipient also must inform the Department of the Treasury if Recipient has received no complaints under Title VI.
9. Recipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other

agreements between the Recipient and the administrative agency that made the finding. If the Recipient settles a case or matter alleging such discrimination, the Recipient must provide documentation of the settlement. If Recipient has not been the subject of any court or administrative agency finding of discrimination, please so state.

10. If the Recipient makes sub-awards to other agencies or other entities, the Recipient is responsible for ensuring that sub-recipients also comply with Title VI and other applicable authorities covered in this document. State agencies that make sub-awards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of sub-recipients.

The United States of America has the right to seek judicial enforcement of the terms of this assurances document and nothing in this document alters or limits the federal enforcement measures that the United States may take in order to address violations of this document or applicable federal law.

Under penalty of perjury, the undersigned official(s) certifies that official(s) has read and understood the Recipient's obligations as herein described, that any information submitted in conjunction with this assurances document is accurate and complete, and that the Recipient is in compliance with the aforementioned nondiscrimination requirements.

TARBORO, TOWN OF

Recipient

Date

Anne Y. Mann

Signature of Authorized Official

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 30 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: EPA Brownfields Award and Contract

Date: 7/12/2021

Memo Number: 21-48

The Town of Tarboro has been awarded a \$300,000 grant from the Environmental Protection Agency to conduct a community-wide brownfield assessment. The Town and the community will identify and prioritize sites with a potential for environmental impact on neighboring properties and residents, and their redevelopment potential. The Town and the community want to use these funds to assess potential impacts of the sites and plan for their future reuse.

In order to assist in the Community-Wide Brownfields Program, the Town hired a brownfield/environmental consultant to support programmatic management, implement environmental assessments, and support outreach and planning, with costs included in the grant award. In 2019, the Town released a Request for Qualifications (RFQ) in accordance with 2 C.F.R. 200 and EPA's rule at 2 C.F.R. 1500 for brownfields consulting services and selected a qualified contractor in a competitive process. The Town will develop a Master Services Agreement (MSA) with Cardno, Inc.

It is recommended that Council approve the attached Resolution. It is also recommended that Council authorize the Town Manager and Finance Director to execute any necessary agreements.

ATTACHMENTS:

| Description | Upload Date | Type |
|--|-------------|---------------------|
| EPA Brownfields Award Letter | 7/6/2021 | Exhibit |
| EPA Brownfields Grant Budget Amendment | 7/7/2021 | Budget Amendment |



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

May 11, 2021

The Honorable Joe W. Pitt
Mayor of Tarboro
211 E Wilson Street
Tarboro, NC 27886-0221

Dear Mayor Pitt:

On behalf of the United States Environmental Protection Agency (EPA), I am pleased to congratulate you and confirm that the Town of Tarboro was selected as one of the entities EPA will begin negotiations with to award a cooperative agreement for an Assessment Grant. The Town of Tarboro submitted an outstanding application, and we deeply appreciate the tremendous commitment of time and energy that went into its preparation.

Since its inception in 1995, EPA's Brownfields Program has worked to help states and communities around the country clean up and revitalize brownfield sites. We fully expect that these brownfield projects will provide benefits to the environment and economy of local communities. Brian Gross, your Regional Brownfields Contact, will work closely with the Town of Tarboro to negotiate the cooperative agreement prior to the grant award. You may contact Brian Gross at 404-562-8604 or gross.brian@epa.gov.

Again, congratulations on being selected! We look forward to working with you.

Sincerely,

A handwritten signature in black ink, which appears to read "David R. Lloyd".

David R. Lloyd, Director
Office of Brownfields and Land Revitalization

cc: Brian Gross
Catherine Grimm

BUDGET RESOLUTION

TOWN COUNCIL OF THE TOWN OF TARBORO

July 12, 2021

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TARBORO, NORTH CAROLINA, that the General Fund Grant Project Budget be adjusted as follows:

| <u>Account Number</u> | <u>Account Name</u> | <u>Current Budget</u> | <u>Amount of Change</u> | <u>Revised Budget</u> |
|---|---------------------------------|---------------------------|-----------------------------|---------------------------|
| REVENUES - GENERAL FUND GRANT PROJECT FUND | | | | |
| 87-3760-0100 | FEDERAL FUNDS - EPA BROWNFIELDS | - | + 300,000 | = 300,000 |
| EXPENDITURES - GENERAL FUND GRANT PROJECT FUND | | | | |
| 87-8510-4500 | CONTRACTED SERVICES | - | + 300,000 | = 300,000 |

BE IT FURTHER RESOLVED that the Budget Officer is hereby authorized and directed to implement said budget as amended.



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: ESFRLP-19 Contract for Rehabilitation

Date: 7/12/2021

Memo Number: 21-49

Since the initial award of the Essential Single Family Rehabilitation Loan Program, additional funds have been awarded from the NC Housing Finance Agency to rehabilitate more homes within Edgecombe County. Additional bids have been submitted for the next round of homes. Currently, the construction industry is busy and there is limited contractor interest in public housing rehabilitation projects. Though two contractors participated in Bid Opening #2, the low bids submitted by Evans Custom Builders are the only fiscally responsible option for the Town as the second low bidder was significantly higher. All low bids were submitted by Evans Custom Builders. Dayton Evans, owner of Evans Custom Builders, indicated he could do all six contracts within a reasonable time frame.

There has been limited contractor participation in the ESFRLP Program, as well as other building programs within the state, due to the current market. In that several contractors were directly solicited to bid, and the bidding opportunity was published, the NCHFA supports awarding bids even when only one was submitted.

It is recommended that Council vote to accept the bids from Evans Custom Builders as attached. It is also recommended that Council authorize the Town Manager and Finance Director to execute any necessary agreements.

ATTACHMENTS:

| Description | Upload Date | Type |
|----------------------------------|-------------|---------|
| ESFRLP-19 Rehabilitation Bids #2 | 7/6/2021 | Exhibit |

ESFRLP1921 BID TABULATION SHEET

DATE: WEDNESDAY, JUNE 9, 2021

| CONTRACTOR | CASE #9 | CASE #10 | CASE #11 | CASE #13 | CASE #16 | CASE #18 |
|------------------------------|--|--------------------------------------|---|---|---|--|
| | B. Ford 1325 Eastern Rocky Mount | L. Shipp 505 E. Church Tarboro | Marion Hines 1109 Centipede Rocky Mount | E. Chance 267 Martin Sasser Rocky Mount | K. Gearition 607 W. Johnson Tarboro | K. Norwood 1817 Rosewood Rocky Mount |
| ROBERT STELLANO CONSTRUCTION | \$53,445.00 | \$48,485.00 | \$33,150.00 | | | |
| EVANS CUSTOM BUILDERS | \$44,485.00 | \$38,975.00 | \$20,545.00 | \$29,500.00 | \$19,990.00 | \$32,805.00 |
| | Lead ✓ | | | | Lead ✓ | Lead ✓ |
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| COST ESTIMATE | \$39,465.00 | \$27,985.00 | \$18,710.00 | \$26,125.00 | \$16,985.00 | \$29,390.00 |

The Locality will award the contract based on the contractor qualifications, cost estimate and contractor scheduling.

Opened By



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: Resolution - Hazard Mitigation Grant Program

Date: 7/12/2021

Memo Number: 21-50

The Hazard Mitigation Grant following Hurricane Matthew provided funding for both acquisitions and elevations. Several properties have been waiting for approval from FEMA to switch treatment from elevation to acquisition. FEMA has approved of the treatment change and a revised Grant Agreement from the State of North Carolina is forthcoming and will be executed before offers are made.

It is recommended that Council approve the Resolution of Just Compensation for the acquisition of these properties.

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------|-------------|-------------------|
| Resolution | 7/6/2021 | Resolution Letter |

**RESOLUTION ESTABLISHING JUST COMPENSATION FOR SELECTED REAL
PROPERTY IN THE TOWN OF TARBORO'S HURRICANE MATTHEW HAZARD MITIGATION GRANT PROGRAM**

WHEREAS, it has been certified by Stronach Commercial Appraisal Services as the Town's contract appraiser for the Hurricane Matthew Hazard Mitigation Grant Program (HMGP) that all properties listed below have been appraised in accordance with State law, Uniform Standards for Professional Appraisal Practice (USPAP) guidelines, and HMGP program guidelines; and

WHEREAS the Town has copies of said appraisal reports in its possession that have been reviewed and found to be accurate and reliable;

THEREFORE BE IT RESOLVED, that Just Compensation is hereby established by the Tarboro Town Council, for the following parcels:

| Owner Name | Parcel Identification Number (PIN) of Parcel to be Acquired | Street Address | Established Fair Market Value |
|-------------------------------------|--|--|----------------------------------|
| Heirs of Annie Lou Pettaway | 4738-67-5270 | 1001 E. Wilson Street, Tarboro, NC | \$63,000.00 |
| Doris E. Jones | 4738-66-7978 | 1007 E. St. John Street, Tarboro, NC | \$41,000.00 |
| James C. and Elizabeth R. Powell | 4738-78-1864 | 1308 Martin Luther King Jr Drive, Tarboro, NC | \$31,000.00 |

This 12th day of July, 2021.

Mayor: _____

Town Clerk: _____



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: Resolution-NCGHSP Region 4 Law Enforcement Liasion

Date: 7/12/2021

Memo Number: 21-51

The Town of Tarboro, more specifically the Tarboro Police Department, has completed an application contract with the North Carolina Governor's Highway Safety Program to receive funding in the amount of \$25,000.00 during fiscal year 2021/2022. The funding allocation is federally approved with no local contributions required.

This grant application is dedicated to traffic safety initiatives and is based upon Chief Webb's services and commitment to the North Carolina Governor's Highway Safety Program as a Law Enforcement Liaison for Region 4. The grant money has been allocated for the purchase of (4) four Mobile Data Terminals, (1) one In-Car Camera System, and (3) three Radar/Lidar devices.

It is recommended that Council approve the attached Resolution in the amount of \$25,000.00 and authorize Town officials to execute all documents pertaining to this grant.

ATTACHMENTS:

| Description | Upload Date | Type |
|-----------------|-------------|-------------------|
| GHSP Resolution | 7/6/2021 | Resolution Letter |

North Carolina Governor's Highway Safety Program LOCAL GOVERNMENTAL RESOLUTION

WHEREAS, the _____ (herein called the
"Agency")

(The Applicant Agency)

has completed an application contract for traffic safety funding; and that _____
(The Governing Body of the Agency)

_____ (herein called the "Governing Body") has thoroughly considered the problem
identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE _____ IN OPEN
(Governing Body)

MEETING ASSEMBLED IN THE CITY OF _____, NORTH CAROLINA,

THIS _____ DAY OF _____, 20 _____, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That _____ is authorized to file, on behalf of the Governing
(Name and Title of Representative)
Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal
funding in the amount of \$ _____ to be made to the Governing Body to assist in defraying
(Federal Dollar Request)
the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$ _____ as
(Local Cash Appropriation)
required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other
appropriate persons to furnish such information, data, documents and reports as required by the contract, if
approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by _____
(Chairperson/Mayor)

ATTESTED BY _____
(Clerk)

SEAL

DATE _____



Town of Tarboro, North Carolina Mayor and Council Communication

Subject: Appointment for July - Tarboro-Edgecombe Arts Commission

Date: 7/12/2021

Memo Number: 21-52

In December 2020, Council voted to enter into an Interlocal Agreement with Edgecombe County to create the Tarboro-Edgecombe Arts Commission. To date, Council has appointed Brandon Bunn, Lydia Hyslop, Morris Mays, Rosena Ricks and Ryan Thorne to serve on this board.

Beverly Sessoms is interested in serving on the Arts Commission and her application is attached.

It is recommended that Council appoint (1) individual for a total of six (6) to the Tarboro-Edgecombe Arts Commission at the July Council meeting.

ATTACHMENTS:

| Description | Upload Date | Type |
|-------------|-------------|-----------------|
| Application | 7/7/2021 | Backup Material |



Town of Tarboro Application for Boards and Commissions

Please print or type the following information:

Name: BEVERLY A. SESSOMS Daytime Telephone: 252-813-7296
Address: 1902 MEREDITH AVE. Ward: _____ Zip Code: 27886
Email: beverlysessoms5@gmail.com
Length of Residence in Tarboro: 70 yrs.

Please indicate which board, commission, or committee on which you would like to serve:

ARTS Commission

Why would you like to serve? I am a watercolor Artist and I want the arts to continue to thrive in our community.

Please describe how your education, work experience, and community activities are relevant to your selections: _____

I have been a business owner in Tarboro thirty eight years. Since retirement I have been able to pursue my art background and continue to paint in my studio.

Employment History: _____

Beverly's Hairstyling - 38 yrs.
Education: graduate of Tarboro High School and Edgecombe Community College

Are you currently a member of any state, federal, or local board, commission, or committee? If so, please list below: no

All information contained on this application is subject to public disclosure and will be reviewed by public officials. Attach any additional supporting documentation that is relevant to your qualifications to serve, i.e. resume, bio, etc.

Signature of Applicant: Beverly A. Sessoms Date: 7-6-2021

All information contained on this application is subject to public disclosure and will be reviewed by public officials. Attach any additional supporting documentation that is relevant to your qualifications to serve, i.e. resume, bio, etc.

Submit Application by Mail to: Town of Tarboro
Attn: Town Manager
P.O. Box 220
Tarboro, NC 27886

or Fax to: 252-641-4254