



COMMITTEE OF THE WHOLE
APRIL 23, 2012
5:30 PM

Opening of Meeting

Nondenominational Invocation

Roll Call

Approval/Amendments to Agenda

1. Approve - Beaufort County Water Districts I – VI request for three additional easements to accommodate water transmission line installation in the vicinity of the intersection of Third and Plymouth Street. (Page 2)
2. Discussion - Extra-Territorial Jurisdiction Reduction (Page7)
3. Adjourn – Until Monday, May 14, 2012 at 5:30pm in the Council Chambers at the Municipal Building.



McDAVID ASSOCIATES, INC.

Engineers • Planners • Land Surveyors

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109 E. Walnut Street • P.O. Box 1776
Goldsboro, NC 27533

April 10, 2012

Josh Kay
City Manager
City of Washington
P. O. Box 1988
Washington, NC 27889

Subject: BCWD I - VI Additional Easement
Request

Dear Josh:

I am writing on behalf of Beaufort County Water District I - Washington Township and Beaufort County Water District VI-Chocowinity/Richland Township (hereinafter referred to as BCWD I and BCWD VI) to update you and the Council on our progress and to request three additional easements not previously requested from the City.

I appeared before City Council on March 12, 2012 and requested various easements and land acquisitions to accommodate a proposed 12" water transmission line to be constructed for the purpose of transferring water supply from BCWD VI to BCWD I. City Council approved our request. Since the Council meeting we have further developed proposed Booster Pump Station location and transmission line routing all in coordination with Allen Lewis and/or Keith Hardt.

Based upon prior Council authorization we have identified a 0.42 +/- acre parcel of land owned by the City of Washington located at the intersection of Second Street and Plymouth Street, said parcel being adjacent to the abandoned water treatment plant site which we propose to purchase for the construction of a booster pump station. Due to the close proximity of the proposed site to the City's operation center, the Districts agree not to use gas chlorine for disinfection at the proposed site. In addition, if for any reason, the Districts fail to construct the proposed Booster Pump Station within a specified time frame (suggest 48 to 60 months), the Districts will deed the proposed site back to the City in exchange for value paid. A copy of the survey of the site is enclosed marked as Exhibit "A". The site selection was mutually selected and agreed upon by county/city representatives. Appraiser Eddie Dozier has been authorized to proceed with an appraisal, said appraisal being expected on or before April 20, 2012. I thought it would be appropriate to have an appraisal for a basis of final price determination/negotiation.

In addition for clarification, the City of Washington owns three underlying parcels of land south of the river on which the existing Washington Electrical Transmission line and associated easement crosses between pole 49 and pole 79. To eliminate all legal questions regarding the legal right to place the water transmission line in the location previously described, we will be including a legal description of the proposed water transmission line as it crosses Washington owned property in the easement package. We believe this is in accordance with the prior Council approval.

In routing the proposed water transmission line in the vicinity of Plymouth street, we discovered a large number of existing utilities in the street right of way. In our opinion, the placement of the proposed water transmission line outside of the existing pavement but inside the street right of way in this area cannot be accomplished without conflict with existing utilities. We are therefore requesting three additional easements, said easements being shown on the enclosed map marked as Exhibit "B" and being more generally described as follows:

- a. 15' wide easement along west side of Plymouth Street (SR 1401) south of the intersection of Third Street identified on Exhibit "B" as Easement "A".
- b. 20' wide easement along north side of Municipal Street (Third Street) west of Plymouth Street identified on Exhibit "B" as Easement "B".
- c. 25' wide easement along west side of Plant Street (closed or never opened) between Municipal Street and West Martin Luther King, Jr. Drive (Fourth St) identified on Exhibit "B" as Easement "C".

Placement of the proposed water transmission line in the proposed easements in lieu of placement in the existing street right of way will greatly reduce the potential of utility conflicts. These three easements were not previously identified in my presentation to the Council. **Therefore I am requesting that you include this request in the agenda for the next Council meeting.** In general, I believe the Council's previous conceptual approval along with specific easements may be considered adequate to include the three new easements now being requested, but I desire to be sure we do not encounter any unexpected delays or problems, therefore I am submitting this letter as full disclosure requesting processing/approval. If appropriate, maybe it could be included on the Consent Agenda or I will be glad to present at April 23, 2012/May 14, 2012. Please advise.

The entire project routing is now complete subject to the approval by all funding and regulatory agencies, so hopefully the routing is now complete and will not be changing in the future.

Attorney Billy Mayo is in the process of drafting the necessary papers for City review, approval and execution and would expect to present a draft of the instrument to the City very soon. **In order for Beaufort County Water Districts to be eligible for funding consideration, Mr. Mayo must have the easements and site acquisition acquired by May 15th +- and then must provide site certification to the funding agency not later than May 22, 2012.**

I also would like for you to know and share with the Council if you deem appropriate, that both Keith Hardt and Allen Lewis have been as cooperative and as helpful as they could, assisting in the expeditious processing of site selection, easement identification and water transmission line routing. On behalf of this office and Beaufort County, we thank both of them for their efforts above and beyond the normal workload. Both are assets to the City and represent the City in a corporative responsible manner.

Thank you and the City for consideration of this matter and the expeditious processing of this request.

Sincerely,

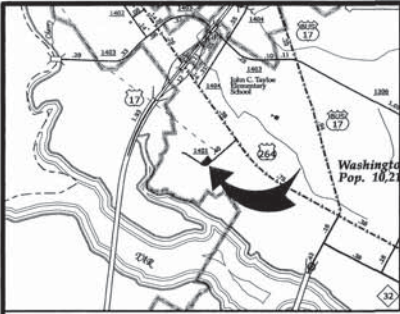
McDavid Associates, Inc.



Albert V. Lewis, Jr.
Farmville Office

avl

cc: Randell Woodruff (w/encl.)
Allen Lewis (w/encl.)
Keith Hardt (w/encl.)
Billy Mayo (w/encl.)
Curtis Jett (w/encl.)
Jim Chrisman (w/encl.)



VICINITY MAP

CENTROID: N= 662200
E=2573600

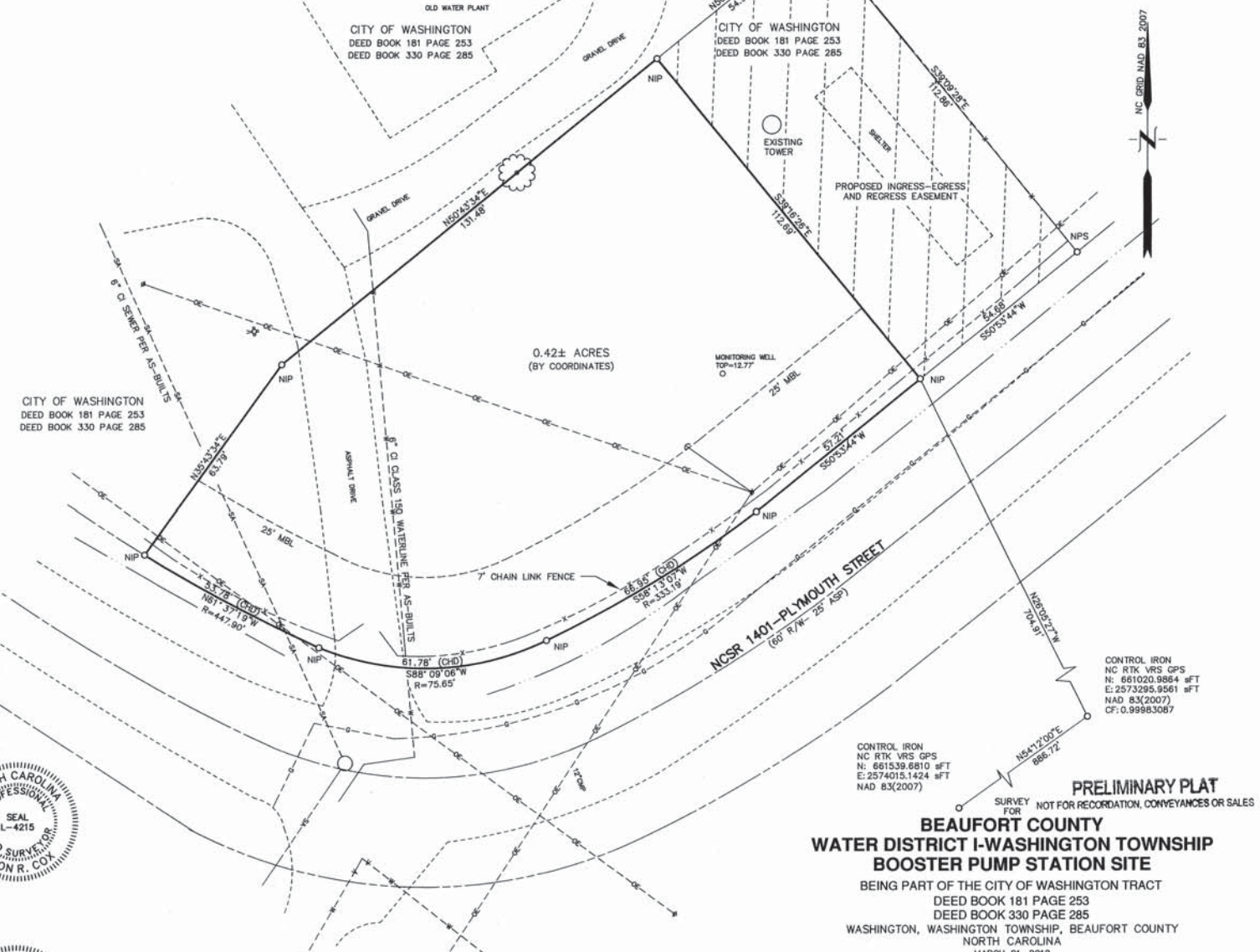
NOTE: DISTANCES SHOWN ARE HORIZONTAL GROUND MEASUREMENTS

NOTE: ZONED I2
SETBACK: 25' FRONT

NOTE: ACCESSORY USE

REVISIONS		
NO.	DATE	DESCRIPTION

- LEGEND**
- EIP = EXISTING IRON PIPE
 - EIR = EXISTING IRON ROD
 - EIA = EXISTING IRON AXLE
 - NIP = NEW IRON PIPE SET
 - EPK = EXISTING PARKER KALON NAIL
 - NPK = NEW PARKER KALON NAIL
 - RRS = RAILROAD SPIKE
 - N&C = NAIL AND CAP
 - NPS = NO POINT SET OR FOUND
 - ECM = EXISTING CONCRETE MONUMENT
 - NCM = NEW CONCRETE MONUMENT
 - R/W = RIGHT-OF-WAY
 - CL = CENTERLINE
 - CC = CONTROL CORNER
 - MBL = MINIMUM BUILDING LINE
 - AG = ABOVE GROUND
 - BG = BELOW GROUND
 - FWG = FLUSH WITH GROUND
 - OE = OVERHEAD ELECTRICAL
 - ⊙ = EXISTING 36" PINE
 - G = EXISTING GAS LINE
 - SA = EXISTING SANITARY SEWER LINE
 - W = EXISTING WATER LINE
 - = EXISTING CHAIN LINK FENCE



State of North Carolina
County of BEAUFORT

I, Simon R. Cox,
Review Officer of BEAUFORT County,
certify that the map or plat to which
this certification is affixed meets all
statutory requirements for recording.

REVIEW OFFICER _____ DATE _____

I, SIMON R. COX,
Professional Land Surveyor No. L-4215,
certify that the survey is of another
category, such as the recombination of
existing parcels, a court-ordered survey,
or other exception to the definition of
subdivision.

Simon R. Cox
SIMON R. COX
L-4215

I, SIMON R. COX,
certify that this plot was drawn
under my supervision from an actual
survey made under my supervision
(deed description recorded in
Book 181, Page 253,
etc.) (other); that the boundaries
not surveyed are clearly indicated as
drawn from information found in
Book N/A, Page N/A;
that the ratio of precision as calculated
is 1 : 10,000; that
this plot was prepared in accordance
with G. S. 47 - 30 as amended.
Witness my original signature,
registration number and seal this
21ST day of MARCH, A.D., 2012.

Simon R. Cox
SIMON R. COX
L-4215

Surveyed by : SRC
Drawn by : SRC



Approved, Not Subject To
Subdivision Regulations

Subdivision Administrator _____ Date _____

- Public Acquisition
- Combination or Recombination
- Parcels Greater Than 10 Acres
- Gift by Property Owner
- Heirs Property, Settlement of Estate

CONTROL IRON
NC RTK VRS GPS
N: 661539.6810 aFT
E: 2574015.1424 aFT
NAD 83(2007)
CF: 0.99983067

PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES OR SALES

BEAUFORT COUNTY
WATER DISTRICT I-WASHINGTON TOWNSHIP
BOOSTER PUMP STATION SITE

BEING PART OF THE CITY OF WASHINGTON TRACT
DEED BOOK 181 PAGE 253
DEED BOOK 330 PAGE 285
WASHINGTON, WASHINGTON TOWNSHIP, BEAUFORT COUNTY
NORTH CAROLINA
MARCH 21, 2012

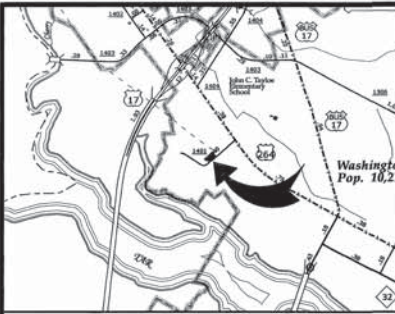
SCALE IN FEET : 1" = 20'



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Project No. : 1-12-0304-8112 Map file reference : B-1726 ORANGE

W:\Doc\app\1044..._app\10447.LD\2012-0304-8112.BCND 1 BPS Sta\app\BPS Boundary.dwg
 Layout: BPS Boundary April 5, 2012, 10:25:45am
 Plotted: Thursday, April 5, 2012, 10:25:45am



VICINITY MAP

LEGEND

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State of North Carolina
County of BEAUFORT

I, Simon R. Cox,
Review Officer of BEAUFORT County,
certify that the map or plat to which
this certification is affixed meets all
statutory requirements for recording.

REVIEW OFFICER DATE

I, SIMON R. COX,
Professional Land Surveyor No. L-4215,
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category, such as the recombination of
existing parcels, a court-ordered survey,
or other exception to the definition of
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Simon R. Cox
SIMON R. COX
L-4215

I, SIMON R. COX,
certify that this plat was drawn
under my supervision from an actual
survey made under my supervision
(deed description recorded in
Book 330, Page 285,
etc.) (other); that the boundaries
not surveyed are clearly indicated as
drawn from information found in
Book N/A, Page N/A ;
that the ratio of precision as calculated
is 1 : 10,000 + ; and that
this plat was prepared in accordance
with G. S. 47 - 30 as amended.
Witness my original signature,
registration number and seal this
4TH day of APRIL, A.D., 2012.

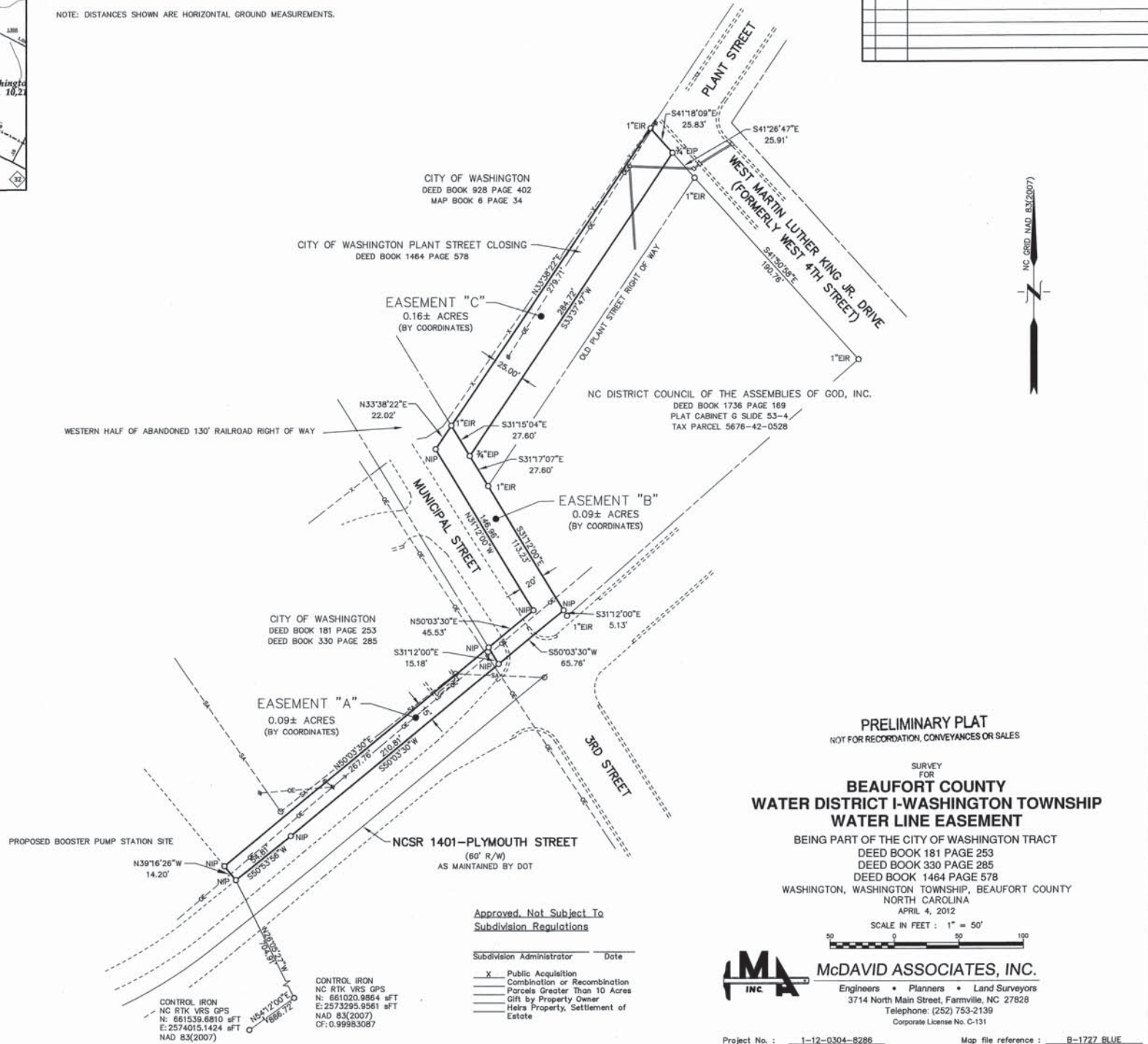
Simon R. Cox
SIMON R. COX
L-4215

Surveyed by : SRC
Drawn by : SRC

CENTROID: N= 662400
E=2573900

NOTE: DISTANCES SHOWN ARE HORIZONTAL GROUND MEASUREMENTS.

REVISIONS		
NO.	DATE	DESCRIPTION



PRELIMINARY PLAT
NOT FOR RECORDATION, CONVEYANCES OR SALES

SURVEY FOR
**BEAUFORT COUNTY
WATER DISTRICT I-WASHINGTON TOWNSHIP
WATER LINE EASEMENT**

BEING PART OF THE CITY OF WASHINGTON TRACT
DEED BOOK 181 PAGE 253
DEED BOOK 330 PAGE 285
DEED BOOK 1464 PAGE 578
WASHINGTON, WASHINGTON TOWNSHIP, BEAUFORT COUNTY
NORTH CAROLINA
APRIL 4, 2012

SCALE IN FEET : 1" = 50'



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Drawing: W:\dbs\open\1084\map\10847.LD\2012-0304-8286 B2WD 1 Plant 3rd.dwg\Examined Survey.dwg
 Layout: Easement Survey April 5, 2012, 10:26:12am
 Plotted: Thursday, April 5, 2012, 10:26:12am



City of Washington

P. O. Box 1988, Washington, NC 27889-1988

MEMORANDUM

DATE: March 1, 2012
TO: Mayor Jennings & Members of City Council
FROM: John Rodman, Planning & Development
RE: Extra-Territorial Jurisdiction Reduction

Extraterritorial jurisdiction (ETJ) is the legal ability of a government to exercise authority beyond its normal boundaries.

What is an ETJ?

Extraterritorial Jurisdiction (ETJ) is a zoning "overlay" that allows a town to zone areas outside its limits in order to plan for future growth. In North Carolina, the state gives municipalities broad powers to control planning and growth for up to three miles beyond their borders (up to one mile for smaller towns). NC General Statute 160A-360(b) provides that the area chosen must be based on "existing or projected urban development and areas of critical concern to the city, as evidenced by officially-adopted plans for its development." Smaller towns are less likely to have ETJs than larger cities, but most North Carolina towns have taken advantage of the statutory authority to exercise extraterritorial zoning.

Staff has been asked to investigate the procedure for possible reduction of the Extraterritorial Jurisdiction (ETJ) in the Washington area as requested. The areas for the proposed reduction in ETJ limits are indicated on the map. Staff recommendation is that the ETJ relinquishment be limited to these areas. The adjustment will more accurately reflect the potential future growth patterns and utility service areas of the City of Washington.

In researching this, it was determined that there is a procedure that is driven by the North Carolina General Statutes, and that the following schedule is being suggested for Council consideration:

- 1) Present report to City Council
- 2) Planning Board Public Hearing

3) City Council Public Hearing/Adopt Resolution

4) Establish effective Date for Offer to Relinquish

The North Carolina General Statute essentially provides for a sixty-day period during which the City would maintain zoning jurisdiction over the area or until the regulation of the area is adopted by the County, not to exceed 60 days.

A motion is needed to allow staff to proceed with the investigation of a possible reduction in the City's ETJ and approve the schedule as submitted.