



Albemarle-Pamlico National Estuary Program

Public Involvement Office

Michael F. Easley
Governor

William G. Ross Jr.
Secretary
Department of
Environment and
Natural Resources

Gregory J. Thorpe, Ph.D.
Acting Director
Division of Water Quality

Guy Stefanski
Program Coordinator

Joan Giordano
Outreach Coordinator

MEMORANDUM

TO: Tar-Pamlico River Basin Regional Council Members

FROM: Joan Giordano, Outreach Coordinator

SUBJ: Next Meeting - January 18, 2002

DATE: January 9, 2002

Hi Folks:

This is to remind you of our next meeting scheduled for January 18th at the Vernon James Center, 207 Research Station Rd., Plymouth, NC. We will convene at 10:00 AM and plan to be adjourned by 12:00 noon.

As you can see from the enclosed agenda, we will be reviewing the status of two existing projects. Dr. David Lindbo will be giving an update on our demonstration project regarding alternative on-site wastewater treatment systems, and we'll discuss also, the progress being made with the exhibit for the Estuarium.

I look forward to seeing you on the 18th. Please drive safely and, as always, thank you for your continued commitment to protecting the beautiful and valuable natural resources of eastern North Carolina.



N. C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WATER QUALITY

943 WASHINGTON SQUARE MALL WASHINGTON, NORTH CAROLINA 27889 • PHONE: (252) 946-6481 EXT. 269 • FAX: (252) 975-3716
<http://h2o.enr.state.nc.us/nep>

THE ALBEMARLE-PAMLICO NATIONAL ESTUARY PROGRAM

Tar-Pamlico River Basin Regional Council
Vernon G. James Research & Extension Center
207 Research Station Road
Plymouth, North Carolina
January 18, 2002

AGENDA

10:00am	Welcome and Call to Order	Vice Chair Blount
10:05	Roll Call	Joan Giordano, APNEP
10:15	Consideration of Minutes from 10/19/01 meeting	Vice Chairman Blount
10:20	APNEP Demonstration Project - "Alternative On-Site Wastewater Treatment System"	Dr. David Lindbo, NCSU
11:15	Update on NC Estuarium Wetland Exhibit Project	Joan Giordano, APNEP
11:30	Public Comment	All
11:45	Plans for Next Meeting	All
12:00	Adjourn	



ATTENDANCE

TAR-PAMLICO RIVER BASIN REGIONAL COUNCIL

Vernon G. James Research & Extension Center
207 Research Station Road
Plymouth, North Carolina
January 18, 2002

<u>NAME</u>	<u>AFFILIATION</u>
1. Paul Blount	City of Rocky Mt (Nash Co.)
2. Joan Goodland	APNEP
3. JESSE A. SULLINS, JR	Granville County (Oxford)
4. Jimmy & Shanna	Guest
5. Timmy Thomas	Agriculture Person City
6. John Reed	Beaufort county municipal rep
7. Mark & Loretta	Wilson County
8. Grady M. Robbin	Wilson Co. Cash
9. Jeff Jarniss	Beaufort Co. Business
10. HARRY S. ODOM	NASH County
11. Norfolk Sugg	Edgecombe County
12. Mary Alsentrew	PTRF
13. Allan KIRKBAE	Warren Co
14. Betty Sandow	APNEP
15.	
16.	
17.	
18.	

1/18/02
T.P.R.B.R.C.

Army Corps Changes Wetlands Rules

By JOHN HEILPRIN : Associated Press Writer
Jan 15, 2002 : 8:05 am ET

WASHINGTON -- To conservationists, new government regulations on wetlands will allow homebuilders to put up single-family dwellings in flood plains and reroute miles of narrow streams. For developers, the Army Corps of Engineers' reduced requirements for speedy government approval of draining and filling permits is a long-overdue relaxation of changes ordered by Congress.

The regulations, announced Monday, revoke some requirements for winning expedited permits that the Clinton administration imposed on developers during its last year in office.

The rules were adopted without formal comment from the Interior Department, despite objections to several of the measures by the department's Fish and Wildlife Service. Its protests were not forwarded to the corps, said department spokesman Mark Pfeifle, and Interior Secretary Gale Norton sent word that she supported the new plan.

Instead of requiring acre-for-acre restoration on each project, for example, the new regulations state only that there be "no net loss" of wetlands in any of the corps' 38 U.S. districts, which are established on the basis of watersheds rather than state boundaries.

John Studt, chief of the corps' regulatory branch, said the new permit requirements "will do a better job of protecting aquatic ecosystems while simplifying some administrative burdens for the regulated public."

The National Association of Home Builders described the new permits as a positive first step, though it also said the process still was insufficiently streamlined. "This is the first time in the 25 years of the program that the corps has not added further limitations or more paperwork requirements," said Susan Asmus, a vice president for the group.

Left in place was a Clinton-era requirement that developers get a permit for any project involving more than a half-acre of wetlands. Until 2000, developers had to get government approval only if more than three acres of wetlands were affected. The new regulations eliminate some restrictions on development in flood plains and revoke a prohibition on filling more than 300 feet along any stream. Developers will be able to seek waivers allowing them to fill up to a half-acre of any stream that doesn't flow year-round.

"The inevitable result will be increased floods, more water pollution and greater loss of wildlife habitat," said Daniel Rosenberg, an attorney for Natural Resources Defense Council. Coal mines will have to get a written determination from a district engineer that dumping mine wastes in wetlands will have a minimal impact. Such fills will have to be replaced with new wetlands elsewhere.

The Fish and Wildlife Service complained in an Oct. 15 memo that the ecological effects of the changes had not been assessed adequately. The agency said it "does not believe the corps has sufficient scientific basis to claim" that the new, expedited permits will "cause only minimal impact on the nation's natural resources." Norton's staff "did not have enough time" to reconcile that memo with contrary remarks by the Office of Surface Mining, spokesman Pfeifle. Thus, no formal recommendation was made, he said.

1/18/02
T-P RBRC

09/11/01

EMC WATER QUALITY COMMITTEE MEETING

September 12, 2001

Archdale Building - Ground Floor Hearing Room

11:30 AM - 2:00 PM

Executive Order No. 1 mandates that the Chair inquires as to whether any member knows of any known conflict of interest or appearance of conflict with respect to matters before the Commission. If any member knows of a conflict of interest or appearance of conflict, please so state at this time.

11:30 AM - Opening Comments

Chairman Peterson

*Asterisk indicates consensus item, staff will not make a presentation unless one is requested

***1. Request for Approval of Two Water Supply Watershed Protection Ordinances in Compliance with the Water Supply Watershed Protection Act (NCGS 143-214.5) - (Action/Consensus Item) (Megan Owen)**

Wayne County and the Town of Gaston have submitted revised ordinances that meet or exceed the statewide Water Supply Watershed Protection Rules. Staff recommends that the Water Quality Committee approve these local Water Supply Watershed Protection Ordinances (attachment enclosed).

***2. Request for Permission to Proceed to the EMC for Proposing Reclassifications of: a Section of the Little Tennessee River in Macon and Swain Counties (Little Tennessee River Basin) to Class B; Swift Creek in Edgecombe, Franklin, Nash, Vance and Warren Counties (Tar-Pamlico River Basin) to ORW; Three Sections of the New River in Onslow County (White Oak River Basin) to SA (HOW); and, a Section of Southwest Creek in Onslow County (White Oak River Basin) to SC - (Action/Consensus Item) (Elizabeth Kountis)**

Feb 21
Hearing

Requests to reclassify these surface waters have been received by the Division of Water Quality. Studies show that these waters meet the qualifications for the reclassifications. The Water Quality Committee will be asked to grant permission to begin the rule-making process and to proceed to the full Commission in October for permission to send the proposed reclassifications to public hearing (attachment enclosed).

3. Request for Consideration of Major Variances from the Neuse River Riparian Area Protection Rules - (Action Items) (Bob Zarzecki)

Staff have reviewed two independent variance requests from the Neuse River Riparian Area Protection Rules and will present the variance requests to the Water Quality Committee for their consideration. The properties are known as James Andrew's Property (Durham) and George Fortune's Property (Cary). Please see the attached materials for more details concerning these variance requests (two attachments enclosed).

4. Request for Consideration of a General Major Variance for Airport Facilities - (Action Item) (John Dorney)

The staff will propose a General Major Variance for Airport Facilities to be considered for approval by the Committee. The proposed General Major Variance is patterned after the existing General Major Variance approved by the Committee on May 9, 2001 for residential development in the coastal counties. The proposed variance would allow staff to approve buffer impacts by airport facilities within the conditions of the variance and would remove the need for review and approval by the WQC for these projects. Staff believe that the variance is needed due to widespread concern about permitting delays for

West

1/18/02
T-PRBRC

Update on NC Estuarium Wetland Exhibit Project

Tom Stroud reports that he has been in contact with the designer in Raleigh on several occasions for the past two weeks in anticipation of today's meeting. The exhibit is in the preliminary design phase, which requires a great deal of planning and consideration. Once the design phase is mastered the building of the exhibit itself will flow much easier.

He did not feel he had enough concrete information to present to the council today but will keep us informed as things progress.

bds/(1/17/02)

09/11/01

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Albemarle-Pamlico National Estuary Program

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MEMORANDUM

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Gregory J. Thorpe, Ph.D.
Acting Director
Division of Water Quality

Guy Stefanski
Program Coordinator

Joan Giordano
Outreach Coordinator

TO: Tar-Pamlico River Basin Regional Council Members

FROM: Betty Sandow, Public Outreach Assistant

SUBJ: Announcement of Reclassification of Swift Creek

DATE: January 24, 2002

Hi Folks:

In follow up to Joan's comments at the January 18th meeting concerning the reclassification of Swift Creek, we are mailing the enclosed official announcement. The Environmental Management Commission (EMC) is very interested in receiving public comment pertaining to the proposed reclassification. If you are interested or potentially affected by the proposal, you are encouraged to read the entire announcement and make comments in the format described on page 2 under "How to Submit Comments."

If you need further information concerning this reclassification, you can contact Elizabeth Kountis, DENR-Division of Water Quality, Planning Branch at the address listed in the announcement. As always, thank you for your continued commitment to protecting the beautiful and valuable natural resources of eastern North Carolina.



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DIVISION OF WATER QUALITY

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<http://h2o.enr.state.nc.us/nep>

ANNOUNCEMENT

PROPOSED RECLASSIFICATION OF SWIFT CREEK WATERSHED: PUBLIC HEARING SET FOR FEBRUARY

The N.C. Department of Environment and Natural Resources on behalf of the Environmental Management Commission (EMC) will conduct a public hearing in order to receive public comments on the proposed reclassification of a section of Swift Creek (Nash County) in the Tar-Pamlico River Basin to the ORW (Outstanding Resource Water) classification. In addition, it is proposed that the ORW special protection measures, or management strategy, be implemented throughout the watershed of Swift Creek (Edgecombe, Franklin, Nash, Vance, and Warren Counties, Tar-Pamlico River Basin).

PUBLIC HEARING

Location: Nash Community College
Bldg. B, Room 101 (auditorium)
522 North Old Carriage Road
Rocky Mount, NC

Date: February 21, 2002

Time: 7:00 p.m.

GENERAL DEFINITION OF PROPOSED RECLASSIFICATION

The ORW designation is a classification intended to protect unique and special waters having excellent water quality and being of exceptional state or national ecological or recreational significance. To qualify, waters must be rated Excellent by DWQ, and have one of the following outstanding resource values: 1) outstanding fish habitat or fisheries; 2) unusually high level of waterbased recreation; 3) some special designation such as N.C. or National Wild/Scenic/Natural/Recreational River, National Wildlife Refuge, etc.; 4) important component of state or national park or forest; or 5) special ecological or scientific significance (rare or endangered species habitat, research or educational areas).

BACKGROUND OF RECLASSIFICATION REQUEST

A request for reclassification of Swift Creek was submitted by the Pamlico-Tar River Foundation. The purpose of this rule change is to provide supplementary protection for the resources and quality of these waters. Water quality studies conducted in 1996 and 1997 indicate that only an approximately 14-mile segment of Swift Creek, which traverses from S.R. 1003 to S.R. 1004 in Nash County, has excellent water quality. In addition, these studies combined with additional data revealed that this segment contains many important species that carry a variety of State and federal designations. This segment contains the Tar River spiny mussel, which is a federally and State listed endangered species. Thus, based on the water quality and existing resource values, this Swift Creek segment qualifies for the ORW designation.

The remainder of the creek's watershed also contains several important resources. This area contains a variety of species that carry varying State and federal designations. The red cockaded woodpecker and dwarf wedgemussel, which are federally (and in the case of the woodpecker also State) listed as endangered, are located in this area, as are three natural heritage areas, four natural communities recognized by the Natural Heritage Program (NHP), a wading bird rookery, and a natural area registered with the NHP.

WATERS TO BE AFFECTED BY PROPOSED RECLASSIFICATION

Due to the presence of the resource values in the watershed and the excellent water quality of the 14-mile segment, it is proposed that the ORW special protection measures, or management strategy, be implemented throughout the entire Swift Creek watershed, but only the 14-mile segment actually receive the ORW classification. The current and proposed classification of the 14-mile portion is Class C NSW and Class C ORW NSW, respectively. The waters within the remainder of the creek's watershed currently carry a variety of classifications, and these waters are proposed to receive a "+" symbol in the schedule of classifications for the Tar-Pamlico River Basin to signify designation of only the ORW management strategy. Nearly 207 river miles exist within the area to be affected by this proposal.

PROPOSED RECLASSIFICATION REGULATIONS

If reclassified, regulations that affect new development activities, wastewater discharges, landfills, and DOT activities would apply. However, there are no proposed discharges or significant proposed development according to the 13 local governments with jurisdiction in the proposed reclassification area (the above-mentioned five counties and the following towns/cities: Whitakers, Leggett, Rocky Mount, Henderson, Red Oak, Castalia, Dortches, and Centerville). More specifically, only the staff with the Town of Whitakers mentioned one specific development project (a 37 home subdivision) which they are uncertain will ever occur. Forestry, animal, dam/resource, and agricultural practices will not be affected. Please also note that all new activities within 50 feet of NSW waters in the Tar-Pamlico River Basin are subject to the currently existing Tar-Pamlico Basin Riparian Buffer Protection rules.

HOW TO SUBMIT COMMENTS

The purpose of this announcement is to encourage those interested in this proposal to provide comments. You may either attend the public hearing and make relevant verbal comments, or submit written comments, data or other relevant information by March 7, 2002. The Hearing Officer may limit the length of time that you may speak at the public hearing, if necessary, so that all those who wish to speak may have an opportunity to do so.

The EMC is very interested in all comments pertaining to the proposed reclassification. All persons interested and potentially affected by the proposal are strongly encouraged to read this entire announcement and make comments on the proposed reclassification. The EMC may not adopt a rule that differs substantially from the text of the proposed rule published in the North Carolina Register unless the EMC publishes the text of the proposed different rule and accepts comments on the new text (see General Statute 150B 21.2 (g)). The proposed effective date for the final rule pursuant to this hearing process is April 1, 2003 pending EPA approval. Written comments may be submitted to Elizabeth Kountis of the Water Quality Planning Branch at the address listed below.

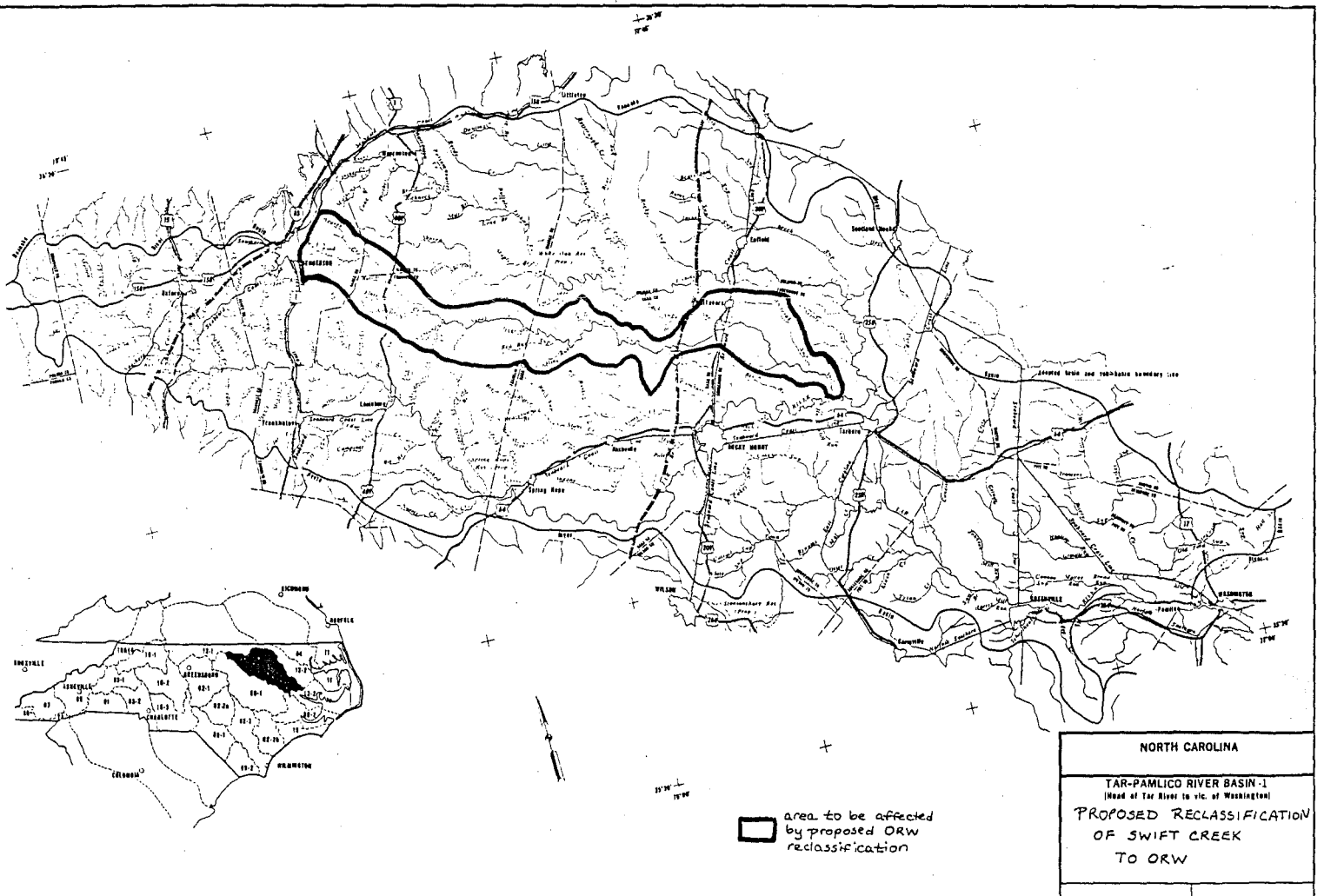
FOR ADDITIONAL INFORMATION

Existing Division of Water Quality rules are located on the internet at <http://h2o.enr.state.nc.us/Rules/ruleindex.html>. In addition, this announcement is located on the internet at <http://h2o.enr.state.nc.us/admin/pubinfo/pubinfo.html>. Further explanations and details on reclassifications may be obtained by writing or calling:

Elizabeth Kountis
DENR-Division of Water Quality, Planning Branch
1617 Mail Service Center, Raleigh, NC 27699-1617
(919) 733-5083, extension 369
Elizabeth.Kountis@ncmail.net

In the case of inclement weather on the day of the scheduled public hearing, please contact the above telephone number for a recorded message regarding any changes to the location, day or time of the hearing.

MAP OF WATERS PROPOSED TO BE RECLASSIFIED





Albemarle-Pamlico National Estuary Program

Public Involvement Office

MEMORANDUM

TO: Tar-Pamlico River Basin Regional Council Members

FROM: *Betty*
Betty Sandow, Public Outreach Assistant

SUBJ: Minutes of January 18, 2002 Meeting

DATE: February 1, 2002

Michael F. Easley
Governor

William G. Ross Jr.
Secretary
Department of
Environment and
Natural Resources

Gregory J. Thorpe, Ph.D.
Acting Director
Division of Water Quality

Guy Stefanski
Program Coordinator

Joan Giordano
Outreach Coordinator

Hi Folks,

Enclosed are the minutes from our last meeting held on January 18, 2002 at the Vernon James Research Center in Plymouth, NC. A sincere thanks goes out to Jeff Furness for his promptness in preparing the minutes for this mailing.

Also enclosed you will find an updated copy of the roster for your records. If you observe any incorrect information on the roster, please bring it to our attention.

Our next scheduled meeting is March 22, 2002 at 10:00AM. It will be held at the Nash County Agricultural Building in Nashville, NC. Our thanks to Larry Odom for arranging the meeting place. The agenda along with directions will be mailed as the meeting date draws closer.

Thank you for your continued participation and commitment to protecting the beautiful and valuable natural resources of eastern North Carolina. I look forward to seeing you all on March 22.



N. C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
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Tar-Pamlico River Basin Regional Council
Vernon James Research Center
Plymouth, North Carolina

January 18, 2002

Minutes

The meeting was called to order at 10:10 am by Vice-Chairman Paul Blount. Joan Giordano called the roll, and there were 12 members and 2 staff present. Joan introduced Mr. Norfleet (Fleet) Sugg, a new TPRBRC member from Pinetops, representing Edgecombe County. The minutes from the October 19, 2001 meeting were moved to be accepted, and the motion was seconded and passed.

The meeting was then turned over to Dr. David Lindbo, Associate Professor of Soils with N.C. State University and the N.C. Cooperative Extension Service, based out of the Vernon James Research Center in Plymouth. Dr. Lindbo gave a PowerPoint presentation of "Evaluation of a Peat Biofilter Treatment System". He stated that the basic problems of septic systems in Eastern North Carolina are high water tables, high soil clay content, and lack of maintenance by homeowners.

Dr. Lindbo then described by drawings and photos the peat biofilter treatment system that he is researching. He currently has four systems in the ground in New Hanover, Dare and Gates Counties, and is the type of system that our Council has given him a grant to install somewhere in the lower Tar-Pamlico River Basin.

Next Dr. Lindbo presented the history and status of the Tar-Pamlico project. He found a homeowner contact in Pitt County in September 2000. The current septic system was failing with sewage sometimes appearing on the ground. It was a wet site and had a limited repair area. There was a controversy over who was responsible for the failure of the system, and the homeowner hired a lawyer and a consultant. Eventually it was resolved, and in the fall of 2001 a contractor bid the peat mound system for \$24,000. Our Council was going to pay \$8,000 toward the cost. In the last week or so, the homeowner has abandoned the project in favor of forcing the City of Greenville to extend sewer service to his area.

A discussion was then held to decide what the Council wanted to do regarding this alternative septic system grant. It was decided to ask Dr. Lindbo to proceed with haste in efforts to work with county health departments to locate another homeowner.

The next agenda item was an update on the N.C. Estuarium Wetland Exhibit project. Tom Stroud of the Estuarium staff has been in contact with an exhibit designer in Raleigh, and the exhibit is currently in the planning and design phase. PCS Phosphate has also given their \$5,000 pledge for the project.

During the public comment part of the meeting, items briefly discussed were the proposed reclassification of a part of Swift Creek in Nash County to ORW, and the new Corps of Engineers nationwide permit wetland rules.

The next meeting was set for March 22, possibly in Nashville. The meeting was adjourned at 12:25 pm.

TAR-PAMLICO RIVER BASIN REGIONAL COUNCIL

BEAUFORT

County Representative
VACANT

Municipal Representative
Jeffery Peed
404 Pearl Circle
Aurora, NC 27806
H - 252-322-4388

Conservation
Mary Aisentzer
POB 1854
Washington, NC 27889
W - 252/946-7211
Fax - 252/946-9492
Info@ptrf.org

DARE

County Representative
Jenny Gray
PO Box 1308
Manteo, NC 27954
H - 252-473-2747

Municipal Representative
VACANT

Commercial fishing
VACANT

EDGECOMBE

County Representative
Norfleet "Fleet" Sugg
203 North 3rd Street
POB 25
Pinetops, NC 27864
(252) 827-4815 (H)

Municipal Representative
VACANT

Business/Industry
VACANT

FRANKLIN

County Representative
Matthew Livingston, Planning Director
215 East Nash Street
Louisburg, NC 27549
919-496-2281 (H) / 919-496 -2909 (O)
919-496-2637 Fax
mlivingston@co.franklin.nc.us

Municipal Representative
Joseph Shearon
Town Council
203 Tucker Drive
Louisburg, NC 27549
919-496-3256

Conservation
Mary Jane Jennings
566 Jones Chapel Rd.
Louisburg, NC 27549
919-853-2917

GRANVILLE	<p>County Representative Jason Falls PO Box 906 Oxford, NC 27565 W - 919-603-1355 / H - 919-603-6986 Fax - 919-690-1766 recycle@granvillecounty.org</p>	<p>Municipal Representative Jesse Sullins 109 Pine Cone Drive Oxford, NC 27565 (919) 693-9784</p>
	<p>SWCD VACANT</p>	
HALIFAX	<p>County Representative Robert Whitaker 112 McDaniel St. Enfield, NC 27823</p>	<p>Municipal Representative VACANT</p>
	<p>Recreational fishing or tourism VACANT</p>	
HYDE	<p>County Representative VACANT</p>	<p>Municipal Representative VACANT</p>
	<p>Commercial Fishing VACANT</p>	
MARTIN	<p>County Representative J.H. Dixon PO Box 408 Robersonville, NC 27871 252-795-3921</p>	<p>Municipal Representative</p>
	<p>Silviculture VACANT</p>	
NASH	<p>County Representative Larry Odom 120 W. Washington Street Suite 2110 Nashville, NC 27856 252-459-1212 Fax: 252-459-1381 Larry.Odom@ncmail.net</p>	<p>Municipal Representative Paul Blount City of Rocky Mount P.O. Box 1180 Rocky Mount, NC 27802-1180 252-972-1290 blount@ci.rocky-mount.nc.us</p>
	<p>Agriculture Warnell Joyner 12030 East NC 97 Rocky Mount, NC 27803 252-442-7615</p>	

PAMLICO	County Representative Will not be sending a representative	Municipal Representative William Crow Town Manager City Hall P.O. Box 472 Oriental, NC 28517
	Environmental Science VACANT	
PERSON	County Representative Eugene Berryhill 668 Berryhill Road Roxboro, NC 27573 (336) 599-5234 (H)	Municipal Representative Eugene Keen POB 128 Roxboro, NC 27573 H - (336) 599-7070 W -(336) 599-3116 Eugenek@esinc.net
	At-large Timmy Thomas 8181 Oxford Rd. Timberlake, NC 27583 336-503-0457	
PITT	County Representative Dan Wynne County Planning Board 1574 Mason School Rd. Stokes, NC 27884 252-830-6323	Municipal Representative VACANT
	Environmental Science VACANT	Business/Industry Jeff Furness PCS Phosphate Co. P.O. Box 48 Aurora, NC 27806 252-322-8249 jfurness@pcsphosphate.com
VANCE	County Representative Deborah F. Brown 2640 Rice Road Henderson, NC 27536	Municipal Representative Nancy Wilson 143 lake Haven Road Henderson, NC 27536 W - 252-438-7163 H - 252-492-1554
	Recreational fishing or tourism VACANT	

WARREN

County Representative
Allen Kimball
Executive Director
Co. Economic Dev. Comm.
P.O. Box 804
Warrenton, NC 27589
252-257-3114

SWCD
VACANT

Municipal Representative
VACANT

WASHINGTON

County Representative
Lee Smith
County Manager
P.O. Box 1007
Plymouth, NC 27962
W - 252-793-5823
Fax - 252-793-1183
H - 252-793-5724
Cntymgr@plymouthnc.com

At-large
VACANT

Municipal Representative
Bunny Sanders
Box 217
Roper, NC 27970
W - 252-793-5527
Fax - 252-793-4086
H - 252-793-4086

WILSON

County Representative
Grady Robbins
4544 London Church Rd.
Elm City, NC 27822
(252) 237-8326 (W & H)

Agriculture
VACANT

Municipal Representative
Charles L. Smith, Sr.
911 Broad St.
Wilson, NC 27893
(252) 246-9805
csmith99@bbnp.com