



PROPOSED AGENDA
Bermuda Run Town Council Meeting
Tuesday, July 13, 2021
6:00PM

Bermuda Run Town Hall

Mission: "The Town of Bermuda Run exists to provide core public services that enhance the quality of life for its residents and an environment for the business community to thrive".

1. Call to Order

2. Pledge of Allegiance

3. Moment of Silence

"It is the intent of the Town Council to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity for a reflective moment of silence."

4. Adoption of the Agenda

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

5. Approval of the June 8, 2021 Town Council Meeting Minutes

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

6. Citizens' Comments

7. Update – Davie County Sheriff JD Hartman

Sheriff Hartman will provide an update of the community officer program agreement with the Town.

8. Proposed Action Items

A. Bermuda Run Phase II Drainage Analysis

The Phase I Drainage Analysis now complete provided a database framework for drainage infrastructure, hydrologic analysis, hydraulic analysis of Bridge Street crossing and ponds, hydraulic analysis at Fescue Drive and through Warwicke area. As was previously communicated, the Phase II will create a complete database framework for drainage infrastructure to include Bing Crosby Boulevard and Bermuda Village areas to Bridge Street and further understand any potential drainage impacts from future development along east side of NC 801 South. The Phase II Analysis is proposed to be complete at a fixed cost of \$12,000. It is recommended the proposal be expended from the Utility Fund.

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

9. Council / Mayor Comments

10. Town Manager Comments

11. Adjourn

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

Town of Bermuda Run

Town Council Meeting Minutes

June 8, 2021 – 6:00 PM

The Town Council of Bermuda Run held its scheduled meeting on Tuesday, June 8, 2021 at 6:00 PM. The meeting was held at the Bermuda Run Town Hall.

Council Members Present: Mayor Rick Cross, Heather Coleman, Curtis Capps, Mike Ernst, Chris Fowler, and Ken Peacock

Council Members Absent:

Also Present: Lee Rollins, Town Manager; Cindy Poe, Town Clerk; Brian Williams, Attorney

Call to Order Mayor Rick Cross called the meeting to order.

Pledge of Allegiance

Moment of Silence

It is the intent of the Town Council to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity for a reflective moment of silence.

Adoption of the Agenda

Council Member Mike Ernst made a motion to approve the agenda. Council Member Curtis Capps seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Approval of the May 11, 2021 Town Council Meeting Minutes

Council Member Heather Coleman made a motion to approve the May 11, 2021 meeting minutes. Council Member Chris Fowler seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Public Comments –

Gary LeBlanc of 168 Warwicke Place in Bermuda Run spoke about ongoing stormwater issues in his neighborhood and the hopes that funds from the American Rescue Plan Act could help with the long-term structural issues.

Derrick Wold, Director of the Davie County Public Library spoke of their strategic plan and a possible remote location in Bermuda Run.

Resolution Accepting American Rescue Plan Act of 2021 Funds: R2021-02

In anticipation of the availability of American Rescue Plan Act funds from the United States Government to be received through the State of North Carolina, the Town Council must vote to accept those funds. Council approval of R2021-02 meets that requirement. The Town of Bermuda Run is projected to have an available allocation of \$792,756.00 that will be in two separate installments one year apart. There will be strict guidelines provided for allowable use of the funds, and a separate bank account has been set up in order to maintain proper financial records for audits.

Council Member Mike Ernst made a motion to adopt the resolution as presented. Council Member Ken Peacock seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Council/ Town Manager/ Mayor Comments

Ken Peacock – Appreciates the large crowd at tonight's meeting and wants to be supportive of considering requests made by citizens' comments. Looking forward to what the Town can do with additional funds from the American Rescue Plan Act.

Curtis Capps – Thanked the speakers and everyone for attending the meeting. Excited about the allocation of funds.

Mike Ernst – Likes seeing larger crowd at the meeting; encouraged attendees to invite others saying it's important to be involved. Added that we have to be very responsible with how funds are utilized.

Chris Fowler – Echoed the other Council Members, thanking everyone for their participation.

Heather Coleman – Thanked everyone for their attendance and participation, adding that she's excited about the library plans. She attended the 10-year Celebration at WinMock on Saturday, June 5 and said it was a very fun event.

Lee Rollins – We've received approval for Pavement Lifecycle Program with LJB Engineering. All easements have been secured for the Blue Heron Trail and documents are being reviewed at the NC DOT.

Mayor Rick Cross –

- *10-year Celebration at WinMock on June 5 was a big success.*
- *Municipal Elections for November, 2021 – Filing period 7/2 – 7/16.*
- *Kelly Funderburk with the Register of Deeds Office will be at the July Council Meeting with a presentation.*
- *Summer Concert Series begins in August.*
- *Daniel Furniture celebrated their 85th anniversary this past Saturday – Long-standing Davie County business.*
- *Congratulated all 2021 high school graduates.*
- *Thanked everyone for their attendance at tonight's meeting adding that he's proud to be the mayor of such a great town.*

Adjourn

With no further business to discuss, Council Member Heather Coleman made a motion to adjourn. Council Member Ken Peacock seconded the motion. The motion was approved by a vote of five (5) in favor and none opposed.

Approved

Respectfully Submitted

Rick Cross, Mayor

Cindy Poe, Town Clerk

(8.A.)



TO: Town Council
FROM: Lee Rollins, Town Manager
DATE: July 13, 2021
RE: Water Supply Watershed Protection & Stormwater Drainage

Overview:

The N.C. Environmental Management Commission and the Department of Environmental Quality have administered a Water Supply Protection Program since 1986. Initially, the program was administered voluntarily by counties and municipalities pursuing measures to protect their water supplies. The measures included limitations on the number and type of wastewater discharges allowed in the water supply watersheds. These limits were administered by the then Division of Water Quality, and in turn, local governments would adopt and enforce land use control ordinances to protect surface waters from stormwater runoff.

In 1989, the N.C. General Assembly ratified the Water Supply Watershed Protection Act (the Act), codified as General Statutes 143-214.5 and 143-214.6. The Act mandated the state Environmental Management Commission to adopt minimum statewide water supply protection standards by Jan. 1, 1991 and to reclassify all existing surface water supply watersheds to the appropriate classification by Jan. 1, 1992. These dates were modified by the General Assembly in 1991.

The Water Supply Watershed Protection Rules adopted in 1992 required that all local governments having land use jurisdiction within water supply watersheds adopt and implement water supply watershed protection ordinances, maps and management plans. The rules required all municipalities with a population greater than 5,000 to submit their adopted ordinances to the commission by July 1, 1993. Municipalities with populations less than 5,000 were to submit their ordinances by Oct. 1, 1993. All affected counties were scheduled to submit their ordinances by Jan. 1, 1994.

Davie County is subject to the state water supply watershed protection regulations established in G.S. 143-214.5 and established a program on January 1, 1994. The state granted Davie County the right to cover up ten percent of its watershed area outside of the critical area up to seventy percent built-upon in accordance with 15A NCAC 02B .0216. As of June 6, 2005, Davie County had an available allocation of 9,444 acres within the WS-IV protected area and administered the program.

In 2005, the Town of Bermuda Run established and began to administer its own zoning ordinance. Davie County then granted the Town 300 acres of its 10/70 allocation, *"to be used at the sole discretion of the town to enhance and encourage growth in eastern Davie County"*. Most of the zoning jurisdiction of the town is located within the WS-IV water supply watershed protected area. Development density requirements within the designated watershed, as outlined in Chapter 10.1 of the Town of Bermuda Run Zoning Ordinance, shall meet all applicable minimum requirements of the state watershed rule as contained in NCAC Section .0200, in general, and 15A NCAC 02B.0216 in particular.

The original section of Bermuda Run Country Club golf course and residential lots began to be developed in 1971. Although water supply watershed regulations from the state and handed down to counties and towns were not in place at the time, the area characteristic originated and remains low density development with an overall average of less than two residential units per acre. In the mid to

late 1980s, the Bing Crosby Boulevard and Bermuda Village sections of the Bermuda Run Country Club area began development.

The Town of Bermuda Run administers its Water Supply Water Shed Protection Program through its Zoning Ordinance. Chapter 10, Section 10.3 outlines requirements for stormwater mitigation:

- (A) Any development of greater than one (1) acre of disturbed area shall be subject to review by the NC Department of Environmental Quality (DEQ) for soil and erosion control approval. Any development outside of the Watershed Protected area is further subject to review by NCDEQ for compliance with the National Pollutant Discharge Elimination System (NPDES) stormwater program.
- (B) All stormwater detention and/or retention ponds and basins shall be designed as an integral part of the development site and shall be aesthetically pleasing (e.g., neatly landscaped, well-maintained, vegetated slopes, decorative fencing if fencing is used, etc.). Fencing of such facilities, when desired, shall be decorative and shall be in harmony with the overall character of the site.
- (C) Low impact design (LID) techniques for stormwater control are strongly encouraged. Applicants for developments choosing to utilize LID techniques shall refer to *Low Impact Development: A Guidebook for North Carolina* published by North Carolina State University and the North Carolina Cooperative Extension. Developments utilizing LID techniques may exceed the maximum parking ratios set forth in Section 4.3 of this Ordinance. A maintenance plan shall be provided for any development utilizing LID techniques.
- (D) Concentrated runoff from new ditches or manmade conveyances shall be converted to diffuse flow before the runoff enters any required buffer. To the maximum extent practicable, stormwater shall be designed to sheet flow across properties in a diffuse manner and, unless topography dictates otherwise, shall be discharged to surface flow as close as possible to the impervious surfaces creating the increased flow. Exceptions to this requirement may be made by the Town for permitted discharge into a Town or state-maintained stormwater collection system.
- (E) Periodic corrective action shall be required to restore diffuse flow as necessary to impede the formation of erosion gullies.
- (F) Ditches and vegetated conveyances shall be maintained to prevent erosion and to correct siltation and debris collection that impedes the ability of the conveyance to perform properly.

In 2009, as a result of increasing resident calls to Town Hall concerning stormwater issues within the Bermuda Run East Area, the Town Manager, the Town Engineer and the Town Attorney collaborated to develop a **Stormwater Statement of Philosophy** for Town Council consideration.

“Stormwater responsibilities in the Town are a combination of public and private interests. Specifically, the public responsibility centers on public safety, publicly owned assets, street maintenance and rights-of-way maintenance. Private interests entail those areas of stormwater exposure on private property or between different private entities

From time to time, the Town might consider possible participation in a private project if it is in the best interest of the Town with respect to public health and safety and / or public assets. The Town may elect to proceed in conjunction with a private participant, so long as the Town’s participation is in conformity with established priorities.

Each property owner within the Town is responsible for the proper handling of stormwater on their respective properties and ultimately is responsible for any harm to adjoining property owners caused by their actions.”

To accomplish the goals set forth in the Statement of Philosophy, on January 12, 2010, the Town Council unanimously adopted the **Stormwater Management Policy**.

Purpose:

It is the policy of the Town of Bermuda Run that all stormwater drainage facilities within the public right-of-way must be properly maintained to ensure adequate efficiency of municipal stormwater systems. In order to accomplish this goal, under the direction of the Town Manager, the guidelines for such maintenance will be as follows:

General Regulations:

1. The Town of Bermuda Run shall maintain only the stormwater drainage facilities which are generally in the Town maintained street rights-of-way with exception to culverts and head walls under driveways within the rights-of-way; stormwater drainage facilities which are in permanent stormwater drainage easements conveyed to and accepted for maintenance by the Town; and stormwater drainage facilities which are on Town property. All other stormwater drainage facilities shall be the responsibility of the property owner(s).
2. When stormwater drainage facilities have been placed or will be placed by others within Town maintained rights-of-way or within other Town maintained stormwater drainage areas, the Town requires that an encroachment agreement be obtained and the Town also has the right to require such drainage facilities be removed or brought up to Town standards and specifications under the following conditions: 1) the facilities do not meet Town standards or requirements as determined by the Town Engineer; 2) where it is determined that these facilities are a detriment to Town streets or other Town property; 3) that the facilities endanger the public; and 4) where stormwater drainage facilities result in the need for frequent maintenance work or repairs. The removal or upgrading of such facilities and the cost of the removal and/or upgrading is the responsibility of the individual property owner. Stormwater drainage areas and facilities constructed in these areas to handle stormwater must be approved by the Town Manager or his designee.
3. The North Carolina Department of Transportation (NCDOT) is responsible for stormwater drainage facilities on NCDOT rights-of-way, easements or property.
4. The prioritization of corrective measures for the stormwater problems which are the responsibility of the Town will be based on the following criteria:
 - a. Loss of life; Reduction in Public Safety or Damage to Town Property
 - b. Major Property Damage
 - c. Potential for Major Property Damage
 - d. Minor Property Damage
 - e. Potential for Minor Property Damage
 - f. Minor Nuisance Flooding
 - g. Public/Private Partnering for Project
5. It is the Town's intention to be a good and responsible neighbor. Where there exists a storm water drainage problem which needs to be corrected, as determined by the Town, on public rights-of-way or on other Town maintained stormwater drainage facilities, and the adjoining or adjacent property owner(s) requests improvements over and above the minimum improvements which are necessary to mitigate said

problem as determined by the Town, then the Town has the discretion to allow the additional improvements be made with an agreement from the property owner(s) to be responsible for all additional costs associated with the improvements over and above the minimum necessary improvements. The Town will consider those requests based on the priority rating system and available funding. The Town may also request easement acquisition for these types of projects.

6. The Town's acquisition of Town maintained stormwater drainage easements and/or the cleaning, construction, or repair by the Town of stormwater drainage facilities does not constitute a warranty against stormwater hazards, including, but not limited to, flooding, erosion, or standing water.

The Town Council discussed the topic of Stormwater at its August 25, 2020 Agenda Meeting. The conversation came as a result of an August 6, 2020 rain event and letter from Warwicke Place Homeowners Association President, Gary LeBlanc.

On September 22, 2020, the Town Council reviewed a suggested stormwater approach by Town Engineer, John Grey and an Outline for Bermuda Run Drainage and Stormwater Planning, by LJB Engineering. The proposed focus was to better understand current flooding and erosion, provide updated information to govern future growth to avoid nuisance and prepare to comply with probable future stormwater regulations imposed by the State.

On October 27, 2020, the Town Council was provided a proposal from Grey Engineering, in association with LJB Engineering, to model stormwater conditions in the Yadkin Tributary Area 3, Phase I. The analysis and assessment was proposed to provide an important tool to allow private property owners and areas within the Town Right-Of-Way to better understand the areas of possible responsibilities of each. The Town Council approved the proposal unanimously at the November 10, 2020 Town Council meeting.

Grey Engineering and LJB Engineering completed the drainage analysis and presented to the Bermuda Run Town Council for the June 22, 2021 Council Agenda Meeting. The report is provided for review.

The Phase II drainage analysis, as was described in Phase I information, will incorporate the Bing Crosby Boulevard area to include Hamilton Court, Bermuda Village and Saint George Place. The analysis and design work is proposed at a fixed fee of \$12,000. LJB can begin within two weeks of a notice to proceed. They anticipate approximately 90 days to perform the scope of services

I am recommending the \$12,000 be assigned to the Utility Fund.



July 7, 2021

Lee Rollins
Town Manager
Town of Bermuda Run
120 Kinderton Blvd, Suite 100
Bermuda Run, NC 27006

Re: Bermuda Run Phase 2 Drainage Analysis

Dear Mr. Rollins:

LJB is pleased to offer our professional engineering services to perform hydrologic and hydraulic analyses of a portion of the existing drainage conveyance system in Bermuda Run to assess flooding frequency and extent.

SCOPE OF SERVICES

LJB is prepared to offer professional services for the development of Phase 2 Drainage Analysis outlined in the attached Scope of Services document. The project area is shown in Figure 1 and encompasses the Bermuda Run locations prioritized for additional drainage analysis following the completion of the Phase 1 effort.

LJB can begin within two weeks of a notice to proceed. We anticipate between 90 days to perform the scope of services.

BUDGET

We propose to provide the structure analysis and design services, as outlined in the attached scope of services, to be billed as **Fixed Fee with budget of \$12,000.00.**

Thank you for your confidence in LJB Inc. and we look forward to continuing to work with the Town to assess drainage and stormwater concerns.

Sincerely,
LJB Inc.

Roberto Canales, P.E.
Vice President

cc: Cindy Lancaster
Enclosure



SCOPE OF SERVICES

Project name: Bermuda Run Phase 2 Drainage Analysis

Client name: Town of Bermuda Run

Date: July 7, 2021

LJB Inc. has developed a detailed scope of services including project understanding, deliverables, exclusions, assumptions and project constraints. The project area is shown in Figure 1 and encompasses the Bermuda Run locations prioritized for additional drainage analysis following the completion of the Phase 1 effort.

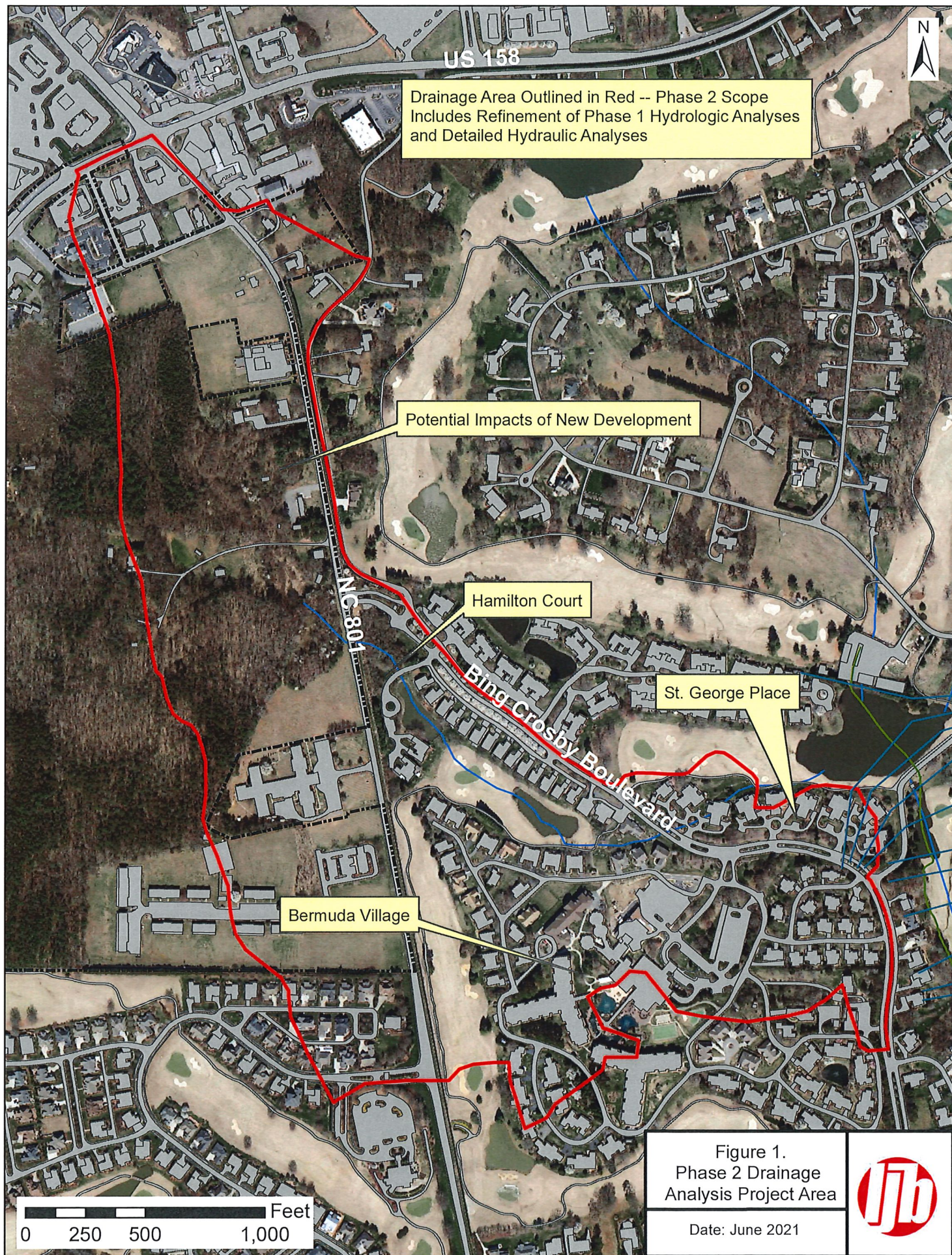
PROJECT SCOPE OF SERVICES

This project includes the following tasks for the hydrologic and hydraulic analysis effort:

1. Coordinate with Grey Engineering for the collection of some additional survey information on pipe crossings under NC 801 and other drainage infrastructure that may not yet have been captured west of NC 801.
2. Visit the areas within the Phase 2 study area not yet viewed or photographed by LJB staff.
3. Refine the hydrologic analysis in HEC-HMS to develop specific inflow hydrographs for analyses of pipe systems and overland flow in the this subwatershed designated for hydraulic analysis. These characterizations will continue to be compiled in GIS shapefiles as a long-term record of model parameters. A 6-hour frequency storm will be used as the design storm. The peak discharges will also be compared to peak discharges estimated using the Rational Method. The range of modelled storms for which hydrographs will be developed will include a 50% annual chance (2-year) up to a 1% annual chance (100-year) storm, as well as the storm event of August 6, 2020.
4. Perform analyses of the pipe networks within the project area in SSA for the range of storms that can be conveyed through the network.
5. Develop a two-dimensional HEC-RAS model of areas which require analysis of overland flow when the pipe capacities are exceeded.
6. Coordinate the analyses from the SSA and HEC-RAS models for consistent results between the two. This may require several iterations.
7. Develop a report of the results of the existing drainage system analyses in regard to flooding frequency and extent, inclusive of maps, figures, and recommendations on further study for potential improvements.
8. Compile an electronic data record of the analysis effort, inclusive of GIS files for the model parameters and the SSA results. HEC-RAS model files will be zipped and kept as part of the electronic records.

ASSUMPTIONS AND LIMITATIONS

1. Field survey information to be provided by Client.
2. No permitting or design is included within project scope.
3. Project area for hydraulic analyses, inclusive of more refined hydrologic analysis, is shown on Figure 1 (attached).

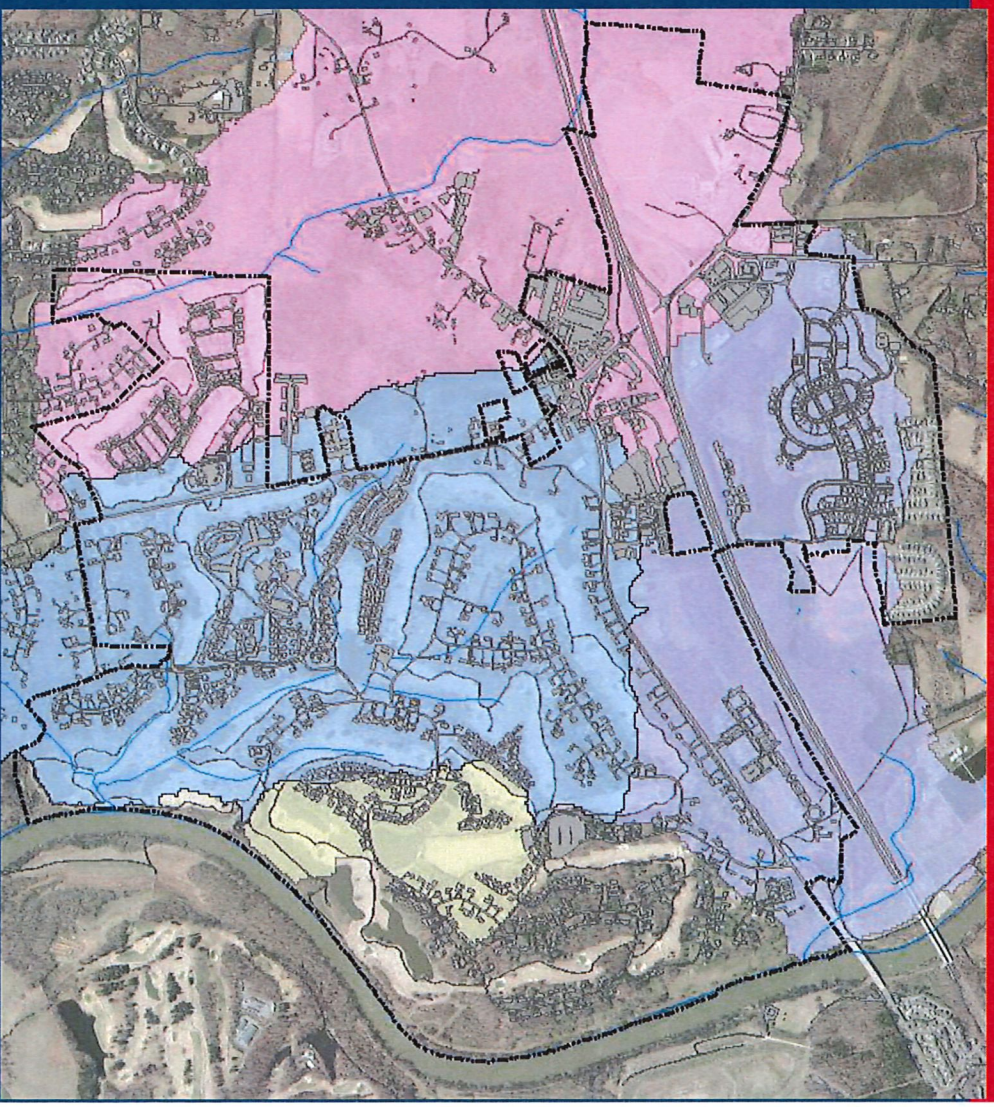


Phase 1 Summary

- > *Established Drainage Database Framework*
- > *Comprehensive Survey Information for Phase 1 watershed area*
- > *Refinement of FEMA's model for Yadkin River Trib 3*
- > *Analysis of conveyance through pond & Bridge Street*
- > *Hydrologic analysis for Phase 1/Trib 3 watershed*

Future Phases

- > Hamilton/West of Bing Crosby
- > Other Areas Downgradient of Potential Development Sites
- > Areas with Existing Drainage Concerns:
 - > Flooding
 - > Erosion
 - > Failing Infrastructure
- > *Enhancing Stormwater Policies*



GREY
ENGINEERING, INC.



Bermuda Run Drainage Analysis Report: Frequently Asked Questions (F.A.Q.s)

What is the difference between the Town's Stormwater Drainage Policy and the state required Watershed Protection Ordinance?

The Town's Stormwater Drainage Policy addresses issues related to the existing drainage infrastructure within the Town. Davie County's Watershed Protection Ordinance is applied within the Town in terms of regulating new development. Except for some developments which were planned and permitted prior to incorporation of the Town, development sites are limited to 24% impervious cover unless protective stormwater quality control measures are included as part of the site development. This limit applies throughout the Town per NCDEQ requirements for Watershed IV areas and MS4 Phase 2 NPDES areas.

What is the difference between "hydrologic" and "hydraulic" analysis of stormwater drainage?

Hydrology is the study of rainfall and water, especially its movement, in relation to land. Hydrologic analyses estimate the quantity and rates of surface water runoff for a particular rainfall event, and the timing of the flow of runoff at a particular point of interest.

Hydraulic analysis typically involves computations of rates of flow through a pipe or channel network. More recent software also facilitates hydraulic calculations for surface water runoff across a land surface area. Hydraulic analyses are used to size new drainage pipes and channels or calculate conveyance capacities existing infrastructure. Sometimes the analyses also include estimates of maximum flood inundation elevations and areas for a specific rainfall event.

The report references 50% storm flows and 10% storm flows impacting underground stormwater pipes? What does that mean?

Flooding is analyzed in terms of risk of occurrence in any given year. So a 50% annual chance storm has a 50% chance of being equaled or exceeded in any given year. It is sometimes also referred to as a two-year storm, since theoretically it would occur an average of once every two years. A 10% annual chance storm event is estimated to have a 10% chance of being equaled or exceeded in any given year and has a 10-year "return period".

Rainfall patterns are not very consistent over time. Thus, FEMA has adopted and prefers to use the "annual chance risk" in referring to storms. What used to be called the 100-year storm is now labelled on FEMA mapping as the 1% annual chance storm.

I've heard that the reason the stormwater flooding issues have increased over time is because of all the development on US 158 and the NC 801 intersection. Is that true?

The Phase 1 drainage study did not specifically compare past vs. present flow rates or drainage system performance. Although a portion of the developed areas on US 158 and at the NC 801 intersection drain towards the lake above Bridge Street, none of those areas are drained through the Warwicke neighborhood. Runoff from the developed sites within the Phase 1 watershed along US 158 and at the NC 801 intersection flows through the golf course ponds between

Riverbend Drive and Ivy Circle. Those ponds provide substantial flood detention and thus significantly dampen the peak flood flows from the upstream areas.

I've heard that when Bermuda Run Country Club started cutting down a lot of trees along the golf course that this created the flooding issues for residents. Is that true?

Although heavily forested areas do capture a lot of rainfall and generally have lower rates of runoff relative to developed areas, it is unlikely that cutting trees along a golf course area would cause a significant increase in runoff if the area remains well-vegetated with grasses, shrubs, etc.

Is there a cost-effective strategy to eliminate all flooding?

No. It is not cost-effective to eliminate all flood risk. The conveyance capacity of most urban pipe networks is expected to be exceeded in storms more extreme than a 10% annual chance event, although culvert crossings under roads may be designed to handle larger events such as a 4% or 2% annual chance storm.

What is the difference between public stormwater drainage infrastructure and private stormwater drainage infrastructure?

Public drainage infrastructure are pipes and structures within public rights-of-way or on public properties such as schools, parks, offices, etc. In some municipalities, easements have been acquired for drainage infrastructure through private property and the terms of the easement may designate the infrastructure as public.

All other drainage infrastructure is considered private.

What is the current case law in North Carolina pertaining to stormwater drainage from property to property?

Three (3) basic doctrines or rules have been applied in North Carolina regarding decisions related to conflicts between property owners related to stormwater drainage:

The "Common Enemy Rule;"

The "Civil Law Rule," or Anti-Common Enemy Rule; and

The "Reasonable Use Rule."

Common Enemy Rule, the Civil Law Rule, and the Reasonable Use Rule

*The **Common Enemy rule** essentially states that surface water is an enemy that is common to all landowners. Under this rule each landowner is permitted to do what they will to alleviate the problem, and no other landowner will be responsible to another for problems caused by the flow of water. a landowner is privileged to use and improve his land for proper purposes even though the natural flow of surface water is thereby altered so long as he uses reasonable care to avoid causing unnecessary harm to others*

*The **Civil Law Rule** is quite the opposite: it states that an owner is liable to another owner when they change the natural flow of water on their land and it results in harm to the second owner.*

Both of these rules were softened over time and began to incorporate elements of reasonableness.

***Reasonable Use Rule.** This rule states that landowners are allowed to make reasonable use of their property, even if it results in harm to another landowner. Landowners will only be responsible for the damage they cause if the reason they changed the flow of surface water was unreasonable. However, in certain circumstances, even if the use of the land is reasonable, “[t]he gravity of the harm [to the plaintiff] may be found to be so significant that it requires compensation regardless of the utility of the conduct of the defendant.” In other words, even if you act reasonably, there are times when the damage that you cause could be so significant that it requires you to compensate another landowner whose property you have damaged.*

The above information was adapted from the Henderson County, NC website. Specific references to these rules in case law can be found here: <https://law.justia.com/cases/north-carolina/supreme-court/1977/48-0-2.html>