**Mayor**
M. Andy Moore

**Mayor Pro-Tem**
John A. Dunn

**Council Members**
Marlon Lee
David Stevens
Travis Scott
David Barbour
Stephen Rabil
Roger A. Wood

**Town Attorney**
Robert Spence, Jr.

**Town Manager**
Michael L. Scott

**Finance Director**
Greg Siler

**Town Clerk**
Shannan Parrish

SMITHFIELD
NORTH CAROLINA

# Town Council Agenda Packet

Meeting Date: Tuesday, February 4, 2020
Meeting Time: 7:00 p.m.
Meeting Place: Town Hall Council Chambers
350 East Market Street
Smithfield, NC 27577

**TOWN OF SMITHFIELD**
**TOWN COUNCIL AGENDA**
**REGULAR MEETING FEBRUARY 4, 2020**
**7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations: None

Public Hearings:

1. Noncontiguous Annexation Request by Johnston County (ANX-19-02): Consideration and request for approval to Adopt Ordinance #502 extending the corporate limits of the Town of Smithfield pursuant to NCGS 160A-58.2
(Planning Director – Stephen Wensman) See attached information.....1

2. RZ-20-01 Town of Smithfield: The applicant is requesting to rezone 5 tracts of land totaling approximately 66.59 acres from the RMH-CUD (Residential Manufactured Home Conditional Use District) to the R-10 (Residential) zoning district. The properties considered for rezoning are located on the southwest side of Barbour Road approximately 1,100 feet northwest of its intersection with Bella Square. The properties considered for rezoning are further identified as Johnston County Tax ID# 150781995, 15078199Q, 15078199I, 15078199T, 15078199V and 15078199W.
(Planning Director – Stephen Wensman) See attached information.....17

Citizens Comments

Consent Agenda Items:

1. Approval of Minutes:
   a. January 7, 2020 – Regular Meeting.....31

Page

2. Proclamation Supporting Arbor Day in the Town of Smithfield on Friday, March 20, 2020.
(Town Manager – Michael Scott) See attached information.....45

3. Career Ladder Promotion – Police Department: The Police Department is requesting approval to promote a Police Officer I to the rank of Police Officer II
(Chief of Police – R. Keith Powell) See attached information.....57

4. Consideration and request for approval to appoint Colleen Roby to the Downtown Smithfield Development Corporation's Board of Directors
(Town Clerk – Shannan Parrish) See attached information.....69

5. Consideration and request for approval of a budget amendment
(Finance Director – Greg Siler) See attached information.....75

6. Bid **Award to Barr's Recreation in the amount of $12,665.20 for the** procurement and installation of a Shade Shelter at the **b**oat ramp on the Town Commons
(Parks and Recreation Director – Gary Johnson) See attached information.....79

7. Consideration and Request for approval to adopt the Town Plan
(Planning Director – Stephen Wensman) See attached information.....85

8. New Hire Report
(HR Director/ PIO – Tim Kerigan) See attached information.....89

Business Items:

1. Consideration and **r**equest for approval to purchase two parcels of land on 210 Highway for Parks
(Parks and Recreation Director - Gary Johnson and Town Manager- Michael Scott)
See attached information.....91

2. Consideration and request for approval to replace one of the bridges on the Buffalo Creek Greenway
(Parks and Recreation Director - Gary Johnson) See attached information.....165

3. Consideration and request for approval for a budget amendment in the Electric Department
(Public Utilities Director – Ted Credle and Finance Director – Greg Siler)
See attached information.....171

4. Bid Award to the Wooten Company for Design Services for the Durwood Stephenson **w**ater line – Phase II
(Public Utilities Director – Ted Credle) See attached information

Page

5. Discussion concerning Dilapidated Building Ordinance #501
   (Town Attorney – Bob Spence & Planning Director – Stephen Wensman)
   See attached information.....189

6. Discussion concerning the Tire Storage Ordinance #503
   (Town Attorney – Bob Spence & Planning Director – Stephen Wensman)
   See attached information.....207

7. Consideration and request for approval to remove various signs throughout the Town as a part of the wayfinding project
   (Planning Director – Stephen Wensman & Town Manager Michael Scott)
   See attached information.....219

8. Discussion concerning the installation of the G1 Monumental Gateway Sign on Outlet Center Drive
   (Planning Director – Stephen Wensman & Town Manager Michael Scott)
   See attached information.....233

**Councilmember's Comments**

**Town Manager's Report**

- Financial Report.....237
- Department Reports.....241
- Manager's Report

Adjourn

# Public Hearings

# Request for Town Council Action

| | |
|---|---|
| Public Hearing: | Noncontiguous Annexation |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Non-contiguous Annexation Petition |
| Department: | Planning & Administration |
| Presented by: | Planning Director – Stephen Wensman |
| Presentation: | Public Hearing |

## Issue Statement

Johnston County has petitioned the Town to annex the 25.393-acre Johnston County Detention Center site into the Town of Smithfield.

## Financial Impact

Annexation will require Town to serve the County Facilities with police and fire protection and other Town services. Trash and yard pickup are not services provided to Institutional properties.

## Action Needed

The Town Council is asked to consider adoption of Ordinance #502 extending the Corporate Limits of the Town of Smithfield. This can be done immediately or within six months.

## Recommendation

Consider adopting Ordinance #502 Extending the Corporate Limits of the Town of Smithfield

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Ordinance #502
4. Legal Advertisement

# Staff Report

**Public Hearing Noncontiguous Annexation**

The Town of Smithfield received a petition to annex approximately 25.393 acres at the northwest, southwest, and to the north east of the intersection of US Highway 70 Business and Yelverton Grove Road, NC Pin#260300-67-6920.

The subject parcel is comprised of 3 detached sections:

1. 5.721 acres on the north west corner of US Highway 70 Business and Yelverton Grove Road,
2. 2.627 acres on the south west corner of US Highway 70 Business and Yelverton Grove Road, and
3. 17.836 acres located to the north east corner of US Highway 70 Business and Yelverton Grove Road.

Only the 17.836 acre section is proposed for future development of a County Detention Center; although the other sections are also included in the annexation.

At the January 7, 2020 meeting, the Town Council passed Resolution # 653 (02-2020), directing the Town Clerk to investigate the sufficiency of the petition should the Council wish to move forward with the annexation of the property into the corporate Town limits. The Town Clerk has investigated the petition and has determined it to be valid.

At the January 15, 2020 meeting, the Town Council approved Resolution # 654 (03-2020) setting the date for the Public Hearing.

Pursuant to NCGS 160A-58.2, the Town Council will accept public comments and consider adopting Ordinance # 502 extending the Corporate Limits of the Town of Smithfield. The Ordinance may be adopted immediately or within six months.

The Town Council has three options:

1. Approve the noncontiguous annexation petition and adopt Ordinance #502
2. Table the decision for no longer than 6 months
3. Deny the annexation petition

ANALYSIS:

Utilities. Smithfield will provide sewer and water utilities which are already adjacent to the site.

Police. The Town Police Department has indicated that they are able to service the area if annexed into the Town without much additional cost.

Fire Protection. The area is already within the Town's fire district.

Public Works. Trash and yard pickup are not services provided to Institutional properties.

Code Enforcement. Code Enforcement can provide enforcement without any additional cost.

Town of Smithfield
Planning Department
350 E. Market St. Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

# Annexation Petition

Submittal Checklist

| | | |
|---|---|---|
| **Please include all of the following (check off).** If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit: | | |
| ☒ | **Electronic Word document of the written metes and bounds** must be e-mailed to: Stephen.Wensman@smithfield-nc.com or Mark.Helmer@smithfield-nc.com. | |
| ☒ | **Survey or Plat** showing above written metes and bounds description of the property to be annexed must be submitted electronically in .pdf format, if possible. | |
| ☐ | **Copy of Approved Preliminary Site Plan or Final Site Plan** showing Town Permit number (Z-__-__, etc.) **or** N/A | **Copy of Subdivision Plat** submitted for lot recording approval with Town file number (S-____-___, etc.) N/A |
| ☒ | **Projected Market Value of Development** at build-out (land and improvements). | |
| ☒ | **General Annexation Area Data:** Linear feet of public streets, total annexation area acreage, number of proposed residential units or square footage of commercial space, type of utility connections involved, specific land uses proposed. | |
| ☒ | **This application form** completed, dated and signed by the property owner(s) and attested **submitted by the deadlines.** | |
| **Required, but often missing information. Please make sure to include the following:** | | |
| ☒ | **Correct Parcel Identification Number(s) (PIN).** Call Johnston County Geographic Information Services at 919-989-5153, if there is any question about the parcel identifier. **This is very important.** Please indicate if the property being requested for annexation is only a portion of an existing parcel. | |
| ☒ | **Owner's Signatures and Date of Signatures.** See page 3 of this application. All real property owners must sign the application, and the date of signature MUST be filled in! | |
| ☐ | **Corporate Seal** for property owned by a corporation. N/A | |
| ☒ | Rezoning Application, if the property is currently outside Town of Smithfield. | |

# Annexation Petition

Submittal Deadlines

Petitions for annexation are accepted by the Town of Smithfield Planning Department at any time. There is no fee required for submittal of an annexation petition. **The annexation will become effective immediately upon adoption of the annexation ordinance at the scheduled public hearing unless notified otherwise by the Town Clerk.**

(The Town of Smithfield reserves the right to make exceptions to this general processing schedule when necessary.)

## Summary Information / Metes and Bounds Descriptions

**Development Project Name**
Johnston County Detention Center (Jail)

**Street Address**
2879 US Highway 70 Business East

| **Town of Smithfield Subdivision approval #** | **Building Permit Transaction #** | **Site Plan approval # for multi-family** |
|---|---|---|
| (S-_____-_____) or | _____ or | (SP-_____-_____-_____) |

**Johnston County Property Identification Number(s)** list below

| | | |
|---|---|---|
| **P.I.N.** 260300-67-6920 | **P.I.N.** | **P.I.N.** |
| **P.I.N.** | **P.I.N.** | **P.I.N.** |

| **Acreage of Annexation Site** | **Linear Feet of Public Streets within Annexation Boundaries** |
|---|---|
| 25,393 | |

**Annexation site is requesting Town of Smithfield** Water and/or Sewer

**Number of proposed dwelling units** 600 Inmates

| **Type of Units:** | **Single Family** _____ | **Townhouse** _____ | **Condo** _____ | **Apartment** _____ |
|---|---|---|---|---|

**Building Square Footage of Non-Residential Space**
117,400

**Specific proposed use (office, retail, warehouse, school, etc.)** Jail & Administration Offices

**Projected market value at build-out (land and improvements) $** 50,000,000

**Person to contact if there are questions about the petition**

**Name**
Rick Hester, County Manager

**Address**
207 East Johnston Street, Smithfield, North Carolina 27577

| **Phone** | **Fax #** | **Email** |
|---|---|---|
| 919-989-5100 | 919-989-5179 | Rick.Hester@johnstonnc.com |

# Annexation Petition

**State of North Carolina, County of Johnston, Petition of Annexation of Property to the Town of Smithfield, North Carolina**

**Part 1** The undersigned, being all the owners of the real property described in this application respectfully request the annexation of said property to the Town of Smithfield , North Carolina. **The petitioners understand and agree that all streets and utilities within the annexed area will be constructed and installed by the developer according to the Unified Development Ordinance and any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners.** The property to be annexed is:

| | |
|---|---|
| ☐ | **Contiguous** to the present corporate limits of the Town Of Smithfield, North Carolina, or |
| ☒ | **Not Contiguous** to the municipal limits of the Town of Smithfield, North Carolina, not closer to the limits of any other municipality and is located within three miles of the municipal limits of the Town of Smithfield, North Carolina (pursuant to Chapter 989 of the Sessions Law of North Carolina, 1967) ☐ ☐ |

**Part 2** NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S.160A-385.1 or 153A-344.1 for properties subject to the petition.

Do you declare such vested rights for the property subject to this petition? Yes (No)

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

**Signed** this 20 day of December, 20 19 by the owners of the property described in Section C.

**Owner's Signature(s)**

Signature _____ Date 12-20-19

Signature _____ Date 12-20-19

Signature _____ Date _____

Signature _____ Date _____

**Corporate Seal**

**Print owner name(s) and information** Johnston County By

Name Rick Hester Phone 919-989-5100
Address 207 East Johnston Street, Smithfield, NC 27577

Name Ted Godwin Phone 919-989-5100
Address 207 East Johnston Street, Smithfield, NC 27577

Name _____ Phone _____
Address _____

Name _____ Phone _____
Address _____

**Above signature(s) attested by**

Received by the Town of Smithfield, North Carolina, this _____ day of _____ 20_____, at a Council meeting duly held.
**Signature of Town Clerk** _____

PROPERTY DESCRIPTION
PARCEL 15L11011
COUNTY OF JOHNSTON
PROPERTY DESCRIPTION
DECEMBER 19, 2019

17.045 ACRE PARCEL
BEGINNING AT A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301), AT THE SOUTHWESTERN CORNER OF THE PROPERTY OWNED BY RONNIE WAYNE GARDNER; THENCE SAID PK NAIL WITH THE SOUTHERN LINE OF RONNIE WAYNE GARDNER SOUTH 78 DEG. 41 MIN. 30 SEC. EAST 549.16 FEET TO AN EXISTING IRON STAKE; THE CORNER OF BEVERLY ALLEN SUTTON; THENCE WITH SAID PROPERTY LINE SOUTH 78 DEG. 40 MIN. 21 SEC. EAST 193.87 FEET TO AN EXISTING IRON STAKE; THENCE WITH THE WESTERN LINE OF LARRY COX SOUTH 01 DEG. 24 MIN. 14 SEC. WEST 1161.31 FEET TO AN EXISTING IRON STAKE IN THE NORTHERN RIGHT OF WAY OF U.S. HIGHWAY 70 BUSINESS; THENCE WITH SAID RIGHT OF WAY NORTH 69 DEG. 50 MIN. 28 SEC. WEST 760.39 FEET TO AN EXISTING IRON STAKE; THE SOUTHEASTERN CORNER OF MARJORIE LANGSTON TRUST; THENCE WITH LINES OF MARJORIE LANGSTON TRUST NORTH 18 DEG. 16 MIN. 45 SEC. EAST 684.94 FEET TO AN EXISTING IRON STAKE AND NORTH 69 DEG. 52 MIN. 43 SEC. WEST 330.09 FEET TO AN EXISTING RAILROAD SPIKE IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE WITH THE CENTER OF YELVERTON GROVE CHURCH ROAD NORTH 18 DEG. 16 MIN. 21 SEC. EAST 12.73 FEET TO A PK NAIL; THENCE NORTH 18 DEG. 54 MIN. 35 SEC. EAST 100.01 FEET TO A PK NAIL; THENCE NORTH 21 DEG. 14 MIN. 15 SEC. EAST 99.99 FEET TO A PK NAIL; AND NORTH 24 DEG 06 MIN. 40 SEC. EAST 88.56 FEET TO AN EXISTING PK NAIL, THE BEGINNING POINT, CONTAINING 17.045 ACRES, MORE OR LESS.

5.721 ACRE PARCEL
BEGINNING AT AN EXISTING PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); SAID PK NAIL LOCATED AT THE INTERSECTION OF THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301) AND THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF US HIGHWAY 70 BUSINESS; THENCE FROM SAID BEGINNING POINT WITH THE NORTHERN RIGHT OF WAY OF US HIGHWAY 70 BUSINESS NORTH 69 DEG. 51 MIN. 48 SEC WEST 334.17 FEET TO AN EXISTING IRON STAKE; THENCE WITH THE EASTERN LINE OF ROBERT AND WELLONS INC. NORTH 02 DEG. 24 MIN. 23 SEC. EAST 620.91 FEET TO AN EXISTING IRON STAKE; THENCE SOUTH 70 DEG. 28 MIN. 35 SEC. EAST 503.83 FEET TO A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE WITH SAID ROAD SOUTH 18 DEG. 16 MIN. 09 SEC. WEST 597.12 FEET TO AN EXISTING PK NAIL, THE BEGINNING POINT, AND CONTAINING 5.721 ACRES, MORE OR LESS.

2.627 ACRE PARCEL
BEGINNING AT A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD(SR 2301), SAID NAIL BEING LOCATED IN THE EXTENSION OF THE SOUTHERN RIGHT OF WAY OF THE US HIGHWAY 70 BUSINESS; THENCE FROM SAID BEGINNING POINT WITH THE CENTER OF YELVERTON GROVE CHURCH ROAD SOUTH 10 DEG. 36 MIN. 12 SEC. WEST 67.26 FEET TO A POINT; THENCE SOUTH 07 DEG. 32 MIN. 24 SEC. WEST 94.83 FEET TO A POINT; THENCE SOUTH 06 DEG. 55 MIN. 05 SEC. WEST 265.24 FEET TO A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE LEAVING SAID ROAD NORTH 70 DEG. 02 MIN. 15 SEC. WEST 255.17 FEET TO AN EXISTING IRON STAKE; THENCE NORTH 02 DEG. 19 MIN. 34 SEC. EAST 439.01 FEET TO AN EXISTING IRON STAKE LOCATED IN THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY 70 BUSINESS; THENCE WITH SAID RIGHT OF WAY SOUTH 69 DEG. 50 MIN. 33 SEC. EAST 296.97 FEET TO A PK NAIL, THE BEGINNING POINT, CONTAINING 2.627 ACRES MORE OR LESS

PROPERTY DESCRIPTION
PARCEL 15L11011
COUNTY OF JOHNSTON
PROPERTY DESCRIPTION
DECEMBER 19, 2019

17.045 ACRE PARCEL
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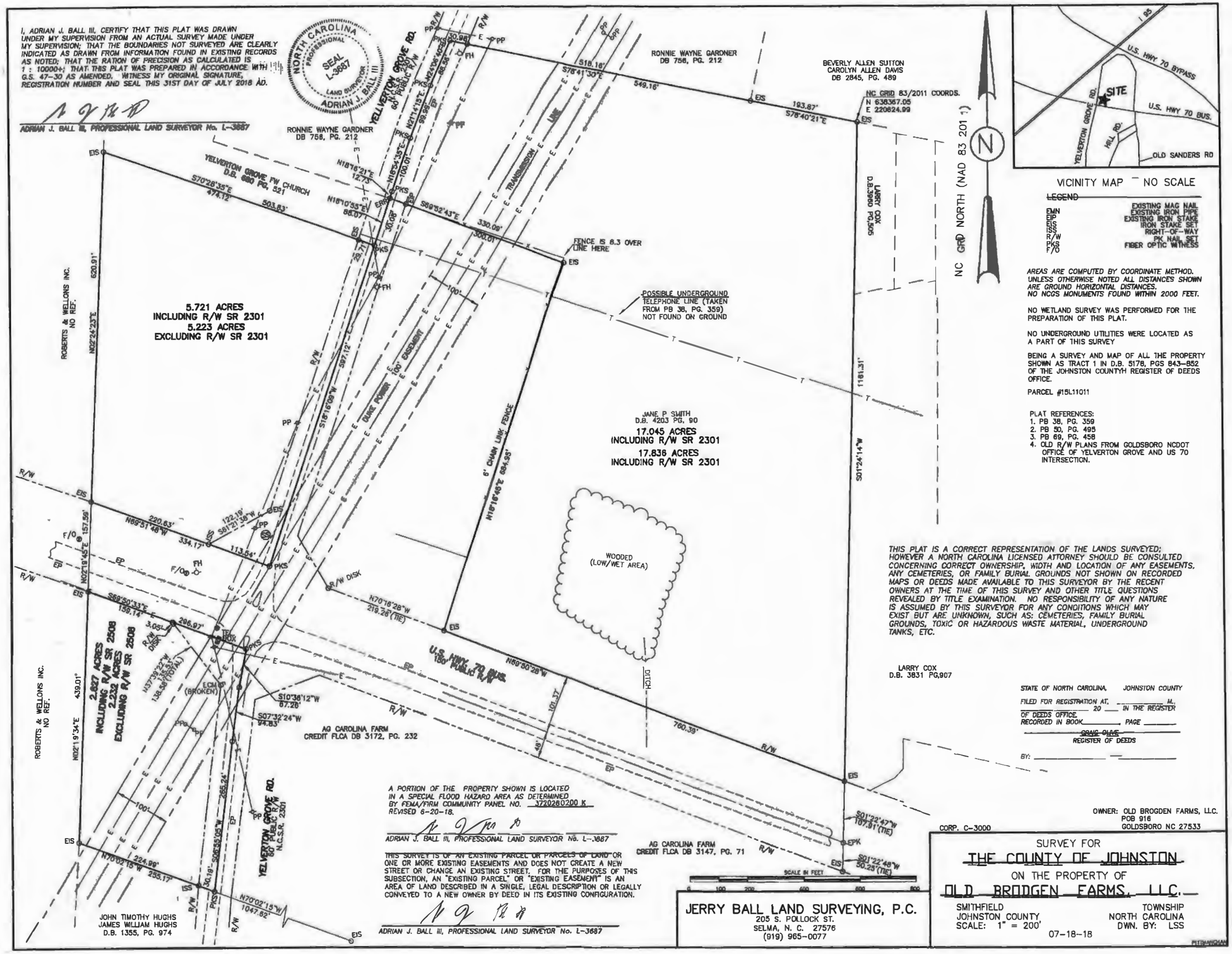
I, ADRIAN J. BALL III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN EXISTING RECORDS AS NOTED; THAT THE RATION OF PRECISION AS CALCULATED IS 1 : 10000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 31ST DAY OF JULY 2018 AD.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

NORTH CAROLINA PROFESSIONAL SEAL L-3687 LAND SURVEYOR ADRIAN J. BALL III




A PORTION OF THE PROPERTY SHOWN IS LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEMA/FIRM COMMUNITY PANEL NO. 3720280200 K REVISED 6-20-18.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687

THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

ADRIAN J. BALL III, PROFESSIONAL LAND SURVEYOR No. L-3687




VICINITY MAP - NO SCALE

~~LEGEND~~

| | |
|---|---|
| EMN | EXISTING MAG NAIL |
| EIP | EXISTING IRON PIPE |
| EIS | EXISTING IRON STAKE |
| ISS | IRON STAKE SET |
| R/W | RIGHT-OF-WAY |
| PKS | PK NAIL SET |
| F/O | FIBER OPTIC WITNESS |

*AREAS ARE COMPUTED BY COORDINATE METHOD. UNLESS OTHERWISE NOTED ALL DISTANCES SHOWN ARE GROUND HORIZONTAL DISTANCES. NO NCGS MONUMENTS FOUND WITHIN 2000 FEET.*

NO WETLAND SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT.

NO UNDERGROUND UTILITIES WERE LOCATED AS A PART OF THIS SURVEY

BEING A SURVEY AND MAP OF ALL THE PROPERTY SHOWN AS TRACT 1 IN D.B. 5178, PGS 843-852 OF THE JOHNSTON COUNTYH REGISTER OF DEEDS OFFICE.

PARCEL #15L11011

PLAT REFERENCES:
1. PB 38, PG. 359
2. PB 50, PG. 495
3. PB 69, PG. 458
4. OLD R/W PLANS FROM GOLDSBORO NCDOT OFFICE OF YELVERTON GROVE AND US 70 INTERSECTION.

*THIS PLAT IS A CORRECT REPRESENTATION OF THE LANDS SURVEYED; HOWEVER A NORTH CAROLINA LICENSED ATTORNEY SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH AND LOCATION OF ANY EASEMENTS, ANY CEMETERIES, OR FAMILY BURIAL GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THIS SURVEYOR BY THE RECENT OWNERS AT THE TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THIS SURVEYOR FOR ANY CONDITIONS WHICH MAY EXIST BUT ARE UNKNOWN, SUCH AS: CEMETERIES, FAMILY BURIAL GROUNDS, TOXIC OR HAZARDOUS WASTE MATERIAL, UNDERGROUND TANKS, ETC.*

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

FILED FOR REGISTRATION AT. _____ M., _____ 20 ___ IN THE REGISTER OF DEEDS OFFICE. RECORDED IN BOOK_____, PAGE _____

~~GRAG OLIVE~~
REGISTER OF DEEDS

BY: _____

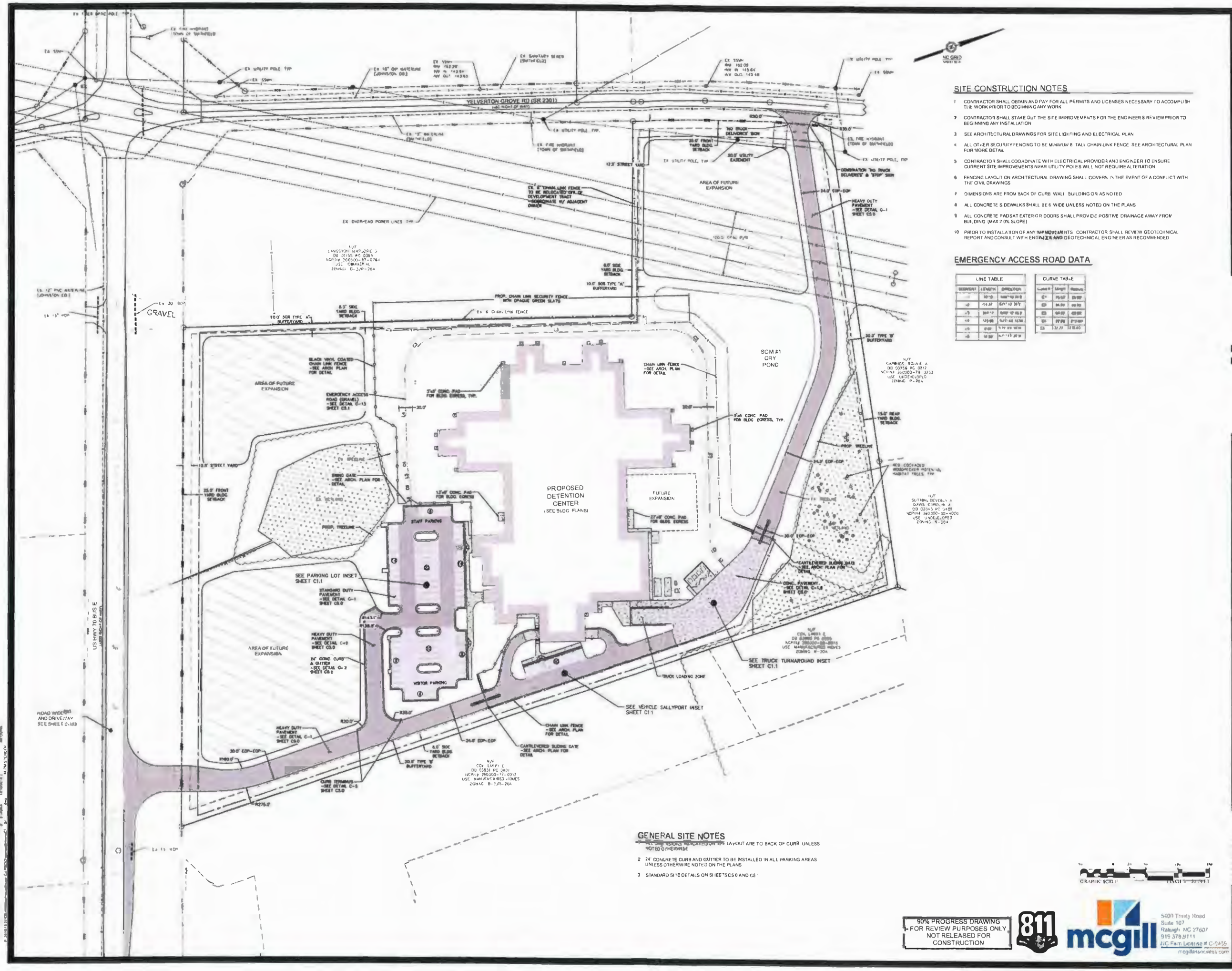
OWNER: OLD BROGDEN FARMS, LLC.
POB 916
GOLDSBORO NC 27533

CORP. C-3000

JERRY BALL LAND SURVEYING, P.C.
205 S. POLLOCK ST.
SELMA, N. C. 27576
(919) 965-0077

SURVEY FOR
THE COUNTY OF JOHNSTON
ON THE PROPERTY OF
OLD BROGDEN FARMS, LLC.

SMITHFIELD TOWNSHIP
JOHNSTON COUNTY NORTH CAROLINA
SCALE: 1" = 200' DWN. BY: LSS
07-18-18




## SITE CONSTRUCTION NOTES

1. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS AND LICENSES NECESSARY TO ACCOMPLISH THE WORK PRIOR TO BEGINNING ANY WORK
2. CONTRACTOR SHALL STAKE OUT THE SITE IMPROVEMENTS FOR THE ENGINEER'S REVIEW PRIOR TO BEGINNING ANY INSTALLATION
3. SEE ARCHITECTURAL DRAWINGS FOR SITE LIGHTING AND ELECTRICAL PLAN
4. ALL OTHER SECURITY FENCING TO BE MINIMUM 8' TALL CHAIN LINK FENCE. SEE ARCHITECTURAL PLAN FOR MORE DETAIL
5. CONTRACTOR SHALL COORDINATE WITH ELECTRICAL PROVIDER AND ENGINEER TO ENSURE CURRENT SITE IMPROVEMENTS NEAR UTILITY POLES WILL NOT REQUIRE ALTERATION
6. FENCING LAYOUT ON ARCHITECTURAL DRAWING SHALL GOVERN IN THE EVENT OF A CONFLICT WITH THE CIVIL DRAWINGS
7. DIMENSIONS ARE FROM BACK OF CURB, WALL, BUILDING OR AS NOTED
8. ALL CONCRETE SIDEWALKS SHALL BE 6' WIDE UNLESS NOTED ON THE PLANS
9. ALL CONCRETE PADS AT EXTERIOR DOORS SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING (MAX 2.0% SLOPE)
10. PRIOR TO INSTALLATION OF ANY IMPROVEMENTS, CONTRACTOR SHALL REVIEW GEOTECHNICAL REPORT AND CONSULT WITH ENGINEER AND GEOTECHNICAL ENGINEER AS RECOMMENDED

## EMERGENCY ACCESS ROAD DATA

| LINE TABLE | | |
|---|---|---|
| SEGMENT | LENGTH | DIRECTION |
| L1 | 50.00 | N88°42'20"E |
| L2 | 79.57 | S71°17'39"E |
| L3 | 104.10 | N89°42'20"E |
| L4 | 123.98 | N71°42'15"W |
| L5 | 8.00 | N18°03'45"E |
| L6 | 10.00 | N71°17'39"W |

| CURVE TABLE | | |
|---|---|---|
| CURVE # | LENGTH | RADIUS |
| C1 | 70.07 | 25.00 |
| C2 | 84.80 | 30.00 |
| C3 | 69.80 | 25.00 |
| C4 | 87.96 | 31.00 |
| C5 | 130.23 | 270.00 |

## GENERAL SITE NOTES

1. ALL DIMENSIONS INDICATED ON THE LAYOUT ARE TO BACK OF CURB UNLESS NOTED OTHERWISE
2. 24" CONCRETE CURB AND GUTTER TO BE INSTALLED IN ALL PARKING AREAS UNLESS OTHERWISE NOTED ON THE PLANS
3. STANDARD SITE DETAILS ON SHEETS C5.0 AND C5.1

90% PROGRESS DRAWING
FOR REVIEW PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION

811

mcgill
5400 Trinity Road
Suite 107
Raleigh, NC 27607
919.378.9111
NC Firm License # C-0455
mcgillassociates.com

MOSELEYARCHITECTS
6210 ARDREY KELL ROAD, SUITE 425 CHARLOTTE, NC 28277
PHONE (704) 540-2755 · FAX (704) 540-3754
WWW.MOSELEYARCHITECTS.COM

PRELIMINARY

# JOHNSTON COUNTY DETENTION CENTER

DHSR # J-338 RAJ/JSD FID. NO. 190449
JOHNSTON COUNTY, NC

| NO | DATE |
|---|---|
| 19-07505 | DEC. 13, 2019 |

REVISIONS

| DATE | DESCRIPTION |
|---|---|
| | |

SITE LAYOUT PLAN

C1.0

## ORDINANCE #502 TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD, NORTH CAROLINA

WHEREAS, the Town Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Council Chambers of the Smithfield Town Hall at 7:00 pm on February 4, 2020 after due notice by publication in the Johnstonian News on January 22, 2020; and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1 (b), to wit:

a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;

b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town [or indicate that, although closer to another municipality, there is an annexation agreement in place that allows the annexation of the propose satellite];

c. The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

e. By virtue of an act of the General Assembly, The Town of Smithfield is exempt from exceeding ten percent (10%) of the area within the primary corporate limits of the Town, and

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of the real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Smithfield, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Smithfield, as of February 5, 2020

Lying and being situated in Johnston County, North Carolina and being more particularly described as follows:

PROPERTY DESCRIPTION PARCEL 15L 11011, COUNTY OF JOHNSTON

17.045 ACRE PARCEL
BEGINNING AT A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301), AT THE SOUTHWESTERN CORNER OF THE PROPERTY OWNED BY RONNIE WAYNE GARDNER; THENCE SAID PK NAIL WITH THE SOUTHERN LINE OF RONNIE WAYNE GARDNER SOUTH 78 DEG. 41 MIN. 30 SEC. EAST 549.16 FEET TO AN EXISTING IRON STAKE; THE CORNER OF BEVERLY ALLEN SUTTON; THENCE WITH SAID PROPERTY LINE SOUTH 78 DEG. 40 MIN. 21 SEC. EAST 193.87 FEET TO AN EXISTING IRON STAKE; THENCE WITH THE WESTERN LINE OF LARRY COX SOUTH 01 DEG. 24 MIN. 14 SEC. WEST 1161.31 FEET TO AN EXISTING IRON STAKE IN THE NORTHERN RIGHT OF WAY OF U.S. HIGHWAY 70 BUSINESS; THENCE WITH SAID RIGHT OF WAY NORTH 69 DEG. 50 MIN. 28 SEC. WEST 760.39 FEET TO AN EXISTING IRON STAKE; THE SOUTHEASTERN CORNER OF MARJORIE LANGSTON TRUST; THENCE WITH LINES OF MARJORIE LANGSTON TRUST NORTH 18 DEG. 16 MIN. 45 SEC. EAST 684.94 FEET TO AN EXISTING IRON STAKE AND NORTH 69 DEG. 52 MIN. 43 SEC. WEST 330.09 FEET TO AN EXISTING RAILROAD SPIKE IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE WITH THE CENTER OF YELVERTON GROVE CHURCH ROAD NORTH 18 DEG. 16 MIN. 21 SEC. EAST 12.73 FEET TO A PK NAIL; THENCE NORTH 18 DEG. 54 MIN. 35 SEC. EAST 100.01 FEET TO A PK NAIL; THENCE NORTH 21 DEG. 14 IN. 15 SEC. EAST 99.99 FEET TO A PK NAIL; AND NORTH 24 DEG 06 IN. 40 SEC. EAST 88.56 FEET TO AN EXISTING PK NAIL, THE BEGINNING POINT, CONTAINING 17.045 ACRES, MORE OR LESS.

5.721 ACRE PARCEL
BEGINNING AT AN EXISTING PK NAIL LOCATED IN THE CENTER OF

YELVERTON GROVE CHURCH ROAD (SR 2301); SAID PK NAIL LOCATED AT THE INTERSECTION OF THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301) AND THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF US HIGHWAY 70 BUSINESS; THENCE FROM SAID BEGINNING POINT WITH THE NORTHERN RIGHT OF WAY OF US HIGHWAY 70 BUSINESS NORTH 69 DEG. 51 MIN. 48 SEC WEST 334.17 FEET TO AN EXISTING IRON STAKE; THENCE WITH THE EASTERN LINE OF ROBERT AND WELLONS INC. NORTH 02 DEG. 24 MIN. 23 SEC. EAST 620.91 FEET TO AN EXISTING IRON STAKE; THENCE SOUTH 70 DEG. 28 MIN. 35 SEC. EAST 503.83 FEET TO A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE WITH SAID ROAD SOUTH 18 DEG. 16 MIN. 09 SEC. WEST 597.12 FEET TO AN EXISTING PK NAIL, THE BEGINNING POINT, AND CONTAINING 5.721 ACRES, MORE OR LESS.

2.627 ACRE PARCEL
BEGINNING AT A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301), SAID NAIL BEING LOCATED IN THE EXTENSION OF THE SOUTHERN RIGHT OF WAY OF THE US HIGHWAY 70 BUSINESS; THENCE FROM SAID BEGINNING POINT WITH THE CENTER OF YELVERTON GROVE CHURCH ROAD SOUTH 10 DEG. 36 MIN. 12 SEC. WEST 67.26 FEET TO A POINT; THENCE SOUTH 07 DEG. 32 MIN. 24 SEC. WEST 94.83 FEET TO A POINT; THENCE SOUTH 06 DEG. 55 MIN. 05 SEC. WEST 265.24 FEET TO A PK NAIL LOCATED IN THE CENTER OF YELVERTON GROVE CHURCH ROAD (SR 2301); THENCE LEAVING SAID ROAD NORTH 70 DEG. 02 MIN. 15 SEC. WEST 255.17 FEET TO AN EXISTING IRON STAKE; THENCE NORTH 02 DEG. 19 MIN. 34 SEC. EAST 439.01 FEET TO AN EXISTING IRON STAKE LOCATED IN THE SOUTHERN RIGHT OF WAY OF U.S. HIGHWAY 70 BUSINESS; THENCE WITH SAID RIGHT OF WAY SOUTH 69 DEG. 50 MIN. 33 SEC. EAST 296.97 FEET TO A PK NAIL, THE BEGINNING POINT, CONTAINING 2.627 ACRES MORE OR LESS

Section 2. Upon and after February 5, 2020 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Smithfield and shall be entitled to the same privileges and benefits as other parts of the Town of Smithfield. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Smithfield shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy this ordinance. Such a map shall also be delivered to the Town Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Smithfield.

Adopted this 4th day of February, 2020

_____

M. Andy Moore, Mayor

ATTEST

_____

Shannan L. Parrish, Town Clerk

APPROVED AS TO FORM:

_____

Robert Spence, Jr., Town Attorney

**TOWN OF SMITHFIELD**
**NOTICE OF PUBLIC HEARING**
**ON REQUEST FOR NON-CONTIGUOUS ANNEXATION**

The Public will take notice that the Town Council of the Town of Smithfield has called a public hearing at 7:00 pm on Tuesday, February 4, 2020 to be held in the Town Hall Council Chambers located at 350 East Market Street, Smithfield, North Carolina on the question of annexing the following described non-contiguous territory requested by petition filed pursuant to GS 160A-58.1:

2879 US Highway 70 Business NC Pin# 260300-67-6920

Shannan L. Parrish, Town Clerk

Johnstonian News January 22, 2019

# Request for Town Council Action

| | |
|---|---|
| Public Hearing: | RZ-20-01 |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Zoning Map Amendment |
| Department: | Planning Department |
| Presented by: | Stephen Wensman, Planning Director |
| Presentation: | Public Hearing Item |

## Issue Statement

The RMH-CUD zoning designation in west Smithfield on the current zoning map has expired with the expiration of the associated Special Use Permit expiration. As a result, current zoning map needs to be amended accordingly.

## Financial Impact

None

## Action Needed

Review the zoning map amendment and make a decision to approve or deny.

## Recommendation

Staff and the Planning Board recommend approval of RZ-20-01 with a consistency statement declaring the request to be consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Site Location Map
5. Letters to property owners
6. Letter of support

# Staff Report

**Public Hearing: RZ-20-01**

OVERVIEW:

In 1997 Town Council approved an annexation and the rezoning of several properties on Barbour Road from AR/R-40 (an old Johnston County zoning district designation) to RMH-CUD, for a mobile home park. The subject properties were rezoned to RMH-CUD with a site plan for a manufactured home park and a Special Use Permit for the manufactured home park was approved. Because the development was never constructed, the Special Use Permit expired and therefore, the Conditional Use District rezoning has also expired. The zoning map was never amended to reflect the expiration. Therefore, Staff is requesting an amendment to the Town's zoning map to reflect the expiration.

PROPERTY LOCATION:

The location of the property to be rezoned is located on Barbour Road, about 2000 lineal feet northwest of Bella Square with the property Tax IDs: 150781995, 15078199Q, 15078199I, 15078199T, 15078199V, and 15078199W

SITE DATA:

| | |
|---|---|
| Acreage: | Approximately 65 acres |
| Present Zoning: | RMH-CUD (Manufactured Home Residential Conditional Use District) |
| Proposed Zoning: | R-10 (Single-Family Residential District) |
| Existing Use: | Farm land / Pasture/Residential |
| Proposed Use | N/A |
| Fire District: | Town of Smithfield |
| School Impacts: | NA |
| Parks and Recreation: | NA |
| Water and Sewer Provider: | Town of Smithfield |
| Electric Provider: | Duke Energy |

ENVIRONMENTAL:

The property is not located within a floodplain and no delineated wetlands exist on or near property considered for rezoning.

ADJACENT ZONING AND LAND USES: **(see attached map for complete listing)**

| | **Zoning** | **Existing Land Uses** |
|---|---|---|
| **North** | R-20A (Residential-Agricultural) | Woodlands, Agriculture and Low density residential |
| **South** | R-20A (Residential-Agricultural) | Woods and Agriculture |
| **East** | R-20A (Residential-Agricultural | Woods and Agriculture |
| **West** | R-20A (Residential-Agricultural) | Woods and Agriculture |

JUSTIFICATION:

A Conditional Use District Zoning is a zoning designation with an associated site-specific development plan in conjunction with a special use permit. In this case, the applications were a rezoning from AR/R-40 (an old zoning Johnston County zoning district designation) to RMH-CUD, for a manufactured home park with a special use permit for the manufactured home park. Since the rezoning and special use permit approval, no construction was completed and therefore special use permit and any vested rights have long since expired.

SECTION 4.4 EXPIRATION OF PERMITS.

4.4.1. Zoning and special use permits for which vested rights as specified in Section 4.7 have not been secured shall expire automatically if, within one (1) year after the issuance of such permits:

4.4.1.1. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use; or

SECTION 4.7 ESTABLISHMENT OF VESTED RIGHTS.

4.7.1. A vested right, in accordance with NCGS 160A-385.1, may be established upon the approval or special approval of a site-specific development plan by the Town Council in accordance with the provisions outlined in this section. Approval by the Town Council of a site-specific development plan shall follow the procedural requirements for the issuance of a special use permit as outlined in Section 4.9. Changes in or modifications to an approved site-specific development plan shall be made only with the concurrence of the Town Council in accordance with the provisions of Section 4.9.7. A right which has been vested as provided for in this section shall, as a general rule, remain valid for two (2) years and shall attach to and run with the land. A vested right shall expire at the end of two (2) years if no building permit applications have been filed with the Town to construct the use or uses proposed in the approved site-specific development plan.

As a result of the expiration, the zoning map is in error and should be corrected.

RECOMMENDED ZONING:

Normally, the zoning should revert back to the previous zoning district. In this case, the AR/R-40 zoning district does not exist. The current comprehensive growth management plan guides the property for low density residential, which corresponds with the R20-A zoning district. The draft comprehensive growth management plan, "Town Plan", guides these properties for medium density residential, which corresponds with the R-6, R-8 and R-10 zoning districts. The prevailing medium density zoning in the area is R-10. The slightly lower density of the R-10 is in keeping with the density restrictions of the PA-IV Watershed, the overlay zoning district in which these properties are located. Therefore, Staff recommends the properties be rezoned to R-10.

CONSISTENCY STATEMENT:

With approval of the rezoning, the Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and theta the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and is reasonable:

- Consistency with the Comprehensive Growth Management Plan -The draft Future Land Use Map guides these properties for medium density residential land uses. The R-10 zoning district is a medium residential district.

- Consistency with the Unified Development Code - The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance as all existing and future land uses will need to comply with the UDO.

- Compatibility with Surrounding Land Uses - The property considered for a rezoning is compatible because many of the properties within the Town's corporate boundary in the immediate area are zoned R-10 and the area is in transition from rural to suburban.

RECOMMENDATION:

Staff and the Planning Board recommend approval of RZ-20-01 finding the rezoning consistent with applicable adopted plans, policies and ordinances.

Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

# REZONING APPLICATION

***Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance,*** proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. ***Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.***

**Name of Project:** RZ-20-01 **Acreage of Property:** 65 acres

**Parcel ID Number:** _____ **Tax ID:** 15078199S, 15078199Q, 15078199I, 15078199T, 15078199V, and 15078199W

**Deed Book:** _____ **Deed Page(s):** _____

**Address:** _____

**Location:** about 2000 lineal feet northwest of Bella Square

**Existing Use:** residential and vacant **Proposed Use:** N/A

**Existing Zoning District:** RMH-CUD

**Requested Zoning District** R-10

**Is project within a Planned Development:** ☐ Yes ☒ No

**Planned Development District (if applicable):** _____

**Is project within an Overlay District:** ☒ Yes ☐ No

**Overlay District (if applicable):** Watershed PA-IV

## FOR OFFICE USE ONLY

File Number: RZ-20-01 Date Received: _____ Amount Paid: N/A

Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

# OWNER'S CONSENT FORM

**Name of Project:** RZ-20-01 **Submittal Date:** _____

## OWNERS AUTHORIZATION

I hereby give CONSENT to_____(type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

_____ _____ _____
***Signature of Owner*** ***Print Name*** ***Date***

## CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

_____ _____ _____
***Signature of Owner/Applicant*** ***Print Name*** ***Date***

## FOR OFFICE USE ONLY

| File Number: | Date Received: | Parcel ID Number: |
|---|---|---|

**THE TOWN OF SMITHFIELD**
**UNIFIED DEVELOPMENT ORDINANCE**
**ZONING MAP AMENDMENT CONSISTENCY STATEMENT**
**BY THE SMITHFIELD TOWN COUNCIL**
**RZ-20-01**

**Whereas** the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

**Whereas** the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

**NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:**

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE IS ADOPTED,**

That the final action regarding zoning map amendment RZ-20-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public meeting; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

**IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,**

That the final action regarding zoning map amendment RZ-20-01 is based upon review of, and consistency, the Town of Smithfield Comprehensive Growth Management Plan and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.

# 1400 Block of Barbour Road

**Project Name:**
Edward Boyette Trailer Park

**File Number:**
SUP-20-01

**Exisiting Zoning:**
RMH-CUD

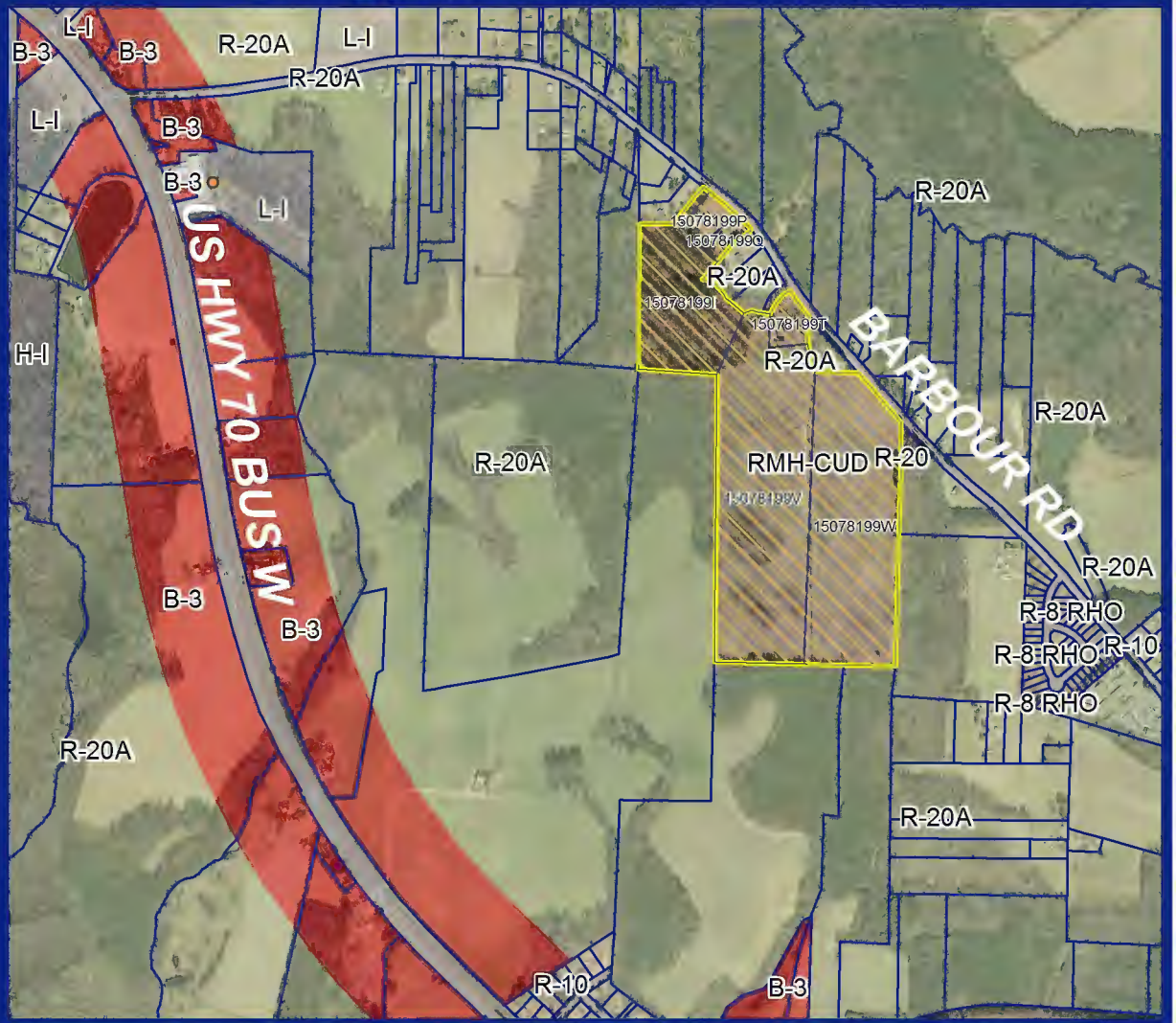
**Proposed Zoning:**
R-10

**Owner:**
Heathstreet #215
Jeffrey Wagner
Priscilla Davis

**Applicant:**
Town of Smithfield

**Location:**
1400 Block of Barbour Road

**Tax ID#**
150781995
15078199Q
15078199I
15078199T
15078199V
15078199W




N
W E
S

0 500 1,000 Feet

Map created by Mark E. Helmer, AICP
Senior Planner, GIS Specialist.

## Stephen Wensman

**From:** Jeffrey Wagner <jeffwagnermbb@gmail.com>
**Sent:** Tuesday, January 14, 2020 4:37 PM
**To:** Stephen Wensman
**Subject:** Rezoning Parcels on Barbour Road

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Steve,

It was nice talking to you earlier today.

I currently own the two duplex properties at 1503/1507 and 1511/1515 Barbour Road. These are parcels 15078199Q and 15078199P.

As far as rezoning property behind those parcels, I would be in favor of changing to R10 (single family homes). That would very fitting for that location and for that part of Smithfield.

I would also be very happy if at some point in the future, a sewer system was extended to all of Barbour Road, but understand that if that did ever happen, it might be a way out.

Thank you for your consideration.

Cordially,
Jeff Wagner
336-324-3485

**PLANNING DEPARTMENT**
Stephen Wensman, AICP, RLA
Planning Director

December 3, 2019

Heath Street #215 Limited Partnership
258 Meadowbrook Dr
Four Oaks, NC 27524-8550

RE: Proposed Rezoning

To Whom It May Concern:

In 1997, the Town of Smithfield approved a rezoning request from AR/R-40 to RMH-CUD with a Special Use Permit and a site-specific development plan for a manufactured home park associated with the following properties (Johnston County Property IDs): 15078199I, 15078199P, 15078199Q, 15078199V, 15078199T and 15078199W. The vested rights for the development and the special use permit have expired; therefore, the zoning district designation for these properties, RMH-CUD, is no longer valid. The Town is therefore planning to rezoning these properties to another zoning designation. The Town of Smithfield Planning Board will be reviewing the rezoning on January 2, 2020 to make a recommendation to the Town Council. If you have any questions, please contact me at 919-934-2116, extension 1114.

Sincerely,

Stephen Wensman.

350 E. Market Street P.O. Box 761 Smithfield, NC 27577
919-934-2116 Fax 919-934-1134

**PLANNING DEPARTMENT**
Stephen Wensman, AICP, RLA
Planning Director

December 3, 2019

Priscilla Davis
1401 Barbour Road
Smithfield, NC 27577

RE: Proposed Rezoning

To Whom It May Concern:

In 1997, the Town of Smithfield approved a rezoning request from AR/R-40 to RMH-CUD with a Special Use Permit and a site-specific development plan for a manufactured home park associated with the following properties (Johnston County Property IDs): 15078199I, 15078199P, 15078199Q, 15078199V, 15078199T and 15078199W. The vested rights for the development and the special use permit have expired; therefore, the zoning district designation for these properties, RMH-CUD, is no longer valid. The Town is therefore planning to rezoning these properties to another zoning designation. The Town of Smithfield Planning Board will be reviewing the rezoning on January 2, 2020 to make a recommendation to the Town Council. If you have any questions, please contact me at 919-934-2116, extension 1114.

Sincerely,

Stephen Wensman.

350 E. Market Street P.O. Box 761 Smithfield, NC 27577
919-934-2116 Fax 919-934-1134

**PLANNING DEPARTMENT**
Stephen Wensman, AICP, RLA
Planning Director

December 3, 2019

Jeffrey and Michelle Wagner
426 Ainsley Court
Clayton, NC 27527

RE: Proposed Rezoning

To Whom It May Concern:

In 1997, the Town of Smithfield approved a rezoning request from AR/R-40 to RMH-CUD with a Special Use Permit and a site-specific development plan for a manufactured home park associated with the following properties (Johnston County Property IDs): 15078199I, 15078199P, 15078199Q, 15078199V, 15078199T and 15078199W. The vested rights for the development and the special use permit have expired; therefore, the zoning district designation for these properties, RMH-CUD, is no longer valid. The Town is therefore planning to rezoning these properties to another zoning designation. The Town of Smithfield Planning Board will be reviewing the rezoning on January 2, 2020 to make a recommendation to the Town Council. If you have any questions, please contact me at 919-934-2116, extension 1114.

Sincerely,

Stephen Wensman.

350 E. Market Street P.O. Box 761 Smithfield, NC 27577
919-934-2116 Fax 919-934-1134

**PLANNING DEPARTMENT**
Mark E. Helmer, AICP, CZO
Senior Planner

# Notice of Public Hearing

Notice is hereby given that the Town Council of the Town of Smithfield will conduct a public hearing during the course of their open meeting which starts at 7:00 P.M. on Tuesday, February 4, 2020 in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

> **RZ-20-01 Town of Smithfield:** The applicant is requesting to rezone 5 tracts of land totaling approximately 66.59 acres from the RMH-CUD (Residential Manufactured Home Conditional Use District) to the R-10 (Residential) zoning district. The properties considered for rezoning are located on the southwest side of Barbour Road approximately 1,100 feet northwest of its intersection with Bella Square. The properties considered for rezoning are further identified as Johnston County Tax ID# 150781995, 15078199Q, 15078199I, 15078199T, 15078199V and 15078199W.

You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 919-934-2116.

350 E. Market Street P.O. Box 761 Smithfield, NC 27577
919-934-2116 Fax 919-934-1134

# Consent Agenda Items

The Smithfield Town Council met in regular session on Tuesday, January 7, 2020 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

| Councilmen Present: | Councilmen Absent | Administrative Staff Present |
|---|---|---|
| John A. Dunn, Mayor Pro-Tem | Marlon Lee, District 1 | Michael Scott, Town Manager |
| Travis Scott, District 3 | David Stevens, District 2 | John Blanton, Fire Chief |
| Dr. David Barbour, District 4 | | Lenny Branch, Public Works Director |
| Stephen Rabil, At-Large | | Ted Credle, Public Utilities Director |
| Roger A. Wood, At-Large | | Gary Johnson, Parks & Rec Director |
| | | Shannan Parrish, Town Clerk |
| | | R. Keith Powell, Chief of Police |
| | | Greg Siler, Finance Director |
| | | Stephen Wensman, Planning Director |

| Present: | Administrative Staff Absent |
|---|---|
| Bob Spence, Town Attorney | Tim Kerigan, Human Resources/PIO |
| Bill Dreitzler, Town Engineer | |

## CALL TO ORDER

Mayor Moore called the meeting to order at 7:00.

## INVOCATION

The invocation was given by Councilman Scott followed by the Pledge of Allegiance.

## APPROVAL OF AGENDA:

Mayor Pro-Tem, Dunn made a motion, seconded by Councilman Rabil to approve the agenda with the following amendments:

- Add to Presentations: #5 Proclamation: All in Red Week
- Mover Consent Agenda Item #5*: Bid Award to Atlantic Coast Fire Trucks in the amount of $560,500 for the purchase of a 2020 Smeal Fire Engine* to Business Item # 8
- Move Consent Agenda Item #4: *Bid Award to Performance Automotive for the purchase of Vehicles for the Police Department* to Business Item #9

Unanimously approved.

## PRESENTATIONS:

1. **Proclamation Honoring Carolyn Ennis's Service to the Library Board of Trustees**
   Mayor Moore presented a Proclamation to Carolyn Ennis for her years of service on the Library Board of Trustees

PROCLAMATION
In Honor of Carolyn Ennis's
Dedicated Service to the Public Library of Johnston
County & Smithfield Board of Trustees

WHEREAS, Carolyn Ennis has served as a member of the Public Library of Johnston County and Smithfield Board of Trustees for nearly thirty-six years; and

WHEREAS, through her service, it was apparent that Carolyn Ennis believed public libraries improved the quality of life for the residents of Smithfield; and

WHEREAS, the Town of Smithfield and its citizens have benefited greatly because of her particular interest and work on the Public Library of Johnston County and Smithfield Board of Trustees; and

WHEREAS, the citizens are fortunate to have had a person of such experience dedicate so many years of service to the Town of Smithfield; and

WHEREAS, The Town Council deeply appreciates the important contributions Carolyn Ennis has made to the Town of Smithfield and to the Public Library of Johnston County and Smithfield Board of Trustees.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, express our sincere appreciation to Carolyn Ennis for her distinguished service to the Town of Smithfield

## 2. Administering Oath of Office for new Fire Fighter Carl Chase Gurley

Mayor Moore administered the Oath of Office to new Fire Fighter Carl Chase Gurley and welcomed him to the Town of Smithfield.

## 3. Audit Presentation

Finance Director Greg Siler introduced Stuart Hill from the auditing firm of Thompson, Price, Scott and Adams, PA.

Mr. Hill informed the Council the overall audit was good with only a few suggestions. The audit report has been submitted to the Local Government Commission and has been approved. Mr. Hill provided the analysis of the general fund balance over the course of a 5 year period. The current overall fund balance is 90.66% which is better than the state average. The unassigned portion of the fund balance is 73.74%. He provided an analysis of revenues over expenditures, analysis of cash and fund balance in all three funds, tax collection percentages, analysis of property valuations and property tax levy amounts and an analysis of general fund revenues and expenses.

Councilman Wood questioned the statement in the audit letter concerning items that should be addressed to the Board. He further questioned why these items were repeated from last year and if that was common. Mr. Hill responded these items were recognized as measures for improvement. In Towns, there will always be issues which need to be addressed. Councilman Wood stated these statements provide more opportunity for improvement.

Councilman Barbour stated the collection rate percentage was outstanding. He questioned if Mr. Hill had seen an increase in other Towns' fund balances stating it could be attributed to the growing economy. Mr. Hill responded there was an overall increasing trend upwards. Councilman Barbour further questioned if Smithfield had a higher positive growth than others. Mr. Hill responded in the affirmative. Councilman Barbour stated the employees of the Town of Smithfield were to be credited with the positive financial growth of the Town.

Mayor Moore stated the fund balance percentage was outstanding for the Town of Smithfield's size. It was due to the work of the Council who put policies in place and to the Town Manager, to the Department Heads and to the Staff for working together.

## 4. UFS Water Study Presentation

Public Utilities Director Ted Credle introduced Mark Beauchamp with Utility Financial Solutions whose attendance was via conference call.

Mr. Beauchamp explained his firm was tasked with performing a long-term financial projection for the water and wastewater funds and a cost of service study. They were also tasked with determining how the costs are being recovered and if it's being done appropriately. As part of this study, they separated the funds into water and waste water. They looked at three target areas: debt coverage ratio, minimum cash and target operating income. Once you achieve the target operating income, you are fulling funding your operation and also the replacement costs of

infrastructure. As part of this study, we looked at your projections and capital improvements over a 5-year period. When building a financial projection, there are certain assumptions like annual inflation rates and growth rate of the system. Several years ago, the Town completed a cost of service study and implemented rate adjustments. In 2021, you have projected rate adjustments of 6.8% in water and 13.3% in wastewater. You have substantial debt of approximately $12.3 million you will be issuing in 2020 and 2021 and capital improvements for both water and wastewater. These are all built into the financial modeling.

Mr. Beauchamp mentioned there were three key financial targets. The first is debt coverage ratio. In 2020, the debt coverage ratio was 2.59. We want to see you maintain target ratios of 1.4. The Town is above that ever year. Therefore, the Town has the ability to repay its debt even with the proposed $12.8 million of debt for the water fund. The second target is minimum cash. This is to make sure you have enough cash to cover your minimum needs for working capital and capital improvements that are not funded through debt. The utility fund needs to maintain minimum cash reserves of $2.5 to $3 million a year. When you look at the financial projection, the fund is above the minimum cash recommended in 2020 and decreases slightly which is not alarming. In looking at this the plan you implemented several years ago, it is working adequately. With that 6.8% increase it appears it will be in 2024-2025 before you will need another rate adjustment that would be in the 2-3% range. The water utility is very financially stable.

Councilman Scott questioned if the 6.8% rate increase would be realized for every customer including the bulk rate customer. Mr. Beauchamp responded the rate increase would be realized for all water customers including the wholesale customer.

Mr. Beauchamp explored some of the financial targets in more detail. The debt coverage ratio target is the amount of cash generated through the operation of the utility which is then compared to debt service payments. When it comes to rating agencies or ability to issue debt, you want to maintain a debt coverage ratio that is above a 1.4. It means the utilities operation has to generate 40% more cash than the amount of the debt service payment. It was determined the water utility will generate adequate funds in the projection period.

For the minimum cash reserve levels, we look at what the utility needs has to have in reserves. We also look at debt service payments and the capital improvement program. We also look at another factor that is somewhat suggestive like catastrophic events that could occur. We want to make sure the utility has enough cash in reserves to fund and start any repair or replacement processes. When we look at the age of the infrastructure, the water utility infrastructure is relatively new. Looking at it globally, your system is only about 42% depreciated. Across the United States, the average system is about 50% depreciated. When calculated, the projected minimum cash reserves are about $2.7 million in 2020 and in 2021 almost $3.5 million.

The target operating income, also called the utility basis target, is how accountants look at your financial statements. With this what we are trying to do is not just look at cash, but we want to make sure that when we set rates, we are adequately funding the eventual replacement of infrastructure. This target looks at depreciation expense which is a noncash expense that represents the annual wear and tear on your infrastructure. We want the rates to recover the target operating income because we don't want future customers to have to replace the infrastructure used by current customers.

Councilman Dunn questioned the increase in the historical base rate stating there was a modest increase of 3-4% in 2021-2024, but an increase of 51% in 2020-2021. Mr. Beauchamp responded the reason for the increase is because of the capital improvements in those 2 years. In 2020, you have $7 million in capital improvements and in 2021 you have $5 million which is adding to your rate base. We also recognize that the more assets your have in service, the more risk there is for having something bad happen to it.

Mr. Beauchamp explained the overall results of the cost of service study showed a bit of an unusual result. Overall, you are showing a total decrease in rates of 1.1% but the residential rate is showing the need for a decrease of 16.2%. However, the commercial rate shows the need for a 15.3% increase and industrial rate shows the need for a 12.5% increase. The primary driver for that increase is because your customer charges for residential are set appropriately right at the cost of service number but on the commercial and industrial number you are not charging them the

appropriate customer charges. Everyone gets charged the same customer charge, but from a cost perspective, that customer charge represents the potential demand on the infrastructure and system. When you get into commercial and industrial customers, they have larger meters which cost more to install and your current rate structure is not properly recognizing that. And your wholesale customer is right at the cost of service number. So, when we set the rates, we will try to rectify some of these difference. We are not going to be able to recognize them fully because of the impact it would have on the overall customers that needed increases. We'll move in that direct like when we do the 6.8% increase, residential customers may only see a 5% increase while commercial and industrial rates may see more of an increase.

Mr. Beauchamp explained the wastewater study that was done a few years ago, has a planned increase of 13.3% in 2021 which is built in this projection. The projected debt coverage ratio again the minimum is 1.4 which the Town surpasses. The minimum cash reserve calculation came out to $1 million to just under and increased to about $1.6 million over time, but your projected cash reserves are $4.4 million to $6.7 million. For your target operating income standpoint, the idea target operating income would be about $225,000 a year and you are well above, but that has the 13.3% increase built in it. When you look at the water and the wastewater you definitely need the adjustment in water but the wastewater is very financially stable.

Councilman Rabil questioned if the 13.3% increase was removed when would another rate adjustment need to be implemented. Mr. Beauchamp responded if the 13.3% was removed you would probably need a 3% adjustment around 2023-2024.

Mr. Beauchamp stated the wastewater infrastructure is older. In 2020 you are at 50% depreciation which is the average. It increases every year because you don't have a real strong capital improvement plan for wastewater. When we calculated your minimum cash needs, the projected cash reserves are quite a bit above the need. The Town is exceeding the target operating income every year.

For the cost of service for wastewater, you can see that all the classes (if we were to set the rates at our target operating income) we would need an 8.3% downward adjustment. In wastewater, there is no weakness because they are treating all customers equally.

Town Attorney Bob Spence questioned if the figures were heavily dependent on what the county charges the town. Mr. Beauchamp responded in the affirmative. He explained if the county increases its rates, it would have an adverse impact on the Town and its rates. The increase would have to be passed on to the customer.

Mayor Pro-Tem Dunn questioned if the $17.5 million in 2020-2021 included the water plant expansion. Mr. Credle responded that project was included in this analysis.

Councilman Scott questioned if the wholesale customer was omitted, what effect would it have on all the other customer rates. Mr. Beauchamp responded it would mean the other rates would have to increase 25-30%. The wholesale customer is contributing to the system.

Councilman Barbour stated if the wholesale customer was removed then there would not be a need for the $17 million in capital improvements. If the capital improvements were taken out or greatly reduced how would that effect the other customers. Mr. Beauchamp responded the rates would still need to be increased by 13%. Mr. Beauchamp further explained the debt service payment for capital improvements would be approximately $1 million and what is being recovered from the wholesale customer is approximately $1.4 million.

Mr. Spence questioned if the wholesale revenue basically paid for the capital improvement and then some. Mr. Beauchamp responded in the affirmative.

Mayor Pro-Tem Dunn questioned the cost to make a gallon or 1000 gallons of water. Mr. Beauchamp responded when you are dealing with water and wastewater infrastructure most all of the costs are recovery of infrastructure. Variable costs include chemicals and electricity. For this study we used $.30 for variable costs per thousand gallons. 96% of the cost is a fixed cost in the short term.

Mr. Credle explained the confusion is when we set our rates to all our customers there is a fixed cost and a usage cost. The fixed cost is set to recover the infrastructure. People want to know why the wholesale customer is charged less than the other classifications of users. Mr. Beauchamp explained the average cost is $3.80 per unit. Comparing other users to the wholesale user, you have to remember that the wholesale customer only uses the transmission system and not the distribution system; therefore, the are not charged for the use of the distribution system. All other customers use both. Mr. Beauchamp explained the wholesale customer was a good customer that the Town is treating fairly and all other customers are benefitting from the wholesale customer.

Town Manager Michael Scott questioned the dollar amount of an 6.8% increase for a residential customer who uses 4000 gallons of water. Mr. Beauchamp responded it would be an increase of approximately $1.98.

Councilman Scott stated there would not have to be a rate increase after 2021 until 2029. Mr. Beauchamp responded this projections should be reviewed in 2- 3 years.

Mayor Moore stated Mr. Beauchamp stated there was a possibility for a rate adjustment in 2024-2025. Mr. Beauchamp responded the cash balances start to get significantly lower and he would feel more comfortable with an increase, but again the projections should be reviewed in 2- 3 years.

Councilman Wood questioned if this was based on the current customers. Mr. Credle responded a .50% growth rate was built into the model. Mr. Beauchamp responded if there was significant growth in the Town, it would be almost a direct reduction in rates. With a 5% growth rate, the cash balances are above the minimum throughout the decade.

Councilman Scott requested that the PowerPoint presentation be made a part of the official minutes.

**5. Proclamation - All in Red Week in the Town of Smithfield February 7th – 14th**

Mayor Moore read the following Proclamation. He further stated his mother had been experiencing heart related issues for the past two years and asked for the Council to support the Proclamation.

Councilman Scott made a motion, seconded by Councilman Barbour, to adopt the proclamation. Unanimously approved.

## Proclamation
## All in Red Week February 7th – 14th
## In the Town of Smithfield, North Carolina

Whereas, February 7, 2020 marks the launch of an 8-day County wide heart health awareness campaign called “ALL In RED Week”, presented by Johnston Health and Dr. Eric Janis & the Janis Family Fund, and organized by the Johnston Health Foundation; and

Whereas, heart disease is the leading cause of death in the United States, North Carolina and Johnston County; and

Whereas, per the Center for Disease Control and Prevention (CDC), 80% of cases are preventable through education, resources and prevention; and

Whereas, per the 2019 Johnston County Community Health needs Assessment, significant health needs identified are: Access to Health Services, Economy, Exercise, Nutrition & Weight and Heart Disease & Stroke; and

Whereas, per the 2019 Johnston County Community Health needs Assessment Implementation Plan, Heart Disease and Stroke are on the top 5 health priorities in this county; and

Whereas, education on early screening and access to resources for quality treatment and is important; and

Whereas, the financial challenges of a heart patient in need is enormous and assistance from individuals and organizations will go a long way; and

Whereas, the campaign invites all of Johnston County and Town residents, business owners and visitors to participate in this initiative by wearing RED on February 7, 2020 which National Wear Red Day, and/or run a RED promo or fundraiser from February 7-14; and

Whereas, all funds raised within this campaign period will benefit local heart patients in need through the Johnston Health Foundation's Heart Fund; and

Whereas, the ALL IN RED WEEK supports Johnston Health's mission to improve the lives of the people in its communities, and the Johnston Health Foundation's mission to "Bridge the gap to provide quality healthcare close to home"; and

Whereas, the ALL IN RED WEEK is an opportunity to increase heart health awareness and the growing needs of local heart patients, and to encourage support not just from our county, but from residents in neighboring communities; and

Whereas, on this day, we recognize heart disease and stroke survivors, those battling the disease, their families who are their source of love and encouragement, and applaud the efforts of our medical professionals who provide quality care; and

NOW, THEREFORE, the Honorable Mayor M. Andy Moore and Smithfield Town Council do hereby proclaim February 7-14, 2020 as "ALL IN RED WEEK" and encourage businesses, industries and citizens in the community to support and participate in this event.

**PUBLIC HEARINGS:**

1. **Rezoning Request – Brightleaf Development Partners, LLC (RZ-19-02):** The applicant is requesting to rezone two parcels of land from the R-20A (Residential-Agricultural) to the B-3 (Highway Entrance Business) zoning district. The properties considered for rezoning are located on the northwest side of South Brightleaf Boulevard approximately 305 feet southwest of its intersection with Galilee Road. The properties are further identified as Johnston County Tax ID# 15J10032D & 15J10032E.

Councilman Barbour made a motion, seconded by Councilman Scott, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman stated there were three items on the agenda tonight for this development. They included the Public Hearing on the Rezoning Request, the Public Hearing on the Special Use Permit request and a business item requesting preliminary plat.

Mr. Wensman explained the present zoning was B-3 with R20A with the existing use being single-family detached residential. The proposed use would be single-family attached residential townhomes which are considered multi-family. Services provided by the Town would be fire protection, water and sewer. Duke Energy Progress would provide electric services. There would potentially be impact to the schools with additional students. The site would be subject to park dedication fees in lieu funds.

There are two existing single-family residential lots, 0.586 and 1.14 acres in size. To be removed with the development of the site. The property gently slopes away from S. Brightleaf Boulevard (US Highway 301). A drainage ditch runs along the front of the property within Brightleaf Boulevard (NCDOT) right-of-way. Duke Energy maintains overhead electric lines within the NCDOT right-of-way. There is an overhead electric line that crosses the front corner of the development site to a power pole located near the west property line. The rear half of the lot is covered with trees, however the size and quantity of trees is unknown (no tree preservation survey has been provided). There are no known wetlands on site and the development site is not within a flood zone. A single-family residential structure is situated very near the southwest property line. Another single-family residential property

exists to the north-east approximately five feet from the shared property line

Rezoning analysis:
The properties are currently zoned R20-A. The Comprehensive Growth Management Plan guides the property for medium density residential which includes multi-family. The multi-family is allowed in both the R-8 and B-3 zoning districts. The adjacent property is zoned B-3. Rezoning to B-3 achieves the same density without the possibility of a spot zoning. Staff believes the property is consistent with the comprehensive growth plan in that the subject properties are guided in the Future Land Use Map as medium density residential. Medium density residential can be achieved with the R-8 or B-3 zoning district, therefore, the rezoning is generally consistent with the Comprehensive Growth Management Plan. Staff believes the property is consistent with the Unified Development Ordinance in that the rezoning will be consistent with the Town of Smithfield Unified Development Ordinance because the proposed use is allowed in the B-3 zoning district with a special use permit. Staff believes the property is compatible with the surrounding land uses in that the property considered for a rezoning is adjacent to B-3 and R-20A zoning districts and adjacent to business, institutional and residential land uses. The proposed rezoning will not have negative impacts on adjacent land uses and the proposed residential use of the properties are compatible with the adjacent land uses

Preliminary Plat analysis:
Unit Type/Density/Lot Size. (17) 1,224 sq. ft. attached single-family residential townhomes on 1.72 acres of land. Each of the 17 townhouse lots will be 0.03 acres in size, with the remainder of the land held in common ownership containing the parking lot, stormwater management pond, dumpster facility, clustered mailbox, sidewalks and landscaping. Each lot will have a small patio in the rear and a covered entrance and landscaping in the front. The Unified Development Ordinance (UDO) requires a minimum of 4,500 sq. ft. gross area per unit.

Councilman Barbour stated that while he understood Mr. Wensman providing a presentation that outlined the three items for this project, he felt it was necessary to deal with the rezoning first. Councilman Barbour was concerning about access to the property being that of Highway 301 stating it was a 2-lane road that was congested and this development would only add to the problem. He questioned if the adjacent business was heavily traveled. Mayor Moore responded the business manufactured gun cases and did not experience high volumes of traffic. Councilman Barbour questioned if the two adjacent property owners had received notice of the proposed rezoning. Mr. Wensman confirmed they had received proper notification. Councilman Barbour stated the question for this hearing was whether or not to rezone the property from R20-A to B3. Mr. Wensman responded that was correct.

Councilman Wood questioned the existing homes within the project area. Mr. Wensman responded both homes would be removed.

Councilman Barbour stated it appeared the Planning Board was in favor of the rezoning. Mr. Wensman responded the Planning Board approved the rezoning.

Mayor Moore asked if there was anyone in attendance that wished to speak on the matter. There were none.

Mayor Moore asked the applicant if they had anything they wished to add. Donnie Adams of Adam and Hodge Engineering stated he was the engineer on the project and the owners were present for any questions. Mr. Adams informed the Council that the owners have spoken with all adjacent property owners and there was no opposition to the project.

Scott Bolejack questioned if the homes would be owner occupied or rental. Mayor Moore stated that while the question was a good question, it was irrelevant to the rezoning request.

Emma Gemmel questioned if there were any other potential zoning district other than the B-3 that would be so heavily populated. Mr. Wensman responded medium density was allowed in every zoning district from R-6 to R-8 and the B-3 zoning district could achieve the multi-family use. Mr. Wensman stated he recommended the B-3 zoning district because of the adjacent business property. By rezoning it to B-3, it would be an extension of the adjacent zoning and would not introduce a brand-new zoning district to that area. The R-9 district would be an isolated district

Councilman Scott stated he was concerned the rezoning would constitute as spot zoning.

Councilman Barbour made a motion, seconded by Councilman Wood, to close the public hearing. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Scott, to deny the rezoning request claiming it was inconsistent with the comprehensive growth management plan because of the density of the project as it related to higher volumes of traffic in the area and it could be considered spot zoning. Unanimously approved.

2. **Special Use Permit Request - Brightleaf Development Partners, LLC (SUP-19-02):** The applicant is requesting special use permit approval for Oakfield Towns, a proposed 17-lot single-family attached residential townhouse development on 1.72 acres of land in the B-3 (Highway Entranceway Business District). The properties considered for a special use permit approval are located on the northwest side of South Brightleaf Boulevard approximately 305 feet southwest of its intersection with Galilee Road. The properties are further identified as Johnston County Tax ID# 15J10032D & 15J10032E.

*Due to the denial of the rezoning request (RZ-19-02), this item was not discussed because the Special Use Permit Request was contingent on the approval of the rezoning.*

**CITIZENS' COMMENTS:**

- Mary Moody expressed some concerns to the Council. She asked if the Council would assist in obtaining camera footage from her residence (Austin Manor) for an alleged theft at the property.

- Pam Lampe of 415 North Second Street expressed her appreciation to Public Works Director Lenny Branch and his staff for assisting the Down to Earth Garden Club for the planting two 900 lb. Willow Oak Trees (one a the Bob Wallace Kiddie Park and one at the Second Street Dog Park). She expressed her appreciation to the Town Manager for permission to plant the trees and to Mr. Taylor of Taylor's nursery for providing a discount on the purchase of the trees. She informed the Council that the garden club was willing to assist in the planting of more trees if needed. She expressed her appreciation to Planning Director Stephen Wensman, the Planning Board and the consultant for their efforts with the Comprehensive Growth Management Plan. She expressed her appreciation to the Council for the UFS Study and the Wayfinding signage.

**CONSENT AGENDA:**

Councilman Wood made a motion, seconded by Councilman Barbour, to approve the following items as listed on the Consent Agenda:

1. The following minutes were approved
   - December 3, 2019 – Regular Meeting

2. Special Event – Easter Reenactment: Approval was granted to allow the Centenary United Methodist Church to conduct an Easter Reenactment at East Johnston Street, the Town Commons and Riverside Cemetery on April 5, 2020 from 4:00 pm until 6:00 pm. Amplified sound was approved for this event.

3. Approval of was granted to adopt Resolution # Resolution #652 (01- 2020) accepting dedication to the public of rights-of-way and easements on subdivision plats for East River

RESOLUTION # 652 (01-2020)

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

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

WHEREAS, the Smithfield Town Council has acted to approve the final plat named in this resolution on October 1, 2019; and,

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

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

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:
Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plat:

| | | |
|---|---|---|
| East River Phase 1 | Map Book 05203 | Page 0208 |

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

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

**4.** Bid was awarded to and agreement was approved for copier services with Office Value, Inc.

**5.** The following advisory board appointment was approved:

- Jane Shipman was appointed to a first term on the Library Board of Trustees.

Unanimously approved

**Business Items:**

1. **S-19-02 Brightleaf Development Partners, LLC:** The applicant is requesting preliminary subdivision plat approval for Oakfield Towns, a proposed 17-lot single-family attached residential townhouse development on 1.72 acres of land in the B-3 (Highway Entranceway Business District). The properties considered for subdivision approval are located on the northwest side of South Brightleaf Boulevard approximately 305 feet southwest of its intersection with Galilee Road. The properties are further identified as Johnston County Tax ID# 15J10032D & 15J10032E.

   *Due to the denial of the rezoning request (RZ-19-02), this item was not discussed because the Preliminary Subdivision Plat approval was contingent on the approval of the rezoning.*

2. **Annexation Request- Johnston County (ANX-19-02):** Consideration and request for approval to adopt Resolution #653 (02-2020) Directing the Town Clerk to investigation a noncontiguous Annexation Petition received under G.S. 160A- 58.1 submitted by Johnston

County

Planning Director Stephen Wensman explained this was first step in the annexation process. The Council must adopt the resolution directing the clerk to investigate the sufficiency of the noncontiguous annexation petition.

Councilman Barbour made a motion, seconded by Councilman Wood, to adopt Resolution #653 (02-2020). Unanimously approved.

RESOLUTION # 653 (02-2020)
DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-58.1

WHEREAS, a petition requesting annexation of an area described in said petition was received on January 7, 20120 by the Smithfield Town Council; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Smithfield deems it advisable to proceed in response to this request for annexation:

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD THAT:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Town Council the result of her investigation

**3. Council Committees/Appointments**

Mayor Moore explained there were vacancies on several committees; including an alternate position on the Triangle J Council of Governments and an ex-officio member to the Library Board of Trustees. He further explained Councilman Rabil had agreed to serve on the Stormwater Advisory Commission and would need to be formally appointed. Mayor Pro-Tem Dunn volunteered to serve on the Triangle J. Council of Governments and Councilman Wood volunteered to serve on the Library Board of Trustees pending the confirmation of the meeting schedule.

Councilman Scott made a motion, seconded by Councilman Barbour, to approve the appointment of Mayor Pro-Tem Dunn to the Triangle J. Council on Governments as an alternate member. Unanimously approved.

Councilman Wood made a motion, seconded by Councilman Barbour, to approve the appointment of Councilman Rabil to the Stormwater Advisory Commission. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the appointment of Councilman Wood to the Library Board of Trustees should his schedule allow it. Unanimously approved.

**4. Bid Award to Atlantic Coast Fire Trucks in the amount of $560,500 for the purchase of a 2020 Smeal Fire Engine**

Fire Chief John Blanton addressed the Council on a request to purchase a 2020 Spartan/Smeal Fire Engine at a price of $560,500.00. This Fire Engine would replace Engine 1 a 2001 American LaFrance Fire Engine. Four companied were solicited but only two submitted bids.

Councilman Scott questioned if Atlantic Coast would waive the $18,000 price increase as stated in the bid letter. Chief Blanton responded he confirmed with the company they would waive the fee until January 8th.

Councilman Barbour asked if the purchase was less than the budgeted amount. Town Manager Michael Scott explained funds were not budgeted for the purchase of the Fire engine. During the

budget process, there was a discussion with the Council for this purchase. Funds were not budgeted in this fiscal year because it takes eight months to build the engine. The debt service would be budgeted in the 2020-2021 fiscal year.

Councilman Wood questioned if the request was for a future purchase. Chief Blanton responded the purchase was contingent on approval by the Council. Chief Blanton further explained if the purchase was approved by Council, staff would send out requests for proposals for financing options. Financing options include purchasing the engine without a debt service or solicit loans. After speaking with the Finance Director, the annual debt service payment would be approximately $50,000 a year for fifteen years. The debt service payment would not begin until the Department takes possession of the engine which is estimated to be March 2021.

Councilman Scott questioned the interest rate. Finance Director Greg Siler responded an interest rate of 3.75% was estimated.

Mayor Moore questioned if there were any issues with the Smeal product. Chief Blanton responded there have only been minor warranty repairs. Mayor Moore stated that in the past, the Town has had issues with the American LaFrance products especially since they have gone out of business. He asked if the Smeal Company was financially stable. Chief Blanton responded staff had investigated the company. One of the things Smeal does not do is make their parts proprietary; therefore, allowing the parts to be available should they be needed.

> Councilman Scott made a motion, seconded by Councilman Rabil to approve the bid with Atlantic Coast Fire to begin the process of purchasing a 2020 Smeal Fire engine. unanimously approved.

**5. Bid Award to Performance Automotive for the purchase of Vehicles for the Police Department**

Chief of Police R. Keith Powell informed the Council this was the first year he had difficulties obtaining bids for Police vehicles. In his original request, he asked for Dodge Durango SUVs because no one was manufacturing the Police model Dodge Chargers. Luckily, an automobile dealership had the foresight to order some extra Chargers and thus the request changed from purchasing Dodge Durango SUVs to purchasing 7 Dodge Chargers.

Councilman Scott questioned if the 6 cylinder engine was common for Police vehicles. Chief Powell responded the V8 engine is not available in the Charger. He was hopeful that in 2021 they would manufacture the Dodge Charger with the V8 engine.

Councilman Barbour questioned if this purchase had been budgeted. Chief Powell responded in the affirmative.

> Councilman Barbour made a motion, seconded by Councilman Wood, to approve the request to purchase 7 Dodge Chargers in the amount of $162,246.00 from Performance Automotive. Unanimously approved.

Mayor Moore questioned if the Council wished to continue with the remaining items on the agenda or if they wished to recess until the scheduled January 15th meeting. Councilman Barbour stated he would like to discuss the next item before recessing.

**6. Consideration and request for amendments to the salary schedule**

Town Manager Michael Scott addressed the Council on a request to adjust the salaries for sworn positions in the Police Department. The Town Manager explained in July of 2019, the Town implemented the salary recommendations approved by the Council at 100% of the average of our comparable cities used in the study. In July, the Police Department had 5 vacancies at that time. Since then we have maintained an average of 4.75 vacancies until now. There is a concern now that the salary study increases did not have the desired effect for the Police Department. The goal was to increase retention and recruitment of personnel. we have lost a few and hired a few people. We can't seem to make any headway on decreasing the number of vacancies. The Police Department has been working with a deficit of 12% of the agency since July. The Town Manager explained there was a nationwide shortage of Police personnel. To be competitive the Town will have to do more than the average salaries of our competitors. He recommended increasing the salaries of all sworn positions

as well as subsequent changes to retain current parity between current staff position as to not create compression issues. As part of the request, he asked to freeze two sworn positions until the budget discussions take place. The anticipated cost for the remainder of this fiscal year would be $95,000 which can be absorbed since the Police Department salary line is currently $120,000 under budget due to vacancies.

Chief Powell explained the Sherriff's Department's starting salary for patrol officers is $43,702 and officers receive a 5% increase after successfully completing their first year. Chief Powell explained he recently lost 2 supervisors who accepted patrol positions with other agencies because they could make considerably more money.

Councilman Barbour stated Knightdale seemed to be the Town's chief competitor because we are not offering a competitive salary or benefits. Chief Powell responded when Knightdale has a vacancy they come to Smithfield and take one of our officers.

Councilman Barbour questioned if the Town was going to be competitive or not. He stated he talked with some Smithfield Police Officers and they love working in Smithfield and they do not want to leave, but they also had to provide for their families.

Mayor Moore questioned the number of Police Officers the Town of Smithfield has lost to Knightdale over a two-year period. Chief Powell responded three officers went to Knightdale, one went to Garner and two went to the coast. The Town Manager stated the Knightdale Chief of Police is a former Town of Smithfield Police Officer. Mayor Moore stated that could be another reason why Smithfield is losing Police Officers to Knightdale.

Mayor Pro-Tem Dunn stated to implement this increase would be a significant financial shift. Although it can be absorbed in this fiscal year, the financial implications have to be realized for future fiscal years. He suggested delaying any decision until the budget planning sessions.

Councilman Barbour stated this was a matter of urgency and should not be delayed until the budget sessions. He further stated the salary study should have addressed this issue and the Council should have had these discussions during last year's budget sessions. He suggested following the recommendation of the Town Manager.

Councilman Scott stated that while he supported every Police Officer in the Town of Smithfield, they were not the Town's only employees. The Council must evaluate every employee and do what was fair. He recognized the Police Department's issues stating it needed to be addressed before the budget sessions. He was skeptical about approving a pay schedule that provides different amounts to different levels of Police Officers. He suggested this item be tabled until a workshop meeting. He asked staff to determine if sign on bonuses could be used for those officers that left on good terms and what the Town could do to immediately fix the gap. When the Town was in financial crisis, one benefit eliminated was the longevity pay program. But the Town is no longer in financial crisis with a 90% fund balance and the Council has an opportunity to make a difference for its employees. He asked staff to aggressively investigate the take home car program and how it could be implemented.

Councilman Barbour stated he was acceptable to not rendering a decision tonight, but he was not in favor of waiting until the budget sessions for a decision on this matter. He stated the Town has the funds to implement the Town Manager's recommendation

Mayor Moore cautioned the Council on statements made concerning the Town's current financial position. He explained that personnel was the Town's largest expense and it was an ongoing expense. This could potentially be a 20 year investment for an employee. He reminded the Council that there is also a huge electric lineman shortage across the state because the private industry can provide better wages and benefits. He stated the Town just conducted a salary survey and the Council should stand by those results. He reminded the Council they must be mindful of other employees in other Departments.

> Councilman Scott made a motion, seconded by Councilman Wood to table continue this discussion at the January 15th meeting specifically addressing the Police Department. Unanimously approved.

Councilman Wood stated he had met with Public Utilities Director Ted Credle and the need for electric lineman was a concern. While the Town needed to address the Police Department's issue, the Council should be fair to all employees

## Recess

Councilman Barbour made a motion, seconded by Councilman Scott, to recess the meeting until January 15, 2020 at 6:30 pm. at which time the Council would discuss the item that was tabled (Police Department salaries) and the remaining items on the agenda.

Mayor Moore reminded the Council remaining on this agenda was Councilmembers Comments and the Town Manager's report.

Councilman Barbour amended his previous motion, seconded by Councilman Scott, to recess the meeting until January 15, 2020 at 6:30 pm. at which time the Council would discuss the item that was tabled (Police Department salaries) and the remaining items on the agenda. The meeting would recess after Councilmembers' Comments and the Town Manager's report. Unanimously approved

Mayor Moore stated the January 15th meeting would begin with the Police Department salaries discussion followed by the Comprehensive Land Use Plan, Park Planning discussion and the Dilapidated Building Ordinance discussion.

### 7. Comprehensive Land Use Plan Discussion

This item was not discussed, but will be discussed at the January 15, 2020 recessed meeting

### 8. Park Planning Discussion

This item was not discussed, but will be discussed at the January 15, 2020 recessed meeting

### 9. Discussion concerning Dilapidated Building Ordinance# 501

This item was not discussed, but will be discussed at the January 15, 2020 recessed meeting

**Councilmembers Comments:**

- Councilman Wood expressed his appreciation to Finance Director Greg Siler, the Town Council, the Town Manager and staff for a great audit.

- Councilman Scott expressed his appreciation to NCDOT for the construction of the Booker Dairy Road extension. He expressed some concerns about the condition of Booker Dairy Road near the Eden Woods Subdivision. He expressed his appreciation to the Town's Electric Department staff for their efforts during a recent power outage. He stated there were a few social media comments concerning the outage. He reminded the citizens that the Town's electric rates were now lower than Duke Energy Progress.

- Mayor Moore expressed commended the Public Utilities Director Ted Credle and the Electric Department staff for their hard work during the recent power outage. He stated they were able to restore power because staff had a replacement part on hand. He stated if the safety stock of parts has been depleted then make sure another part or parts have been ordered. Mayor Moore stated he recently moved and is no longer on the Town's electric system. He stated he was astounded by his electric bill every month which does not include trash pickup, water or sewer and his bill is much higher than it was when he was on the Town's system. He stated the Council has diligently worked to reduce electric rates in the Town.

- Councilman Barbour stated the opening of Booker Dairy Road Extension has shortened the distance from District 4 to North Smithfield. He stated he was looking forward to the development that would come along the new roadway. He praised the Town's Sanitation Department employees and all Town employees for their hard work and dedication to the Town.

## Town Manager's Report:

Town Manager Michael Scott gave a brief update to the Council on the following items:

- The annual Martin Luther King, Jr. parade will be held on Saturday February 15th and will follow the same route as the Christmas Parade.

- The Grantham Pump Well House located at the corner of Woodall and South 4th Street is nearing the completion of its renovation. This was a project completed by the Town's Appearance Commission and from private donation.

- The Manager requested direction from the Council on how they wished to proceed with the budget process. He questioned if the Council would like to conduct pre- budget planning session or if they would prefer receiving a balanced budget before starting the budget work sessions.

**Recess**

Being no further business, the meeting recessed at 9:51 pm.

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan L. Parrish, Town Clerk

# Request for Town Council Action

| | |
|---|---|
| Consent Agenda Item: | Tree City |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Tree City, USA |
| Department: | Appearance |
| Presented by: | Michael Scott |
| Presentation: | Consent Agenda |

## Issue Statement

The Smithfield Appearance Commission and Town staff have taken the steps necessary for Smithfield to become designated and recognized as a "Tree City USA" community.

## Financial Impact

None

## Action Needed

Approve Tree City Proclamation.

## Recommendation

Approve Tree City Proclamation

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Tree City Information
3. Proclamation

# Staff Report

Consent Agenda Item: Tree City

SUMMARY:

The Smithfield Appearance Commission has taken the necessary steps to become a Tree City USA designated community. All requirements for completing the application have been met except the approval of the attached proclamation. Becoming a Tree City does require the Town to budget $2.00 per capita for tree services. The Town is already spending well beyond this amount due to its Appearance objectives and the use of JP and JB George funds. The proclamation will set aside Arbor Day as a day of celebration for the Town. Town Staff will plan some sort of tree planting initiative for this day.

# *Proclamation*
# *Celebrating Arbor Day in the*
# *Town of Smithfield on Friday, March 20, 2020*

***Whereas,*** *in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees: and*

***Whereas,*** *this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and*

***Whereas,*** *Arbor Day is now observed throughout the nation and the world, and*

***Whereas,*** *trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and*

***Whereas,*** *trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and*

***Whereas,*** *trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community, and*

***Whereas,*** *trees, wherever they are planted, are a source of joy and spiritual renewal.*

***Now, Therefore, I, M. Andy Moore,*** *Mayor of the Town of Smithfield, do hereby proclaim March 20, 2020, as Arbor Day in the Town of Smithfield, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and*

***Further,*** *I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.*

_____

*M. Andy Moore, Mayor*

***IN WITNESS WHEREOF,*** *I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this 4th day of February in the year of our Lord Two Thousand Twenty.*

# North Carolina's Arbor Day

In 1967 the state legislature ratified a bill stating in part,

*"Whereas, it is desirable that the planting of seedlings and flowering shrubs be encouraged to promote the beautification and conservation of the vast and varied resources of North Carolina, and whereas the designation of a particular day each year as Arbor Day would encourage and draw attention to a concerted effort by North Carolinians to beautify and conserve the state's resources by planting young trees and shrubs."*

Arbor Day in North Carolina was designated as the first Friday following March 15.

**First Friday after March 15**

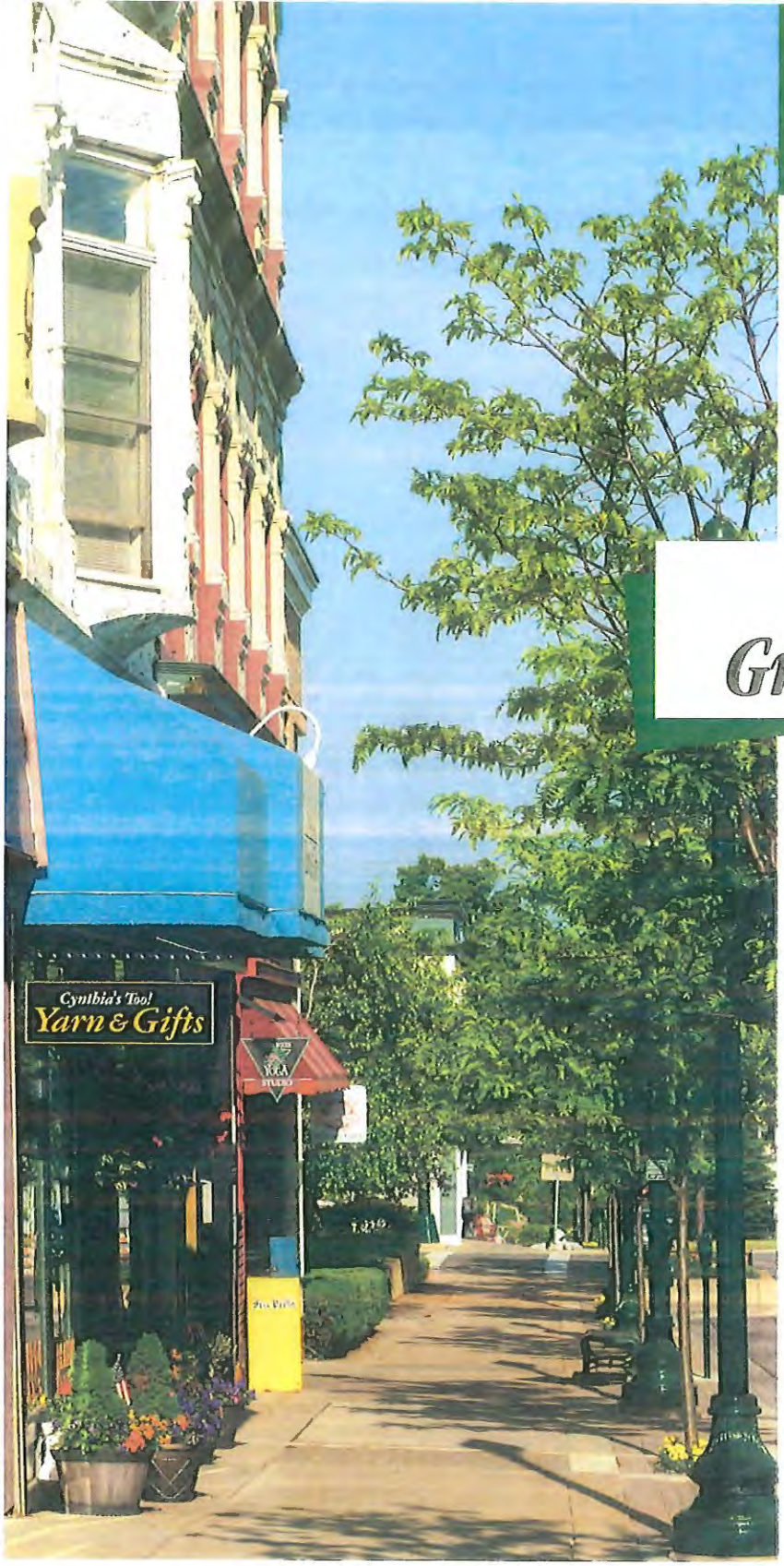
Over the next few years Arbor Day in North Carolina will be on the following dates:

- 2020 - March 20
- 2021 - March 19
- 2022 - March 18
- 2023 - March 17
- 2024 – March 22

Arbor Day in any locality can be on any day that is chosen. Many communities choose to have an Arbor Day celebration in springtime, but if you want to plant trees, a fall Arbor Day is a good choice. The generally mild winters allow newly planted trees to become established in advance of the next year's hot spring and summer weather, improving survival.

All across the state, communities, schools and individuals are celebrating Arbor Day in unique and exciting ways. Many communities have a celebration that involves the planting of a new tree on public grounds. Some places combine Arbor Day and Earth Day celebrations together. Others have incorporated Arbor Day as part of a larger community festival. The main point to remember is that Arbor Day is a day to recognize the benefits that trees give to our communities.

Some towns have certified arborists from their community staff on hand at their Arbor Day celebration to answer tree questions.




# Tree City USA®

## *Take Pride in a Greener Community*

You have seen the signs along the road and perhaps a Tree City USA flag flying at city hall in other communities. Towns and cities that have received their Tree City USA recognition take pride in this distinction. And the people who live there enjoy the valuable benefits of having a greener, healthier community.

Tree City USA is a national recognition program that began in 1976 and is sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and National Association of State Foresters. By meeting four fundamental standards, an incorporated municipality of any size can qualify.

Applying for the Tree City USA award is easy and the recognition is outstanding. There are now thousands of communities that proudly receive roadside signs, fly the flag of Tree City USA and – knowing the value of participation – renew their application every year.

Whether you are a business leader, a community official, or simply a citizen with an interest in trees, you are invited to visit **arborday.org/TreeCityUSA** for more information and to apply for recognition on behalf of your community.

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**"Tree City USA is a great way to get the community involved in green space. A community that feels involved will take better care of their environment."**

*— Alison Litchy, Fort Smith, AR*

# Why Your City Should be a Tree City USA Community

**"With emphasis today on the environment, residents need to know the importance of trees and the importance of the care of those trees."**

*— Bernard Whitely, Velda Village Hills, MO*

## WHY YOUR CITY SHOULD BE A TREE CITY USA COMMUNITY

The Tree City USA program provides direction, assistance, and national recognition to your community. It's the framework for a healthy, sustainable urban forestry program in your town. By becoming a Tree City USA your community is ensuring that its trees will benefit your community in many ways:

**Reduce costs** for energy, stormwater management, and erosion control. Trees yield three to five times their cost in overall benefits to the city.

**Cut energy consumption** by up to 25 percent. Studies indicate that as few as three additional trees planted around each building in the United States could save $2 billion annually in energy costs.

**Boost property values** across your community. Properly placed trees can increase property values from 7 – 20 percent. Buildings in wooded areas rent more quickly and tenants stay longer.

**Build stronger ties** to your neighborhood and community. Trees and green spaces directly correlate to greater connections to neighbors.

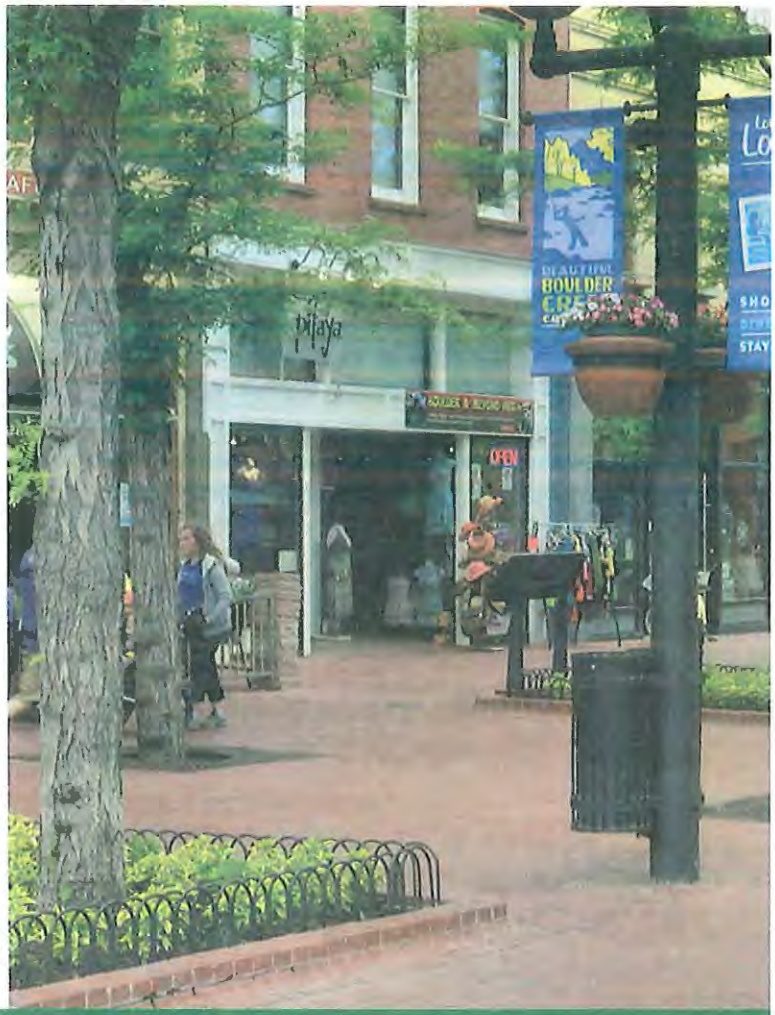
**Honor your community** and demonstrate your commitment to a healthier environment through Arbor Day celebrations and Tree City USA recognition.

**Use the framework** for action provided by the four core standards as a way to begin caring for city trees. Some communities regularly enhance urban forest management through improved ordinances, innovative programs, and increased emphasis on planting and care.

**Educate people** living in your city about the value of trees and the importance of sustainable tree management. Annual participation as a Tree City USA community provides this opportunity and makes it easier to engage individuals and organizations through the city. Tree City USA status can also create a strong working relationship with your state forestry agency and other groups.

**Increase community pride.** Participation in the Tree City USA program helps residents feel good about the place they live and work. Annual recognition shows visitors and prospective residents that trees, conservation, and the environment are important to your community.

**Gain publicity** with recognition materials. Tree boards, parks departments, public works officials, and volunteers are recognized for the valuable work they provide to the community. Many communities share their Tree City USA recognition across city departments and with elected officials, students, and business leaders.



# Why Community Trees are Important

Trees along our streets and in parks have been treasured since the earliest days of settlement. Unmatched beauty, and cooling shade are still important, but there is more.

## ENVIRONMENTAL SERVICES

A modest investment in community trees has a big payback. Studies show that for every dollar invested, there is often a four or five dollar annual return in environmental services, not to mention that green infrastructure is the only part of a city's infrastructure that actually appreciates in value over time.

- Trees clean the air, absorbing pollutants that trigger asthma attacks and other health problems.
- Trees absorb carbon dioxide and provide life-giving oxygen.
- Shade from trees cools the urban landscape.
- Water vapor given off through transpiration adds to the cooling influence of trees.
- Stormwater runoff can be reduced by tree canopies by as much as 65 percent, reducing flooding and the need for expensive facilities.

**TREE CITY USA®**

## *The Four Standards*

These are the simple but important requirements for becoming eligible to be named a Tree City USA.

1. A tree board or department
2. A tree care ordinance
3. A community forestry program with an annual budget of at least $2 per capita
4. An Arbor Day proclamation and observance

## FINANCIAL BENEFITS

Much depends on the nature of the neighborhood, but real estate professionals report that houses with adjoining healthy trees and pleasant landscaping can contribute as much as 20 percent to the property value.

- In some cases, a single tree has raised the value by 9 percent compared to similar houses without such tree.
- Scientists with the U.S. Forest Service report that a tree planted today on the west side of a house can reduce energy bills by 3 percent in only five years and by 12 percent annually in 15 years.

## PUBLIC HEALTH BENEFITS

Research has consistently shown the positive impact trees have on people, including worker satisfaction, students' ability to concentrate, faster healing time for hospital patients, and lower blood pressure among senior citizens. Their presence has even been found to reduce crime by providing inviting places that promote positive social interaction.

In summary, the growing volume of research says that trees:

- facilitate mental restoration.
- reduce depression, anger, anxiety, mental fatigue, and stress.
- focus attention and improve concentration.
- encourage healthful, outdoor activity for the young and old.

# Fundamental Components of Tree City USA

The benefits enjoyed by communities that receive Tree City USA recognition usually include a more organized and effective approach to the care of their trees. In fact, that is exactly what the four standards are intended to encourage – a systematic, continuous tree care program.

## STANDARD 1: A TREE BOARD OR DEPARTMENT

Larger cities usually have a department or other government official that is responsible for tree care. These communities meet Standard 1. The benefit of Tree City USA recognition will enhance recognition of the department's efforts and perhaps even help at budget time.

The formation of a tree board often stems from a group of citizens. In some cases a mayor or city officials have started the process. Either way, the benefits are immense. Involving residents and business owners creates wide awareness of what trees do for the community and provides broad support for hetter tree care.

## STANDARD 2: A TREE CARE ORDINANCE

City ordinances reflect the values of a community. That is, they speak about what its residents believe are worth protecting to create or maintain their quality of life and an environment that is both safe and pleasant. Trees are certainly worthy of this formal attentiou for the common good.

A public tree care ordinance encourages beautification, air cooling and purification, noise abatement, property value enhancement, and all the other attributes of trees in cities of all sizes. It also enables city government to prevent and control destructive insects and diseases, avoid unnecessary costs and liability from hazardous trees and tree-related accidents, and protect residents from unscrupulous or careless operators.

Length of the ordinance does not matter. It should be kept simple, clear, and tailored to the needs of your community. A tree ordinance is an important tool for proper tree care — delegating authority to a board or department and establishing protection and regulation for public trees. There are plenty of models and help available to create a tree ordinance. For more information, see Tree City USA Bulletin No. 9 or visit **arborday.org/bulletins** and navigate to the resources for Bulletin No. 9. But above all, remember that the ordinance is modified to serve in your situation.

### STANDARD 3:
### A COMMUNITY FORESTRY PROGRAM WITH AN ANNUAL BUDGET OF AT LEAST $2 PER CAPITA

As pointed out earlier, most communities probably already spend at least $2 per capita. Also, community trees — when cared for — can actually save money. A managed program can ensure benefits that surely outweigh costs. It does require dollars to plant and keep trees in healthy condition, but this should not be a barrier to becoming a Tree City USA. Even the smallest communities have found ways to raise needed funds:

- City budget (always a high priority).
- Local donations, often through adopt-a-tree or memorial tree programs.
- Including trees as part of public works or downtown revitalization projects that receive state or federal money.
- Assistance from the utility company.
- A donor-established trust with principal used for trees.
- Federal grants, often passed through to communities from the state forester's office.
- State funds from special license plates or tax return checkoffs.
- Tree donations from local nurseries or retail outlets, especially in late autumn.

Tree City USA Bulletin 34 and its supplemental resource library at **arborday.org/bulletins** provide additional ideas.

**The importance of this tree-planting holiday provides an excellent opportunity to educate about trees and tree care.**

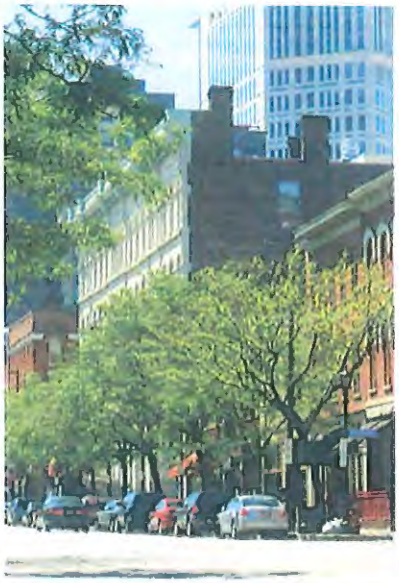
### STANDARD 4:
### AN ARBOR DAY PROCLAMATION AND OBSERVANCE

Arbor Day began in 1872 as the idea of founder J. Sterling Morton, a Nebraska farmer and newspaper editor. Since then it has spread to every state in the nation and many countries overseas. Most importantly, it has been the initial inspiration for generations of children who grew into adults who love trees and care about the environment.

The importance of this tree-planting holiday provides an excellent opportunity to educate about trees and tree care. It also creates pride within the community and can help garner public support for the city's entire urban forestry program.

Part of the fun of Arbor Day is creating something that will be enjoyed by the whole community. Here are some of the ways Tree City USA communities are making the celebration memorable. More help is available at **arborday.org/celebrate**.

- Involving school children, Scouts, church groups.
- Combining with an art and craft festival.
- Sponsoring contests for young people and adults (art, crafts, essays, best landscaping, etc.).
- A "Tree of the Year" contest.
- Presentations by celebrities.
- Honoring individuals who have made important contributions.
- Theatrical or musical performances.
- Food from nature-cooking demonstrations.
- And, of course – planting trees!



# Myths and Truths about Tree City USA

Many communities fail to take advantage of Tree City USA recognition because of misconceptions about the program. Here are the perceived obstacles and the facts.

### MYTH: We don't know much about trees ...

**TRUTH:** If this is true, it is a very good reason to pursue Tree City USA status! There is plenty of assistance available and a network of people who are passionate about the role trees play in every community. Help will be provided in forming a tree board if that's what you need. Materials are available to help you plan an Arbor Day celebration. Even a suggested proclamation for the mayor to read will be sent. You can be sure that you will learn and grow, and your entire community will benefit from it.

### MYTH: Another ordinance just means more restrictions and more bureaucracy ...

**TRUTH:** A tree ordinance is needed for systematic and continuous care of your community's public trees – and public safety. However, there is no single ordinance that fits every community. Some might be lengthy and detailed, but others are very short. The ordinance should fit the needs of the community.

### MYTH: We can't afford it ...

**TRUTH:** We think you can. First of all, there are no application or membership fees. Even the award materials are complimentary. Other services are part of what your state foresty department contributes. As for the $2 per capita required, you are probably already spending this much on tree care. For example, in even the smallest of cities, if an employee removes a tree that fell during a storm or that appears dangerous, labor and equipment costs count. And if volunteers help plant trees, their time and expenses can count, too. Of course, the goal of this standard is to have community tree care be part of the local budget, but even without that, most communities already meet this standard.

### MYTH: People in our community view trees as a frill or nice to have, but that's about all ...

**TRUTH:** This is probably because they don't understand that trees not only lend beauty to our communities, they provide benefits such as cleaner air and water, lower energy costs, stormwater retention, and a host of others. There are also numerous proven public health and economic benefits. Living in a Tree City USA community usually instills a sense of pride among the residents and opens opportunities for education about the benefits of a healthy tree canopy. With a little understanding, trees become viewed not as a frill but as a necessary and profitable part of the city infrastructure.

### MYTH: Our community is too small ...

**TRUTH:** If there was genius in the founding of the Tree City USA program, it was in the requirement that qualifying expenditures are on a per capita basis. This provides a level playing field for communities ranging from New York City with its population of more than 8 million people to Sibley, North Dakota, and its 28 residents.

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**"The real advantage to the designation is it speaks to the rest of the world about who you are as a community and what you value in your world."**

*— Steve Ayers, Camp Verde, AZ*

### MYTH: We lack leadership ...

**TRUTH:** This thought may be the number one obstacle to achieving Tree City USA recognition. On the other hand, it takes only one motivated individual to get the ball rolling. Maybe that person is you. Whoever starts the Tree City USA process usually finds that there actually is support from others. It may be the mayor, a council member, a park staffer, or someone else affiliated with the city. Or, it may be another resident or two who share the desire to move forward. In searching for supportive individuals, you might start with other organizations such as a Garden Club, civic group, business associations, or just a group of friends. Kindred spirits are out there.

### MYTH: No one here wants the responsibility of taking care of trees ...

**TRUTH:** Ouch! This attitude can hurt in more ways than one. Not only can citizens be injured, it is also a plaintiff lawyer's dream. Cities have the responsibility for public safety. Tree City USA standards help communities be more aware not only of the duty of care owed to citizens and visitors, but how to make conditions safer down the road.

### MYTH: There is no Arbor Day celebration (or proclamation) in our community ...

**TRUTH:** Arbor Day is one of the nation's oldest celebrations. The first one was in 1872 and the idea spread quickly to all states in the nation. If your community doesn't have an Arbor Day celebration of some kind, it's time to start. Countless numbers of adults can trace their earliest memories of stewardship to an Arbor Day celebration at school. Ways to celebrate can be as simple as a brief ceremony and planting a new tree near city hall, the library, a home for the elderly, or some other public or private building. For ideas and a copy of a proclamation that can be read at the ceremony, see the Celebrate Arbor Day section online at **arborday.org/celebrate.**

## HOW TO EARN TREE CITY USA RECOGNITION

**1.** Get Your Community Interested — Find Allies and Partners

**2.** Contact Your State Urban and Community Forestry Coordinator

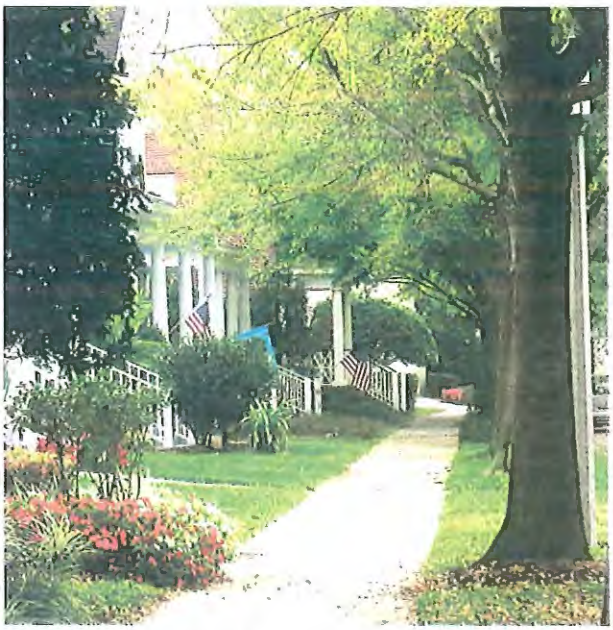
**3.** Work Together to Fulfill the Four Tree City USA Standards

**4.** Celebrate Arbor Day!

**5.** Submit your Application

Communities that receive Tree City USA recognition receive support that helps make the celebration easy to plan and conduct. Here is some of what you will receive in your first year:

- Two road signs.
- A 4' x 6' Tree City USA flag.
- Beautiful wall plaque.



With a bit of organizing, virtually any community — large or small — can qualify for Tree City USA recognition. The end result will be safer community trees, better informed citizens, and a higher quality of life for residents and businesses.

# It's Time to Get Recognized

**"Becoming a Tree City USA is a way to make your community stand out. It shows you're dedicated to the management of your urban forest and strive to provide a beautiful landscape to the residents you serve."**

*— Mike Fraider, Alsip, IL*

# TREE CITY USA®: *Your Community Is Ready*

As the first step in helping your town or city become a Tree City USA community, an important person for you to contact is the urban and community forestry coordinator in your state forester's office.

Visit **arborday.org/coordinators** for your contact's information and a directory list of all states.

Your state coordinator is the resource for beginning your Tree City USA application. He or she will have answers to your questions and will be more than happy to help your community become a Tree City USA.

## How to Apply

Simplicity is one of the principles of the Tree City USA application and annual recertification process. Experience has shown that getting started as a Tree City USA often results from a single individual or a small group taking the lead. Here is all you have to do:

**A** Talk with the person in your community currently responsible for trees (city forester, park superintendent, public works director, etc.). Also discuss with your mayor, city manager, city clerk, a key council person, or whomever else in your city government should be informed and whose support you will need.

**B** Go to **portal.arborday.org**. The Tree City USA application can easily be completed online.

**C** The application is normally completed by the city forester or other person responsible for trees, or the tree board chair. Once your application is submitted, it's reviewed at a state level and then it will be reviewed by the Arbor Day Foundation at a national level. To learn more about applying and your state's deadlines visit **arborday.org/treecityusa.**

# Request for Town Council Action

| | |
|---|---|
| Consent Agenda Item: | Career Ladder |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Promotion |
| Department: | Police Department |
| Presented by: | Chief R.K. Powell |
| Presentation: | Consent Agenda |

## Issue Statement

This request is to promote one officer from the rank of Police Officer I (PO I) to Police Officer II (PO II), moving from pay range 218 to 219. Under the Town's Employee Handbook, all promotions to a higher pay range will be accompanied by an increase to the next pay range minimum salary or a 5% increase, whichever is greater.

## Financial Impact

Approved Budgeted Amount for FY 2019-2020: The salary increase will be covered by the current budget and will not require a budget amendment to the current salary line item.

Amount of Purchase/Bid/ Contract: The required salary increase for the current budget year will be $783.00. (annually starting July 1, 2020, it will cost $2,366.00)

## Action Needed

The officer has followed the attached career ladder policy previously approved by the council found in support documentation and has earned the promotion. The Police Chief recommends this promotion and a five percent salary increase, moving him to the next range in the current Town Salary Schedule.

## Recommendation

Approve the recommended promotion.

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Officer Request
3. Career Ladder
4. Pay Scale

# Staff Report

| Consent Agenda Item: | Career Ladder |
|---|---|

This request is to promote one officer from the rank of Police Officer I (PO I) to Police Officer II (PO II), moving from pay range 218 to 219. Under the Town's Employee Handbook, all promotions to a higher pay range will be accompanied by an increase to the next pay range minimum salary or a 5% increase, whichever is greater. The officer has followed the attached career ladder policy previously approved by the council found in support documentation and has earned the promotion. The Police Chief recommends this promotion and a five percent salary increase, moving him to the next range in the current Town Salary Schedule.

# Smithfield Police Department
**Interoffice Memorandum**

Date: 11/21/2019

To:

From:

Subject: PO II promotion

I was hired with the town in October 2017 and completed the required hours for Field Training. In April 2016 I completed 27 hours of coursework to receive my certificate for DWI/SFST.

In December 2018 I completed the required hours and received my permit as a Chemical Analyst which allows me to operate the Intoximeter EC/IR II.

In July 2019 I completed the required hours and passed the State Exam to become a certified Radar Operator. After completion of the course I fulfilled the required 16 hours of Radar operation and earned my certificate as a Radar operator on October 21, 2019.

In 2018 I received a combined score of 39 (Satisfactory) for the end of year evaluation. On 10/14/2019 I received an oral warning (level 1) disciplinary action for tardiness in reporting for duty assignment, and I have been working to do better since in this area.

I have met all of the requirements to advance to the level of PO II and I am submiting this Memo to request consideration for this promotion. I understand the importance of what I do and I take this job seriously and enjoy each shift I grow and learn more.

With Highest Regards

JFG 1-2-20

Cc: Sgt. W. T. Lee
Lt. S. S. Jones
Capt. J. F. Grady

# Chapter 500
# Personnel Policy 504: Promotions & Career Development
# Effective Date: January 1, 2014 Revised Date: September 4, 2018
# Approved by: Chief Robert K. Powell

RK Powell

## I. POLICY STATEMENT

It shall be the policy of the Department to select the most qualified candidates to fulfill the duties and responsibilities of each position within the agency. All aspects of this policy are in keeping with the Department's goals as an equal opportunity employer.

## II. COMMENTARY

The purpose of this directive is to establish guidelines for the administration of the Department's promotion process.

A career ladder program will provide for the advancement of police officers who demonstrate increasing levels of knowledge, skills, and abilities. Advancement and promotional processes will be administered fairly and impartially, using testing and evaluation mechanisms that evaluate past performance as well as future potential through the use of job-related criteria.

## III. PROCEDURES

A. Administration

1. The Smithfield Police Department is responsible for the administration of the promotion process. When deemed necessary, assistance may be utilized from other entities within or outside of Town government.

2. The Chief of Police has the authority and responsibility for administering the Department's promotion process. All promotional materials will be maintained and secured in the Chief's office.

3. Responsibilities of the Chief of Police include:

a) Maintaining authority over all phases of the process

b) Determining the skills, knowledge, and abilities required for each position

c) Initiating promotional processes on an as-needed basis

d) Selecting a candidate for promotion at the completion of the process

4. The Chief of Police may delegate selected duties to other Departmental employees to facilitate the promotional process.

5. When it is deemed in the best interest of the Department, the Chief of Police may waive any of the prescribes qualifications or eligibility requirements, except those established by the North Carolina Criminal Justice Education and Training Standards Commission or other legal authority.

B. Vacancy Announcements

1. Prior to the commencement of any promotional process, the Department will post written notices announcing the following information:

a) Description of the position to be filled;

b) Description of eligibility requirements;

c) Closing date

2. Personnel eligible to participate in the promotional process will submit a letter of intent through the chain of command to the Chief of Police. The candidate's supervisor and each person in the chain of command will indicate approval or disapproval of the candidate's suitability to participate in the process. Disapprovals must be justified in writing and forwarded to the Chief of Police.

3. Once the application period for the given position has been officially closed, all eligible applicants who meet the minimum requirements for the position will be considered for the Department's promotional process. The Chief of Police or designee will ensure the eligibility of the applicants prior to the beginning of the promotion process.

4. When deemed necessary, the Chief of Police has the authority to order a written test for any promotional process. Written tests given will be standardized, validated, and approved by the Town Human Resources Department.

5. An officer who is not recommended for promotion by his/her supervisor will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

C. Promotional Procedures

1. Chief of Police or designee will conduct a review of applicable Human Resources and Departmental personnel records in order to evaluate the promotional potential of the candidates. This review serves to verify law enforcement credentials, certifications, and work performance history of the applicants to ensure that the minimum qualifications have been met for each applicant. Candidates are not ranked at this point of the process; however, candidates who do not meet all the preferred qualifications for the position may be eliminated at this stage of the process. Candidates are ranked according to their promotional potential only at the completion of the assessment center phase of the promotion process.

2. The promotional process will consist of an assessment designed to measure each candidate's ability to perform the specific job; The assessment will evaluate each candidate's performance in handling job-related problems and situations through specially-developed simulation exercises; Promotional assessments may include, but are not limited to, written projects, oral presentations, oral interviews, conflict role plays, and counseling role plays.

3. Prior to each promotional process, promotional procedures will be reviewed to determine current applicability. A description of the selection process will be provided to each candidate.

4. The Chief of Police will evaluate the Department's promotional process as needed. The process will be evaluated for validity and effectiveness. All components of the promotion process will be job related and non-discriminatory. Tests used in the process will be purchased from a commercial vendor that have completed validity studies for job relatedness and non-discriminatory practices.

5. For general promotional purposes, lateral entry from other agencies for supervisory positions will not be commonly practiced. However, prior experience at another law enforcement agency may be used toward meeting the requirements for a higher level position after initial entry requirements (including probationary period) are met. Prior experience with another agency will be assessed and a lateral-entry candidate's eligibility for hire above the classification of entry level officer will be evaluated by the Chief of Police on a case-by-case basis.( Exception to this is the position of Chief of Police and any other senior management positions as determined by the Town Manager).

6. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

D. Minimum Qualifications for Promotion

1. Sergeant

To be eligible for promotion to the position of Sergeant, candidates must:

a) Have served as a Police Officer II for two years;

b) Have completed a total of 172 training hours;

c) Within 12 months of promotion to Sergeant, an officer must complete First Line Supervision;

d) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;

e) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals <u>or</u> a rating of "Outstanding" on the last annual performance appraisal;

f) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

2. Lieutenant

To be eligible for promotion to the position of Lieutenant, candidates must:

a) Have served as a Sergeant for two years;

b) Within 12 months of promotion to Lieutenant, an officer must complete a Law Enforcement management program such as AOMP, FBI National Academy, etc;

c) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;

d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals *or* a rating of "Outstanding" on the last annual performance appraisal;

e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Captain

To be eligible for promotion to the position of Captain, candidates must:

a) Have served as a Lieutenant with the Smithfield Police Department for two years;

b) Have completed a Law Enforcement management program such as AOMP, FBI National Academy, etc;

c) Have been awarded the Advanced Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;

d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals *or* a rating of "Outstanding" on the last annual performance appraisal;

e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

7. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

E. Review and Appeal

1. Within (5) working days of the conclusion of a promotional process, candidates may review their performance results in each element of the promotional process to include:

a) Review of the answer key to any written exams administered, unless prohibited by the leaseholder of the test

b) Review of the written results of scored elements of the selection process

c) Review of reports/materials used in the selection process

However, in accordance with NCGS 160A-168(C1), testing or examination materials may be withheld from disclosure to the employee or other persons if the material was used solely to determine qualifications for promotion and in the opinion of the agency the disclosure of such material would compromise the objectivity or the fairness of the testing or examination process.

2. Candidates may contest any results filed by requesting a meeting with the Chief of Police or designee administering the process. The Chief of Police or designee will conduct a review of the report(s) and discuss findings with all staff in the supervisory chain of command.

3. The Chief of Police or designee will inform the contesting employee of the final decision at the completion of the review.

4. If an employee feels that fair treatment has not been received during any portion of the promotional process, he/she is urged to use the Department's grievance procedures contained in Policy 507.

F. Career Ladder

1. The career ladder program will include the following classifications.

   a) Police Officer I
   b) Police Officer II
   c) Master Police Officer

2. Each level in the career ladder will have certain minimum requirements necessary to qualify for advancement or promotion to the next level. Upon fulfilling the requirements necessary for advancement to Police Officer II and Master Police Officer the officer will submit a memorandum to the Chief of Police containing the following information:

   a) Hire date
   b) Date of last advancement, if applicable
   c) Level of education
   d) Complete list of required classes and dates attended
   e) Date awarded applicable law enforcement certificate(s)

3. This memorandum must be endorsed by the officer's Team Commander and the appropriate Division Commander. The Division Commander will forward the memorandum to the Chief of Police after having verified the information contained therein.

4. An officer who is not recommended for advancement will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

5. After consideration of all factors deemed relevant by the Chief of Police, the officer will be notified of the advancement decision within 30 days following receipt of the memorandum by the Chief of Police.

G. Minimum Qualifications for Advancement

1. Police Officer I

Entry-level candidates must:

a) Meet the basic requirements established by the North Carolina Criminal Justice Education and Training Standards Commission

b) Meet minimal requirements for employment with the Town of Smithfield as set forth in the Town of Smithfield Personnel Policy

c) Appear before a Department review board made up of officers selected by the Chief of Police

d) Pass an extensive background investigation and successfully complete a psychological evaluation, physical examination, drug test, and polygraph examination

All finalists will be interviewed by the Chief of Police. Officers are required to successfully complete the department's Field Training Program and required Solo Patrol Assignment within the first year of Probationary employment.

2. Police Officer II

To be considered for advancement to Police Officer II, candidates must:

a) Have completed the following as a Police Officer I:
* Successfully completed one year probation and probationary requirements in as required in Police Officer I
* Receive Radar Certification
* Receive Standardized Field Sobriety Testing Certification
* Receive Intoximeter Certification

b) Have been awarded the Basic Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission

c) Have received a rating of "Satisfactory" or higher on the last annual performance appraisal

d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Master Police Officer

To be considered for advancement to Master Police Officer, candidates must:

a) Have served as a Police Officer II for one year

b) Have completed training hours, including:

40 hours of Management/Supervision Training

Field Training Officer Certification and become Field Training Officer for the Department. After completion of FTO Training, the officer can be assigned a trainee by the Chief of Police or his Designee

Completion of Crisis Intervention Team (CIT) Certification.

c) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal

d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

| *POLICE Job Class* | Range | Minimum | Hourly | Mid-Point | Maximum |
|---|---|---|---|---|---|
| Police Officer I (43 HR/WK) | 218 | 39,600 | 17.71 | | 61,379 |
| Police Officer II - (43 HR/WK) | 219 | 41,567 | 18.59 | 52,998 | 64,429 |
| Master Police Officer - (43 HR/WK) | 220 | 43,646 | 19.52 | 55,648 | 67,651 |
| Police Sergeant - (43 HR/WK) | 221 | 45,724 | 20.45 | 58,298 | 70,872 |
| Not Assigned | 222 | 48,010 | 21.47 | 61,213 | 74,416 |
| Police Lieutenant (43 HR/WK) | 223 | 50,560 | 22.61 | 64,463 | 78,367 |
| Not Assigned | 224 | 53,088 | 23.74 | 67,687 | 82,286 |
| Not Assigned | 225 | 55,742 | 24.93 | 71,071 | 86,400 |
| Police Captain | 226 | 59,143 | 28.43 | 75,407 | 91,671 |
| Not Assigned | 227 | 62,100 | 29.86 | 79,177 | 96,255 |
| Not Assigned | 228 | 65,205 | 31.35 | 83,136 | 101,068 |
| Not Assigned | 229 | 68,465 | 32.92 | 87,293 | 106,121 |
| Police Chief | 230 | 71,200 | 34.23 | 90,781 | 110,361 |

# Request for Town Council Action

| | |
|---|---|
| Consent Agenda Item | DSDC Board Appointment |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Appointment to the Downtown Smithfield Development Corporation's Board of Directors |
| Department: | General Government |
| Presented by: | Shannan Parrish – Town Clerk |
| Presentation: | Consent Agenda |

## Issue Statement

The DSDC is requesting the Town Council appoint Colleen Roby to serve on its Board of Directors

## Financial Impact

There will be no impact to the budget.

## Action Needed

Approve the Appointment

## Recommendation

Staff recommends approval of this appointment

Approved: ☑ Town Manager ☐ Town Attorney (not required)

Attachments:

1. Staff Report
2. Letter from DSDC Executive Director Sarah Edwards
3. Application – Colleen Roby

# Staff Report

**Consent Agenda: DSDC Board Appointment**

The Downtown Smithfield Development Corporation's Board of Directors would like to recommend the appointment of Colleen Roby, owner of Simple Twist and Simple Twist Tap Room, to serve on the DSDC Board of Directors.

Pursuant to the Downtown Smithfield Development Corporation by-laws, any appointment to the Board must be approved by the Town Council.

January 21, 2020

Mrs. Shannan Parrish
Town Clerk
Town of Smithfield
PO Box 761
Smithfield, NC 27577

Re: DSDC Board Appointments

Dear Mrs. Parrish and the Smithfield Town Council,

As stated in Paragraph 8 of the Downtown Smithfield Development Corporation bylaws:

> **Vacancies on Board**. When a vacancy shall occur on the Board of Directors, the remaining members of the Board shall nominate and elect a person to fill the vacancy and the nominee shall become a Director upon approval by resolution of the Smithfield Town Council.

The Board of Directors of the Downtown Smithfield Development Corporation would like to recommend that Colleen Roby be appointed to the Downtown Smithfield Development Corporation board.

The Downtown Smithfield Development Corporation is formally requesting approval and asks that this be placed on the consent agenda for the Town Council's February meeting.

Thank you in advance for your consideration. Please feel free to contact me if you have any questions.

Sincerely,

Sarah Edwards
Executive Director

200 South Front Street • Smithfield, North Carolina 27577 • (919) 934-0887

Downtown SMITHFIELD DEVELOPMENT CORPORATION

**Downtown Smithfield Development Corporation**
**Board of Directors Candidate Application**

Name Colleen Roby

Business Simple Twist

Business Address 227 E. Market St. Smithfield, NC 27577

Email info@simpletwistnc.com Cell Phone 919-601-5498

Business Phone 919-938-0377 Home Phone

Home Address 270 Lancashire Run Smithfield, NC 27577

**Brief Biography**

I was a high school Spanish teacher for 9 years after graduating from SUNY Potsdam. I moved to NC January 1, 2000. In 2014 we opened Simple Twist in Garner, in 2015 we opened in Smithfield and in 2016 we opened in Riverwood. In 2017 we opened Simple Twist Taproom in Smithfield. I'm an active member of the community as well.

~~Specific Qualifications for DSDC Board of Directors~~ Membership:

3 years - Department Chair / School Improvement Team - Holly Springs HS
Cleveland Chamber President / BOD for 6 years
3 years - Board Member / Exec Council Member - Triangle East Chamber
Cleveland Elementary PTA VP - 1 year
Cleveland High School Hall of Fame Committee - 2 years
Rand Road PTA VP - 3 years

Specific Qualifications:

leadership, love for the community, reliable, happy and proud to see Smithfield thriving.

**Committee** (indicate which committee best suits your interests):

☐ **Promotions**
Marketing Downtown Smithfield through events and advertising to attract customers, potential investors, new businesses, residents, and visitors.

☐ **Design & Physical Improvement**
Enhancing Downtown Smithfield's physical appearance through building rehabilitation, compatible new construction, public improvements, and design management systems.

☒ **Economic Development**
Strengthening Downtown Smithfield's economic base and creating new opportunities through careful analysis and appropriate mixed-use development.

**List three results you would like to see the DSDC accomplish**

1. Increased participation in all major events (Ham & Yam, Riverat Regatta, Shamrocked)
2. Support and promotion of all DT businesses
3. Address Parking Issues

**Membership in other organizations**

| Organization | Dates | Activities/Leadership |
|---|---|---|
| on other page | | |

**Please submit application to:**
Downtown Smithfield Development Corporation
200 S. Front Street
Smithfield, NC 27577

# Request for Town Council Action

| | |
|---|---|
| Consent Agenda Item: | Budget Amendment |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | DAV Trail Budget Amendment |
| Department: | Finance |
| Presented by: | Greg Siler |
| Presentation: | Consent Agenda |

## Issue Statement

Budget Amendment to use Friends of the Park Donation to Buy Additional DAV Trail Fitness Station Equipment.

**Financial Impact** – None. Funded by donation.

**Action Needed** – Approve as presented

**Recommendation** – Approve Amendments

Approved: ☑ Town Manager ☐ Town Attorney

# Staff Report

Consent Agenda Item:

The Town received $10,000 from Friends of the Park, which was donated to them by Olivia Holding, for specific use on the DAV trail.

**BUDGET AMENDMENTS**
**January, 2020**

**GENERAL FUND CAPITAL PROJECTS FUND**

| | | | |
|---|---|---|---|
| **1. Revenues** | | | |
| 46-60-3800-3800-6204 Miracle Park/Friends of the Park | $ 62,000 | $ 10,000 | $ 72,000 |
| **Expenditures** | | | |
| 46-60-6200-5700-7407 Miracle Park/Phase II | $ 200,000 | $ 10,000 | $ 210,000 |

To fund additional equipment for the DAV fitness station and trail funded from Friends of the Park donation

Approved by the Smithfield Town Council this the 4th day of February, 2020

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan Parrish,Town Clerk

# Request for Town Council Action

| | |
|---|---|
| Consent Agenda | Boat Ramp Picnic Pavilion |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Boat Ramp Shade Shelter |
| Department: | Parks and Recreation / Appearance Commission |
| Presented by: | Gary Johnson |
| Presentation: | Consent Agenda |

Issue Statement:

The Appearance Commission working in conjunction with the Parks and Recreation Department is requesting approval for the procurement and installation of a Shade Shelter at the Boat Ramp on the Town Commons

Financial Impact

Approved Budgeted Amount for FY 2019-2020: The Appearance Commission has dedicated $ 15,000 from its budget for this project upon Council approval. A matching grant from the JCVB has been awarded for this project.

Amount of Purchase/Bid/ Contract: $ 12,665.20

Action Needed: Approval to award bid for the procurement and construction of shade shelter.

Recommendation: Approval to award bid for the procurement and construction of shade shelter.

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Request for Quotes
3. Barr's Recreation Quote
4. Shade Shelter Rendering

# Staff Report

Consent Agenda

Boat Ramp Picnic Pavilion

The Smithfield Parks and Recreation Department has been working diligently with the Appearance Commission on the construction of a picnic pavilion at the Boat Ramp on the Town Commons. Various options and possibilities were researched and discussed with this Option being selected. The picnic pavilion will be concrete, 16′ X 24′, and covered by a dual kite sale shade structure. Picnic tables, waste receptacles, a lit flagpole and landscaping will be included in the project.

The Appearance Commission has set aside $ 15,000.00 from their funds for this project upon Council approval. A matching grant has been secured from the JCVB to complete the project.

A Request for quotes was sent to three companies and also made available to any other qualified bidder. Only one bidder submitted a quote while one other visited the site without submitting a quote.

| | |
|---|---|
| Barr's Recreation: | $ 12,665.20 |
| Playworld: | Visited site but no quote received |
| Carolina Parks and Play | No quote submitted |

The quote was discussed and approved by the Appearance Commission at their January 21st meeting.

PARKS AND RECREATION

# REQUEST FOR QUOTES

## SMITHFIELD BOAT RAMP PAVILLION
## SHADE STRUCTURE

The Smithfield Parks and Recreation Department in conjunction with the Smithfield Appearance Commission is taking bids for the procurement and installation of a dual sail shade structure to cover the picnic area at the Smithfield Boat Ramp at the Town Commons.

The shades should overlap and be constructed with 4 or 5 poles. The shades will be blue and green in color with tan posts. Minimum eve height is 10'. Picnic concrete pad is 16' X 24".

The Appearance Commission will be making selections based on price, materials, and aAesthetics. Please include pictures / drawings if possible.

Below are samples of what the Commission is searching for, however, other designs will be considered.

Quotes should be submitted by December 20th.

Quotes should be submitted to gary.johnson@smithfield-nc.com

Questions may be addressed to gary.johnson@smithfield-nc.com or (919) 934-2148

POST OFFICE BOX 2344 ■ 600 BOOKER DAIRY ROAD ■ SMITHFIELD, NC ■ 27577
OFFICE (919) 934-2148 ■ FAX (919) 934-6554

Barrs RECREATION
36 Diane Street
Pittsboro, NC 27312

# Quotation

| Date | Estimate # |
|---|---|
| 12/20/2019 | 115873 |

| Name / Address |
|---|
| Smithfield Parks and Recreation<br>E Booker Dairy Rd<br>Smithfield, NC 27577 |

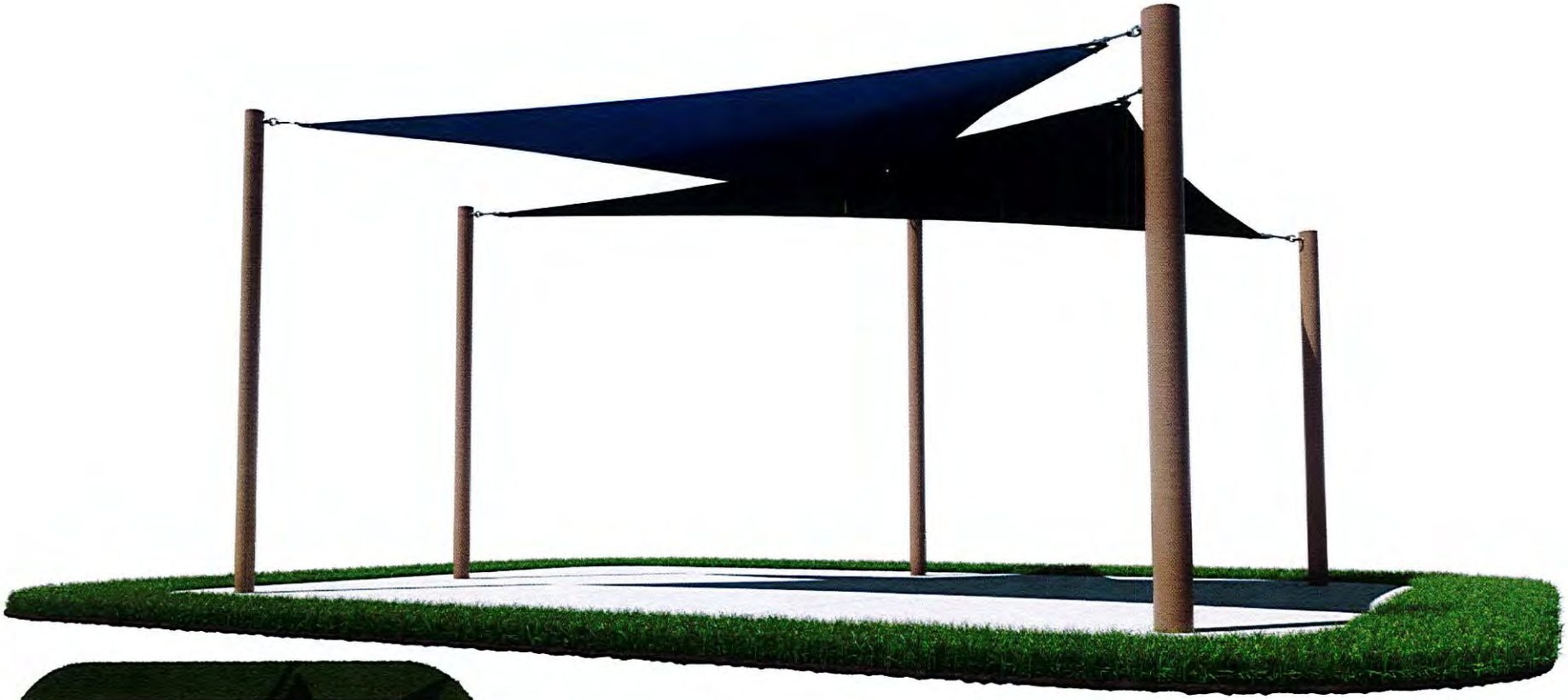
| Rep | Project |
|---|---|
| CMB | |

| Description | Qty | U/M | Rate | Total |
|---|---|---|---|---|
| Custom Sail Shade<br>5 Column Quad Sail Design for area 26x30 with Two triangular Sails as pictured, Includes: One 6" column @ 10' height and 3' embedment, Two 6" columns @ 12' height and 3' for embedment, One 6" column @ 13' height and 3' embedment, 1 8" column @ 11' height and 3' embedment | 1 | ea | 8,845.20 | 8,845.20T |
| Barrs Recreation Courtesy Discount | | | -980.00 | -980.00 |
| Freight | 1 | | 1,200.00 | 1,200.00T |
| Installation of Your Commercial Equipment - completed in typical soil conditions. *In atypical situations where excessive bedrock is encountered such that a rock hammer or other heavy equipment is needed to complete the job, additional fees may be discussed. | 1 | | 3,600.00 | 3,600.00T |

All purchases subject to a 5 - 7 week delivery schedule, unless otherwise noted. This quote is valid for 90 days. Payment terms are issuance of PO, or 50% deposit with order, balance due upon delivery (or completion of installation if we are providing that service). To accept this quotation, please sign and date on line below, and fax to (919) 781-5779 Thank you for your consideration. If an order is cancelled after production begins, there will be a 35% re-stocking fee_____

| Subtotal | $12,665.20 |
|---|---|
| Sales Tax (6.75%) | $854.90 |
| **Total** | $13,520.10 |

| Phone # | Toll Free Phone | E-mail | Web Site |
|---|---|---|---|
| 919-781-4870 | 800-909-PLAY | ashley@barrsrec.com | www.barrsrec.com |



# CUSTOM MULTIPLE TRIANGLE SAIL SHADE

FRAME **ICED COFFEE** | FABRIC **FOREST GREEN / TRUE BLUE**

*For illustration purposes only. Colors may vary.*

SUPERIOR
RECREATIONAL PRODUCTS
*play. relax. live.*

# BOAT RAMP at the TOWN COMMONS

## PICNIC AREA

SMITHFIELD
PARKS AND RECREATION

# Request for Town Council Action

| | |
|---|---|
| Consent Agenda Item: | Town Plan |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Adoption of Town Plan |
| Department: | Planning |
| Presented by: | Stephen Wensman, Planning Director |
| Presentation: | Consent Agenda |

## Issue Statement

Planning Staff is requesting the Town Council consider the adoption of the "Town Plan", the Comprehensive Growth Management Plan and Transportation Plan.

## Financial Impact

None

## Action Needed

Review the "Town Plan" and make a decision whether to adopt, or adopt with changes.

## Recommendation

Planning Staff and the Planning Board recommend the Town Council adopt the "Town Plan", the Comprehensive Growth Management Plan and Transportation Plan.

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Amended Volume 2 of the Town Plan (as a separate attachement)

# Staff Report

Consent Agenda Item: Town Plan

Update:
The Town Plan has been amended to respond to the Town Council's, January 7, 2020, request for changes to the Town Plan. The Comprehensive Growth Management Plan, Volume 2 has been amended as follows:

- Policy 5C: to allow accessory dwelling units that meet performance-based criteria and all other references to accessory dwelling units have been removed from Volume 2 (page 23), Objective 1, Policy 1C, Strategy 2 (page 28), and from mixed use Action Items (page 81).
- Policy 1C: Consider incentives to encourage infill and redevelopment in downtown and or mixed-use centers, #2 has been modified to say, "Consider development incentives to the extent allowed by NC law."

There have been no changes to the Transportation Plan as it pertains to the Wilson's Mills Road corridor improvements; however, the consultant's, Kimley-Horn have provided alternative cost estimates (not in the Plan) for a trail/sidewalk only project that does not include road widening. Its important to keep the "larger" Wilson's Mills Road project in the plan because the NCDOT would only consider funding such a project if it included road widening.

Town Plan Overview:

The Town of Smithfield hired Stewart to prepare the comprehensive growth management plan update and Kimley-Horn to prepare an update to the transportation plan update in early 2018. The Town facilitated a combined planning and public engagement process with Stewart and Kimley Horn to prepare the updates of the combined, "Town Plan".
The public engagement process included stakeholder interviews, two surveys, two public open house meetings, public engagement at the Ham and Yam festivals and the Smithfield-Selma Strong events. The Plan was guided by a citizen Town Plan Steering Committee comprised of a diversity of stakeholders including business owners, citizens, youth, education officials, real estate and development professionals, historians, etc. The Steering Committee met eight times during the planning process to provide input and guidance on the plan preparation.

Town Plan:
The Town Plan is the Town's 20-year vision for future growth for both land use and transportation. The Plan identifies planning goals, policies and planning actions to achieve the vision. The Plan vision for Smithfield is:

"Smithfield will be a place of opportunity for everyone. It will grow in ways that are true to its history, character and charm by investing in a vibrant downtown and connections to the river, balancing growth, and creating safe, healthy neighborhoods, "

In support of the vision statement, the following five goals have been identified:

- Balanced growth
- Vibrant downtown
- Healthy neighborhoods
- Community character, and
- Move and Connect.

The first four goals are focused primarily on land use and the fifth, transportation.

The Town Plan is comprised of four volumes:

1. Introduction – this section provides a plan overview of the combined planning process including the background and analysis and community engagement that informed the preparation of the land use plan and transportation plan.
2. Comprehensive Growth Management Plan- this section is focused on future land use.
3. Transportation Plan –this section focused on future transportation infrastructure to support the future land use plan.
4. Appendix- this section contains all the background documents from the public engagement process.

Comprehensive Growth Management Plan.

The plan identifies a diversity objectives, policies and strategies to achieve the goals (Balanced growth, Vibrant downtown, Healthy neighborhoods, Community character) with an emphasis on:

- Mixed use areas (commercial, residential, and office).
- Economic development.
- Enhanced town gateways.
- New housing addressing the "missing middle", housing options lacking and needed in the town.
- Protection and enhancement of existing neighborhoods.
- Balance of growth and environmental protection.
- Economic development opportunities.
- Strengthen and support Downtown.
- Parks, recreation and trails.

The Plan also provides an Action Plan, with short to long term actions to achieve the vision, goals and recommendations.

Transportation Plan.

The updated transportation plans goal, "move and connect", updates the Town's functional class system for roads, and provides road right-of-way recommendations that include:

- Corridor improvements – Access and operations, capacity and mobility, and modernization.
- Intersection/interchange improvements – realignment, driveway consolidation, signalization, improved crossings, round-a-bout, turn lanes, signage, and restricted crossing U-turn intersection.
- Roadway Maintenance.
- Specific outlet center drive round-a-bout.
- US 70 Business/E. Market Street rail bridge.
- US 301 Gateway.
- Bicycle and Pedestrian Recommendations.

The Plan also identifies transportation funding opportunities and an Action Plan, with short to long term actions to achieve the vision, goal of Move and Connect and recommendations.

Planning Board Review:

The Planning Board held a meeting on July 11, 2019 an August 1, 2019 and unanimously voted to table the request at both meetings in order to better understand community comments and how the plan addresses to comments.

The Planning Board, at its September 5, 2019 meeting the recommended approval by a 4-1 vote.

Issues discussed at the Planning Board meeting primarily pertained to:

- The Downtown Support land use policies and recommendations – concerns about commercial encroachments into neighborhoods, expansion of the Municipal Service Tax District.
- Concerns about Parks recommendations, park maintenance and route of the Mountains to Sea Trail.

Recommendation:

Planning Staff and the Planning Board recommend the Town Council adopt the "Town Plan", the Comprehensive Growth Management Plan and Transportation Plan.

# Staff Report

**Consent Agenda Item:** New Hire / Vacancy Report

Date of Meeting: February 04, 2020

Staff Work By: Tim Kerigan, HR Director

## Background

Per Policy, upon the hiring of a new or replacement employee, the Town Manger or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

In addition, please find the following current vacancies:

| Position | Department | Budget Line |
|---|---|---|
| Assistant Finance Director | Finance | 10-10-4200-5100-0200 |
| Police Officer I (6 positions) | Police | 10-20-5100-5100-0200 |
| Utility Line Mechanic | PU – Water/Sewer | 30-71-7220-5100-0200 |

## Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 19-20 Budget.

| Position | Department | Budget Line | Rate of Pay |
|---|---|---|---|
| Admin Support Specialist | Fire | 10-20-5300-5100-0200 | $14.88/hr. ($30,950.40/yr.) |
| P/T Pool Staff | P&R – Aquatics | 10-60-6220-5100-0220 | $7.50/hr. |
| P/T Recreation Staff | P&R – Recreation | 10-60-6200-5100-0210 | $8.00/hr. |
| P/T Recreation Staff | P&R – Recreation | 10-60-6200-5100-0210 | $9.00/hr. |
| P/T Recreation Staff | P&R – Recreation | 10-60-6200-5100-0210 | $10.00/hr. |
| Police Officer I | Police | 10-20-5100-5100-0200 | $17.71/hr. ($39,600.00/yr.) |
| Police Officer I | Police | 10-20-5100-5100-0200 | $17.71/hr. ($39,600.00/yr.) |
| Police Officer I | Police | 10-20-5100-5100-0200 | $17.71/hr. ($39,600.00/yr.) |
| Police Officer II | Police | 10-20-5100-5100-0200 | $18.59/hr. ($41,567.24/yr.) |

# Business Items

# Request for Town Council Action

| | |
|---|---|
| Business Item: | Land Purchase |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Purchase Land |
| Department: | General Government |
| Presented by: | Michael Scott, Gary Johnson & Stephen Wensman |
| Presentation: | Business |

## Issue Statement

The Town Manager is requesting the Council approve purchasing two parcels of land totaling 20.08 acres south of Highway 210 as depicted in the attached maps. The total purchase cost is $80,000.

## Financial Impact

$80,000 taken from restricted fund balance set aside for park expansions and land acquisition.

## Action Needed

Approve purchase and subsequent budget amendment.

## Recommendation

Approve purchase and subsequent budget amendment.

Approved: ☑ Town Manager ☑ Town Attorney

Attachments:

1. Staff Report
2. Area Maps
3. Appraisal
4. Budget Amendment

# Staff Report

**Consent Agenda Item: Land Purchase**

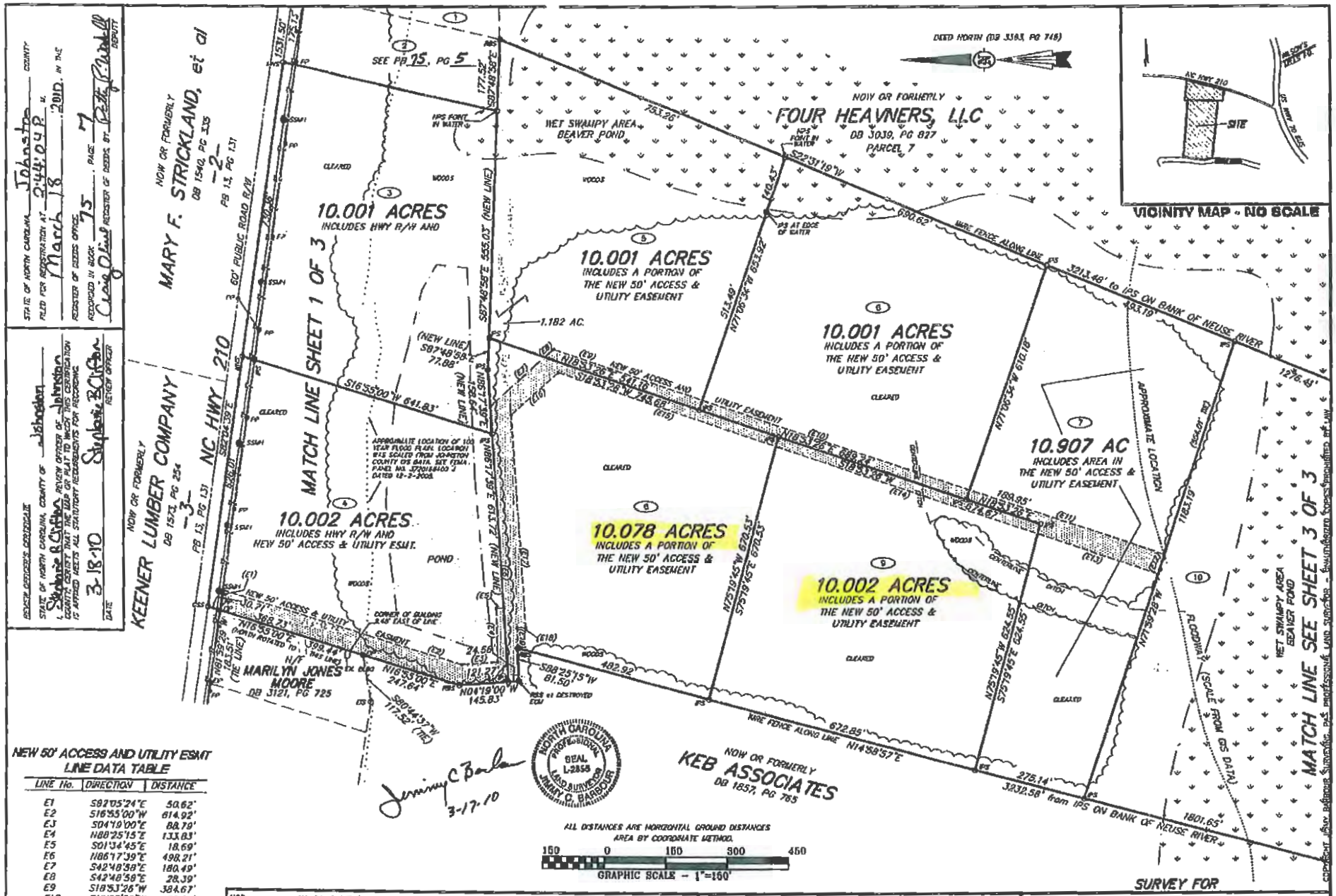
During a closed session meeting in November, 2019 the Council agreed to permit the Town Manager to negotiate with representatives of Cornerstone Faith Fellowship to purchase two parcels of land totaling 20.08 acres located south of Highway 210 to create a park on the West Side of Smithfield. Currently the Town leases the land where Gertrude Johnson Park is located for the price of the property taxes for the land and improvements there. Additional park space located on Smithfield's West Side remains part of the Town's Land Use Plan and the Parks and Recreation Five Year Plan.

During a due diligence period an appraisal was conducted at the Town's expense. Eventually the appraised price for the land, $80,000, was agreed to as a purchase price. Money is available by using the Town's restricted fund balance, using money previously acquired through the sale of Bingham Park to the school system. Over $470,000 remains as restricted fund balance for the purchase of additional park land and park improvements.

A budget amendment accompanies this request to move money from fund balance that can be used for the purchase of this land.

STATE OF NORTH CAROLINA, JOHNSTON COUNTY
FILED FOR REGISTRATION AT 2:44:04 P M. ON THE March 18 2010
REGISTER OF DEEDS OFFICE, PAGE 7
RECORDED IN BOOK 75 REGISTER OF DEEDS, BY Peggy R. Parrish DEPUTY

REVIEW OFFICER'S CERTIFICATE
STATE OF NORTH CAROLINA, COUNTY OF Johnston
I, Stephanie B. Clifton REVIEW OFFICER OF Johnston COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
DATE 3-18-10 Stephanie B. Clifton REVIEW OFFICER




NEW 50' ACCESS AND UTILITY ESMT LINE DATA TABLE

| LINE No. | DIRECTION | DISTANCE |
|---|---|---|
| E1 | S82°05'24"E | 50.62' |
| E2 | S16°55'00"W | 614.92' |
| E3 | S04°19'00"E | 88.79' |
| E4 | N88°25'15"E | 133.83' |
| E5 | S01°34'45"E | 18.69' |
| E6 | N86°17'39"E | 498.21' |
| E7 | S42°48'58"E | 180.49' |
| E8 | S42°48'58"E | 28.39' |
| E9 | S18°53'26"W | 384.67' |
| E10 | S18°53'26"W | 689.24' |
| E11 | S18°53'26"W | 500.73' |
| E12 | N71°59'28"W | 30.01' |
| E13 | N18°53'26"E | 309.70' |
| E14 | N18°53'26"E | 674.67' |
| E15 | N18°53'26"E | 561.16' |
| E16 | N42°48'58"W | 155.23' |
| E17 | S86°17'39"W | 528.31' |
| E18 | N01°34'45"W | 20.58' |
| E19 | S88°25'15"W | 50.00' |

| | | | |
|---|---|---|---|
| HPS | NO POINT SET (POINT NOT ACCESSIBLE) | MNS | MAGNETIC NAIL SET |
| DASHED LINES | UNES NOT SURVEYED | ERB | EXISTING IRON REBAR |
| WV / WM | WATER METER / WATER VALVE | IRBS | 5/8 IRON REBAR SET |
| EIP | EXISTING IRON PIPE FOUND | N/F | NOW OR FORMERLY |
| EIS | EXISTING IRON STAKE FOUND | PP/SP/HL | POWER POLE/SERVICE POLE/AREA LIGHT |
| ECM | EXISTING CONCRETE MONUMENT FOUND | OHPL | OVERHEAD POWER LINE |
| C/L | CENTERLINE OF ROAD | SSMH | SANITARY SEWER MANHOLE |
| EPK | EXISTING PARKER-KALON NAIL FOUND | CSS | COTTON SPINDLE SET |
| ERNS | EXISTING RAILROAD SPIKE FOUND | R/W | RIGHT OF WAY |
| CP | COMPUTED POINT (FROM REFERENCED DEEDS) | | |
| IPS | 1" IRON PIPE SET FLUSH W/ GRADE | | |
| ECS | EXISTING COTTON SPINDLE FOUND | | |
| EMN | EXISTING MAGNETIC NAIL FOUND | | |

BASED UPON GRAPHIC DETERMINATION, A PORTION OF THE SURVEYED PROPERTY INDICATED ON THIS PLAT DOES LIE IN THE FEMA/FIRM SPECIAL 100 YR. FLOOD HAZARD AREA. SEE COMMUNITY PANEL No.3720188400 J dated 12/2/05.


JIMMY BARBOUR SURVEYING, PA
JIMMY C. BARBOUR, PLS, GSI
O-8109
213 S. SECOND STREET
P. O. BOX 28
SMITHFIELD, N.C. 27577
919 989-6642 919-989-3018
919 989-6643 FAX

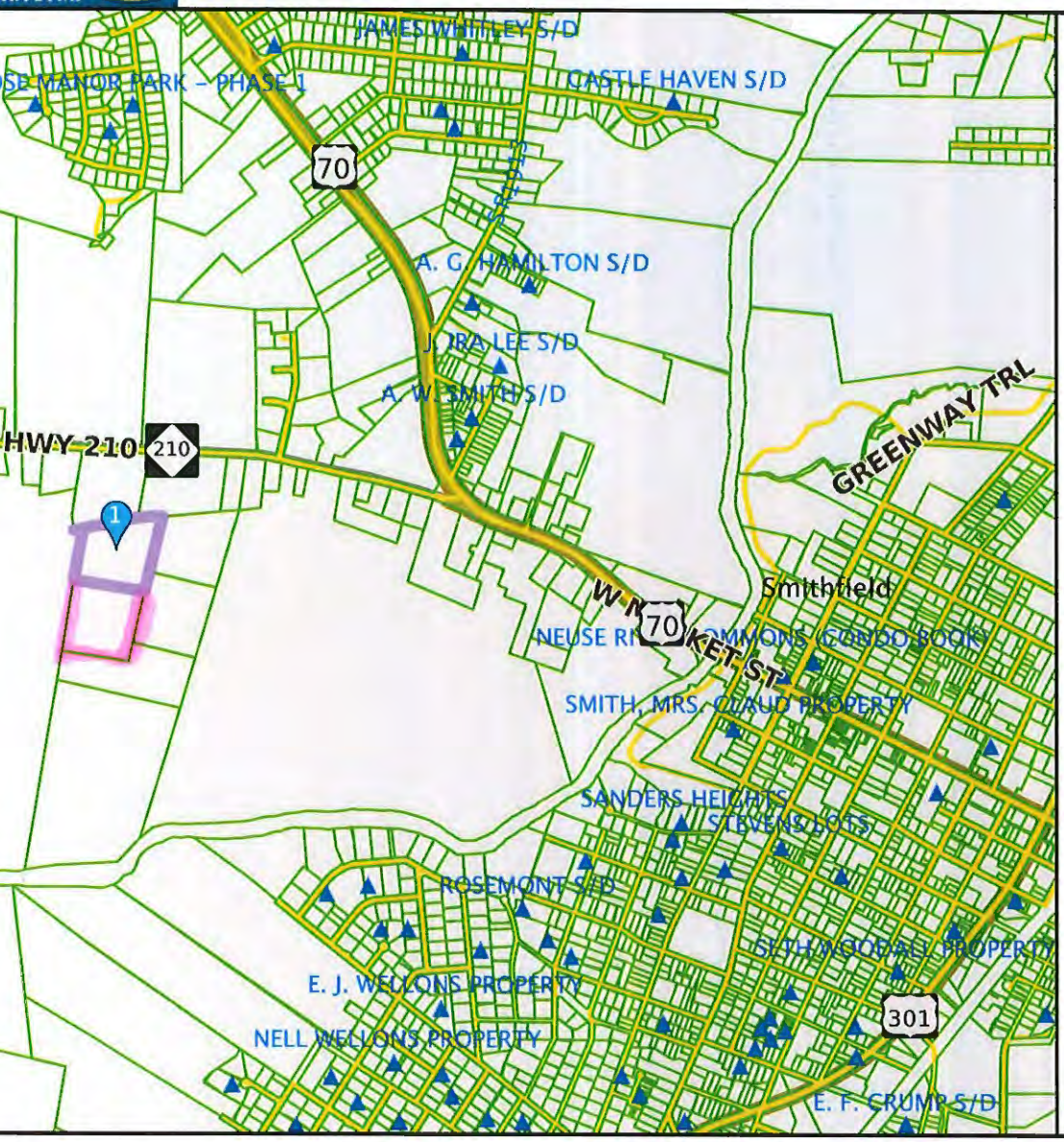

# DENNING FAMILY TRUST #1

SHEET 2 OF 3 (see SHEET 1 FOR ALL SIGNATURES AND NOTES)

| | | | |
|---|---|---|---|
| OWNER N/F DENNING FAMILY TRUST #1 | | | |
| TOWNSHIP SMITHFIELD | COUNTY JOHNSTON | STATE NC | |
| SURVEYED BY R MORRISON | DRAWN BY GINDA MOORE | | |
| DATE SURVEYED 3-9-2010 | SCALE 1"=150' | DRAWING NO. 10-0090 | |

*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.




## Result 1

| | |
|---|---|
| **id:** | 15076013D |
| **Tag:** | 15076013D |
| **NCPin:** | 168400-73-8099 |
| **Mapsheet No:** | 1684 |
| **Owner Name 1:** | CORNERSTONE FAITH FELLOWSHIP |
| **Owner Name 2:** | |
| **Mail Address 1:** | 2335 TWIN ACRES RD |
| **Mail Address 2:** | |
| **Mail Address 3:** | CLAYTON, NC 27520-9 |
| **Site Address 1:** | |
| **Site Address 2:** | |
| **Book:** | 03839 |
| **Page:** | 0845 |
| **Market Value:** | 83380 |
| **Assessed Acreage:** | 10.08 |
| **Calc. Acreage:** | 10 |
| **Sales Price:** | 132500 |
| **Sale Date:** | 2010-04-29 |

**Scale: 1:20120 - 1 in. = 1676.66 feet**

(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston Count
November 12, 2

**APPRAISAL REPORT**

**CLIENT:**
**Mr. Robert Spence**
**Attorney at Law**
**212 S. Second Street**
**Smithfield, North Carolina 27577**

**CURRENT OWNER(S):**
**Cornerstone Faith Fellowship**

**SUBJECT PROPERTY:**
**10.078 Acre Tract 8**
**and**
**10.002 Acres Tract 9**
**Plat Book 75 Page 7**
**Located off of NC 210 Highway**
**Smithfield, North Carolina 27577**

**DATE OF APPRAISAL:**
**December 9, 2019**

**DATE OF REPORT:**
**December 13, 2019**

**PREPARED BY:**

**CHARLES K. HINNANT**
**GAA, ALC, GRI**
**General Accredited Appraiser**
**Accredited Land Consultant**
**Graduate Realtor's Institute**

**State Certified General**
**Real Estate Appraiser A1767**

**Post Office Box 40**
**Kenly, North Carolina 27542**
**919-284-4392**

**charles@hinnantrealestateservices.com**



**File No. 120119**

CHARLES K.
HINNANT
AND COMPANY

REAL ESTATE • APPRAISALS

December 13, 2019

Mr. Robert Spence
Attorney at Law
212 S. Second Street
Smithfield, NC 27577

**Re: 10.078 Acre Tract 8 and 10.002 Acre Tract 9 Plat Book 75 Page 7 Located off of NC 210 Highway, North Carolina 28580**

In accordance with your instructions, I have developed and documented an opinion of the current "as is" market value for the above referenced property. The on-site inspection date of the subject property is December 10, 2019. The opinion of the *current "as is"* market value represents a 100% fee simple ownership interest in the property appraised.

It is my instructions per the client that these two tracts 8 and 9 are to be appraised as one parcel. Based on the data, information and calculations incorporated in this report; it is concluded that the *current "as is"* Market Value of the subject property as of December 10, 2019 is:

**EIGHTY THOUSAND DOLLARS**

**$80,000**

***The reader of this report should read the entire report to see all data, analysis and conclusions in which the appraiser has developed the market value this report.***

P.O. Box 40 – Kenly, North Carolina 27542
(919) 284-4392
Fax # (919) 284-5166
charles@hinnantrealestateservices.com

The above-stated opinion of *current "as is"* market value is equal to the most probable price in terms of cash or cash equivalency. The opinion of market value is based on the assumptions and limiting conditions stated throughout this report. The conclusions developed in this report appear to be reasonable and credible. Any changes in size, quality, or other physical characteristics of the property could alter the concluded values stated in this report.

The ***forms/content*** of this appraisal report is to document and prepare the *current Market Value* for the subject property as of, December 10, 2019. The appraisal analysis, opinions, and conclusions were developed and this report has been prepared in conformance with (and the use of this report is subject to) all regulations issued under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) and the Uniform Standards of Professional Appraisal Practice (USPAP) 2018-2019 Edition as promulgated by the Appraisal Standards Board of the Appraisal Foundation in Washington, DC.

This letter of transmittal precedes the appraisal report, further describing the property and containing the reasoning and most pertinent data leading to the final opinion of value. *Your attention is directed to the "Certificate of Appraisal" and "General Limiting Conditions"' which are considered usual for this type of assignment and have been included within the text of this report.*

In compliance with the Gramm-Leach-Bliley Privacy Act, as our client, we ask that you inform us in writing of any non-public information contained within the appraisal report or any information you personally gave to us, that you wish to be kept confidential and not be disclosed to a third party.

This report is only to be used by its intended user, Mr. Robert Spence, Attorney at Law. The scope of work in this appraisal is customized for the intended use and may be inappropriate for other uses and jeopardize the user. Therefore, regardless of the means of possession of this report, this appraisal may not be used or relied on for any use except the stated use. The intended use of this report is to assist the client in make financial decisions and is not intended for any other use. The appraiser, appraiser's firm, and related parties assume no obligation, liability, or accountability for any other use.

***I certify that I have no present or contemplated future interest in the property appraised***

****I have performed no services, as an appraiser, or in any other capacity regarding the property that is the subject of this report within the three year period preceding the acceptance of this assignment."***

Following is the appraisal report containing my analysis for the presented data, along with other material on which the opinion of value was based. The value conclusions presented herein are subject to the certification, underlying assumptions and limiting and contingent conditions, as set forth in this report. The opinion of value in this ***transmittal letter*** is invalid ***if the letter is detached from the report,*** which contains the text, exhibits, and Addenda.

If you have any questions regarding this appraisal report or I can be of any assistance to you for further interpretation of my findings and opinions, please do not hesitate to call.

Respectfully Submitted,

Charles K Hinnant

Charles K. Hinnant GAA ALC GRI
General Accredited Appraiser
Accredited Land Consultant
Graduate Realtor's Institute

State-Certified General
Real Estate Appraiser A1767

CKH/bs

December 11, 2019
Date

## *APPRAISERS CERTIFICATE*

***I certify that to the best of my knowledge and belief:***

1. The statements of fact contained in this report are true and correct.

2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal impartial, and unbiased professional analyses, opinions, and conclusions.

3. I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

5. My engagement in this assignment was not contingent upon developing or reporting a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result or the occurrence of a subsequent event directly related to the intended use of this appraisal.

6. My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the *Uniform Standards of Professional Appraisal Practice*.

7. I have made a personal inspection of the property that is the subject of this report.

8. I assume no responsibility for hidden or unapparent conditions of my expertise as an appraiser. No inspection was made for wood destroying insects, mold, or quality inspection for heating and air or any other type structural damage not noted by visual inspection.

9. No one provided significant real property appraisal assistance to the person signing the certification. (If there are exceptions, the name of each individual providing significant real property appraisal assistance is stated in this report).

10. No services regarding the subject property have been performed by the appraiser within the three (3) years prior to this report, as an appraiser or in any other capacity.

Charles K Hinnant

Charles K. Hinnant GAA ALC GRI
State-Certified General
Real Estate Appraiser A1767


December 11, 2019

Date

## GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

The basic limitation of this and any appraisal is that it is an opinion of value, and is therefore, not a guarantee that the property will sell at exactly the appraised value. The actual sales price may differ from the appraised value, depending upon the motivation and knowledge of the buyer and/or seller, and may, therefore, be higher or lower than the appraised value. The value, as defined herein, is my opinion of the probable price that is obtainable in a market free of abnormal influences.

This report is an authorized original or copy, only, if it is signed in ink and has an original seal of the Certified Appraiser (s) preparing said report.

Without consent of Charles K. Hinnant and Company and/or Charles K. Hinnant, GAA, ALC, GRI, possession of this report, or a copy thereof, does not carry with it the right of publication, duplication or copying in any form. It may not be used for any purpose by any person other than the party to whom it is addressed, and in any event, only with proper written qualifications and only in its entirety.

The following assumptions and limiting conditions under which this report has been prepared by the author(s) are also as follows:

1. Unless otherwise specifically noted in the body of this report, it is assumed that title to the property or properties appraised are clear and marketable and that there are no recorded or unrecorded matters or exceptions to title that would adversely affect marketability or value. The appraiser is not aware of any title defects nor has it been advised of any unless such is specifically noted in the report. The appraiser, however, has not examined title and makes no representations relative to the condition thereof.

2. It is assumed that any improvements have been constructed or will be constructed according to approved architectural plans and specifications and in conformance with recommendations contained in or based upon any soil report(s). The appraiser has not retained any independent engineer(s) or architect(s) in connection with this appraisal and, therefore makes no representations relative to conformance with approved architectural plans, specifications, or recommendations contained in or based upon any soils reports(s). **(N/A as subject is land only.)**

3. Unless otherwise specifically noted in the body of this report, it is assumed: that any existing improvements on the property or properties being appraised are structurally sound and code conforming; that all building systems (mechanical/electrical, HVAC, plumbing, etc.) are, or will be upon completion, in good working order with no major deferred maintenance or repair required; that the roof and exterior are in good condition and free from intrusion by the elements; and that the improvements, as retrospective "as is" constituted, conform to all applicable local, state, and federal building codes and ordinances. **(N/A as subject is land only.)**

4. The appraiser has not retained independent structural, mechanical, electrical or civil engineers in connection with this appraisal and, therefore, makes no representations relative to the conditions of the improvements. Unless otherwise specifically noted in the body of this report; no problems were brought to the attention of the appraiser by ownership or management, the appraiser inspected less than 100% of the entire exterior and interior portions of the improvements; and the appraiser was not furnished any engineering studies by the owners or by the party requesting this appraisal. If questions in these areas are critical to the decision process of the reader, the advice of competent engineering consultants should be obtained and relied upon. It is specifically assumed that any knowledgeable and prudent purchaser would, as a precondition to closing a sale, obtain a satisfactory engineering report relative to the structural integrity of the property and the integrity of building systems. Structural problems and or building system problems may not be visually detectable. **(N/A as subject is land only.)**

5. If engineering consultants retained should report negative factors, of a material nature, or if such are later discovered, relative to the condition of improvements, such information could have a substantial negative impact on the conclusions reported in this appraisal. Accordingly, if negative findings are reported by engineering consultants, the appraiser reserves the right to amend the appraisal conclusions reported herein.

6. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property or properties, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property or properties. The appraiser, however, is not qualified to detect such substances. The presences of such substances as asbestos, urea formaldehyde, benzene, foam insulation, contaminate ground water or other potentially hazardous material may affect the value of the property or properties. The value opinion is predicated on the assumption that there is no such material on or in the property or properties that would cause a loss of value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is encouraged to retain an expert in this field, if desired.

7. It is assumed that all factual data furnished by the client, property owner, owner's representative, or persons designated by the client or owner to supply said data are accurate and correct, unless specifically noted in the appraisal report. The appraiser has no reason to believe that any of the data furnished contain any material error. Information and data referred to in this paragraph include, without being limited to, numerical street address, lot and block number, assessor's parcel numbers, land dimension, square footage area of the land, dimensions for the improvements, gross building area, net rentable areas, usable areas, unit count, room count, rent schedules, income data, historical operating expenses, budgets, and related data. Any material error in any of the above data could have a substantial impact on the conclusions reported. Thus, the appraiser reserves the right to amend conclusions reported if made aware of any such error. Accordingly, the client should carefully review all assumptions, data, relevant calculations, and conclusions stated in this report and should immediately notify the appraiser of any questions or errors.

8. The appraiser has not made a specific compliance survey and analysis of the subject property or properties to determine whether or not it is in conformity with the various detailed requirements of the American with Disabilities Act (ADA). It is possible that a compliance survey of the property together with a detailed analysis of the ADA could reveal that the subject property or properties is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property or properties. Since the appraiser has no direct evidence relating to this issue, the appraiser did not consider possible non-compliance with the requirements of ADA in developing an opinion of value for the subject of this appraisal report.

9. Unless otherwise noted in the body of the report, it is assumed that there are no mineral or sub-surface rights of value involved in this appraisal and that there are no air or development rights of value that may be transferred.

10. Unless otherwise noted in the body of the report, it is assumed that no changes in the present zoning ordinances or regulations governing use, density, or shape are being considered.

11. It is assumed that all information and data furnished by third-parties in connection with the preparation of this report are accurate and correct, and the appraiser has no reason to believe to the contrary unless such specifically noted in the body of the report. Information included in this context refers to zoning data, comparable rental and sales data, verification of factual data, and general market data.

12. The comparable sales and data supplied by others, which have been considered in the valuation, are from sources believed to be reliable.

13. A thorough inspection of the interior of the improved sales and an audit of the accounts from which net or gross income and operating expenses were developed has not been possible. A reasonable effort has been made to verify such information, but no further responsibility is assumed for its accuracy.

14. Any projections, forecasts, etc. regarding future patterns of income and/or expenses, prices/values, etc. represent the appraiser's market derived estimates of the typical investor's anticipation with respect to these items. Relative information includes economic forecasts and fiscal projections published by recognized sources such as economists, financial publications, investor/lender surveys, etc.

15. Economic trends and conditions that coincide with the effective date of this report are used in developing an opinion of value. The appraiser is not responsible for unforeseeable events that may alter market conditions subsequent to the effective date of this appraisal.

16. This study is not being prepared for use in connection with litigation. Accordingly, no rights to expert testimony, pretrial or other conferences, deposition, or related services are included with the appraisal. If, as a result of this undertaking, the appraiser is requested or required to provide any litigation services, such shall be subject to the provisions of our engagement letter or, if not specified therein, subject to the reasonable availability of the appraiser or appraisers at the time and shall further be subject to the party or parties requesting or requiring such services paying the then-applicable professional fees and expenses of the appraiser either in accordance with the provisions of the engagement letter or arrangements at the time, as the case may be.

17. Possession of this report, or a copy of the same, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.

18. Disclosure of the contents of this report is governed by the *Uniform Standards of Professional Appraisal Practice*. Neither all nor any part of the contents of the report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.

19. Unless specifically detailed in the body of this report, the author is not aware of any classification or determination of any portion of the subject property as jurisdictional wetlands by a governing body. Further, although there may have been identified characteristics and/or conditions which might suggest the possibility of the existence of jurisdictional wetlands, the author is not qualified to make such a determination.

20. In addition, he assumes no responsibility for identification, classification, delineation, or determination of such a condition. If the client has any concern relative to such matters, a soil scientist or other appropriate expert in the field should be consulted.

21. The subject site and improvements, if any, have been examined as far as possible by observation. However, it is not feasible or possible to inspect portions of the foundation or to see hidden structural or mechanical components within the improvements. The overall condition of the framing and foundation is assumed to be commensurate with the condition of the remainder of the building. No extensive inspection of any crawl space, roof or attic space was made. Therefore, it is assumed that the condition of these areas is in keeping with the condition of the overall building. Unless addressed elsewhere in this report, it is assumed that all lighting, mechanical, plumbing fixtures and equipment, as well as accompanying wiring and/or accessories are in working order. It is assumed that the subject is free of any infestation or damage from termites, other pests or dry rot, wood destroying fungus or similar condition unless stated elsewhere in this report. **(N/A as subject is land only.)**

22. In this report, the client is considered to be the lender or party whose name appears at the top of the report page denoted as lender/client of the party to whom the report is addressed in the letter of transmittal or on the cover page. The user of this report is acknowledged as client of his assignees.

23. The liability of Charles K. Hinnant and Company and/or Charles K. Hinnant GAA ALC GRI is limited to the fee collected. There is no further liability, obligation or accountability expressed or implied. There is no liability or obligation to any third party or any entity other than the client.

24. Information provided by the client or agent of the client is assumed to be correct and reliable and factual. This information is critical in the development of value of the subject property or properties. The appraiser assumes no liability for errors in this information.

25. Payment of invoice by client is considered acknowledgement, concurrence, agreement, and acceptance of the assumptions and limiting conditions of this report.

26. Acceptance of and/or use of this report constitutes acceptance of the preceding General Assumptions and General Limiting Conditions, and the foregoing Special Assumptions and Certificate of Appraisal.

Charles K Hinnant

Charles K. Hinnant, GAA ALC GRI
State-Certified General
Real Estate Appraiser A1767

December 11, 2019
Date

## GENERAL UNDERLYING ASSUMPTIONS

***Legal Matters***

The legal description used in this report is assumed to be correct, but it may not necessarily have been confirmed by survey. No responsibility is assumed in connection with a survey or for encroachments or overlapping or other discrepancies that might be revealed thereby. Any sketches included in the report are only for the purpose of aiding the reader in visualizing the property and are not necessarily a result of a survey.

No responsibility is assumed for an opinion of legal nature, such as to ownership of the property or condition of title.

The appraiser(s) assumes the title to the property to be marketable; unless stated to the contrary, the property is appraised as an unencumbered fee simple which is not used in violation of acceptable ordinances, statutes, or other governmental regulations.

***Unapparent Conditions***

The appraiser(s) assumes there are no hidden or unapparent conditions of the property, subsoil or structures which would render it more or less valuable than otherwise comparable property. The appraiser(s) is not an expert in determining the presence or absence of hazardous substance, defined as all hazardous or toxic materials, waste, pollutants or contaminants (including, but not limited to, asbestos, PCB, UFFI, or other raw materials or chemicals) used in construction or otherwise present on the property.

The appraiser(s) is not an expert as to the determination of jurisdictional wetlands.

The appraiser(s) assumes no responsibility for the studies or analysis which would be required to conclude the presence or absence of such substances or conditions or for loss as a result of the presence of such substances or conditions. The client is urged to retain an expert in the related field, if desired. The developed value is based on the assumption that the subject property is not so affected.

## ENVIRONMENTAL DISCLAIMER - HAZARDOUS MATERIALS

This appraiser is not an expert in the field of hazardous materials. The appraisal does not constitute an expert inspection of the property. The opinion of market value in this report is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. The appraiser is not an expert in the identification of hazardous substances or detrimental environmental conditions. The appraiser's routine inspection of and inquiries about the subject property did not develop any information that indicated any apparent significant hazardous substances of detrimental environmental conditions which would affect the properties negatively. The only way to be certain as to the condition of the property with respect to "environmental hazards" is to have an expert in the field inspect the property. It is possible that tests and inspections made by a qualified hazardous substance and environmental expert would reveal the existence of hazardous materials and environmental conditions on or around the property that would negatively affect its value.

The appraiser assumes no responsibility for hidden or unapparent conditions beyond the area of his expertise as an appraiser.

## SUMMARY OF SALIENT FACTS AND CONCLUSIONS

| | |
|---|---|
| Date of Appraisal: | December 10, 2019 |
| Date of Report: | December 11, 2019 |
| Date of Inspection: | December 10, 2019 |
| Client(s): | Mr. Robert Spence, Attorney at Law |
| Purpose of Appraisal: | Develop an opinion of current Market Value as of December 10, 2019 |
| Function of Appraisal: | Provide an opinion of *current* market value to assist with financial decision making |
| Property Rights Appraised: | Fee Simple Interest |
| Properties Location: | Off of NC 210 Highway, Smithfield, North Carolina |
| Legal Description: | See Title History |
| Property Owner: | Cornerstone Faith Fellowship |
| Land Area: | 10.078 Acres and 10.002 Acres per Deed |
| Zoning Classification: | R-20A |
| Parcel No.: | 15076013D and 15076013E |
| Property Type: | Vacant Land |
| Property Sales History: | See Title History |
| Highest and Best Use: | Agricultural / Recreational |
| Utilities: | None on Site |
| Leases: | None Excepting Annual Agricultural Leases |
| Easements: | 50' Access and Utility Easement |
| Type of Report: | Restricted Appraisal Report |

## PURPOSE AND DATE OF THE APPRAISAL

The appraisal has been made to develop an opinion of the *current "as is"* market value of PIN# 15076013D and PIN# 15076013E. For the purpose of this appraisal, these parcels will be appraised as one tract of land. These parcels will be appraised in fee simple interest as of December 10, 2019. Development of the *current "as is"* market value opinion for the subject property are in terms of cash or cash equivalency. The appraiser is not responsible for unforeseeable events that may alter market conditions subsequent to the effective date of this appraisal. Maps and other descriptions of the subject property are contained throughout this report and the appendix.

### *FUNCTION AND USE*

The function of this appraisal is to assist Mr. Robert Spence with an opinion of the *current "as is"* market value of the subject property in fee simple interest, as of December 10, 2019. The appraisal is to be used by the client for internal use relative to assist in financial decision making and to comply with the Uniform Standards of Professional Appraisal Practice (USPAP) 2018-2019 guidelines. The use of this appraisal report by anyone other than the stated intended user and for any other use than the stated intended use is not intended by the appraiser.

### *PROPERTY RIGHTS APPRAISED*

The definition of fee simple is an absolute fee; a fee without limitation to any particular class of heirs of restrictions, but subject to the limitations of eminent domain, escheat, police power and taxation. "An inheritable estate", this definition was taken from the 2008 edition of "The Appraisal of Real Estate", published by The American Institute of Real Estate Appraiser, Chicago, Illinois.

The fee simple interest in properties exists when all the rights of ownership are intact. These rights are referred to as "the bundle of rights". They consist of the right to use real property, sell it, lease it, keep others from entering it, give it away, and the right to refuse to exercise these rights. Through lease agreement, portions of these rights can be transferred, such as, right of possession or right of trespass by easement.

The subject property is also appraised subject to any and all easements for public roads, highways and public utilities. No consideration is given to any liens, defects and other legal or financial encumbrances.

## *SCOPE OF THE APPRAISAL*

Scope of work is a very broad concept that covers all aspects of the development process. It is defined *as the amount and type of information researched and the analysis applied in an assignment.* The scope of the appraisal includes, but is not limited to, the degree to which the properties are inspected or identified; the extent of research into physical or economic factors that could affect the property; the extent of data research; and the type and extent of analysis applied to arrive at opinions or conclusions and reporting them.

The scope of work decision for the appraiser is a judgment about what information and analysis is necessary to correctly resolve a particular problem. This judgment presupposes the ability to identify and assemble pertinent assignment information into a correct identification of the problem, and the ability to identify what analysis is needed to correctly resolve the problem.

The objective of the scope of work decision is to identify the information and analysis that is necessary for developing a credible solution given the intended use. In making this determination, the appraiser took into consideration the assignment conditions that would affect the gathering of factual information or use of assumptions and hypothetical conditions.

The purpose of this appraisal report is to develop an opinion of the *current "as is"* value in fee simple interest on the subject property as of December 10, 2019. The date of inspection for the subject property is December 10, 2019. In consideration of the request by the client; this report is to be prepared as an Appraisal Report in Conformance with USPAP guidelines with the current addition of the 2018-2019 USPAP guidelines.

A detailed study of the market area to obtain economic data to use as a direct comparison to the subject property was made. A study of applicable land regulations was also made in order to assist in the Highest and Best Use analysis of the subject. The opinion of value for the subject property is based on the Sales Comparison Approach which is referenced in the valuation methods of this report. The analysis and conclusions of value will be shown in the Final Reconciliation section of this report.

***Definition of Market Value:***

Market value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions where by:

1. buyer and seller are typically motivated;

2. both parties are well informed or well advised, and acting in what they consider their best interests;

3. a reasonable time is allowed for exposure in the open market;

4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and

5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale[1].

***Definition of Cash Equivalency:***

A price expressed in terms of cash as distinguished from a price which is expressed all or partly in terms of the face amount of notes or other securities which cannot be sold at their face amount. The cash equivalent price of a sale property may differ from its contract price and should represent the present worth at the time of sale of all cash and other considerations paid for the real property as opposed to other portions of stated consideration which may be paid for services, fees and/or other non-realty items.

For the purpose of this report, opinion of *current* Market Value is, as of

December 10, 2019.

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[1]Definition taken from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990 and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of the Comptroller of Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the *Interagency Appraisal and Evaluation Guidelines,* Dated October 27, 1994.

## THE APPRAISAL PROCESS

An appraisal is the act or process of developing an opinion of value. In order to arrive at this opinion of value, the appraiser follows an orderly procedure by which the appraisal problem is defined; the work necessary to solve the problem is planned; and data is acquired, classified, analyzed, interpreted and translated into an opinion of value. In determining an opinion of value for real estate, the appraiser considers three separate, but interrelated approaches to value. They are the cost approach, the sales comparison approach, and the income approach.

In utilizing the cost approach, the appraiser develops an opinion of either the reproduction cost new or the replacement cost new of the improvements from which accrued depreciation is deducted. A value for the site or land as if vacant and available for its highest and best use is determined. The land values are usually derived by use of the sales comparison approach to value. The depreciated cost new is then added to the value of the land. The cost approach is not applicable in developing the Market Value of the subject property.

The sales comparison approach is a comparative method whereby the appraiser locates in the market similar properties which have sold. These comparable sales are adjusted to reflect any differences between the subject and the comparable sales used by the appraiser. A correlation of the adjusted comparable sales is then made to develop a value opinion for the property or properties being appraised.

The income approach is the process of developing an opinion of value for an income-producing property or properties by the capitalization of the annual net operating income expected to be produced by the property during its remaining economic life. The income approach requires an accurate estimation of income and expenses and the selection of a capitalization rate and capitalization technique by which net income is processed into value. The income capitalization approach is based on the premise that there is a relationship between the income a property can earn and the property's value. The Income Approach is not applicable in developing the Market Value of the subject property.

Due to the subject property being vacant land, the Sales Comparison Approach is the only applicable approach to be used in establishing the market value of the subject property. Omitting the Cost Approach and the Income Approach, does not affect the credibility of this report.

## COMPENTENCY PROVISION

The appraiser has prior experience with properties similar to the subject of the appraisal and is deemed qualified by numerous lenders, government agencies and others in the preparation of such reports. I have appraised all types of properties in Johnston, Wilson, Sampson, Harnett, Greene, Wake, Edgecombe and Wayne Counties. The qualifications of the appraiser are included for a specific reference in the addendum of this report.

The subject property is located in Johnston County, North Carolina. For 30 or more years, I have remained familiar with Real Estate principles of North Carolina. I have obtained and have available to my office; maps of public information available from the Chamber of Commerce, planning departments and other public information of the primary communities in Johnston County, North Carolina. I have also consulted with other appraisers, prominent Real Estate practitioners, and county officials knowledgeable about Johnston County and Eastern North Carolina. I presently hold a State Certified General Real Estate Appraisal Certification in North Carolina and hold a General Accredited Appraiser Designation (GAA) from the National Association of Realtors – Appraisal Section. During my real estate profession I have also obtained the Graduate of the Realtor Institute (GRI) and Accredited Land Consultant (ALC) designations.

I state and affirm that I am competent to appraise the property indicated as the subject of the assignment. Lending support to my qualifications is my appraisal experience combined with market research abilities that are extensive in properties similar to the subject property in eastern North Carolina. My primary Real Estate education, as well as my participation in continuing education will assist me in my technical understanding of the accepted techniques and reporting formats.

### *EXTENT OF COLLECTING, CONFIRMING, AND REPORTING DATA*

The extent of this appraisal is to correctly employ the most appropriate and recognizable techniques that are necessary to produce a credible appraisal; and to communicate each analysis, opinion, and conclusion in a manner that is not misleading. Market research and analyses necessary to reach value conclusions for the subject property consisted of inspecting the subject property, the general market area, and the neighborhood. The property was inspected on December 10, 2019.

Comparable sale information, historical income and expense information of similar properties were analyzed in order to forecast and support the market value. Assumptions and decisions regarding the subject's potential uses and restrictions were made through interviews with town planners, engineers, brokers, management companies, and investors. For the purpose of this report, only the Sales Comparison Approach is being considered as the property is vacant land.

### *INSTRUCTIONS TO THE APPRAISER*

The instructions to the appraiser were directed by Mr. Robert Spence, Attorney at Law, to provide an opinion of *current* market value for two tracts of land located off of NC 210 Highway, Smithfield, NC described as PIN# 15076013D containing 10.078 acres and PIN# 15076013E containing 10.002 acres, as of December 10, 2019 and to meet the 2018-2019 USPAP guidelines of an Appraisal Report for the subject property. These two tracts are to be appraised as one parcel of land. This appraisal will be done in a *Fee Simple Interest* in terms of cash or the financial equivalent to cash.

### *DATE OF APPRAISAL*

This appraiser personally inspected the subject property on December 10, 2019. The *current* market value of the subject property in fee simple interest was established as of December 10, 2019.

### *PHYSICAL LOCATION*

The subject property (PIN# 15076013D and PIN# 15076013E) is located off of the south side of NC 210 Highway, Smithfield, North Carolina approximately 0.6 mile west of the intersection of US 70 Highway and NC 210. Reader should refer to maps and other documentation contained within the report for a more detailed description of the location.

## EXTRAORDINARY ASSUMPTIONS

An extraordinary assumption is defined as "an assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions." Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property or about conditions external to the property, such as market conditions, or trends, or the integrity of data used in an analysis. An extraordinary assumption may be used in an appraisal assignment only if the use of the extraordinary assumption is clearly required for legal purposes, for purposes of reasonable analysis, or for purposes of comparison. An extraordinary assumption can only be used when the use of the specific assumption results in a credible analysis.

*There is an extraordinary assumption for the subject property at the time of this report in that the 50' easement is suitable for ingress and egress.*

## HYPOTHETICAL CONDITIONS

A hypothetical condition is defined as "that which is contrary to what exist but is supposed for the purpose of analysis." Hypothetical conditions assume conditions contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends: or about the integrity of data used in an analysis. Use of the hypothetical condition is clearly required for legal purposes, for purposes of reasonable analysis, and or for purposes of comparison. A hypothetical condition can only be used when the use of the specific assumption results in a credible analysis.

*There is a hypothetical condition for the subject property at the time of this report in that the two tracts are being appraised as one parcel of land.*

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*The disclosure of any hypothetical conditions or extraordinary assumptions used in this report are consistent with the extraordinary reporting requirements set forth in Standards Rule l-2(h), and Standards Rules 2-2(a)(viii), (b)(viii), and (c )(viii) of the Uniform Standards of Professional Appraisal Practice. (USPAP, effective February 1, 2016)*

### *STATEMENT OF OWNERSHIP AND TITLE HISTORY*

Based on my limited research of the public record, the title of the parcel identified as PIN# 15076013D and the parcel identified as PIN# 5076013E, based upon public records are in the name of Cornerstone Faith Fellowship. These parcels are recorded in Deed Book 3839 Page 845. The subject property was purchased by Cornerstone Faith Fellowship in 2010 for $132,500. There have been no sales within the last three years. Legal counsel should be able to verify the title history and current ownership. It is my understanding from the client that the subject property is under negotiation as to purchasing. No sales contract has been provided to the appraiser.

### *LEASES AND ENCUMBRANCES*

None other than annual agricultural leases.

### *EASEMENTS AND PUBLIC RIGHT OF WAYS*

The site has access by way of a recorded easement in Plat Book 75, Pages 6, 7, and 8 from NC 210 Highway. The site has a 50' access easement.

### *UTILITIES*

None. Public water and sewer are located on NC 210 Highway approximately 850' from Lot 8. Water and sewer lines could run along the 50' utility and access easement recorded in Plat Book 75, Pages 6, 7, and 8.

### *ZONING*

At the time of this report, the subject property is zoned as R-20A under the jurisdiction of the Town of Smithfield. With the soil being (StA- State sandy loam) and the subject being in a flood prone area, residential development should not be considered as one of the highest and best usages of the subject property. Parks and recreation areas are allowed with a Special Use permit in areas zoned R-20A.

***ASSESSED VALUE AND ANNUAL TAXES***

The property is subject to taxation by Johnston County and the Smithfield Fire District at a combined rate of $0.88 per $100 valuation. Based on information I have been able to obtain from the Johnston County Tax Administrator's Office, the parcel identified as PIN# 15076013D, contains 10.078 acres. (While the tax office indicates this parcel contains 10.08 acres, for the purposes of this appraisal, I am using the deeded acreage of 10.078 acres.) The total assessed value is $80,380. The parcel identified as PIN# 15076013D contains 10.002 acres. (While the tax office indicates this parcel contains 10 acres, for the purposes of this appraisal, I am using the deeded acreage of 10.002 acres.) The total assessed value is $74,880.

It is my opinion the reader should contact the Johnston County Tax Supervisor's Office with any questions concerning any other tax information. *The tax card is included in the appendix.*

***SITE AND IMPROVEMENTS***

**SITE**

The subject is located on the south side of NC 210 Highway approximately 0.7 mile west of the intersection of US 70 Highway and NC 210 Highway. Public access is from a 50' recorded easement from NC 210 Highway. The subject contains approximately 19.38 acres of clear land and 0.7 acres of woodland according to tax records. The subject is considered to be agricultural / recreational land.

Approximately 75% soil located on this tract is classified as StA – State sandy loam, 0 to 3 percent slopes, occasionally flooded. Permeability and available water capacity are moderate. This soil is occasionally flooded for brief periods. Surface runoff is slow. Most areas of State soil are used as pasture of cropland. The potential is low for urban uses because of the wetness.

Less than 5% of the soil located on this tract is classified as AsA – Augusta sandy loam, 0 to 2 percent slopes, occasionally flooded. This somewhat poorly drained soil is on stream terraces. Permeability and available water capacity are moderate. This soil is occasionally flooded for

brief periods by overflow from streams. Most areas of Augusta soil are used as pasture. This soil is poorly suited for urban and recreational uses due to wetness.

The remaining soil located on this tract is classified as AaA – Altavista sandy loam, 0 to 2 percent slopes, occasionally flooded. This moderately well drained soil is on low ridges on stream terraces. Permeability and available water capacity are moderate. The soil is occasionally flooded for brief periods. Surface runoff is slow. Most areas of Altavista soil are used as woodland. The soil is poorly suited to most urban uses because of the flooding and seasonal wetness.

**IMPROVEMENTS**

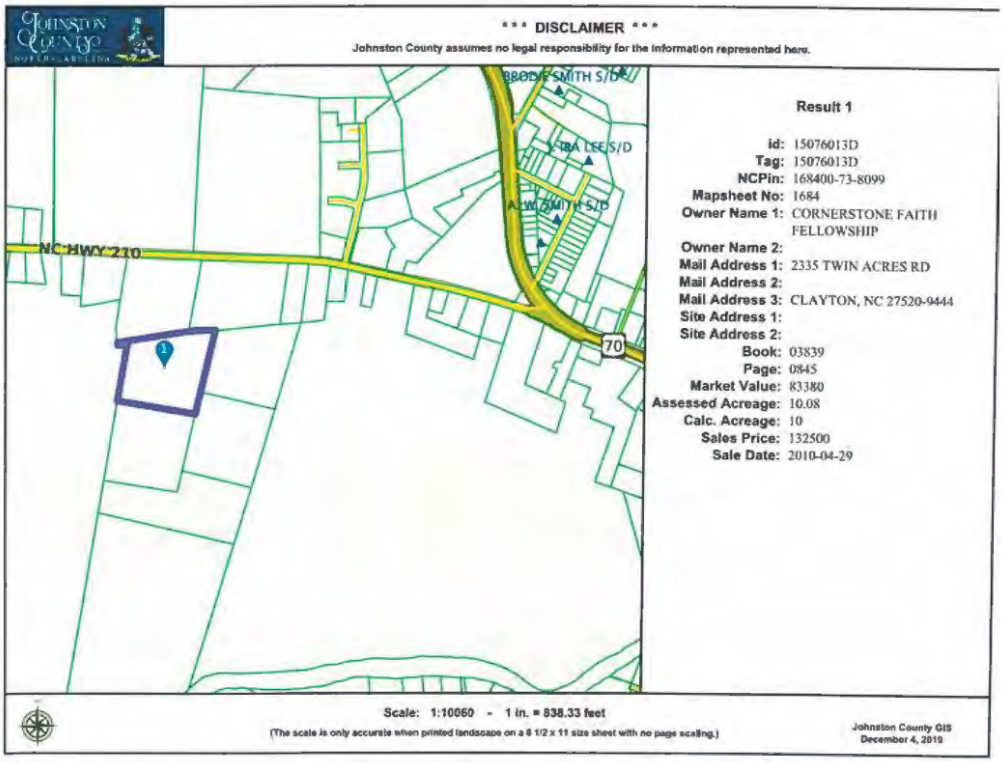
None.

**NEIGHBORHOOD**

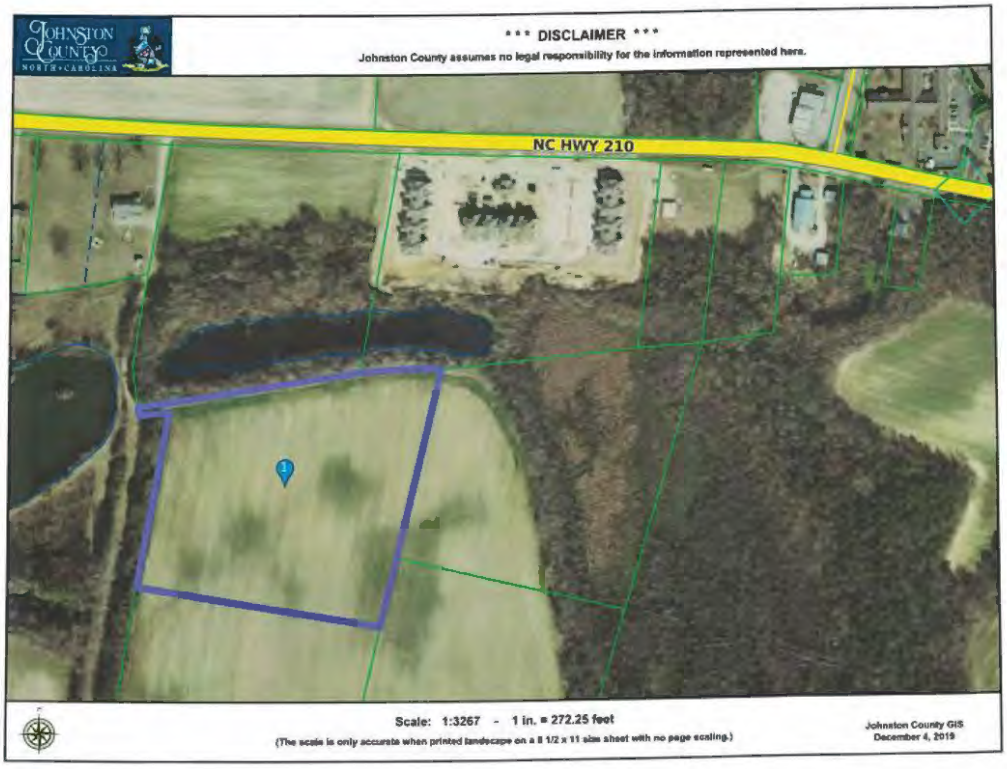
The neighborhood boundaries for the subject consist of a corridor on both sides on NC 210 Highway from US 70 to Swift Creek. There are some properties along this corridor that have been for sale for several years. It is my opinion that based on the lack of land sales that vacant land in this neighborhood is not in high demand due to the potential flooding of Swift Creek and the Neuse River. It is also my opinion that the land that does not affront NC 210 Highway does have and will continue to have very little residential or commercial development.

## PIN# 15076013D

## SUBJECT PROPERTY TAX MAP




## SUBJECT PROPERTY ORTHO MAP



# LAND COVER ANALYSIS


*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.

**Land Cover Analysis**

| Type | Key | Percent | Area (acres) calculated | Area (acres) assessed |
|---|---|---|---|---|
| CLEARED | | 99.33 | 9.93 | 10.01 |
| TREES | | 0.67 | 0.07 | 0.07 |
| Totals | | 100 | 10 | 10.08 |

# SOIL MAP


*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.

**Soil Analysis**

| Type | Key | Percent | Area (acres) calculated | Area (acres) assessed |
|---|---|---|---|---|
| AaA | | 4.9 | 0.49 | 0.49 |
| StA | | 95.1 | 9.51 | 9.59 |
| w | | 0 | 0 | 0 |
| Totals | | 100 | 10 | 10.08 |

# ZONING MAP

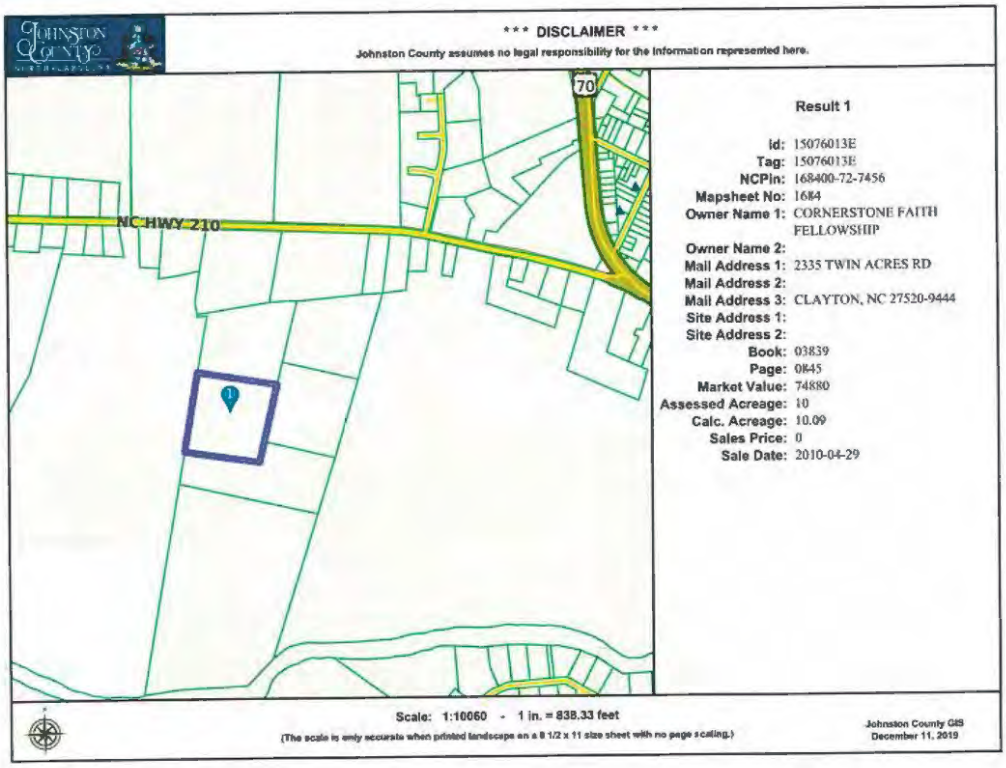

*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.

Zoning Analysis

| Type | Key | Percent | Area (acres) | |
|---|---|---|---|---|
| | | | calculated | assessed |
| T: R-20A | | 100 | 10 | 10.08 |
| Totals | | 100 | 10 | 10.08 |

## PIN# 15076013E

## SUBJECT PROPERTY TAX MAP




## SUBJECT PROPERTY ORTHO MAP

# LAND COVER ANALYSIS


*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.

## Land Cover Analysis

| Type | Key | Percent | Area (acres) | |
|---|---|---|---|---|
| | | | calculated | assessed |
| CLEARED | | 93.71 | 9.46 | 9.37 |
| TREES | | 6.29 | 0.63 | 0.63 |
| Totals | | 100 | 10.09 | 10 |

# SOIL MAP


*** DISCLAIMER ***

Johnston County assumes no legal responsibility for the information represented here.

**Soil Analysis**

| Type | Key | Percent | Area (acres) | |
|---|---|---|---|---|
| | | | calculated | assessed |
| AaA | | 43.88 | 4.43 | 4.39 |
| AsA | | 3.05 | 0.31 | 0.31 |
| StA | | 53.07 | 5.36 | 5.31 |
| Totals | | 100 | 10.09 | 10 |

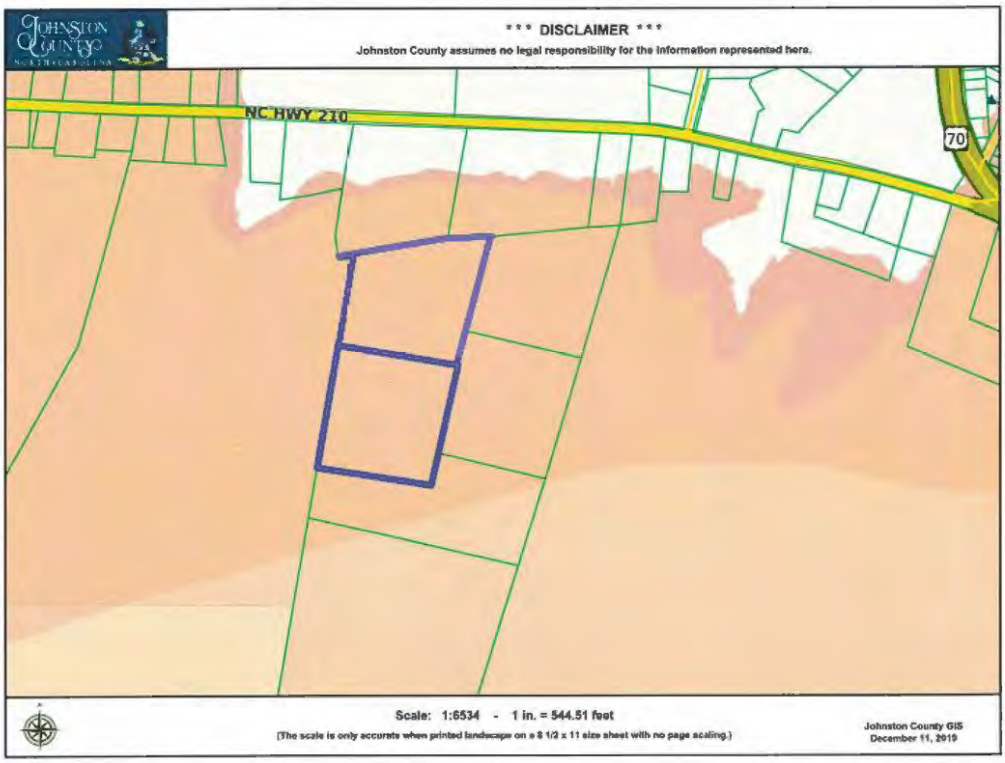
# ZONING MAP


*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.

Zoning Analysis

| Type | Key | Percent | Area (acres) | |
|---|---|---|---|---|
| | | | calculated | assessed |
| T: R-20A | | 100 | 10.09 | 10 |
| Totals | | 100 | 10.09 | 10 |

## *FLOOD MAP*


*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.
NC HWY 210
70
Scale: 1:6534 - 1 in. = 544.51 feet
(The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)
Johnston County GIS
December 11, 2019

## *PHOTOGRAPHS*


NC 210 Highway Looking West Toward I-40

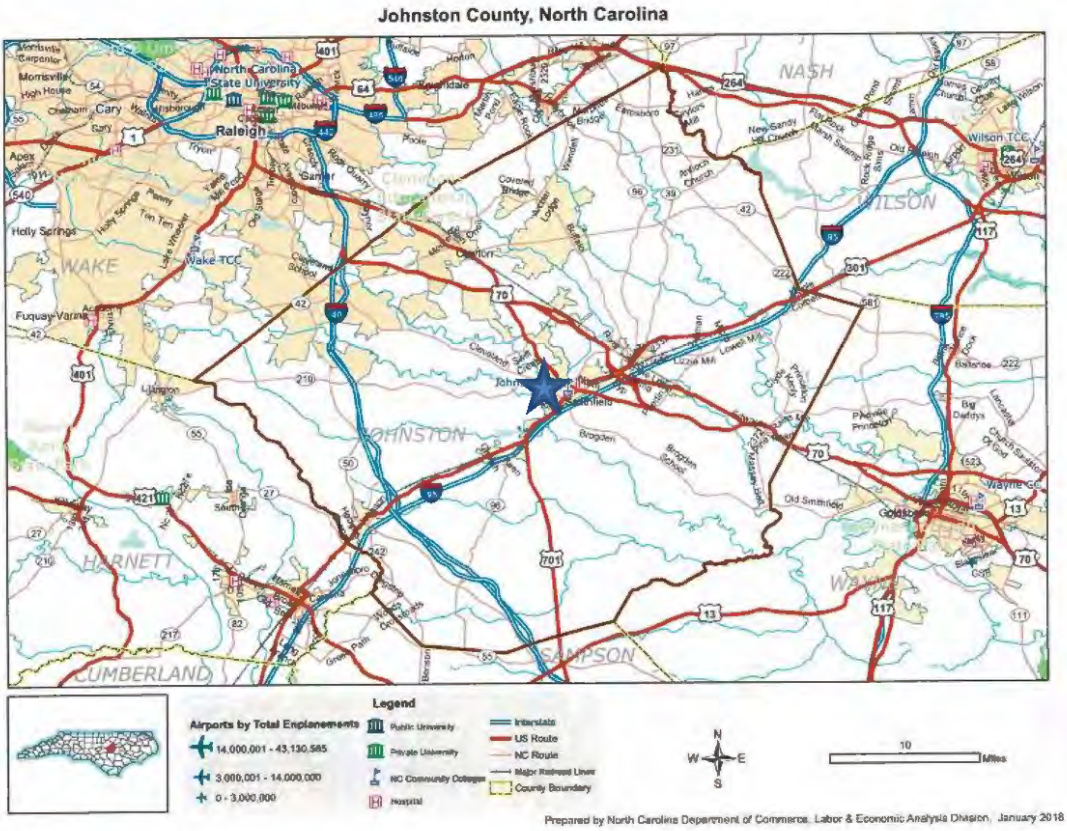
NC 210 Highway Looking East Toward the Town of Smithfield

***PHOTOGRAPHS***

50’ Access Easement Looking Toward NC 210 Highway

50’ Access Easement

# AREA MAP




**Approximate Area of Subject**

# CENSUS TRACT MAP

FFIEC Geocoding/Mapping System – 2019


Matched Address: 407 NC 210, SMITHFIELD, NC, 27577
MSA: 39580 - RALEIGH-CARY, NC || State: 37 - NORTH CAROLINA || County: 101 - JOHNSTON COUNTY || Tract Code: 0409.02

Selected Tract
MSA: || State: || County: || Tract Code:

## FLOOD MAP ANALYSIS

The National Flood Insurance Program is a study of all unincorporated areas and participating incorporated areas in the United States. This study is made by the Federal Emergency Management Agency and is designed for insurance purposes only.

The common designations of flood zones are as follows:

ZONE A: Areas with a history of flooding within a 100 year period. (Highest Hazard)

ZONE B: Areas between 100 - 500 year floods; with average depths less than one (1) foot or where contributing drainage is less than one (1) square mile. (Medium Range Hazard)

ZONE C: Areas of minimal flooding. (This zone does not require flood insurance)

ZONE X: Areas determined to be outside 500 - year flood plain.

## SUBJECT ANALYSIS

The subject was determined to be located in:

| | |
|---|---|
| Flood Zone | The subject is in the AE floodway. |
| Map #: | 3720168400K |
| Dated: | June 20, 2018 |

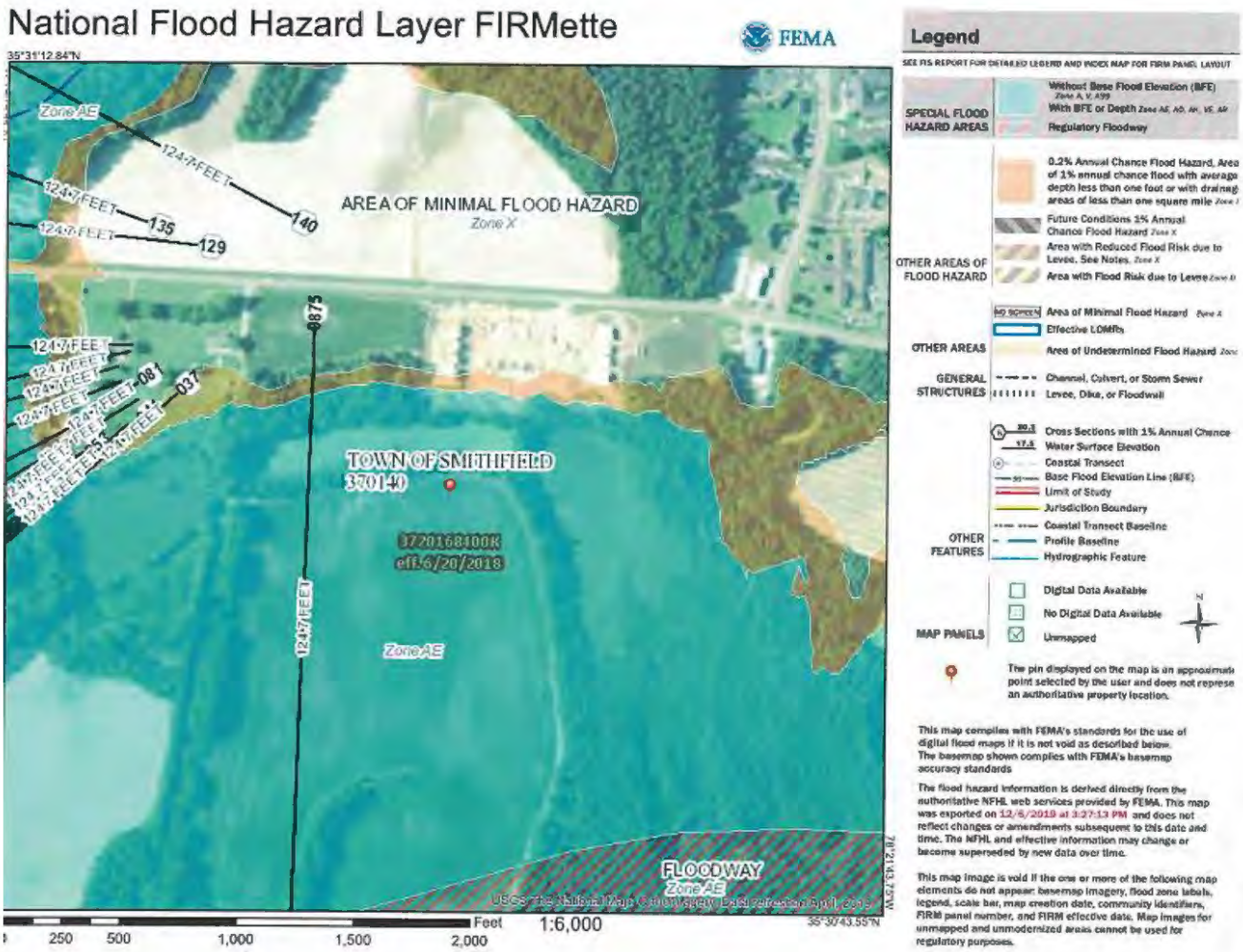
*The accuracy of the flood maps used* in *this report is limited to the effective map date.*

## CENSUS TRACT

Block Numbering Area:

| | |
|---|---|
| North Carolina: | 37 |
| Johnston County: | 101 |
| Block | 409.02 |

## FEMA FLOOD MAP FOR SUBJECT PROPERTY



**Land Use**

Area land uses include scattered residential, with the majority of the land being utilized for agricultural use. Land use characteristics in the immediate area are summarized in the following outline format.

| | |
|---|---|
| Predominant Age of Improvements | 50± |
| Predominant Quality and Construction | Average |
| Approximate Percent Land Developed | 25% |
| Life Cycle Stage | Modest Growth |
| Infrastructure/Planning | Average |
| Predominant Location of Undeveloped Land | South and East of Subject Property |
| Prevailing Direction of Growth | North and West of Subject Property |

Subjects' Immediate Surrounding Land Use

| | |
|---|---|
| North | Agricultural / Residential |
| South | Agricultural / Residential |
| East | Agricultural / Residential |
| West | Agricultural / Residential |

**Development Activity/Trends**

Smithfield Township is seeing a modest growth in residential development. The area is convenient to I-95, US 301, US 70, and NC 210, which are the main traffic corridors. Agricultural / recreational will predominately be the highest and best use for the foreseeable future.

## *HIGHEST AND BEST USE*

In the appraisal process, the concept of highest and best use represents the premise upon which value is based. Highest and best use is defined as follows:
The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value.

Four criteria must be met in establishing the highest and best use of the subject property. The highest and best use must be legally permissible, physically possible, financially feasible, and maximally productive. Tests of legal permissibility and physical possibility must be applied before the tests of financial feasibility and maximal productivity.

This definition is applied specifically to the highest and best use of land. It is recognized that in cases where a site has existing improvements, the concluded highest and best as if vacant may be different from the highest and best use given the existing improvements (as improved). The existing use will continue, however, until the land value, in its highest and best use, exceeds that total value of the property under its existing use plus the cost of removing or altering the existing structure.

Implied in this definition is recognition of the contribution of a specific use to the community environment or to the community's development goals, in addition to wealth maximization of individual property owners. Also implied is that the conclusion of highest and best use results from the appraiser's judgment and analytical skill, i.e., that the use determined from the analysis represents an opinion, not a fact to be found.

The highest and best use analysis presented in this appraisal is not intended to be an exhaustive analysis of every possible use for the subject. Rather, it is intended to provide sufficient analysis of the most likely and most reasonable alternative uses for the subject properties.

**The Highest on Best use as if Vacant**

The following definition of Highest and Best Use of Land or a site as Vacant is quoted from *The Dictionary of Real Estate Appraisal,* Fifth Edition; published by the Appraisal Institute, copyright 2010.

*"Among all reasonable, alternative users, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing and improvements."*

In determining the highest and best use there are essentially four stages of analysis:

1. Legally Permissible: What uses are permitted by zoning and deed restrictions on the site?
2. Physically Possible: What uses of the site are physically possible?
3. Financially Feasible: Among the feasible uses, which use will produce the highest net and return to the owner of the site?
4. Maximum Productivity: Among the feasible uses, which use will produce the highest net return or the highest present value?

When estimating highest and best use, the following tests must be satisfied: (1) the use must be legal; (2) the use must be probable; (3) the use must not be speculative; (4) there must be a profitable demand for such as use.

The highest and best use of a site, if vacant and available for use, may be different from the highest and best use of the improved property. This is true when the improvements are not an appropriate use, but do make some contribution to total property value, greater than the land.

The definition of highest and best use indicates that there are two types of highest and best use. The first type is the highest and best use of the land or a site as though vacant. The second type is the highest and best use of the property as improved. Each type requires a separate analysis, which has been presented above. In each case; however, the existing use may be different from the highest and best use. There is no anticipated change in the use of the subject property and surrounding properties in the foreseeable future.

**Conclusion of Highest and Best Use**

The highest and best use for the subject property is agricultural / recreational.

.

***DATA SOURCES***

Data sources used in this appraisal, but were not limited to, are as follows:

Johnston County Public Records
Johnston County Planning Department
Johnston County Tax Department
Mr. Robert Spence, Attorney at Law
Area Realtors and Appraisers
Work File
Office Files and Personal Data
Market Data Obtained from Work File and Office Files
Beth Speight, Administrative Assistant
Personal Inspection: December 10, 2019

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*It is acknowledged by this appraiser, that all information contained in this report appears to be reasonable and adequate, based on the sources through which it was obtained. However, if at any time the information and data contained in this report is found invalid, this could have an alternate effect to the weight of value in the final conclusion of market value to the subject property. The appraiser reserves the right to amend conclusions reported if made aware of any such error.*

***MARKETING/EXPOSURE TIME***

Market time may be defined as follows: *The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a current "as is" opinion based upon an analysis of past events assuming a competitive and open market.*

Market time is different for various types of real estate and under various market conditions. It is noted that the overall concept of reasonable exposure encompasses not only adequate, sufficient, and reasonable time but also adequate, sufficient, and reasonable effort. This statement focuses on the time component.

The fact that market time is always presumed to occur prior to the effective date of the appraisal is substantiated by related facts in the appraisal process: supply/demand conditions as of the effective date of the appraisal; the use of current "as is" cost information; the analysis of historical sales information (sold after exposure and after completion of negotiations between the seller and buyer); and the analysis of future income expectancy estimated from the effective date of the appraisal. The reasonable marketing period is a function of price, time, and use, not an isolated estimate of time alone.

In the appraiser's judgment, due to the economic conditions and growth in the general area of the subject property, the estimated exposure time for the subject property would be 6-18 months. The exposure time assumes the property will be actively exposed and aggressively marketed to potential purchasers through marketing channels commonly used by sellers of similar type properties at a price reflecting a typical mark-up over market value.

## *VALUATION METHODS*

Appraisers typically use three derived approaches in the valuation of property, which are the *Sales Comparison Approach*, the *Cost Approach*, and the *Income Approach*. The methods or approaches, applicable to a specific property being appraised, depend on the quality and quantity of data available for analysis.

The ***Sales Comparison Approach*** is used when numerous properties similar to the property being appraised have recently sold. Those sales which are most comparable to the subject property tend to set a range in which the value indication for the subject falls. This approach is used for income properties because it reflects market behavior and is used for adjustments in other approaches to value. The sales must be adjusted for differences between them and the subject property. If there are few sales, comparable data can be difficult to obtain. If prices are rising, it may be difficult to establish the adjustments for time versus the adjustments for the differences. This method is not typically used when appraising specialized properties, as sales of this type of property are rare, but it is meaningful when appraising properties which are more frequently sold.

The ***Cost Approach*** to value is based on the cost to replace the improvements, less accrued depreciation, plus the land value. This value will most accurate when the improvements are relatively new, or if the property does not have substantial accrued depreciation. Many times, the cost approach is the only approach that can be used when appraising a specialized property. If there is little or no retrospective market activity and the subject is a single use property, new construction, or proposed construction, the cost approach is often used as an indicator of market value. It is most accurate when the property being appraised is new and the site is being improved to its highest and best use.

The basic proposition of the cost approach is that an informed purchaser would pay no more for the subject property than the cost of producing a substitute improvement with the same utility as the subject. This approach is limited to the appraiser's expertise in estimating reproduction/replacement cost, reliance on estimates of accrued depreciation, and the lack of confirmation of the desires and expressions of typical buyers and sellers.

In the ***Income Approach,*** the value of a property is the present worth of the net rental income it will produce during the remainder of the property's economic (productive) life, plus the reversionary value, if any. The basic concept is the present value of future benefits, because the rental income received from the property, generally known as net income, is converted to an indication of value by a mathematical process or computation known as capitalization. Thus, income property values can be erratic. The income approach requires accurate data collection and analysis. There are numerous assumptions necessary to apply correctly and there is a tendency to oversimplify when using overall rates and gross rent multipliers. The income and expense information from comparable sales is often difficult to obtain. The usefulness of the Income Approach depends on the type of property under appraisal and the data available.

The subject property being agricultural and recreation land, only the Sales Comparison Approach was used to develop the Market Value of this tract. Omitting the Cost Approach and the Income Approach does not affect the credibility of this report.

## *SALES COMPARISON APPROACH*

This approach is: "An appraisal technique in which the opinion of market value is predicated upon prices paid in actual market transactions and retrospective listings. It is a process of correction in analysis of similar recently sold properties. The reliability of this technique is dependent upon: (a) the degree of comparability of each priority with the property under appraisal, (b) the time of the sale, (c) the verification of the sale, and (d) the absence of unusual conditions affecting the sale".

Of the three approaches used to develop value, (particularly when the purpose of the appraisal is to establish a market value), the sales comparison approach assumes that the data is presumably market derived. Similarly, the direct sale comparison approach is: "*That approach in appraisal analysis which is based on the proposition that an informed purchaser would pay no more for a property than the cost to him of acquiring an existing property with the same utility.*" This approach is applicable when an active market provides sufficient quantities of reliable data which can be verified from authoritative sources.

The sales comparison approach is used to develop a current "as is" market value opinion for the subject properties' land. In analyzing the sales data, the price per acre was selected as the appropriate unit of comparison used to establish the opinion of value. Comparable land sales that are similar in location, size, and physical characteristics were analyzed and considered in establishing a market value for the site. The comparable closed land sales used, in my opinion, do reflect the market trend for similar land in the subject market. Adjustments were made for differences in the date of sale, location, size, frontage, access, utility of the land, and other unique characteristics.

Quantitative adjustments are often developed as dollar or percentage amounts and are most credible when there is sufficient data to perform a paired sales or statistical analysis. Qualitative adjustments are developed through relative comparisons (e.g. superior, inferior, etc.) and are often a realistic way to reflect the thought process of market participants when only limited data is available.

Sufficient market data is available that would indicate an opinion of current "as is" market value for the subject properties through the proper adjustments of the comparable closed sales. The adjustment process is typically applied through either quantitative analysis, qualitative analysis or a combination of the two.

Adjustments are based on the appraiser's rating of each comparable sale in relation to the subjects. If the comparable sale is rated superior to the subject, the sale price is adjusted downward to reflect the subject's relative inferiority; if the comparable sale is rated inferior, its price is adjusted upward.

For the purpose of this report, there was sufficient data for the *Sales Comparison Approach* to be applicable, and credible in establishing the current "as is" market value for the subject property.

Note to Reader: I have relied on area land real estate brokers and appraisers, public records including aerial photos, tax maps, tax cards, deeds, and other public information to analyze the comparable sales. I have not done a personal inspection of any of the comparable sales. If in the event the information I have analyzed is not correct, I reserve the right to amend this report.

## *COMPARABLE LAND SALE #1*

| | |
|---|---|
| LOCATION: | Pollard Road<br>Smithfield Township<br>Johnston County |
| CATEGORY: | Vacant Land |
| GRANTOR: | Douglas Brent Tyner |
| GRANTEE: | Steven A. Whitley |
| SALE DATE: | 03/24/2017 |
| SALE PRICE: | $70,000 |
| LEGAL DESCRIPTION: | Deed Book; 4930, Page; 89 |
| PARCEL NUMBER: | 15M14038 |
| CONDITION OF SALE: | Arm's Length |
| RIGHTS PURCHASED: | Fee Simple |
| VERIFIED BY: | Public Records |
| ZONING: | AR – Johnston County |
| HIGHEST & BEST USE: | Agricultural / Residential |
| PRESENT USE: | Agricultural Land |
| FRONTAGE: | Public Right of Way |
| DRAINAGE: | Adequate |
| UTILITIES: | Public Water and Electricity are Available |
| EASEMENT: | None Known |
| LAND SIZE: | 11 Acres per Deed |
| SALE PRICE P/AC: | $6,364 |
| COMMENTS: | Clear Land 75% |

## *COMPARABLE LAND SALE #2*

| | |
|---|---|
| LOCATION: | Brogden Road<br>Smithfield Township<br>Johnston County |
| CATEGORY: | Vacant Land |
| GRANTOR: | Shane M. Nolan |
| GRANTEE: | James W. Narron |
| SALE DATE: | 02/22/2018 |
| SALE PRICE: | $85,000 |
| LEGAL DESCRIPTION: | Deed Book; 5105, Page; 126 |
| TAX NUMBER: | 15L12005A |
| CONDITION OF SALE: | Arm's Length |
| RIGHTS PURCHASED: | Fee Simple |
| VERIFIED BY: | Public Records |
| ZONING: | R-20A – Town of Smithfield |
| HIGHEST & BEST USE: | Agricultural / Residential |
| PRESENT USE: | Agricultural Land |
| FRONTAGE: | Public Right of Way |
| DRAINAGE: | Adequate |
| UTILITIES: | Public Water and Electricity are Available |
| EASEMENT: | None Known |
| LAND SIZE: | 15.68 Acres |
| SALES PRICE PER ACRE: | $5,421 |
| COMMENTS: | Clear Land 100% |

## *COMPARABLE LAND SALE #3*

| | |
|---|---|
| LOCATION: | Brogden Road<br>Smithfield Township<br>Johnston County |
| CATEGORY: | Vacant Land |
| GRANTOR: | Five Sisters Farm, LLC |
| GRANTEE: | Vu Van Nguyen |
| SALE DATE: | 10/23/2019 |
| SALE PRICE: | $95,000 |
| LEGAL DESCRIPTION: | Deed Book; 5453, Page; 54 |
| TAX NUMBER: | 15L12004A |
| CONDITION OF SALE: | Arm's Length |
| RIGHTS PURCHASED: | Fee Simple |
| VERIFIED BY: | Public Records |
| ZONING: | R-20A – Town of Smithfield |
| HIGHEST & BEST USE: | Agricultural / Residential |
| PRESENT USE: | Agricultural Land |
| FRONTAGE: | Public Right of Way |
| DRAINAGE: | Adequate |
| UTILITIES: | Public Water and Electricity are Available |
| EASEMENT: | None |
| LAND SIZE: | 10.520 Acres Per Deed |
| SALES PRICE PER ACRE: | $9,030 |
| COMMENTS: | Clear Land 100% |

## *COMPARABLE LAND SALE #4*

| | |
|---|---|
| LOCATION: | NC 210 Highway<br>Smithfield Township<br>Johnston County |
| CATEGORY: | Vacant Land |
| GRANTOR: | Larry N. Denning |
| GRANTEE: | Smooch, LLC |
| SALE DATE: | 10/25/2018 |
| SALE PRICE: | $162,500 |
| LEGAL DESCRIPTION: | Deed Book; 5239, Page; 173 |
| TAX NUMBER: | 15076013, 15076013A, 15076013B, & 15076013C |
| CONDITION OF SALE: | Arm's Length |
| RIGHTS PURCHASED: | Fee Simple |
| VERIFIED BY: | Public Records |
| ZONING: | RA-20 – Town of Smithfield |
| HIGHEST & BEST USE: | Agricultural / Residential |
| PRESENT USE: | Agricultural Land |
| FRONTAGE: | Public Right of Way |
| DRAINAGE: | Adequate |
| UTILITIES: | Public Water and Electricity are Available |
| EASEMENT: | 50' Deeded Access and Utility Easement |
| LAND SIZE: | 71 Acres |
| SALES PRICE PER ACRE: | $2,289 |
| COMMENTS: | Clear Land 30%<br>Adjoins Subject Property |

## *COMPARABLE LAND SALES ANALYSIS*

### *Comparable Sale One*

| | | |
|---|---|---|
| *Location* | *Superior* | *-10%* |
| *Size* | *Equal* | *0%* |
| *Utilities* | *Public Water* | *-10%* |
| *Soils* | *Superior* | *-10%* |
| *Demand* | *Superior* | *-10%* |
| *Total Adjustment* | | *-40%* |

### *Comparable Sale Two*

| | | |
|---|---|---|
| *Location* | *Superior* | *-10%* |
| *Size* | *Equal* | *0%* |
| *Utilities* | *Public Water* | *-10%* |
| *Soils* | *Superior* | *-10%* |
| *Demand* | *Superior* | *-10%* |
| *Total Adjustment* | | *-40%* |

### *Comparable Sale Three*

| | | |
|---|---|---|
| *Location* | *Superior* | *-10%* |
| *Size* | *Equal* | *0%* |
| *Utilities* | *Public Water* | *-10%* |
| *Soils* | *Superior* | *-10%* |
| *Demand* | *Superior* | *-10%* |
| *Total Adjustment* | | *-40%* |

***Comparable Sale Four***

| | | |
|---|---|---|
| *Location* | *Equal* | *0%* |
| *Size* | *Inferior* | *+20%* |
| *Utilities* | *Equal* | *0%* |
| *Soils* | *Equal* | *0%* |
| *Demand* | *Inferior* | *+20%* |
| *Total Adjustment* | | *+40%* |

## *RECONCILIATION OF COMPARABLE SALES*

The final step in the appraisal process is for the appraiser to analyze and reconcile all the data that has been collected in order to establish market value. All comparable sales were in the general proximity of the subject property and were adjusted for different economic and physical characteristics.

In establishing the market value by the Sales Comparison Approach, it is necessary for the appraiser to find comparable sales as similar to the subject property as possible. It is retrospectively known, that no two properties are exactly alike and the difference may be adjusted according to their strengths and weakness to the subject property.

After extensive research, the four comparable sales I have selected, in my opinion, were all similar to the subject property. The physical characteristics were adjusted according to their overall characteristics. It is my opinion that as of December 10, 2019, the four comparable sales I have selected do represent the overall current "as is" market value best of all the other sales I have been able to find.

Comparable Sale One, located on Pollard Road, contains 11 acres. This comparable has access to public water. The soils and the demand are superior to the subject. I am adjusting this sale by a -40% for an adjusted sales price per acre of $3,818.

Comparable Sale Two, located on Brogden Road, contains 15.68 acres. This comparable has access to public water. The soils and the demand are superior to the subject. I am adjusting this sale by -40% for an adjusted sales price per acre of $3,253.

Comparable Sale Three, located on Brogden Road, contains 10.52 acres. This comparable has access to public water. The soils and the demand are superior to the subject. I am adjusting this sale by -40% for an adjusted sales price per acre of $5,418.

Comparable Sale Four, located adjacent to the subject property, contains a total of 71 acres. I am adjusting this sale by +40% for an adjusted sales price per acre of $3,205.

It is generally recognized in the appraisal process that weighted values may be used in developing market values on such properties. In analyzing the weighted values of the four sales, it is my opinion that equal weight should be given to each sale.

*Thus the following weighted values were given as follows:*

| COMPARABLE LAND SALE | ADJUSTED VALUE PER ACRE | % OF ADJUSTMENTS | WEIGHTED PERCENT | | WEIGHTED VALUE |
|---|---|---|---|---|---|
| 1. | $3,818 | -40% | 25% | = | $952 |
| 2. | $3,253 | -40% | 25% | = | $813 |
| 3. | $5,418 | -40% | 25% | = | $1,355 |
| 4. | $3,205 | +40% | 25% | = | $801 |
| | | | | | $3,921 |

**Weighted price per acre = $3,921**

***FINAL RECONCILIATION OF LAND VALUE***

The subject property contains approximately 20.02 acres. With the subject property containing approximately 20.02 acres at $3,921 per acre, it is this appraiser's opinion that the indicated current "as is" market value of the subject property as of December 10, 2019 is shown in the following calculation:

20.2 Acres X Price per Acre @ $3,921 = $78,498

Rounded to: $80,000

**EIGHTY THOUSAND DOLLARS**

**$80,000**

Charles K. Hinnant GAA ALC GRI
General Accredited Appraiser
Accredited Land Consultant
Graduate Realtor's Institute

State-Certified General
Real Estate Appraiser A1767

CKH/bs

# *APPENDIX:*

- **Letter of Engagement**
- **Tax Card(s)**
- **Deed(s)**
- **Plat Map(s)**
- **Qualifications Of Appraiser**
- **Professional Qualifications**
- **Appraiser License**

# LETTER OF ENGAGEMENT

**Paulette Hinnant**

**From:** Charles Hinnant <charles@hinnantrealestateservices.com>
**Sent:** Wednesday, December 11, 2019 9:24 AM
**To:** pp@hinnantrealestateservices.com
**Subject:** FW: Highway 210 Properties
**Attachments:** DOC111819-11182019161801.pdf

---Original Message---
From: Bob Spence [mailto:Spence@ssl-law.com]
Sent: Tuesday, December 03, 2019 9:21 AM
To: charles@hinnantrealestateservices.com
Cc: Amber Parrish
Subject: FW: Highway 210 Properties

The town wants to buy this for a park. Can you get me a quick appraisal?

Robert A. Spence, Jr.
Spence, Berkau, & McLamb, P.A.
232 South Second Street
P.O. Box 1335
Smithfield NC 27577
919-934-1149
Fax 919-934-3635
spence@ssl-law.com

---Original Message---
From: Michael Scott <michael.scott@smithfield-nc.com>
Sent: Monday, November 18, 2019 3:21 PM
To: Bob Spence <Spence@ssl-law.com>
Subject: Highway 210 Properties

Bob,

Let me know when we might get an appraisal completed.

Thanks,

Mike

# TAX CARD(S)

CORNERSTONE FAITH FELLOWSHIP

Parcel ID: 15-0-76-013-D-

CONSTRUCTION DETAIL | MARKET VALUE | DEPRECIATION | CORRELATION OF VALUE

TOTAL POINT VALUE | BUILDING ADJUSTMENTS | % GOOD

CREDENCE TO | MARKET

DEPR. BUILDING VALUE - CARD

DEPR. OB/XF VALUE - CARD

MARKET LAND VALUE - CARD

TOTAL MARKET VALUE - CARD

TOTAL APPRAISED VALUE - CARD

TOTAL APPRAISED VALUE - PARCEL

TOTAL PRESENT USE VALUE - LAND

TOTAL VALUE DEFERRED - PARCEL

TOTAL TAXABLE VALUE - PARCEL

PRIOR | PERMIT

BUILDING VALUE | CODE | DATE | NO.

DEPR VALUE

LAND VALUE

PRESENT USE VALUE

DEFERRED VALUE

TOTAL VALUE

SALES DATA

DEPT. RECORD BOOK | PAGE | DATE MO | YR | DEED TYPE | Q/U | V/I | INDICATE SALES PRICE

HEATED AREA

NOTES

SUBAREA | CODE | DESCRIPTION | COUNT | LTH | WTH | UNITS | UNIT PRICE | ORIG % COND | BLDG # | AYB | EYB | DEP SCH | OVR | % COND | OB/XF DEPR. VALUE

TYPE | USE AREA | HCI | HPLCS

SUBAREA TOTALS

TOTAL OB/XF VALUE

BLDG DIMENSIONS

LAND INFORMATION

HIGHEST AND BEST USE | USE CODE | LOCAL ZONING | FRONTAGE | DEPTH | DEPTH / SIZE | LND MOD | COND FACT | OTHER ADJ/NOTES OR AC LC TO OF | ROAD TYPE | LAND UNIT PRICE | TOTAL LAND UNITS | UNIT TYPE | TOTAL ADJUST | ADJUSTED UNIT PRICE | LAND VALUE | OVERRIDE VALUE | LAND NOTES

TOTAL MARKET LAND DATA

TOTAL PRESENT USE DATA

15-0-76-013-D-

12/6/2019 2:40:06 PM

CORNERSTONE FAITH FELLOWSHIP

Parcel ID: 15-0-76-013-E-

CONSTRUCTION DETAIL | MARKET VALUE | DEPRECIATION | CORRELATION OF VALUE

TOTAL POINT VALUE | BUILDING ADJUSTMENTS | % GOOD

CREDENCE TO | MARKET

DEPR. BUILDING VALUE - CARD

DEPR. OB/XF VALUE - CARD

MARKET LAND VALUE - CARD

TOTAL MARKET VALUE - CARD

TOTAL APPRAISED VALUE - CARD

TOTAL APPRAISED VALUE - PARCEL

TOTAL PRESENT USE VALUE - LAND

TOTAL VALUE DEFERRED - PARCEL

TOTAL TAXABLE VALUE - PARCEL

PRIOR | PERMIT

BUILDING VALUE | CODE | DATE | NO.

DEPR VALUE

LAND VALUE

PRESENT USE VALUE

DEFERRED VALUE

TOTAL VALUE

SALES DATA

DEPT. RECORD BOOK | PAGE | DATE MO | YR | DEED TYPE | Q/U | V/I | INDICATE SALES PRICE

HEATED AREA

NOTES

SUBAREA | CODE | DESCRIPTION | COUNT | LTH | WTH | UNITS | UNIT PRICE | ORIG % COND | BLDG # | AYB | EYB | DEP SCH | OVR | % COND | OB/XF DEPR. VALUE

TYPE | USE AREA | HCI | HPLCS

SUBAREA TOTALS

TOTAL OB/XF VALUE

BLDG DIMENSIONS

LAND INFORMATION

HIGHEST AND BEST USE | USE CODE | LOCAL ZONING | FRONTAGE | DEPTH | DEPTH / SIZE | LND MOD | COND FACT | OTHER ADJ/NOTES OR AC LC TO OF | ROAD TYPE | LAND UNIT PRICE | TOTAL LAND UNITS | UNIT TYPE | TOTAL ADJUST | ADJUSTED UNIT PRICE | LAND VALUE | OVERRIDE VALUE | LAND NOTES

TOTAL MARKET LAND DATA

TOTAL PRESENT USE DATA

15-0-76-013-E-

12/11/2019 11:00:03 AM

# DEED(S)

Filed In Johnston County, NC DWAIC-DLIVE, Register of Deeds Filed 07/29/2016
4:11:16 PM DEED BOOK 3839 PAGE 045 - 047 INSTRUMENT # 2010284253
Estate Excise Tax: $265.00 Deputy/Assistant Register of Deeds: D STANCINGS

Prepared by [redacted]
James W. Narron
[NO TITLE EXAMINATION]
Hold for: Kristnfe Law Offices, P.O.
Excise Tax $ 265.00

Parcel Identification Number
[illegible]

**NORTH CAROLINA**
**JOHNSTON COUNTY**

**TRUSTEE'S DEED**

THIS TRUSTEE'S DEED is entered into this 26 day of April, 2010, by and between Larry N. Denning, Trustee of the Denning Family Trust #1 U/A/D December 9, 2005; and Larry N. Denning, Executor of the Estate of John Norwood Denning [herein "GRANTOR"] and Cornerstone Faith Fellowship of 176 Churchill Downs Drive, Clayton North Carolina 27527 [herein "GRANTEE"].

WITNESSETH:

That Larry N. Denning, Trustee of the Denning Family Trust #1 U/A/D December 9, 2005, and Larry N. Denning, Executor under the will of John Norwood Denning, deceased, for and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable considerations has and does hereby give, grant, bargain, sell and convey to Grantee, its successors and assigns in fee simple forever the following described tracts of land located in Smithfield Township, Johnston County, North Carolina:

BEING all of Lot 8, containing 10.078 acres, more or less, and all of Lot 9, containing 10.000 acres, more or less, according to a plat and survey by Jimmy Barbour Surveying, P.A., dated March 9, 2010, styled "Survey for Denning Family Trust #1," and recorded in Plat Book 75, pages 6, 7 and 8, Johnston County Registry, to which reference is here by made for a more particular description.

TOGETHER WITH access to and from the above-described lots and N.C. Highway 210, along that New 50' Access & Utility Easement as more particularly shown on the above-referenced plat.

TO HAVE AND TO HOLD the aforesaid lands and all privileges and appurtenances thereunto belonging to the Grantee, its successors and assigns, in fee simple forever in as full and ample a manner as the undersigned Trustee has authority to convey the same.

IN WITNESS WHEREOF, Larry N. Denning, Trustee of the Denning Family Trust #1 U/A/O December 9, 2005; and Larry N. Denning, Executor of the Estate of John Norwood Denning, has hereunto set his hand and adopted the word "SEAL" after his name as his own seal this day and year first above written.

Larry N. Denning, Trustee (SEAL)
Larry N. Denning, Trustee of the Denning Family Trust
#1 U/A/O December 9, 2005

ESTATE OF JOHN NORWOOD DENNING

By: Larry N. Denning, Ex (SEAL)
Larry N. Denning, Executor

NORTH CAROLINA
JOHNSTON COUNTY

I, Elizabeth Brinchek, a Notary Public, in and for said County and State, do hereby certify that LARRY N. DENNING, TRUSTEE of the Denning Family Trust #1 U/A/O December 9, 2005, personally appeared before me this day and acknowledged the due execution of the foregoing Trustee's Deed.

Witness my hand and notarial seal/stamp, this 26 day of April, 2010.

Elizabeth Brinchek
Notary Public

My Commission expires:
9.19.2013

ELIZABETH BRINCHEK
NOTARY PUBLIC
JOHNSTON COUNTY, NC

NORTH CAROLINA
JOHNSTON COUNTY

I, Elizabeth Brinchek, a Notary Public, in and for said County and State, do hereby certify that LARRY N. DENNING, Executor of the Estate of John Norwood Denning, deceased, personally appeared before me this day and being by me duly sworn, says that he executed the foregoing and annexed instrument in his capacity as Executor of the aforesaid estate, and that his authority to execute and acknowledge said instrument and to act as Executor is contained in a will duly probated and recorded in the Office of the Clerk of the Superior Court of Johnston County in File No. 03-E-291; that the said Larry N. Denning acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed and as Executor of the Estate of John Norwood Denning.

Witness my hand and notarial seal, this 26 day of April, 2010.

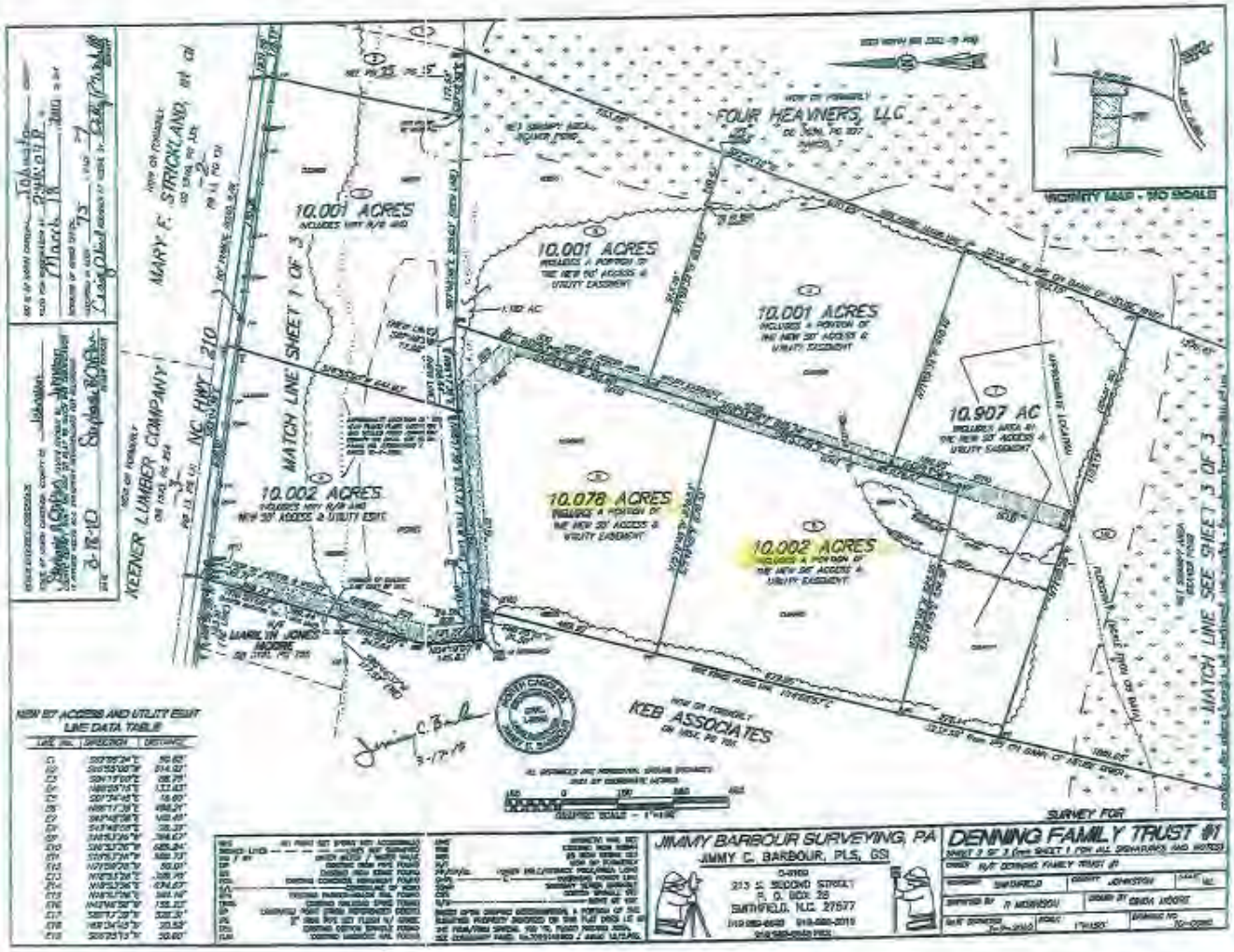
Elizabeth Brinchek
Notary Public

My Commission expires:

9-19-2013

NOTARY PUBLIC
JOHNSTON COUNTY, NC

**PLAT MAP**


FOUR HEAVNERS, LLC
10.001 ACRES
10.001 ACRES
10.001 ACRES
10.907 AC
10.078 ACRES
10.002 ACRES
10.002 ACRES
MARY F. STRICKLAND
KEENER LUMBER COMPANY
NC HWY 210
MATCH LINE SHEET 1 OF 3
MATCH LINE SEE SHEET 3 OF 3
KEB ASSOCIATES
VICINITY MAP - NO SCALE
NEW 30' ACCESS AND UTILITY EASE LINE DATA TABLE
JIMMY BARBOUR SURVEYING, PA
JIMMY C. BARBOUR, PLS, GSI
SMITHFIELD, N.C. 27577
SURVEY FOR
DENNING FAMILY TRUST #1

**QUALIFICATIONS OF CHARLES K. HINNANT, GAA ALC GRI**
**REAL ESTATE BROKER AND FEE APPRAISER**

Charles K. Hinnant and Company
100 West Second Street
Post Office Box 40
Kenly, North Carolina 27542
(919) 284-4392 Fax (919) 284-5166

E-mail:charles@hinnantrealestateservices.com

**EDUCATION:**

Graduate of University of Mount Olive B.S. Degree
GRI Graduate of N.C. REALTORS® Institute
GBI Graduate of N.C. Homebuilder's Institute
CRS Certified Residential Specialist
CRB Certified Real Estate Brokerage Manager
GAA General Accredited Appraiser
ITI Graduate of the Instructor's Training Institute
ALC Accredited Land Consultant

**PROFESSIONAL QUALIFICATIONS:**

N.C. General Contractor (License No. 10026)
N.C. Real Estate Broker (License No. 33498)
N.C. Plumbing Contractor (License No. 10270)
N.C. Insurance Broker (License No. 33112)
N.C. State-Certified General Appraiser (No. A1767)

**WORK EXPERIENCE:**

Charles K. Hinnant and Company Founded 1973
General Contractor
Real Estate Brokerage
Real Estate Developer
Property Management
Property and Casualty Insurance
Residential and Commercial Appraiser
Superior Court Expert Witness
Condemnation Appraisals for N.C. Dept. of Transportation,
Municipalities, Public Utilities, and Land Owners

**PROFESSIONAL QUALIFICATIONS**
**OF**
**CHARLES K. HINNANT, APPRAISER**
**Date of Birth: May 12, 1947**

Graduated Kenly High School
Graduated University of Mount Olive - B.S. Degree

Honorable Discharge-NC National Guard
Post Commander of Kenly American Legion

Town of Kenly Commissioner
Chairman - Town of Kenly Planning Board
Member of Johnston County Planning Board and Board of Adjustment
Appointed to Johnston Community College Education Foundation
Appointed by Gov. Easley to the North Carolina Appraisal Board (2 terms)

Established Charles K. Hinnant and Company (1973)
Licensed as a General Contractor
Licensed as a Real Estate Broker
Licensed as a General Real Estate Appraiser

Charter Member of the Johnston County Home Builders Association
President – Johnston County Home Builders Association
Obtained GBI Degree - Graduate of North Carolina Home Builders Institute - North Carolina State

Member of Johnston County Board of Realtors, North Carolina Board of Realtors, and National Board of Realtors
Member of Board of Directors of Johnston County Board of Realtors
Secretary - Treasurer of Johnston County Board of Realtors
Vice-President - Johnston County Board of Realtors
President - Johnston County Board of Realtors
Realtor of the Year - Johnston County
Chairman - Johnston County Realtors Education Committee
Chairman - Johnston County MLS Committee
Chairman of Professional Standards Committee of Johnston County Board of Realtors
Mediator for Johnston County Board of Realtors
Obtained GRI Degree - Graduate of Realtors Institute - University of North Carolina
Obtained CRS Degree - Certified Residential Specialist - National Association of Realtors
Obtained CRB Degree - Certified Real Estate Brokerage - National Association of Realtors
Member of Realtor Land Institute (RLI)
Obtained ALC (Accredited Land Consultant) of the NAR Realtor Land Institute

Member of Society of Real Estate Appraisers
Member of the American Society of Farm Managers and Rural Appraisers
Admitted as a State Accredited Affiliate of the Appraisal Institute

Founding Member of the NCAR Appraisal Section
Board Member North Carolina Association of Realtor's Appraisal Section
Secretary – Treasurer of North Carolina Association of Realtor's Appraisal Section
Vice-Chairman of North Carolina Association of Realtor's Appraisal Section
Chairman of North Carolina Association of Realtor's Appraisal Section

Graduate of Instructor's Training Institute (ITI)
Approved as Instructor for the North Carolina Real Estate Educational Foundation
Instructor of Continuing Education for Licensed and Certified Real Estate Appraisers
Instructor of Pre-Licensing of Residential Appraisal Courses
Instructor of - Introduction to Income Property Appraisal (G-1)
Instructor for ANSI Square Footage Residential Measurements

Appointed as a Commissioner of the Superior Court for Real estate Appraisals
Ruled as an Expert Appraiser in the Field of Real Estate Appraisals and Construction by the Superior Court

Completed Real Estate Appraisal Course - Introduction to Income Property Appraisal (G-1)
Completed Real Estate Appraisal Course - Advanced Income Capitalization Procedures (G-2)
Completed Real Estate Appraisal Course – Applied Income Property Valuation (G-3)
Completed ASFMRA Course on Appraising Conservation Easements
Completed AI Course on Appraisal Standards for Federal Land Acquisitions
Competed AI Course on Partial Interest Evaluations Undivided

Senior Review Appraiser –Four Oaks Bank
Former Member North Carolina Appraisal Board

- Attended Numerous Seminars, Courses, and Workshops on Single Family Dwellings, Land Appraisals, and Commercial Appraisals including all Three (3) Approaches to Develop Market Value including the Cost, Income, and Sales Comparison Approaches

- Assisted Attorneys and CPAs in Estate Planning, Establishing Retrospective Market Values, Litigation, and Assisting in other Court Related Issues

**TEACHING PRE-LICENSURE COURSES:**

Real Estate Appraisal Licensing and Certification
in North Carolina, Johnston Community College
R-1, R-2, R-3, G-1
Continuing Education for Real Estate Appraising
Johnston Community College
Developed Continuing Education Appraisal Courses
Appraising from Blueprints and Specifications
Appraising 2 to 4 Family Income Producing Properties
Risk Management in Real Estate Appraising
Residential Square Footage Calculations per ANSI
Graduate from Instructor's Training Institute

**PROFESSIONAL MEMBERSHIPS:**

Johnston County Board of REALTORS® - Past President
N.C. Association of REALTORS®
National Association of REALTORS®
N.C. Association of REALTORS® Appraisal Section - Past Chairman
Johnston County Homebuilder's Association - Past President
N.C. Association of REALTORS® Appraisal Section - Founding Member
REALTORS® National Marketing Institute
N.C. Society of Farm Managers and Rural Appraisers
Realtor Land Institute


NORTH CAROLINA APPRAISAL BOARD
APPRAISER QUALIFICATION CARD
Expires June 30, 2020

19 CHARLES K HINNANT 20

A1787 G Y

**BUDGET AMMENDMENTS**
**January, 2020**

| **GENERAL FUND** | **BEFORE** | **ADJ.** | **AFTER** |
|---|---|---|---|
| **1. Revenues** | | | |
| 10-00-3900-3900-0000 Gen. Fund Fund Balance Appropriation | $ 1,593,056 | $ 80,000 | $ 1,673,056 |
| **Expenditures** | | | |
| 10-60-6200-5700-7400 Recreation - Capital Outlay | $ 176,623 | $ 80,000 | $ 256,623 |

To fund the purchase of approximately 20.08 acres of land for future parks and recreation

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan Parrish

# Request for Town Council Action

| | |
|---|---|
| Business Item: | GREENWAY BRIDGE REPLACEMENT |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Greenway Bridge Replacement |
| Department: | Parks and Recreation |
| Presented by: | Gary Johnson |
| Presentation: | Business Item |

## Issue Statement

Due to unforeseen deterioration of one of the bridges on the Buffalo Creek Greenway, the Parks and Recreation Department is requesting funds for rebuilding/replacement.

## Financial Impact

No funds were appropriated in the FY 19/20 budget. Funds would be approved for General Fund Contingency.

Amount of Purchase/Bid/ Contract: $ 14,000.00

**Action Needed:** Approve the budget amendment for funds to replace bridge on the greenway and Award the bid in the amount of $14,000 to Blueprint Construction for the replacement of the bridge

**Recommendation:** Approve the budget amendment for funds to replace bridge on the greenway and Award the bid in the amount of $14,000 to Blueprint Construction for the replacement of the bridge

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Pictures of existing condition
3. Quote from Blueprint Construction
4. Quote from JLP Carpentry
5. Budget Amendment

# Staff Report

| | |
|---|---|
| Business Item: | GREENWAY BRIDGE REPLACEMENT |
| Date: | 02/04/2020 |

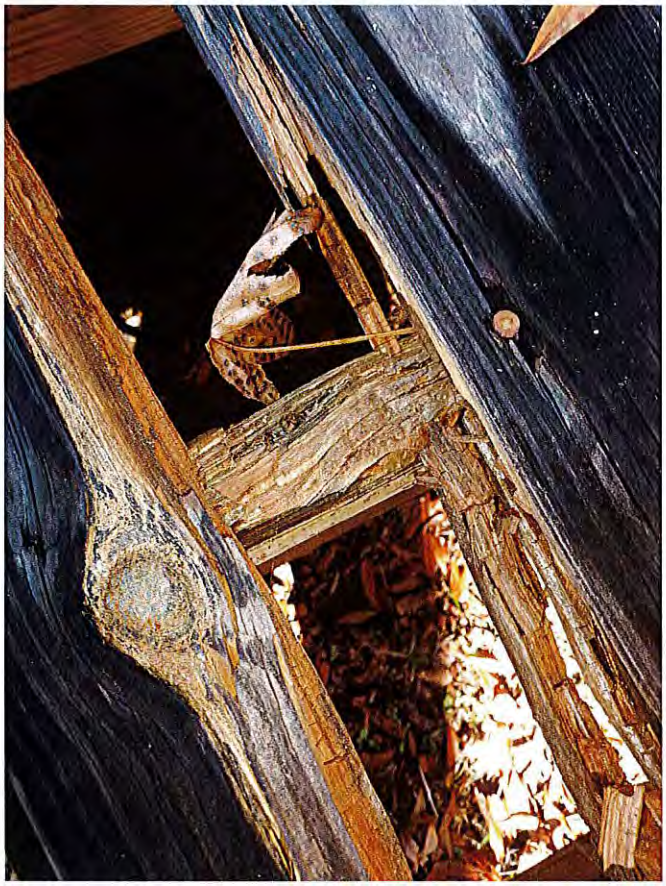
The Parks and Recreation Department, while performing routine maintenance on the greenway bridge, discovered the sub-flooring of the bride was rapidly rotting and deteriorating. The condition of the bridge, while still passable for pedestrians and bicycles, has become unsafe for load bearing vehicles including Rescue and Fire. Bridges along the greenway should remain safe for the passage of Safety Vehicles in the event of an emergency. Contractors were contacted for repair estimates and all agreed the bridge should be rebuilt to ensure its integrity.

Due to this unforeseen deterioration, the Parks and Recreation Department is requesting funds to replace one of the bridges on the Buffalo Creek Greenway. Funds were not appropriated in the FY 19/20 budget. Due to safety and the time sensitive nature of making repairs, we are requesting funds from the General Funds Contingency line item to make these repairs.

Four contractors visited the site with two submitting quotes.

| | |
|---|---|
| Blueprint Construction: | $ 14,000.00 |
| JLP Carpentry, Inc | $ 18,000.00 |

** G&G Builders and Lee Gray did not submit quotes after visiting the site.



**BUFFALO CREEK GREENWAY BRIDGE DAMAGE**

BLUEPRINT
CONSTRUCTION

*3800 Centurion Dr., Suite 109*
*GARNER, NC 27529*

*Date: 12/20/2019*

# *PROPOSAL*

***CLIENT: Smithfield Parks & Rec., Gary Johnson***

***PHONE: 919.934.1408***

***EMAIL: gary.johnson@smithfield-nc.com***

***PROJECT ADDRESS: Greenway bridge, Smithfield, NC***

***PROJECT #: 19-130***

***Prepared by Robbie S. Liles***

***Phone: 919.210.1589***

***DESCRIPTION OF WORK***

- Remove existing bridge and rails. Leave existing upright supports and footings. Construct new bridge approx 10 ft wide by 77ft long. Bridge replacement to be of equal or greater structural components. $14.000.00

Removal of existing bridge material included.
Material and labor included.

***TOTAL PROJECT PROPOSAL: $14,000.00 (Fourteen thousand dollars and no/100 cents)***

***Terms & Conditions***

*Proposal is based upon a visual inspection from either a site visit or pictures provided by Client or Client's representative.*

*Any hidden damage that may not be noticed from a visual inspection is not included. This includes, but is not limited to, any rock or debris.*

*Client Signature:* *Date:*

*Thank you,*

*Robbie S. Liles*

JLP Carpentry Inc
549 Tettersville Rd
Four Oaks, NC 27524

Smithfield Parks & Rec
Walking Trail Bridge

Invoice # ...
Invoice Date 10-23-19

| Item | Description | Unit Price | Quantity | Amount |
|---|---|---|---|---|
| | Estimate on Bridge repair | | | |
| | 78' Long 10' wide | | | |
| | Remove all existing lumber | | | |
| | Haul all trash & debri to landfill | | | |
| | Replace bridge as is with new material | | | |
| | Labor & material | | 18,000 | ω |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | Estimate | | | |
| | | | | |
| | | Subtotal | | |
| | | Total | 18000 | ω |
| | | Balance Due | | |

JLP

**BUDGET AMENDMENTS**
**January, 2020**

**GENERAL FUND**

**1. Expenditures**

| | | | |
|---|---|---|---|
| 10-60-6200-5700-7400 Recreation - Capital Outlay | $ 256,623 | $ 14,000 | $ 270,623 |
| 10-00-9990-5300-0000 General Fund Contingency | 261,038 | (14,000) | 247,038 |
| | $ 517,661 | $ - | $ 517,661 |

To fund bridge replacement on Buffalo Creek Greenway

Approved by the Smithfield Town Council this the 4th day of February, 2020

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan Parrish,Town Clerk

# Request for Town Council Action

| | |
|---|---|
| Business Agenda Item: | Budget Amendment |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Budget Amendment – Electric Fund |
| Department: | Public Utilities & Finance Department |
| Presented by: | Ted Credle & Greg Siler |
| Presentation: | Business Item |

## Issue Statement

Due to unexpected increased spending related to Town growth and equipment breakage, the Electric Fund "supplies" line (31-72-7230-5300-3300) has been depleted. In order to continue to respond to service issues and maintain pace with continuing Town growth, the Public Utilities Department is requesting a transfer of funds from the Contingency Line Item (31-00-9990-5300-0000) to the Supplies Line item (31-72-7230-5300-3300) of $147,000.00.

## Financial Impact

As stated in the Amendment

## Action Needed

Approve as presented

## Recommendation

Approve as presented

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Budget Amendment
2. Letter of Request to Finance Department
3. List of Associated Costs/Overruns

# Staff Report

**Business Agenda Item:** Budget Amendment

The Electric Department considers network maintenance service calls and Town growth every year as part of budgetary preparations. This year the Town has seen more growth than usual, spearheaded by the construction on the north side of Town. New houses and new offices along Booker Dairy Road have put a strain on the budget, as the Electric Department has stretched to expand the existing circuit, to serve this new growth. This growth has also seen the NCDOT require the Town to relocate and existing pole line along Buffalo Road, which was also unanticipated this fiscal year.

Lastly, the Town had a breaker in Delivery Point #1 fail, causing a significant Town outage. Although replacement parts were available, the replacement parts were used and now there is no existing gear on the yard, should another instance occur. The Electric Department needs to order this equipment, as the lead time on such gear is 12-16 weeks.

Staff is asking the Council to approve the Budget Amendment, as proposed. Future overruns will be avoided as an enlarged "supplies" line will be requested during the upcoming budget preparations for the coming fiscal year(s).

Michael L Scott, Town Manager
Greg Siler, Finance Director
Tim Kerigan, Human Resources/PIO
Shannan Parrish, Town Clerk
Beth McKeel, Admin Assistant
Telephone: 919.934.2116

SMITHFIELD
NORTH CAROLINA

350 East Market Street
Post Office Box 761
Smithfield, NC 27577

Fax: 919.989.8937

Date: January 15, 2020

To: Mr. Greg Siler, Finance Director, Town of Smithfield

From: Ted Credle, Public Utilities Director, Town of Smithfield

Re: Transfer of Funds, Electric Fund

Dear Greg,

As we have previously discussed, the line item for supplies (31-72-7230-5300-3300) has been overdrawn and is over budget. Not only is it overbudget in December, but we will have to continue to use this line item throughout the remainder of the fiscal year. The cause for the larger-than-expected funds usage is simple: Town growth.

During budget preparation, we always try to anticipate a certain amount of growth in the Town, as well as, anticipate a certain amount of repairs that will necessitate additional materials to construct and/or repair the electrical infrastructure in the Town for the coming fiscal year. This fiscal year, we were off by quite a bit due to greater Town growth. New transformers to handle growth along Kellie Drive and Buffalo Road were needed this year, a year prior to the expected growth in that area of Town. We also had an unexpected failure in the municipal breaker, that caused a Town-wide outage. Although we had the back-up material on hand to affect the repair, our "on-hand" stock is now depleted and needs to be replenished.

Attached, I have listed the unexpected expenditures we have encountered. The total of the materials is $147,200. This number does include the construction of infrastructure in the East River subdivision, as well as, the relocation of electric poles along Buffalo Road to accommodate a NCDOT widening project.

I am requesting that funds be transferred out of the "contingency" line item (31-00-9990-5300-0000) to cover these expenses; which were unforeseen and meet the definition of "unexpected". The request is to transfer $147,200 from "contingency" to "supplies" for this fiscal year. During the upcoming budget process, we will examine the need to incorporate funding for Town growth.

Please let me know if you have any questions, or wish to discuss this matter further.
Thank you for your time and help in this matter.

Sincerely,

Ted Credle

Ted Credle
Public Utilities Director

## Breaker Replacement

| | | Qty. | | Cost |
|---|---|---|---|---|
| | Breaker | 1 | new cost | 25,000.00 |
| RJ.1 | Disconnects Switches | 6 | 300.00 ea | 1800.00 |
| N/A | Bolt-on Connectors (Pads) | 24 | 100.00 ea | 2400.00 |
| L8.2 | Lightning Arrestors | 3 | 36.15 ea | 108.45 |
| WC3.12 | Wire | 100' | 2.00 per ft | 200.00 |
| N/A | In-service Charge (Wes Schrom) | | | 1000.00 |
| | Misc. Material (Bolts, nut, washers) | 200.00 | | 200.00 |
| | | | | 30,708.45 |

## New Businesses, Materials Est.

| | | | | |
|---|---|---|---|---|
| T60.05 | 3phase XFMR 150KVA 208/120 OV | 3 | 6201.00 ea | 18603.00 |
| JJ3 | 3ph Junction Box | 2 | 1499.00 ea | 2998.00 |
| WU3.06 | 1/0 solid URD 25KV wire | 3600' | 2.00 per ft | 7200.00 |
| 25E2.2 | 25KV Elbow URD 25KV | 24 | 64.09 ea | 1538.16 |
| 25I3.1 | 25KV Inserts URD 25KV | 24 | 36.75 ea | 882.00 |
| 25E1.1 | 25KV Elbow Arrestor | 9 | 176.84 ea | 1591.56 |
| T7.6 | Transformer Pad 6 Hole | 12 | 278.50 ea | 3342.00 |
| MB13.1 | Meter Base 13 Terminal | 3 | 202.90 ea | 608.70 |
| PP10.4 | PVC Plastic Pipe 10' x 4" | 3600' | 1.67 per ft | 6012.00 |
| PB90.45 | PVC 90° bend 4" sweeping | 13 | 20.24 ea | 263.12 |
| PC23.4 | PVC Couplings | 10 | 3.85 ea | 38.50 |
| U10.4 | U-guard 10' x 4" | 9 pcs | 23.75 ea | 213.75 |
| 25T2.1 | 25KV Terminators 1/0 | 9 | 36.75 ea | 330.75 |
| L8.2 | Lightning Arrestor 18KV | 9 | 36.15 ea | 325.35 |

| | | | | |
|---|---|---|---|---|
| C11.1 | Cutout Mounting bracket 3ph | 3 | 146.75 ea | 440 25 |
| S1.1 | Saddle #336 (Hot line) | 9 | 16 97 ea | 152 73 |
| H8.1 | Hot line Clamps | 9 | 16 42 ea | 147 25 |
| | Misc. Material (Bolts Squeezons, Ground rods HardHeads) | | 800 00 | 800 00 |
| | | | | 45485.65 |

| | | | | |
|---|---|---|---|---|
| | Overhead line Relocation, East River | | | |
| P15.09 | Poles 40'- 4class | 11 | 194 00 ea | 2134 00 |
| P14.1 | Pole top pins | 11 | 6 57 ea | 72 27 |
| O2.1 | Offsets Brackets 18" fiberglass | 18 | 47 54 ea | 855 72 |
| P9.2 | Pin insulator 8" | 29 | 3 75 ea | 108 75 |
| I 4.4 | Insulators bells 4" | 36 | 6 29 ea | 226 44 |
| CFD1.5 | Crossarm fiberglass Deadend 5'/60" | 3 | 148 69 ea | 446 07 |
| DS.3 | Dead end Clamp #2/0-556 | 15 | 10.75 ea | 161 25 |
| W03.10 | Wire 1/0 ACSR | 6000' | 1 69 per ft | 10140 00 |
| | Misc Material (Bolts Squeezons, Ground Rods Copper Grounds for Poles) | | 1000 | 1000 00 |
| | | | | 15144 50 |



RDS 1-9-2020

# Town of Smithfield

## Public Utilities - Work Order

WO Type: Electrical

Work Order #: 28264 Date: 2019-08-28 Time: 6:42

Trans #: Ped #:

Address: East River Project

Date Completed: 1/8/2020 Time Completed: 04:00

Project / Request:

Install 100kva xfmrs, pads, pedestals, junction cabinet & conduit

Notes:

Street lights are special order item. Installed (6) TFs: all Ermco, SNs: #71710738964; #71710738967; #71710738968; #71710738969; #71710738970; #71710738965

| Pole# | #Used | Scrap | Restock | Bin# | Description of Materials | Unit Cost | Ext Cost |
|---|---|---|---|---|---|---|---|
| | 6 | 0 | 0 | T50.8 | TF, pm, 1ph, 100kva, 120/240 dual voltage | 2407.00 | 14442.00 |
| | 7 | 0 | 0 | T8.1 | Transformer polypad | 84.08 | 588.56 |
| | 17 | 0 | 0 | S4.1 | Secondary pedestals | 75.00 | 1275.00 |
| | 16 | 0 | 0 | G1.1 | Ground rod clamps | 1.18 | 18.88 |
| | 14 | 0 | 0 | TC5.1 | Transformer case ground lug | 2.67 | 37.38 |
| | 28 | 0 | 0 | G3.1 | Ground rods | 8.94 | 250.32 |
| | 12 | 0 | 0 | SC13.14 | Squeezons copper (#4-6-8) - 301 | 0.69 | 8.28 |
| | 100 | 0 | 0 | WC3.05 | Wire #4 bare copper solid | 0.42 | 42.00 |
| | 6 | 1 | 0 | P1.1 | Padmount secondary bushing 1" | 6.37 | 38.22 |
| | 2000 | 0 | 0 | WU3.11 | Wire #350 triplex urd | 3.02 | 6040.00 |
| | 2522 | 0 | 0 | WU3.06 | Wire #1/0 solid urd 25kv | 1.99 | 5018.78 |
| | 46 | 0 | 0 | S2.4 | Secondary block aluminum 4 hole | 12.97 | 596.62 |
| | 2 | 0 | 0 | Bin S2.4 | Secondary block aluminum 4 hole | 8.90 | 17.80 |
| | 12 | 0 | 0 | P1.1Z | Padmount 2 Block Secondary Bushing 1" | 20.53 | 246.36 |
| | 12 | 0 | 0 | 25E2.2 | 25kv Elbow urd 25kv | 64.09 | 769.08 |

| Employee | Hours | Total | Equipment | Hours | Total |
|---|---|---|---|---|---|
| Jeff | 129 | 5483.79 | 804 Bucket Ford | 129 | 4515 |
| Rob | 129 | 4046.73 | 805 Int. | 129 | 4515 |
| TJ | 129 | 3711.33 | 806 Ford | 60 | 2100 |
| | | | 810 Backhoe | 120 | 3000 |
| Luther | 116 | 4588.96 | 813 Ditch Witch 5700 Trencher | | |
| Glenn | 105 | 4050.90 | Light Tower | | |
| Hunter Parker | 107 | 3078.39 | 815 Skid Steer | | |
| Hunter Parker | | | 802 Chevy Spare | 64 | 960 |
| Hunter Parker | | | 715 Mini X | 99 | 2475 |

| Materials | Equipment | Labor | Total |
|---|---|---|---|
| 55863.46 | 17565 | 24960.1 | 98388.56 |



SKETCH DRAWINGS ON THE BACK OF THIS PAPER

WorkOrder #: 28264

# Town of Smithfield

## Public Utilities - Work Order

| Pole# | #Used | Scrap | Restock | Bin# | Description of Materials | Unit Cost | Ext Cost |
|---|---|---|---|---|---|---|---|
| | 4 | 0 | 0 | 25E1.1 | 25kv Elbow arrestor (c) 25 KVA | 176.84 | 707.36 |
| | 8 | 0 | 0 | 25D1.1 | 25kv Dead end cap 25kv | 114.70 | 917.60 |
| | 4 | 0 | 0 | B6.4 | Bolts copper split #4 | 0.62 | 2.48 |
| | 11 | 0 | 0 | SC13.16 | Squeezons copper (#1/0-6) | 1.36 | 14.96 |
| | 1 | 0 | 0 | J2.3 | Junction box 3 phase | 1105.00 | 1105.00 |
| | 3 | 0 | 0 | 25F2.1 | 25kv Feed Through 25kv 4 way junction | 184.25 | 552.75 |
| | 0 | 0 | 3 | J4.4 | Junction feed through 4-Pt. 12kv kit | 85.00 | 0.00 |
| | 189 | 0 | 0 | PP10.2 | Pvc plastic pipe 10` x 2" | 6.30 | 1190.70 |
| | 247 | 0 | 0 | PP10.212 | Pvc plastic pipe 10` x 2 1/2" | 11.34 | 2800.98 |
| | 50 | 0 | 0 | PP10.4 | Pvc plastic pipe 10` x 4" | 14.60 | 730.00 |
| | 103 | 0 | 0 | Bin PP10.4 | Pvc plastic pipe 10` x 4" | 16.70 | 1720.10 |
| | 19 | 0 | 0 | PB90.2 | Pvc 90 bend 2" | 2.10 | 39.90 |
| | 2 | 0 | 0 | PB90.212 | Pvc 90 bend 2 1/2" | 9.99 | 19.98 |
| | 55 | 0 | 0 | Bin PB90.212 | Pvc 90 bend 2 1/2" | 4.47 | 245.85 |
| | 2 | 0 | 0 | PB90.4 | Pvc 90 bend 4" | 6.90 | 13.80 |
| | 2 | 0 | 0 | PB45.2 | Pvc 45 bend 2" | 1.65 | 3.30 |
| | 1 | 0 | 0 | PB45.212 | Pvc 45 bend 2 1/2" | 2.81 | 2.81 |
| | 20 | 0 | 0 | PB90.212S | Pvc 90 bend 2 1/2" 36" Sweeping | 15.75 | 315.00 |
| | 12 | 0 | 0 | PB90.2S | Pvc 90 bend 2" sweeping | 7.26 | 87.12 |
| | 2 | 0 | 0 | PB90.4S | Pvc 90 bend 4" sweeping | 20.24 | 40.48 |
| | 16 | 0 | 0 | PC23.2 | Pvc coupling 2" | 1.25 | 20.00 |
| | 8 | 0 | 0 | PC23.212 | Pvc coupling 2 1/2" | 3.52 | 28.16 |
| | 37 | 0 | 0 | Bin PC23.212 | Pvc coupling 2 1/2" | 0.76 | 28.12 |
| | 2 | 0 | 0 | PC23.4 | Pvc coupling 4" | 2.86 | 5.72 |
| | 1 | 0 | 0 | C11.1 | Cut out mounting brackets 3 PH | 146.75 | 146.75 |
| | 3 | 0 | 0 | 25C2.1 | 25kv Cutout 100 amp 25kv | 101.00 | 303.00 |
| | 3 | 0 | 0 | L8.2 | Lightning arrestor 18kv | 36.15 | 108.45 |
| | 3 | 0 | 0 | 25T2.1 | 25kv Terminator head urd 25kv 1/0 | 29.94 | 89.82 |
| | 25 | 0 | 0 | WC3.04 | Wire #6 bare copper solid | 0.24 | 6.00 |
| | 3 | 0 | 0 | S13.04 | Squeezons (#2/0, 1/0-2/0, 1/0) - #4 H-Tap | 0.49 | 1.47 |
| | 2 | 0 | 0 | PB90.4S | Pvc 90 bend 4" sweeping | 20.24 | 40.48 |
| | 4 | 0 | 0 | U10.4 | U-guards plastic 10` x 4" | 23.75 | 95.00 |
| | 1 | 0 | 0 | U2.1 | U-guard vents | 34.76 | 34.76 |
| | 54 | 0 | 0 | H7.1 | Hard Head lag screw small | 0.13 | 7.02 |
| | 3 | 0 | 0 | H8.1 | Hot line clamps | 16.42 | 49.26 |

| Materials | Equipment | Labor | Total |
|---|---|---|---|
| 55863.46 | 17565 | 24960.1 | 98388.56 |

WorkOrder #: 28264

# Town of Smithfield

## Public Utilities - Work Order

| Pole# | #Used | Scrap | Restock | Bin# | Description of Materials | Unit Cost | Ext Cost |
|---|---|---|---|---|---|---|---|
| | 6 | 0 | 0 | special order | Street Lights | 2500.00 | 15000.00 |
| | 0 | 0 | 0 | 0 | | | 0 |

| Materials | Equipment | Labor | Total |
|---|---|---|---|
| 55863.46 | 17565 | 24960.1 | 98388.56 |

**BUDGET AMENDMENTS**
**January, 2020**

**ELECTRIC FUND**

**1. Expenditures**

| | | | |
|---|---|---|---|
| 31-72-7230-5300-3300 Electric - Supplies | $ 185,000 | $ 147,000 | $ 332,000 |
| 31-00-9990-5300-0000 Electric - Contingency | 332,481 | (147,000) | 185,481 |
| | $ 517,481 | $ - | $ 517,481 |

To increase budget by $147,000 for additional expenditures related to equipment breakage and town growth

Approved by the Smithfield Town Council this the 4th day of February, 2020

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan Parrish,Town Clerk

# Request for Town Council Action

| | |
|---|---|
| Business Agenda Item: | Award of Contract |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Award of Contract for Design Services for the Durwood Stephenson Water Line – Phase II |
| Department: | Public Utilities |
| Presented by: | Ted Credle |
| Presentation: | Business Item |

## Issue Statement

To complete the connection of the 16" water line across the Neuse River along Durwood Stephenson Highway, a public request was made for Engineering Design Services. After proposal were accepted the firms were judged and one firm has been selected for approval by Town Council.

## Financial Impact

The overall project budget is $1,050,000 with $800,000 budgeted in this fiscal year and $350,000 proposed in the next fiscal year. The firm's fee will be negotiated after approval.

## Action Needed

Approve the award of Contract to the selected firm (The Wooten Company)

## Recommendation

Staff recommends the approval of the selected Contractor (The Wooten Company)

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

Letter of Interest from Draper Aden Associates
Letter of Interest from MacConnell & Associates
Letter of Interest from Withers & Ravenel
Letter of Interest from The Wooten Company
Score Sheet showing selected contractor

# Staff Report

| Business Agenda Item: | Award of Contract |
|---|---|

For the past 2-3 years, the Public Utilities Department has been working to establish a secondary crossing of water across the Neuse River into West Smithfield. The work has been done in phases and the final phase will connect the water line along Durwood Stephenson Highway from one end of the bridge to the other (approximately 3,500 linear feet). This connection was approved in the current fiscal budget year.

Such a connection will be accomplished through a swampy area and must cross a high-powered Duke Energy transmission line, cross the Town sewer outfall; as well as, cross the Neuse River. Being that such an undertaking will need multiple jurisdictional permits, Town staff felt it would be better to employ a professional design firm to assist in this project. To that end, a public notice was put forth on November 25, 2019.

A pre-proposal meeting was held on December 12, 2019. At this meeting, the project was further detailed and each contractor in attendance was given the opportunity to question or comment, as they deemed appropriate. Proposals were accepted on January 9, 2020. A total of four (4) firms submitted proposals. These firms were judged by an independent panel

Staff is asking the Council to approve the selected firm, provided the financial agreement fits into the project budget. Should no arrangement be reached with the first proposed firm, staff is asking the Council to allow staff to pursue negotiations with the second-highest rated firm, and so forth, until an agreement is reached.

Draper Aden Associates
*Engineering • Surveying • Environmental Services*

114 Edinburgh South Drive
Suite 200
Cary, North Carolina 27511
919.827.0864
www.daa.com

January 9, 2020

Mr. Ted Credle
Director of Public Utilities
Town of Smithfield
230 Hospital Road
Smithfield, North Carolina 27577

RE: Durwood Stephenson Water Line - Phase II Design Services, Town of Smithfield RFQ #20-001

Dear Ted and Selection Committee Members:

Draper Aden Associates is excited to bring the Town of Smithfield a winning team of professional engineering consultants qualified to efficiently and effectively provide design services to this waterline project. In addition to the information contained in our submittal, we would like to highlight a few of our key values that demonstrate our commitment to the Town's objectives:

- **Responsiveness** – With our Cary office located less than an hour away from the project site, we are there when you need us with accurate and timely information you can rely on. With over 21 years of experience designing water utility systems in North Carolina, **Tyrus Clayton, Jr., PE, will serve as the Senior Project Manager and point of contact for this contract (tclayton@daa.com or 910.486.0700)**.

- **Collaboration** – Draper Aden has worked with the Town's Public Utilities department on projects that have included the Survey of Right of Way for Durwood Stephenson Road Water Line Phase I, and Water Infrastructure Location services. The successful delivery of these projects is the result of working together towards a common goal, creating a Lasting Positive Impact in your community.

- **Continuous Improvement** – We don't follow industry standards; we exceed them. We have successfully completed waterline projects similar in nature, and yet we strive to implement the latest technologies, design improvements, and cost-conscious strategies to deliver the best solutions for your project. Anticipating tomorrow's needs is equally as important as addressing current design demands.

We appreciate the opportunity to provide the Town creative, cost-effective approaches, and diligent project management to facilitate the overall success of your project. And we look forward to being part of the Town's "Hometown Connection" working to support the "citizen stockholders" of your community.

Sincerely,
Draper Aden Associates

C. Tyrus Clayton, Jr., PE
Senior Project Manager/Senior Associate

*Blacksburg • Charlottesville • Manassas • Newport News • Richmond • Virginia Beach*
*Fayetteville • Raleigh*

P. O. Box 129
Morrisville, NC 27560

919-467-1239 Phone

MacCONNELL
& ASSOCIATES, P.C.

501 Cascade Pointe Lane
Suite 103
Cary, NC 27513
Fax 919-319-6510

Mr. Ted Credle, Director of Public Utilities
Town of Smithfield
231 Hospital Road
Smithfield, NC 27577

Dear Mr. Credle,

MacConnell & Associates, PC is pleased to submit this Statement of Qualifications for the "Durwood Stephenson Water Line – Phase II" project. MacConnell & Associates strives to provide its services efficiently at a superior quality in the industry. Providing a quality product on time, within budget, and on schedule is proven by our track record. Additionally, MacConnell & Associates, PC can offer a local presence as Mr. Thomas Perdue, PE is a resident of the Town of Smithfield. Mr. Perdue will be the project manager and contact throughout the course of the project along with MacConnell & Associates President, Mr. Gary MacConnell, PE.

MacConnell & Associates, P.C. has over twenty-seven years of experience and our size matches well with the Town of Smithfield. We have worked with other municipalities similar in size to the Town of Smithfield, including Hope Mills, Spring Lake, Princeton, Atlantic Beach, Pembroke, Nags Head, and Kill Devil Hills. I am confident that we can develop an honest working relationship with the Town and its staff. We look forward to working with the Town of Smithfield in a collaborative effort to complete various projects. We greatly look forward to becoming more familiar with the Town of Smithfield, creating a productive and mutually beneficial partnership. Please call Gary MacConnell or myself at (919) 467-1239 if you have any questions.

Sincerely,

Thomas A. Perdue, P.E.
Project Manager

WithersRavenel
Our People. Your Success.

January 9, 2020

Mr. Ted Credle, PE
Director of Public Utilities
Town of Smithfield
230 Hospital Road
Smithfield, North Carolina 27577

Subject: Durwood Stephenson Water Line — Phase II Design Services

Dear Mr. Credle:
Water line failures are never an inconsequential event, and systematic, proactive efforts are a laudable investment in public safety. WithersRavenel is ready to help the Town of Smithfield make the most of that investment by providing economical design, permitting, construction and support services for a second connection across the Neuse River.

Whether interacting with citizens or working with a consultant, the Town of Smithfield is known for being approachable, responsive, and engaged. The Town also has a reputation for embracing a collaborative approach to projects that consistently deliver measurable benefits to residents and visitors alike. We have had the privilege of working on other projects with the town and wider area around it, and we would genuinely enjoy more opportunities to partner with you.

For this project, here are the advantages of choosing WithersRavenel:

- Experienced, senior staffed environmental department. Our civil engineering expertise is complemented by an in-house environmental department which will provide all needed wetland delineation and determination, environmental due diligence, and environmental permitting.
- Innovative thinkers. WithersRavenel will focus on multiple viable alignment options, which will take into account any pertinent information obtained during the environmental investigation.
- Full spectrum in-house survey. To augment the existing survey data, our full-service Geomatics Department can provide surveying using conventional instrument, aerial/UAS photography/ LiDAR/infrared imaging, plus SUE Quality Levels D thru A, and full-service GIS involving digitizing, field mapping, 360° manhole photography, georeferencing, data entry, and modeling grade database development.
- Permitting success. WithersRavenel has ample experience preparing regulatory permit/certification applications. We have a record of success meeting with regulators, providing documentation, and securing permits, encroachments and approvals from the USACE, NCDOT, NCDEQ, FEMA, energy companies, and cable and telephone service providers.
- Construction input. To assure that the overall "best" design solution is constructible, the WithersRavenel team will involve the construction administration team in the design process. Since the construction observers are also in-house, their input has been incorporated in development of our approach and will be involved throughout the design.

We look forward to becoming your trusted partner on this project. Should you have any questions about our qualifications, please do not hesitate to contact me at (919) 535-5139 or kjesneck@withersravenel.com

Sincerely,
WithersRavenel

Ken Jesneck, PE, LEED BD+C
Project Manager

137 S. Wilmington Street, Suite 200, Raleigh, NC 27601
t: 919.469.3340 | www.withersravenel.com | License No. C-0832
Asheville | Cary | Greensboro | Pittsboro | Raleigh | Wilmington

# LETTER OF TRANSMITTAL

W. Brian Johnson, PE
Principal-In-Charge

January 9, 2020

Mr. Ted Credle, PE, Director of Public Utilities
Town of Smithfield
231 Hospital Road
Smithfield, NC 27577

RE: Request for Qualifications – Durwood Stephenson Water Line Phase II Design Services

Dear Mr. Credle:

The Wooten Company is pleased to submit our qualifications to provide professional engineering services for the above referenced project. This critical project will provide the Town a needed redundant crossing of the Neuse River to enhance water system hydraulics and system reliability. We are well-positioned to help the Town achieve its project goals.

Our team is highly experienced with water system pipeline projects, particularly involving water body crossings such as the one proposed for this project. Our resume includes numerous trenchless water and sewer line installations via horizontal directional drill, including recently completed designs for similar work. Our team will rely on this experience to deliver a successful design and is ready to begin work immediately. The Wooten Company has successfully partnered with the Town of Smithfield to complete utility infrastructure projects for over 27 years, and is excited to be considered for this opportunity to assist the Town with implementation of this important project. We bring to the Town a local presence with relevant and recent experience to provide complete and thorough engineering services for this project – our team is mostly in-house, where the Town can rest assured that the workload will be managed effectively. A detailed description of our understanding of the project, as well as relevant experience, is included herein. Having worked on similar projects for other entities, and through other project experience with the Town in recent years along Durwood Stephenson Highway, we have gained valuable insight into the requirements, expectations, and processes to complete this particular project.

We are proposing to use many of the same team members from recent, similar work with the Town as well as other nearby municipalities. Our team will be managed by Dave Malinauskas, with strong support by our Water Resources Group to deliver the depth and breadth of experience needed for the project. Our team features working experience with the Town and a desire to continue our relationship.

For successful completion of the project, we will use the following general approach:

- Effective communication and coordination with Town staff – this will provide for a more effective design that will minimize issues.
- Leverage recent similar water system project experience with consistent staff between projects to provide a complete and thorough design – we understand the due diligence needed to provide an effective river crossing design to minimize cost and risk.
- Utilization of Town standards to create quality construction documents to clearly communicate the project scope and reduce risk for all parties.
- Adherence to the project schedule.

The Wooten Company values our long-standing relationship with the Town. We appreciate your consideration of our proposal and look forward to potentially assisting the Town with the completion of this project. Should you have any questions during the selection process, please do not hesitate to contact me.

Respectfully,

THE WOOTEN COMPANY

W. Brian Johnson, PE - Principal-In-Charge

THE WOOTEN COMPANY

120 N. Boylan Ave.
Raleigh, NC 27603
p: 919.828.0531
www.thewootencompany.com

## SOQ Evaluation

| Criteria | Points | Draper Aden Associates | | | MacConnell & Associates | | | Withers & Ravenel | | | The Wooten Company | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Evaluation | | P Butler | B Dreitzler | N Rightmyer | P Butler | B Dreitzler | N Rightmyer | P Butler | B Dreitzler | N Rightmyer | P Butler | B Dreitzler | N Rightmyer |
| Similar Work | 15 | 15 | 10 | 10 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| Key Team Staff | 15 | 15 | 15 | 15 | 15 | 10 | 10 | 15 | 10 | 10 | 15 | 15 | 15 |
| Approach | 25 | 17 | 25 | 25 | 15 | 15 | 20 | 25 | 25 | 25 | 19 | 25 | 25 |
| CA Capabilities | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 8 | 10 | 10 |
| Familiarity with Smithfield | 10 | 7 | 10 | 10 | 0 | 5 | 5 | 0 | 10 | 10 | 10 | 10 | 10 |
| Legal Issues/Conflict of Interest | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| References | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Hourly rates | 5 | 2 | 4 | 5 | 5 | 5 | 5 | 5 | 4 | 5 | 4 | 3 | 5 |
| Proposed Schedule | 5 | 1 | 3 | 3 | 2 | 5 | 5 | 5 | 5 | 5 | 2 | 5 | 5 |
| Individual total | 100 | 82 | 92 | 93 | 77 | 80 | 85 | 90 | 94 | 95 | 88 | 98 | 100 |
| Average of total | | | 89 | | | 80.67 | | | 93 | | | 95.33 | |
| Finalist Rankings | | | | | | | | | | | | | |

# Request for Town Council Action

| | |
|---|---|
| Business Agenda Item: | Ordinance Amendment |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Ordinance Amendment |
| Department: | Planning |
| Presented by: | Stephen Wensman/Bob Spence |
| Presentation: | Business |

## Issue Statement

Staff requests approval of:

1. a Commercial Building Maintenance and Appearance Ordinance to aid the town in addressing vacant property issues and to protect the health, safety and welfare of the community, and to protect property values. The Ordinance will also establish a vacant property registry to tract vacant properties.
2. Amended Fee Schedule to establish a vacant property registration fee.

## Financial Impact

None

## Action Needed

To approve a Commercial Building Maintenance and Appearance Ordinance.

## Recommendation

Staff respectfully requests the Town Council approve the Commercial Building Maintenance and Appearance Ordinance and an amendment to the Town's Fee Schedule.

Approved: ☑Town Manager ☑ Town Attorney

Attachments:

1. Staff report
2. Commercial Building Maintenance and Appearance Ordinance
3. Fee Schedule Amendment

# Staff Report

| Agenda Item: | Ordinance Amendment |
|---|---|

SUMMARY:

The Town Staff has been working to address blighted vacant buildings in its commercial zoning districts and has found the current regulations inadequate to address the issues. Therefore, the Town Staff is requesting approval of the Commercial Building Maintenance and Appearance Ordinance. This ordinance will create regulations commercial buildings in the commercial and industrial zoning districts to be in good repair in order to preserve the character and integrity of the commercial business districts of the Town and to protect property values, promote tourism, and to contribute to the general welfare of all the Town's residents and property owners.

The Ordinance will provide minimum standards and require the exterior building and site improvements of all commercial buildings adjacent to a public street or parking area to be of good repair, including structures, parking areas, or buildings, or any lot upon which there were formerly located such improvements, structures, parking areas or buildings.

The Ordinance will also establish a vacant property registry to be maintained by the Planning Department in order to track vacant properties throughout the commercial districts. In order to establish a registration, a vacant property registration fee will need to be established in the Town's Fee Schedule. The approval of an amendment to the adopted fee schedule is also requested.

The Ordinance will establish the following minimum standards:

(a) The exteriors of building(s)/structure(s) on the Property shall be painted and maintained in a way that does not exhibit any Evidence of Vacancy.

(b) The yard(s) of the Property shall be maintained in a way that does not exhibit Evidence of Vacancy.

(c) The deck(s) and porch(s) located on the Property shall be maintained in a way that does not exhibit Evidence of Vacancy.

(d) The window(s) and door(s) of building(s)/structure(s) of the property shall be intact and operable and shall be maintained in a way that does not exhibit Evidence of Vacancy.

(e) Instances of visible rotting of building(s)/structure(s) located on the Property or portion thereof shall be corrected in order to eliminate Evidence of Vacancy, with the exterior painted and kept in good aesthetic condition.

(f) The Property shall be maintained so as to exhibit no Evidence of Vacancy.

(g) The storefronts and facades of buildings shall be maintained in a way that does not exhibit Evidence of Vacancy.

(h) The interiors, when visible to passersby through storefront windows, shall be maintained in a way that does not exhibit Evidence of Vacancy.

(i) Cleared Lots will be maintained with the grass cut, shrubs trimmed, and any landscaping neatly maintained.

(j) The Property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (including but not limited to walk-through, sliding, and garage), gates, pet doors, and any other such opening of such size that it may allow a child to access the interior of the Property or structure(s).

(k) Broken windows shall be replaced and/or re-glazed; windows at the basement (the floor for that level being below or partially below ground level), street level and the second story level shall not be boarded up.

The Ordinance allows for inspection of vacant properties and provides enforcement penalties.

The Ordinance establishes an appeals process using the Board of Adjustments.

RECOMMENDATION:

Staff respectfully requests the Town Council approve:

1. the Commercial Building Maintenance and Appearance Ordinance; and
2. the amendment to the Town's Fee Schedule.

# TOWN OF SMITHFIELD
# North Carolina

## ORDINANCE # 501

**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD CODE OF ORDINANCES CHAPTER 5- BUILDINGS AND BUILDING REGULATIONS**

**WHEREAS, Chapter** 5 of the Town of Smithfield's Code of Ordinances outlines the regulations concerning buildings and building regulations within the Town; and

**WHEREAS,** the Planning Director Stephen Wensman, is requesting the Ordinance be amended to add Article V. Commercial Building Maintenance and Appearance Regulations.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield that Chapter 5 Building and Building Regulations; Article V. Commercial Building Maintenance and Appearance Regulations:

## ARTICLE V. Commercial Building Maintenance and Appearance Regulations

### Sec. 5-171. Intent and Scope.

Appearance and good repair regulations for commercial buildings in the Commercial Zoning Districts of the Town of Smithfield (defined as zoning Districts, B-1, B-1 CUD, B-2, B-2 CUD, B-3, B-3 CUD, O/I, O/I CUD, L1 and L2 hereinafter referenced jointly as the "Commercial Zoning Districts") will preserve the character and integrity of the commercial business districts of the Town. It will provide corollary benefits such as protection of property values, promotion of tourism, preservation of the character and integrity of the downtown, and contribute to the comfort, happiness, and emotional stability of downtown residents and the greater Smithfield community. It is the further purpose of this Code to minimize discordant, unsightly and offensive surroundings while preserving beauty as well as the usefulness of the environment.

### Sec. 5-172. Scope and applicability.

The provisions of these Commercial Building Maintenance and Appearance Regulations shall apply to the exterior of all premises and improvements thereupon within the Commercial Zoning Districts and adjacent to a public street or parking area including but not limited to improvements, structures, parking areas, or buildings, or any lot upon which there were formerly located such improvements, structures, parking areas or buildings. It shall further apply to any lot that had in the past had located upon it a commercial structure or parking area. Exterior walls adjacent to alleys are exempt from these regulations. These regulations establish minimum standards, and do not replace or modify standards otherwise established for the construction, repair, alteration, or use of the building, equipment or facilities contained therein, except as provided herein.

It is also the purpose and intent of the Smithfield Town Council, through the adoption of this Article, to establish a vacant property registration as a mechanism to preserve and to protect the Town's commercial districts from becoming blighted through the lack of adequate maintenance and security for abandoned and vacant properties. Additionally, the Town desires to deter crime and theft of materials, to minimize loss of property value to vacant properties and surrounding occupied properties, to reduce the risk of damage from fire, flooding or other hazards, and to promote the comfort, happiness and emotional stability of area residents. The Town finds that the presence of properties exhibiting evidence of vacancy pose special risks to the health, safety, and welfare of the community, hurt the appearance and fair market value of commercial areas, and therefore require heightened regulatory attention. The provisions of this Article shall apply to all properties in the Commercial Zoning Districts of the Town of Smithfield.

**Sec. 5-173. Conflicting Provisions.**

In any case where the provisions of this Code impose a standard other than that set forth in any other ordinance of the Town or under the laws of the State of North Carolina, then the more restrictive standard shall prevail.

**Sec. 5-174. Definitions.**

For the purposes of this Article, certain words and phrases used in this Article are defined as follows:

"Citations". Written notices from an agent of the town as to an enforcement action or penalty.

"Cleared Lots" means lots whereupon there were in the past located improvements, structures, parking areas or buildings but the same have been removed for whatever reason and there are now no improvements on the lot.

"Commercial" means not just commercial but all commercial, business, institutional, industrial, warehouse or storage uses.

"Days" means consecutive calendar days.

"Evidence of Vacancy" means any aesthetic condition that on its own or combined with other conditions present would lead a reasonable person to believe that the Property is vacant. Such conditions include, but are not limited to, overgrown or dead vegetation, extensively chipped or peeling exterior paint, exterior walls in poor condition, porches and steps in poor condition, roof in poor condition, broken windows and other signs of general disrepair, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, the absence of window coverings such as curtains, blinds, or shutters, the absence of furnishings or personal items consistent with commercial habitation, statements by neighbors, passersby, delivery agents, government employees that the Property is vacant.

"Government Agency" means any public body having authority over the Property and residents of the Town, including but not limited to the Town of Smithfield, Johnston County, Smithfield Police Department, Smithfield Fire Department, and Johnston County Sheriff's Office.

"Government Official" means any public official representing a public body which has authority over the Property and residents of the Town, including but not limited to the Town Manager, County Building Inspector, Town Police Chief, County Fire Marshall, and Mayor. In some capacities agents of other governmental entities act for the Town under interlocal agreement and as such have authority to enforce the provisions of the Article in accord with town policy. For example, the Town does not have a building inspection office and the County performs those functions under an interlocal agreement.

"Local" means located within forty (40) road or driving miles distance of the subject Property.

"Non-residential Property" means any real property used or intended to be used for anything other than residential property as defined herein.

"Out of Area" means located in excess of forty (40) road or driving miles distance away from the subject Property.

"Owner" means any person, partnership, association, corporation or fiduciary having a legal or equitable title or any interest in any real property. No trustee in any Deed of Trust shall be considered an owner.

"Owner of Record" is the person or entity listed on recorded deed, probated will or heir by intestacy.

"Property" means any unimproved or improved real property or portion thereof, situated in the Commercial Zoning Districts of the Town and includes the buildings or structures located on the Property regardless of condition.

"Residential Property" means a building, or portion thereof, designed exclusively for residential occupancy, including one-family, two-family, multiple dwellings, mobile homes, house trailers, counseling and lodging houses, apartment houses, and apartment hotels.

"Town" means the Town of Smithfield corporate limits.

"Utilities" means water, sewer, telephone, natural and propane gas, and electric town services.

"Vacant" means a Property that has not been legally occupied for thirty days. Legally occupied means occupancy by the owner or any business or individual whose presence therein is with the consent of the owner. A Property that has utilities that are not operational is Vacant as herein defined or any other Evidence of Vacancy as defined herein above.

**Sect. 5-175. Registration.**

(a) Any vacant commercial property located within the Town's Commercial Zoning Districts must be registered by the Owner with the Town Manager, either (1) of the Owner of a Vacant Property's own accord before receiving a Notice of Registration Requirement, or (2) within 90 days of receiving a Notice of Registration Requirement from the Town.
(b) The Town will send a Notice of Registration Requirement to the Owner of Record of Properties that exhibit Evidence of Vacancy. The Owner shall register Property within the time period set forth in Section (a) of this Section unless the Owner can provide clear and convincing evidence to the Town Manager, within such time period, that the Property is not Vacant.
(c) The Registration shall contain:
    (i) the name of the Owner (corporation or individual),
    (ii) the direct street/office mailing address of the Owner and P.O. Box if applicable,
    (iii) a direct contact name and phone number
    (iv) the name, address and telephone number of any local property management company hired by the Owner to meet the maintenance requirements of this Article if Owner's principal residence is not local.
(d) Any changes in the information in (b)(i) - (b)(iv) of this Section shall be reported to the Town within thirty (30) days of such changes.
(e) Registration must be renewed annually.
(f) Vacant properties shall remain subject to the annual registration, maintenance, and security requirements of this Article as long as they remain Vacant.
(g) Once the Property is no longer Vacant or is sold, the owner must provide written proof of occupancy or sale to the Town Manager.
(h) A Cleared Lot does not have to be registered.

**Sec. 5-176. Fees.**

(a) The fee for registering a Vacant Property shall be an annual fee in an amount set forth in the Town fee schedule. Fees will not be prorated.
(b) Registration fee may be waived by the Town Manager if Owner can demonstrate with clear and convincing evidence (1) that the Property has been sold, or (2) that the Property will be occupied within 30 days from the date of Notice of Registration Requirement.

**Sec. 5-177. Maintenance Requirements.**
Properties subject to this Article shall be kept in compliance with the following maintenance requirements:

(a) The exteriors of building(s)/structure(s) on the Property shall be painted and maintained in a way that does not exhibit any Evidence of Vacancy.
(b) The yard(s) of the Property shall be maintained in a way that does not exhibit Evidence of Vacancy.
(c) The deck(s) and porch(s) located on the Property shall be maintained in a way that does not exhibit Evidence of Vacancy.
(d) The window(s) and door(s) of building(s)/structure(s) of the property shall be intact and operable and shall be maintained in a way that does not exhibit Evidence of Vacancy.

(e) Instances of visible rotting of building(s)/structure(s) located on the Property or portion thereof shall be corrected in order to eliminate Evidence of Vacancy, with the exterior painted and kept in good aesthetic condition.
(f) The Property shall be maintained so as to exhibit no Evidence of Vacancy.
(g) The storefronts and facades of buildings shall be maintained in a way that does not exhibit Evidence of Vacancy.
(h) The interiors, when visible to passersby through storefront windows, shall be maintained in a way that does not exhibit Evidence of Vacancy.
(i) Cleared Lots will be maintained with the grass cut, shrubs trimmed, and any landscaping neatly maintained.

**Sec. 5-178. Security Requirements.**

Vacant properties subject to this Article shall comply with the following security requirements:

(a) The Property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (including but not limited to walk-through, sliding, and garage), gates, pet doors, and any other such opening of such size that it may allow a child to access the interior of the Property or structure(s).
(b) Broken windows shall be replaced and/or re-glazed; windows at the basement (the floor for that level being below or partially below ground level), street level and the second story level shall not be boarded up.

**Sec. 5-179. Requirement to Hire Local Property Management Company for Out of Area Owners.**

(a) If the Property Owner's principal residence is not local, then a locally present property management company, business, or resident shall be contracted to fulfill the maintenance and security requirements of this Article, set forth in Sections 5 and 6, and any other applicable laws for all Properties that are registered hereunder or subject to registration.
(b) The Property shall be posted with the name and 24-hour contact phone number of the local property management company. The posting shall be 18 inches by 24 inches and shall be of a font that is legible from a distance of 45 feet and shall contain along with the name and 24-hour contact number the words "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL." The posting shall be placed in the interior of a window facing the street to the front of the Property so it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the Property so it is visible from the street or, if no such area exists, on a stake of sufficient size to support the posting in a location that is visible from the street to the front of the Property but not readily accessible to vandals. The exterior posting must be constructed of and printed with weather resistant materials.
(c) The requirement set forth in part (a) of this section may be waived by the Town Manager for owners who (1) reliably demonstrate an ability to maintain the property and (2) have not received any citations for maintenance violations in the previous quarter.

**Sec. 5-180. Inspections.**

The Town shall have the authority and the duty to inspect properties subject to this Article for compliance and to issue citations for any violations. The Town shall have the discretion to determine when and how such inspections are to be made, provided that their policies are reasonably calculated to ensure that this Article is enforced. The County Building Inspection Department or other entities acting for the Town may perform these inspections under Sec. 5-180 or enforcements under Sec. 5-181 under an interlocal agreement.

**Sec. 5 -181. Enforcement; Violations; and Penalties.**

(a) It shall be unlawful for any Owner to be in violation of any of the provisions of this Article.

(b) Any person who violates a provision of this Article or fails to comply with any order made thereunder and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by appeal, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in this Article.

(c) The imposition of one penalty for any violation shall not excuse the violation, or authorize its continuance.

(d) All such persons shall be required to submit an acceptable plan of action to the Town Manager within 10 business days of notification. This plan of action must include, but is not limited to, a description of the work to be done, by whom and a specific schedule. Plans shall be reviewed by the Town Manager and work is to commence within 15 days of Manager's approval. When not otherwise specified, failure to meet any stated condition within 10 days of required action shall constitute a separate offense.

(e) Penalties for failure to comply:

1) Initial Registration. Failure to initially register with the Town within the time frame required is punishable by a civil penalty of $50.

2) Changes to Registration. Failure to report changes to registration information within time frame required is punishable by a civil penalty of $50.

3) Annual Registration. Failure to register annually is punishable by a civil penalty of $50.

4) Maintenance and Security Requirements. Failure to meet the maintenance and security requirements is punishable by a civil penalty per day of $50 per day or up to the maximum allowed by Section 1-12 in the discretion of the Town.

5) Failure to submit plan. Failure to submit plan of corrective action is a violation punishable by a civil penalty of $50 per day or up to the maximum allowed by Section 1-12 in the discretion of the Town.

6) Failure to implement plan. Failure to implement the plan within 15 days of approval or complete it in a timely manner is a violation punishable by a civil penalty of $50 per day or up to the maximum allowed by Section 1-12 in the discretion of the Town.

7) Concurrent Penalties. Civil Penalties for the violations enumerated above are separate so that an Owner could be subject to concurrent civil penalties under more than one of these subparagraphs. For instance a person could be

subject to civil penalties for failure to implement a plan, or failure to meet the maintenance and security requirements or other subparagraphs simultaneously.

**Sec. 5-182. Appeals.**

Any person aggrieved by any of the requirements of this Article may present an appeal in writing to the Town Manager and then, if not satisfied, to the Town Board of Adjustment.

**Sec. 5-183. Severability.**

Should any provision, section, paragraph, sentence or word of this Article be determined or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Article shall remain in full force and effect.

**Sec. 5-184. Preemption.**

Except as specifically preempted by N.C.G.S. § 160A-441, et. seq. 160A-439 or town ordinances promulgated pursuant to N.C.G.S. § 160A-439, et. seq., or G.S. 160A-174, this Article shall apply to all Vacant Properties in the Commercial Zoning Districts in the Town of Smithfield.

Adopted by motion made by _____, seconded by _____, and approved on a vote of _____ in favor and _____ against.

The is the _____ day of _____, 2020

_____
M. Andy Moore, Mayor

ATTEST

_____

Shannan L. Parrish, Town Clerk

# TOWN OF SMITHFIELD
# FY 2019-2020
# DEPARTMENTAL FEE SCHEDULE
# ADOPTED
**June 4, 2019**
**Proposed changes highlighted and in red**

## Property Tax Rate

Rate.....$0.57/$100 valuation
Downtown Smithfield Tax District .....$0.19/$100 valuation
Smithfield Fire District.....$0.12/$100 valuation

## Administrative Services

### Miscellaneous Fees and Charges

Fee for document reproduction(s)
Black & White 8.5 x 11 Copies……..….. $.10/per page
Color 8.5x 11Copies…….…….. $.15/per page
Black & White 8.5 x 14 Copies……..…...$.20/per page
Color 8.5 x 14 Copies ……..$.25/per page

CD Copy……...……$1.50
This fee is for the cost of the CD

Reproduction of a video copy of any Town Council Meeting……. $2.00
This fee is for the cost of the DVD only.

IT Services needed for compiling information relating to any public record request…….. $14.00/per hr.

Flash Drives – Actual cost of the Flash Drive

Any other electronic storage devices shall be charged the actual cost of the device.

## Cemetery Services

### Mausoleum Crypts

Row D, Top .....$1600.00
Row C .....$1700.00
Row B .....$1800.00
Row A, Bottom.....$2000.00
Crypt Opening and Closing Services.....$700.00

### Lot Sales: Sunset Memorial Park

Single Grave .....$1000.00
Two Grave Lot .....$2000.00
Four Grave Lot .....$4000.00
Six Grave Lot .....$6000.00
Grave Opening and Closing Services.....$700.00
Burial under 36” in length (including cremations).....$400.00

**Lot Sales: Riverside Extension Cemetery**

Single Grave Lot.....$1250.00
Two Grave Lot .....$2500.00
Four Grave Lot .....$5000.00
Six Grave Lot .....$7500.00
Grave Opening and Closing Services.....$700.00
Burial under 36" in length (including cremations).....$400.00
Columbarium opening/closing fee for committal service .....$350.00

## Public Works

**Overgrown Lot Clearance**

First hour or fraction thereof .....$150.00
Each additional quarter hour.....$25.00
Contractor clearance.....actual expense or $100.00, whichever is greater

## Fire Department Fees

**Fire Inspections (all occupancies)**

Less than 50,000 sq. Ft.....$50.00
50,000 - 100,000 sq. Ft.....$100.00
More than 100,000 sq. Ft.....$200.00
First Re-Inspection ..... No Charge
Each subsequent re-inspection..... $25.00 ea.

**Special Permits**

Special Events .....$100.00
Underground Storage Tank Installation / Removal (per Tank) .....$75.00
Fireworks Sales .....$75.00
Fireworks Public Display (permit & stand-by) .....$150.00
Temporary Tent or Air Supported Structure permit.....$75.00
Carnival or Circus Permit and Inspection .....$100.00

**Note:** Non-Profit organizations are exempt from Fire Department Fees if the proper documentation confirming non-profit status is provided to the inspector.

**Citations**

Fire Lane Citation.....$25.00
Fire Code Citation .....$50.00

**Mileage Reimbursement**

Rate (Federal) ..... Per Federal Rate Schedule

## Parks/Recreation

**Late registration Fee** ..... $10.00

**Sarah Yard Community Center Admission**

| | Resident | Nonresident |
|---|---|---|
| Day | Free | $1.00 |

**Administration Fee for Participant Withdrawal Without Cause** ..... $10.00

**Adult Team Sports** **Team**

Softball ..... $475.00
Basketball ..... $475.00
Volleyball ..... $475.00

Youth Team Sports (Boys and Girls)
Scholarships are available based on need.

Multiple child discount – Only applies during the same sport season
25% discount for the 1st additional child
50% for each additional child after the 1st additional child

T-Ball
Resident ..... 25.00 per player
Nonresident ..... 50.00 per player

Baseball (9-18), Girls Softball, Coach Pitch, Soccer, Volleyball, Basketball
Resident ..... 25.00 per player
Nonresident ..... 50.00 per player

Football,
Resident ..... 30.00 per player
Nonresident ..... 60.00 per player

**Kinder - Sports Programs**

Resident ..... $20.00 per player
Nonresident ..... $40.00 per player

Cheerleading
Resident ..... $25.00
Nonresident ..... $50.00

**Group Tennis Lessons**

Adult Resident ..... $25.00
Adult Nonresident ..... $50.00
Youth Resident ..... $20.00
Youth Nonresident ..... $40.00

Athletic Camps (Offered through P&R by individuals & Organizations) ..... 10% of gross

**Athletic Field Rental** (includes club teams, i.e. AAU, etc.)

Up to 2 hours (day hours) - Resident ..... $25.00
Up to 2 hours (day hours) - Nonresident ..... $50.00
Up to 2 hours (night hours) - Resident ..... $40.00
Up to 2 hours (night hours) - Nonresident ..... $80.00
2 - 4 hours - Resident (day hours) ..... $45.00
2 - 4 hours - Nonresident (day hours) ..... $90.00
2 - 4 hours - Resident (night hours) ..... $90.00
2 - 4 hours - Nonresident (night hours) ..... $150.00
4 hours - All Day - Resident ..... $150.00
4 hours - All Day - Nonresident ..... $220.00

**Field/Game Set Up Fees**

Baseball/Softball ..... $30.00
Soccer ..... $50.00

**Tournaments Fee for Resident** ..... $175.00/day/field
or ½ of gate admission if charged

**Tournament Fee for Nonresident** ..... $200.00 /day/field
or ½ of gate admission if charged

***$200.00 Deposit for Tournament Field Rental – NON-REFUNDABLE***

**SMALL PICNIC SHELTERS** / (Smith Collins, Gertrude Johnson, CP #1, CP #4)

Up to 2 hours - Resident ..... $25.00
Up to 2 hours - Nonresident ..... $50.00
2 - 4 hours - Resident ..... $50.00
2 - 4 hours - Nonresident ..... $100.00
4 hours - All Day - Resident ..... $80.00
4 hours - All Day - Nonresident ..... $160.00

**MEDIUM PICNIC SHELTERS** / (CP #5, Town Commons)

Up to 2 hours - Resident ..... $40.00
Up to 2 hours - Nonresident ..... $80.00
2 - 4 hours - Resident ..... $60.00
2 - 4 hours - Nonresident ..... $120.00
4 hours - All Day - Resident ..... $100.00
4 hours - All Day - Nonresident ..... $200.00

**LARGE PICNIC SHELTERS / (Rotary)**
**(1/2 Shelter Rates Available for Less than 50 People)**

**Up to 2 hours:**
**½ Shelter**
Resident ..... $40.00
Nonresident ..... $80.00
**Entire Shelter**
Resident ..... $75.00
Nonresident ..... $150.00

**Up to 4 hours:**
**½ Shelter**
Resident ..... $60.00
Nonresident ..... $120.00
**Entire Shelter**
Resident ..... $90.00
Nonresident ..... $180.00

**Up to 8 hours:**
**Entire Shelter**
Resident ..... $125.00
Nonresident ..... $250.00

**Town Hall Park Use**

**Up to 2 hours:**
Resident ..... $25.00
Nonresident ..... $50.00

**Rental fee for 2-4 hours**
Resident ..... $35.00
Nonresident ..... $70.00

**Rental fee for 4-8 hours**
Resident..... $60.00
Nonresident ..... $120.00

**Additional Rental Fee for each hour over 8 hours** ..... .....$25.00/hour

## Recreation & Aquatics Center

Membership Rates are based on annual agreements.

Members receive a 10% discounts on services and programs.

Smithfield Residents are those persons living within the corporate limits of Smithfield.

Enrollment Fee: ..... $35.00/ per person
Monthly Drafts/Annual Payment.....10% Discount

| | Smithfield Residents | | Non-Resident Rates | |
|---|---|---|---|---|
| Membership Type | **Community** | **Corporate** | **Community** | **Corporate** |
| **Individual** | $40.00 / $432.00 | **$30.00/ $324.00** | **$52.00/ 561.60** | **$42.00/ 453.60** |
| **Senior (Ind)** | **$25.00/ 300.00** | **$25.00/ 300.00** | **$40.00/453.60** | **$25.00/ 300.00** |
| **Town of Smithfield Employee/** | ***No charge for Full-Time employees*** | | ***No charge for Full-Time employees*** | |
| **Johnston County School Employee** | | **25% off Resident Applicable Rate** | | **25% Off Non-Resident Applicable Rate** |
| **Family add-on (per)** | **$7.00/ per person** | **$7.00/ per person** | **$10.00/ per person** | **$10.00/ per person** |

***New rates apply upon renewal of contract***

**Daily Admission**

**Children 2 and under**
Resident ……..…….....Free
Nonresident ……..……...……....Free

**Youth 3 – 17**
Resident…….....$4.00
Nonresident…….....$7.00

**Adult 18-58**
Resident…….....$7.00
Nonresident……..…….....$10.00

**Seniors 59+**

Resident……...…$4.00
Nonresident…….....$7.00

**Punch Cards – 10 Visits**

Resident……..... $60.00
Nonresident…….…….....$90.00

**Special Membership Rates**

**Johnston Community College Student Membership Rates**

9 month membership commitment from August 15 to May 15 (consistent with academic calendar)
Must show current student ID/tuition info., etc.
$25.00 per month/$225.00 for the 9 month term
10% discount if paid in full upfront
$35.00 enrollment fee
$9.00 annual amenities fee

**HOA Membership Rates ( Smithfield Town Limits Only)**

$26.50 per household for residential subdivision of 100 or more residences.

**Aquatics Program Fees**

**Swim Lessons**

Base Lesson Rate is $15.00/ per lesson
Non-Resident $20.00/per lesson

**3 Lessons**

Resident .....$45.00
Non Resident.....$60.00

**5 Lessons**

Resident.....75.00
Non Resident.....$100.00

**Summer Swim Team**

Resident.....$70.00
Nonresident.....$105.00

**Lane Rental**..... .....$10.00 per lane/ per hour

**Day Care Rental**……. $5.00 per child for 1 ½ hours in pool area

| **Swim Meet Rental** | **Resident** | **Nonresident** |
|---|---|---|
| Timing System per day…….. | $500.00..... | $550.00 per day |
| Pool Rental…….. | $900.00..... | $990.00 per day |

**SRAC Programs**

**Birthday Pool Parties**

Resident ..... ..... $125.00/ 25 children
Nonresident..... $165.00/ 25 children
After Hours Fee (if party booked past regular operating hours)..... ..... $75.00
Extra Rental (1/2 basketball court, other pool)..... ..... $50.00

**Summer Camp (8:30 am – 4:30 pm)**

Resident ..... $100.00/week
Nonresident ..... $140.00/week
(10% off after first child, if SRAC Member)
Early Drop Off/ Late Pick up ..... $25.00/ week

**Facility Rental Rates**

Trash Deposit ..... $50.00 clean-up deposit required for facility use.
(Refundable if trash is picked up and areas are left as deemed due to normal wear and tear)
Cancellation Policy ..... 24 hour notice prior to event.
(If cancellation is received prior to usage, a credit can be applied to a future facility use)

| Multi-Purpose (Monday – Thursday) | Resident | Nonresident |
|---|---|---|
| Up to 2 hour | $40.00 | $65.00 |
| 2-4 hours | $60.00 | $85.00 |
| 4 hours – All Day | $100.00 | $140.00 |

| Multi-Purpose (Friday – Sunday) | Resident | Nonresident |
|---|---|---|
| Up to 2 hour | $100.00 | $140.00 |

| Gymnasium | Resident | Nonresident |
|---|---|---|
| Up to 2 hours | $250.00 | $330.00 |
| 2-4 hours | $400.00 | $550.00 |
| 4 hours – All Day | $600.00 | $825.00 |

| ½ Gymnasium | Resident | Nonresident |
|---|---|---|
| Up to 2 hours | $125.00 | $220.00 |
| 2-4 hours | $250.00 | $440.00 |
| 4 hours – All Day | $400.00 | $600.00 |

**Banquet Room and Catering Kitchen**

$65.00/ hour (minimum 3 hours)
$520.00/ day (8 hours)
$260.00 Deposit
$20.00/ hour Custodial Fee

**COMMERCIAL RENTAL FEE**

Any facility that is being rented for a commercial purpose and a fee/admission is being charged, there will be a fee of 10% of all admission/entrance fees in addition to the applicable rental fee(s) associated with the rental.

4 Rentals of the same facility within a 30 day period will receive a 20% discount on rental fees of those facilities.

15 Rentals of the same facility within a calendar year will receive a 30% discount on rental fees of those facilities.

*** The Town Manager may approve individual fee adjustments for special events and programs as needed.*

## Planning & Zoning Fees

**Application Fees:**

Annexation Petition ..... N/C
Zoning Text Amendment ..... $400.00
Rezoning ..... 400.00
Planned unit development rezoning ..... $400.00 + $10.00 per acre

Variance application.....$400.00
Appeal from UDO Administrator Decision.....$400.00
Sign Permit.....$50.00
Zoning Permit:

- Single Family & Two Family.....$25.00
- Commercial & Multi Family.....$100.00
- Special Zoning Permits (Council Approval Req.)…….....$100.00
  - Non-profit uses…….....$N/C
- Temporary Uses…….....…$100.00

Driveway Permit …….....$25.00
Right-of-Way Permit – Utility Street Cuts…….... $25.00
Right-of-Way Permit – Encroachment……..…….…….$300.00
Re-advertising a Public Hearing at applicant's request .....$200.00
Site Plan/Construction Plan Review…….....$300+$50 per acre
Special Use Permit:

- General SUP……. .....$400.00
- Manufactured home park……..... $300.00 + 5.00 per lot

Subdivision:

- Exempt/Easement/Recombination plat ……..$50.00
- Minor subdivision..... $100.00 + 5.00 per lot
- Major subdivision preliminary plat and construction plans ..... $500.00 + 5.00 per lot
- Major subdivision final plat……..... $250.00
- Site Plan/Construction Plan review.....$300.00 + $50.00/ac.

Storm Water Permit -Residential and nonresidential .....$100/disturbed acre ($850 minimum)
Wireless Communication (small cell)……...……..$50.00

**<u>Storm Water Annual Inspection Fee</u> (if owner does not provide licensed engineer for inspection):**

- Storm Water Management Facility (less than 1 ac)…….....$750.00
- Storm Water Management Facility Size (1ac to 3 ac)…….....$1000.00
- Storm Water Management Facility (greater than 3 ac)…….....$1250.00

**Note**: Non-Profit organizations are exempt from Planning and Zoning Fees if the proper documentation confirming non-profit status is provided to the inspector.

**<u>Vacant Building Registration Fees</u>**
Annual vacant property registration fee…….....…$15.00

**<u>Other Fees</u>**
Annual vacant property registration fee…….....…$15.00
Street vender fee…….....……$100.00
Annual Locally Grown Agricultural Sales…….....……. $100.00
Zoning letter/FOIA requests…….....……..$100.00

**<u>Civil Penalties The following civil penalties may be imposed on a person who violates the Zoning Ordinance:</u>**

A) Individual Violation: There shall be a civil penalty of $50.00 violation. Each day that any violation continues shall constitute a separate violation. Penalties are due within 30 days of receipt of the notice of violation.

B) Continuing Violation: The notice of violation and correction order (hereinafter referred to as the "Notice"), shall provide at least 10 days but not more than 30 days for the violation to be corrected, based upon the type and degree of the violation. If a violation is not corrected within the amount of time prescribed, as measured from the receipt of such Notice, then civil penalties accrue starting on

# Request for Town Council Action

| | |
|---|---|
| Business Agenda Item: | Chapter 8 - Ordinance Amendment |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Town Code of Ordinances Amendment – Section 8 |
| Department: | Planning |
| Presented by: | Stephen Wensman |
| Presentation: | Business Item |

## Issue Statement

Staff requests approval of an amendment to the Town's Code of Ordinances, Chapter 8 – Garbage, Trash and Refuse, amending Section 8-27 and creating Article III as it pertains to the outdoor storage of used and scrap tires.

## Financial Impact

None

## Action Needed

To review the ordinance amendment as it pertains to outdoor storage of used and scrap tires to approve, approve with changes or deny.

## Recommendation

Staff respectfully requests the Town Council approve the amendment to the Town's Code of Ordinances, amending Chapter 8 – Garbage, Trash and Refuse, Section 8-27 and creating Article III as it pertains to the outdoor storage of used and scrap tires.

Approved: ☑Town Manager ☑ Town Attorney

Attachments:

1. Staff report
2. Chapter 8 - Ordinance Amendment
3. Smithfield Code of Ordinances – Chapter 8 (existing)

# Staff Report

| Business Agenda Item: | Chapter 8- Ordinance Amendment |
|---|---|

SUMMARY:

Town Staff has been directed to address used tire storage in response to a proliferation of used tire businesses and ongoing issues with the aesthetic and health safety and welfare issues of the storage of used tires along our primary business corridors. In response to this, staff has proposed this amendment to the Town's Code of Ordinances, Section 8- Garbage, Trash and Refuse that makes outdoor storage of tires a nuisance when not in conformance with specific standards, outlined in a newly created Article III. The Town's Code of Ordinances would impact all outdoor storage of used and scrap tires immediately and would not "grandfather" existing outdoor storage of such tires and would be enforceable by the Code Enforcement and the Police Department.

## Section 8 – Garbage, Trash and Refuse

Section 8 pertains to garbage, trash and refuse:

- prohibiting the sweeping of debris onto sidewalks and streets,
- requiring trash containers
- declaring nuisances including noxious weeds, tall grass and other debris
- establishes abatement and other procedures for nuisances
- establishes civil penalties for nuisances.

## Draft Amendment

The proposed amendment to Section 8 would establish outdoor storage of used and scrap ties as a nuisance when not in conformance with standards. The amendment creates a new Article III within Section 8, that outlines specific standards for outdoor storage of used and scrap tires:

- be screened from public view.
- Requires used or scrap tires stored outside to be either:
    a. stored on racks or neatly stacked not in excess of 10 feet in height; or
    b. in a roll-off front-load dumpster, or other metal storage container, including a trailer not exceeding 45 ft x 8 ft x 13 ft if covered and if the stacked tires do not exceed height of 13 feet and used,

c. and scrap tires shall be shielded from rainwater.

- There shall be no more than one roll-off front-load dumpster, metal storage container or tire storage trailer per business. Such dumpster, container or trailer shall not occupy required parking areas. Tire storage trailers shall only be stored on approved paved surface areas and shall be removed from the site on a regular basis.
- Outdoor storage areas for tires shall be screened by a 6-8 ft high opaque durable fence or wall. Tire storage dumpsters and containers shall be screened on three (3) sides by means of a durable opaque fence, opaque wall or solid vegetative buffer.

# Chapter 8 - GARBAGE, TRASH AND REFUSE

## ARTICLE I. - IN GENERAL

### Sec. 8-1. - Sweeping or depositing from building onto sidewalk.

It shall be unlawful for any person to sweep or throw any litter, dirt or garbage, from within any dwelling house, store or other building onto any sidewalk.

(Code 1967, § 16-1)

### Sec. 8-2. - Depositing on travelled portion of street.

It shall be unlawful for any person to deposit or to allow or to cause to be deposited any leaves, debris, trash or garbage within the travelled portion of the streets of the town. For the purpose of this section, the term "travelled portion" means the street from curbing to curbing.

(Code 1967, § 16-2)

### Sec. 8-3. - Containers required; capacity.

(a) *Generally.* It shall be unlawful for any person to have or to keep on his premises or any other premises or the street or sidewalk adjacent thereto in the town, any garbage, or other refuse of like nature, except in leakproof, metal garbage cans or other like containers with tightly closed lids thereon, so that such garbage, slops or other refuse shall be at all times inaccessible to flies. No such container shall be of a capacity of more than thirty (30) gallons.

(b) *Places of business.* No person shall place waste paper or rubbish from any place of business in any street or alley or any other place where the same may be scattered by the winds; provided, however, that such waste paper may be placed in a barrel, box or other container for the purpose of preventing it from being scattered.

(Code 1967, §§ 16-3, 16-4)

### Secs. 8-4—8-25. - Reserved.

## ARTICLE II. - NOXIOUS WEEDS AND GRASS AND SIMILAR NUISANCES

### Sec. 8-26. - Procedures in article not exclusive.

The procedures set forth in this article shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances, and this article shall not prevent the town from proceeding in a criminal action against any person violating the provisions of this article as provided in G.S. § 14-4.

(Ord. No. 269, § 1, 7-22-93)

Sec. 8-27. - Nuisances declared.

The following enumerated and described conditions are hereby found, deemed and declared to constitute a detriment, danger, and hazard to the health, safety, morals and general welfare of the inhabitants of the town and are found, deemed and declared to be public nuisances wherever the same may exist and the creation, maintenance or failure to abate any nuisances is hereby declared unlawful:

(1) Any condition which is a breeding ground or harbor for mosquitoes or a breeding ground or harbor for rats, snakes, or other pests or has the potential for becoming a breeding ground or harbor for such pests;

(2) A place of heavy growth of weeds or grasses over twelve (12) inches in height which lie less than one hundred (100) feet from any abutting open street or which lies less than one hundred (100) feet from any adjoining property line which contains a structure, or is a place of heavy growth of weeds or grasses over twelve (12) inches in height which lies within fifty (50) feet of any occupied dwelling; provided, that the nuisance defined by this subsection shall be cleared and cut to the satisfaction of the town manager or his designee;

(3) A place of growth of noxious vegetation, including poison sumac (Rhus vernix), poison ivy (Rhus radicans) or poison oak (Rhus toxicodendron), in a location likely to be accessible to the general public;

(4) An open place of collection of water for which no adequate natural drainage is provided and where insects tend to breed or which is or is likely to become a nuisance or a menace to public health;

(5) An open place of concentration of combustible items such as mattresses, boxes, paper, automobile tires and tubes, trash, refuse, brush, old clothes, rags or any other combustible materials or objects of a like nature;

(6) Is an open place of collection of garbage, food waste, animal waste or any other rotten or putrescible matter of any kind;

(7) Hides, dried or green provided the same may be kept for sale in the town when thoroughly cured and odorless;

(8) Any furniture, appliances, automotive parts or pieces or other wood or metal products

of any kind or nature openly kept which have jagged edges of metal or glass, or areas of confinement, or areas which may provide a habitat for rats, snakes, insects, or other pests;

(9) Any improper or inadequate drainage on private property which causes flooding, interferes with the use of, or endangers in any way the streets, sidewalks, parks or other town owned property of any kind;

(10) Any stormwater retention or detention pond or other impoundment device which is operating improperly;

(11) Any stormdrain, sewer manhole, abandoned well or other private or public facility which is not properly covered with a grate or other means to remove any hazard to pedestrians or motor traffic;

(12) Any ditch, trench, or below ground portion of a construction project which remains open for more than fourteen (14) days without being completed or which is not protected with barricades, flags or other means so as to constitute a hazard to pedestrians or motor traffic;

(13) Failure to clean or clear a public street of mud and debris related to a construction, timbering or other similar land use project within twelve (12) hours after notification by the town manager or his designee for major and minor thoroughfares or within twenty-four (24) hours after such notification for collector and local streets; however, if it is found by the town manager or his designee that the situation is causing a clear and present danger or hazard to traffic or the general public, such cleaning or clearing may be required to take place as soon after notification as practicable;

(14) Any condition which violates the rules and regulations of the Johnston County Health Department; or

(15) Any other condition specifically declared to be a danger to the public health, safety, morals, and general welfare of inhabitants of the city and a public nuisance by the town council which proceeding may be initiated by the town manager or his designee before the board after giving written notice thereof. Such notice shall state the condition existing, the location and that the board will be requested on a day certain, after a public hearing at which the person notified may appear and be heard, to declare that the conditions existing constitute a danger to the public health, safety, morals and general welfare of the inhabitants of the city and a public nuisance. After such declaration by the board in the form of an ordinance, the condition will be abated as provided for in this chapter, provided no administrative appeal shall lie from the proceeding pursuant to the subsection and initiated by the town manager or his designee before the town council.

(Ord. No. 269, § 2, 7-22-93)

Sec. 8-28. - Duty to cause investigation of possible nuisances.

The town manager, or his designee, upon notice from any person of the existence of any of the conditions described in this article, shall cause to be made by the appropriate county health department or official or town official such investigation as may be necessary to determine whether in fact such condition exists as to constitute a public nuisance.

(Ord. No. 269, § 3, 7-22-93)

Sec. 8-29. - Duty to give notice of existence of nuisance and require abatement.

(a) Upon a determination that a public nuisance as described in this article exists, the town manager or his designee shall notify in writing the owner, occupant or person in possession of the premises in question of the condition constituting such public nuisance and shall order the prompt abatement thereof within the ten (10) days from the receipt of such written notice.

(b) Within the ten-day period mentioned in subsection (a) above, the owner of the property where the nuisance exists may appeal the findings of the town manager or his designee made pursuant to subsection (a) above to the town council by given written notice of appeal to the town clerk. The filing of the appeal shall stay the abatement of the nuisance by the town until a final determination by the board, unless the town manager or his designee certifies to the board that, because of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property or that, because the violation is transitory in nature, a stay would seriously interfere with the effective enforcement of this chapter. In that case, abatement proceedings shall not be stayed except by order of the town council or a court, issued on application of the party seeking the stay, for due cause shown, after notice to the town manager or his designee. In the event no appeal is taken, the town may proceed to abate the nuisance.

(c) The board, in the event an appeal is taken as provided in subsection (b) above and after hearing all interested persons and reviewing the findings of the town manager or his designee, may reverse the findings made pursuant to subsection (a) above; but if the board shall uphold the findings of the town manager or his designee made pursuant to such subsection, the board shall adopt an ordinance specifically declaring the condition existing on the property to be a danger and hazard to the health, safety, morals, and general welfare of the inhabitants of the town and public nuisance and directing the appropriate town employees to cause the condition or conditions to be abated.

(d) If any of the above-defined nuisances are found to exist, the responsibility for abatement shall rest with the owner, occupant or person in possession of the property or their agent, notwithstanding that the nuisance is found to exist, wholly or in part, within a town easement

which crosses private property.

(Ord. No. 269, § 4, 7-22-93)

Sec. 8-30. - Abatement of nuisance by town; violator may; have town abate nuisance.

(a) If any person, after having been ordered to abate a public nuisance described in this article, fails, neglects or refuses to abate or remove the condition constituting the nuisance within ten (10) days from receipt of the order, the town manager or his designee shall cause the condition to be removed or otherwise remedied by having employees of the town or a private contractor hired by the town go upon such premises and remove or otherwise abate such nuisance under the supervision of an officer or employee designated by the administrative officer. In such instances, weeds or grass shall always be cut to a height satisfactory to the manager or his designee.

(b) Any person who has been ordered to abate a public nuisance may within the time allowed by this article request the town in writing to remove such condition, the cost of which shall be paid by the person making such request.

(Ord. No. 269, § 5, 7-22-93)

Sec. 8-31. - Cost of nuisance abatement to be charged to owner of premises; statement of charges.

The actual cost incurred by the town in removing or otherwise remedying a public nuisance defined in this article shall be charged to the owner of such lot or parcel of land, and it shall be the duty of the collector to mail a statement of such charges to the owner or other person in possession of such premises within instructions that such charges are due and payable within thirty (30) days from the receipt thereof.

(Ord. No. 269, § 6, 7-22-93)

Sec. 8-32. - Lien created upon failure to pay nuisance abatement costs.

In the event charges for the removal or abatement of a public nuisance described by this article are not paid within thirty (30) days after the receipt of the statement of charges as provided for in this section, such charges shall become a lien upon the land or premises where the public nuisance existed and shall be collected as unpaid taxes.

(Ord. No. 269, § 7, 7-22-93)

Sec. 8-33. - Second and subsequent violations.

Upon second and subsequent violations of this article, no notice of the violation as required in section 2-30 shall be given, but the town, through its agents and employees, may enter upon such lots or premises and cut and destroy such weeds, and the costs and expense thereof shall be paid by the owner, lessee,

occupant or agent or it shall become a lien against the property the same as taxes.

(Ord. No. 269, § 8, 7-22-93)

Sec. 8-34. - Civil penalty provided.

(a) A violation of any provision of this article shall constitute a misdemeanor punishable as provided in section 1-12, as set forth below.

(b) A violation of any provision of this article shall subject the offender to a civil penalty in the amount of fifty dollars ($50.00). No penalty shall be imposed if the offender abates the nuisance within the prescribed time or requests the town to abate the nuisance as allowed in section 6-31. If the offender does not abate the nuisance within the prescribed time limit, the penalty may be imposed for each day the nuisance remained after the written notice of violation was given and terminating on the date the nuisance was abated by the town.

(c) The offender shall be issued a written citation by delivery in person or mailed by certified or registered mail. The civil penalty must be paid within the ten (10) days of its receipt by the offender.

(d) The penalty may be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within the prescribed period of time after he or she has been issued a citation.

(Ord. No. 269, § 9, 7-22-93)

# TOWN OF SMITHFIELD
# North Carolina

## ORDINANCE # 503

**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD CODE OF ORDINANCES CHAPTER 8 – GARBAGE, TRASH AND REFUSE**

**WHEREAS, Chapter** 8 of the Town of Smithfield's Code of Ordinances outlines the regulations concerning garbage, trash and refuse regulations within the Town; and

**WHEREAS,** the Planning Director Stephen Wensman, is requesting the Ordinance be amended to add to Section 8-27 subsection (16) and Article III. – Outdoor Storage of Used and Scrap Tires.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield that Chapter 8 Garbage, Trash and Refuse; Section 8-27 subsection (16) and Article III – Outdoor Storage of Used and Scrap Tires as follows:

### Sec. 8-27. – Nuisances declared.

(16) The outdoor storage of any tire upon any premises with the Town in such a manner that it does not conform to the approved storage methods defined in Article III, Section 8-51.

### ***Secs. 8-35—8-50. - Reserved.

## ARTICLE III. – Outdoor Storage of Used and Scrap Tires.

### Sec. 8-51. – Outdoor Storage.

All used tires for sale and scrap tires stored in the Town of Smithfield shall be kept in a manner which prevents their exposure to and collection of the elements of nature. Tires must not be allowed to hold water, dirt, rubbish or other foreign materials to prevent mosquito breeding and rodent harborage.

(a) Used or scrap tires stored outside shall be screened from public view.

(b) Used or scrap tires stored outside shall be stored on racks or neatly stacked not in excess of 10 feet in height; or in a roll-off front-load dumpster, or other metal storage container,

including a trailer not exceeding 45 ft x 8 ft x 13 ft if covered and if the stacked tires do not exceed height of 13 feet and used and scrap tires shall be shielded from rainwater.

(c) There shall be no more than one roll-off front-load dumpster, metal storage container or tire storage trailer per business. Such dumpster, container or trailer shall not occupy required parking areas. Tire storage trailers shall only be stored on approved paved surface areas and used and scrap tires shall be removed from the site on a regular basis.

(d) Outdoor storage areas for tires shall be screened by a 6-8 ft high opaque durable fence or wall. Tire storage dumpsters and containers shall be screened on three (3) sides by means of a durable opaque fence, opaque wall or solid vegetative buffer.

Adopted by motion made by _____, seconded by _____, and approved on a vote of _____ in favor and _____ against.

The is the _____ day of _____, 2020

_____
M. Andy Moore, Mayor

ATTEST

_____

Shannan L. Parrish, Town Clerk

# Request for Town Council Action

| | |
|---|---|
| Business Item: | Sign Removals |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Sign Clutter Reduction |
| Department: | Planning |
| Presented by: | Stephen Wensman & Michael Scott |
| Presentation: | Business Item |

## Issue Statement

As the Town completes Phase I of its wayfinding project, there are old signs that have accumulated over time that staff recommends removal in order to decrease sign clutter and enhance the new wayfinding signs.

## Financial Impact

Labor to remove signage.

## Action Needed

Approve removal of excess signage.

## Recommendation

Approve removal of excess signage.

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Pictures of signs for removal

# Staff Report

**Business Item:** Sign Removal

SUMMARY:

Phase I of the wayfinding project is nearing completion with the addition of the T-1 signs and the Gate Way Signs. Signs that resulted in duplication of the new T-1 signs have been removed. The wayfinding committee is also requesting the removal of the attached signage in order to reduce sign clutter and draw more attention to the T-1 signs. Staff is asking for the removal of these signs. Additional sign removal requests will follow as the wayfinding project continues.


Welcome To
SMITHFIELD
HOMETOWN OF BARRY FOOTE
MAJOR LEAGUE BASEBALL
PLAYER AND COACH

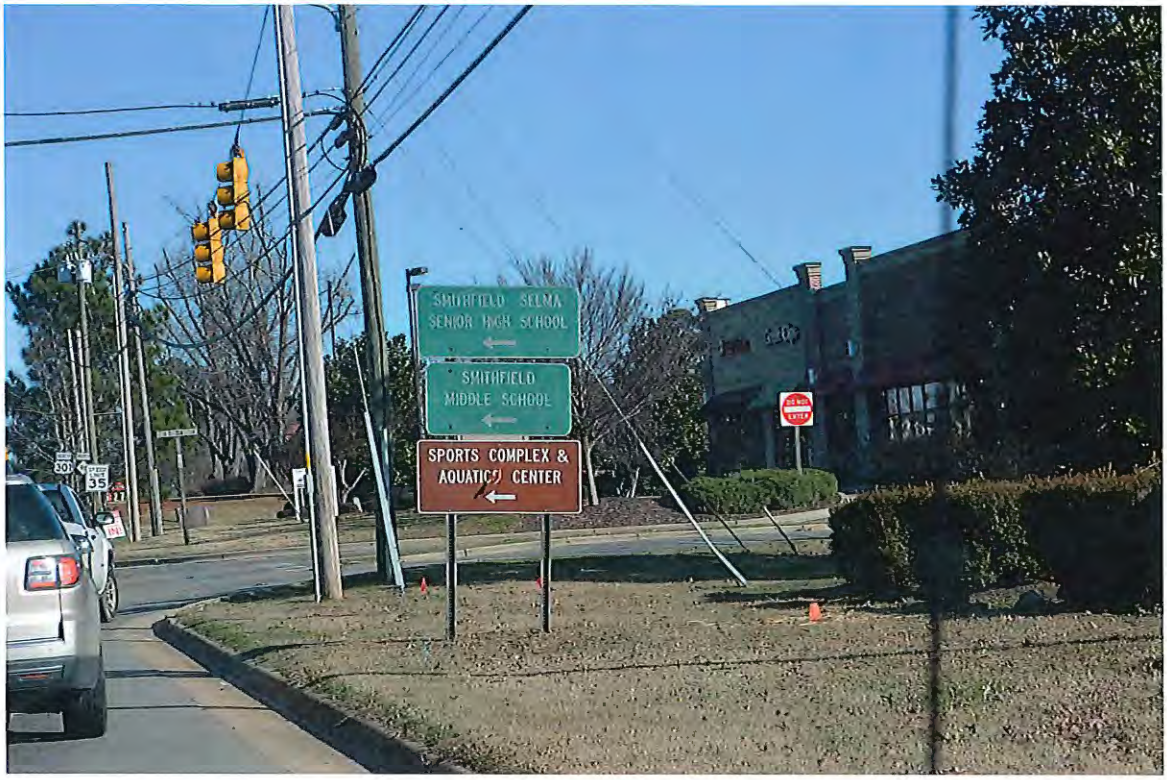

CITYWIDE
SPEED LIMIT 35
UNLESS
OTHERWISE POSTED



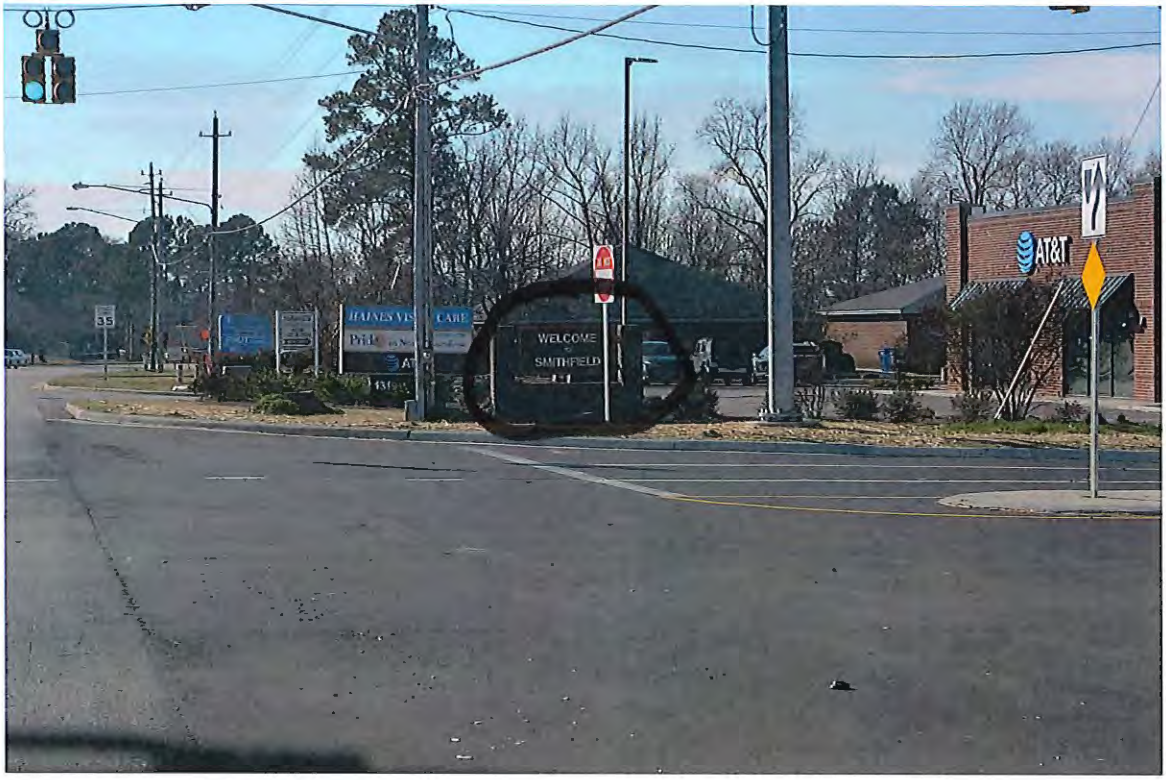
MKT ST. BY OLD RIGHT AID BLDG.

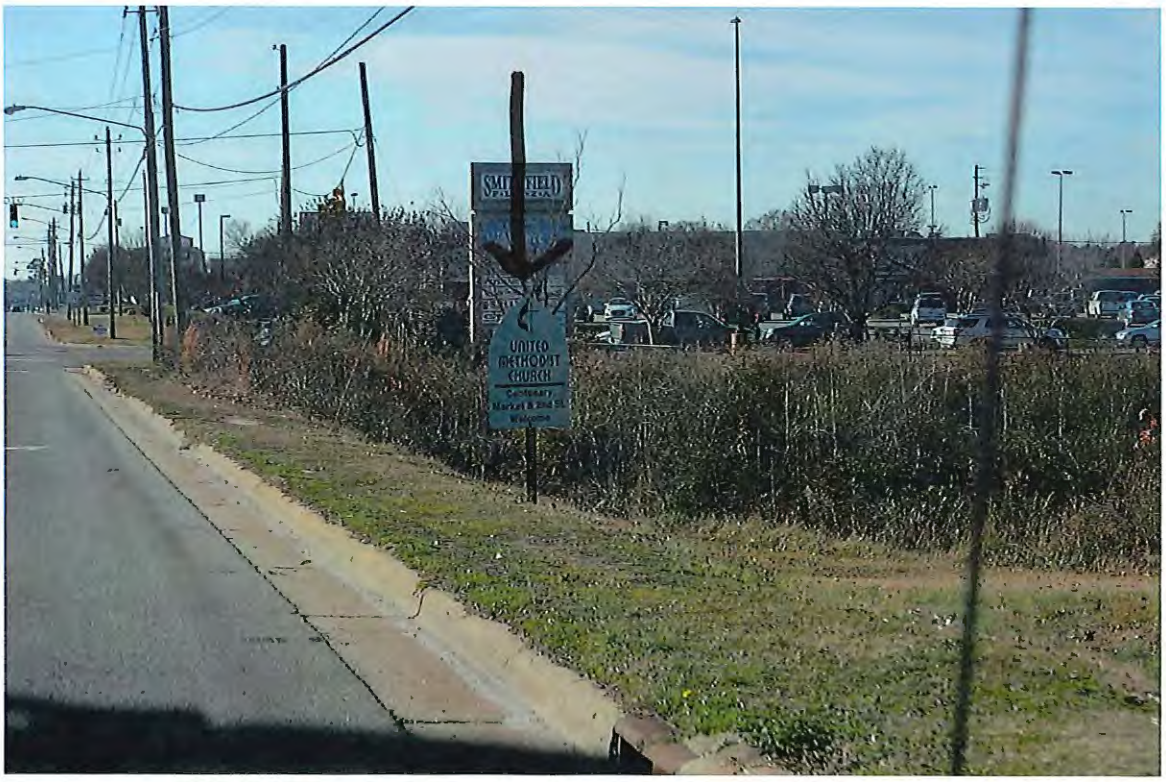


KOBE PROPERTY IN R/W


SMITHFIELD SELMA
SENIOR HIGH SCHOOL
SMITHFIELD
MIDDLE SCHOOL
SPORTS COMPLEX &
AQUATICS CENTER


SMITHFIELD
CITY LIMIT
SMITHFIELD
PLANNING & ZONING
LIMITS
U-HAUL
U-HAUL
U-HAUL


WELCOME
SMITHFIELD
AT&T


UNITED
METHODIST
CHURCH


528


SMITHFIELD
BUSINESS DIST.


SPORTS COMPLEX &
AQUATICS CENTER
eyecarecenter
Call to schedule your
eye exam
919-934-8152


SOUTH SMITHFIELD
ELEM. SCHOOL

State Patrol Sign on 301 S.



FROM SELMA ON OUTLET CENTER DR


LANDFILL
LIVESTOCK
ARENA
DENSTON COUNTY
AIRPORT


25% off
MASSAGES!
GIFT CARDS!
CAUTION
DUMPS
AHEAD

# Request for Town Council Action

| | |
|---|---|
| Business Item: | Wayfinding G1 Sign |
| Date: | 02/04/2020 |

| | |
|---|---|
| Subject: | Wayfinding: G1-Monumental Gateway Sign Location |
| Department: | Planning Department |
| Presented by: | Stephen Wensman, Planning Director |
| Presentation: | Business Item |

## Issue Statement

Staff seeks Council approval to locate a G1- Monumental Gateway Sign at the Smithfield Business Park on Outlet Center Drive.

## Financial Impact

N/A – the sign is to be constructed as part of the existing wayfinding sign contract with ASCM.

## Action Needed

To approve the G1- Monumental Gateway wayfinding sign location.

## Recommendation

Staff recommends approval of the proposed sign location.

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Location Map for Proposed G1- Gateway Sign at Smithfield Business Park
3. Location Map for previously planned G1-Gateway Sign (Booker Dairy Road Ext. & US 301 N)

# Staff Report

**Business Agenda Item:** Wayfinding G1 Sign

Overview:

The Town Council approved the Phase I and Phase II of the Wayfinding System Plan which include:

(4) G1 Monumental Gateway Signs
(2) G4 Downtown Post and Panel Signs
(10) T2 Small Trailblazer Signs
(36) T-1 Large Trailblazer Signs
(4) P Parking Signs

All the signs are installed or in the process of being installed except for the (1) G1-Monumental Gateway Sign. The T2 and Parking signs are in the process of being installed.

The remaining G1 Monumental Gateway Sign was proposed for the intersection of N. Brightleaf Boulevard North and the Booker Dairy Road Extension. An existing Welcome to Smithfield sign is located on the northwest corner of the intersection in NCDOT right-of-way. The proposed sign was to go on the northeast corner of the intersection where the boulevard is extra wide in the Booker Dairy Road right-of-way.

The current "Welcome to Smithfield" Sign in the NCDOT right-of-way and cannot be replaced with a new sign in that location.

The previously planned location was to be on the outside edge of the N. Brightleaf Boulevard right-of-way, in the Booker Dairy Road Extension along the east right-of-way edge. When the site was available, staff staked out the sign location and discovered it had poor sight lines. There are numerous traffic sign and business monument signs that impede the view of the proposed location.

Therefore, Staff is considering relocating the G1-Monumental Gateway sign to the Smithfield Business Park location on Outlook Center Drive near the Selma Corporate Boundary. In a future Phase III Wayfinding project, Staff is planning to place a G2 Post and Panel wayfinding sign in the N. Brightleaf Boulevard NCDOT right-of-way at the Smithfield Selma border in front of Brightleaf Tire and Auto.

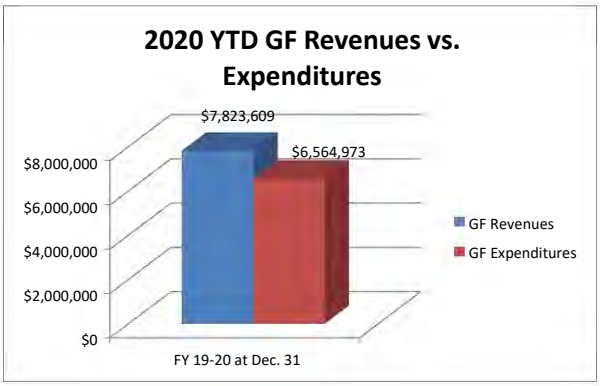
The proposed G1 sign at the Smithfield Business Park will replace the existing "Welcome to Smithfield" monument sign. Staff has received tentative approval and is still working with the property manager to secure permission to proceed. Staff is looking for Council's approval prior to finalizing the sign being installed at that location.

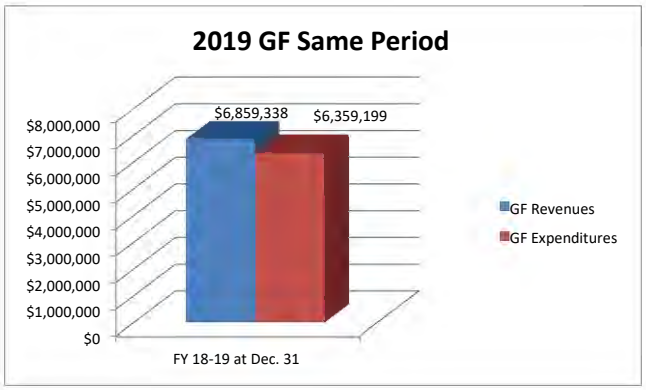

1505
1351
Existing Sign Location
235
OUTLET CENTER DR
N
SMITHFIELD
NORTH CAROLINA
0
20
40 Feet

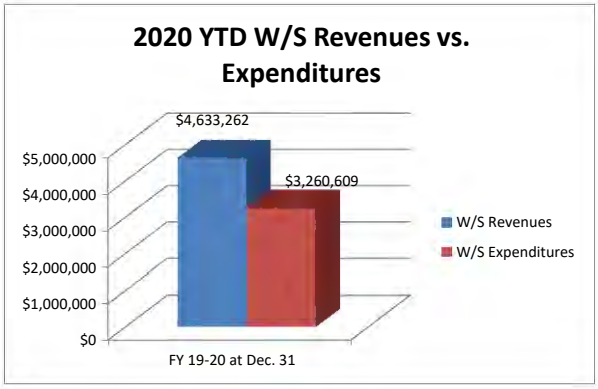

118
1329
6
1323
Proposed Sign Location
AVA GARDNER AVE
236
1321
N BRIGHTLEAF BLVD
Existing Sign Location
1336
1317
0 20 40 Feet
1330
N
SMITHFIELD
NORTH CAROLINA

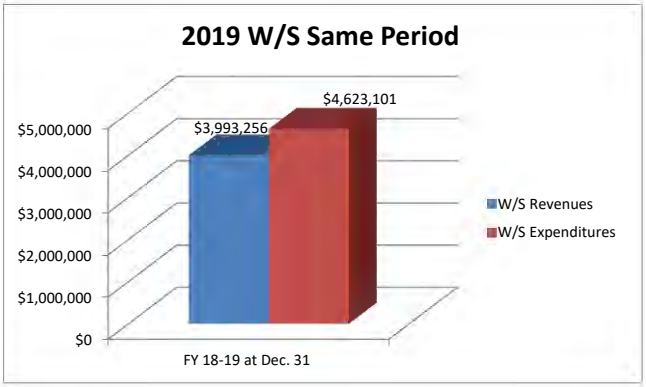
# Financial Report

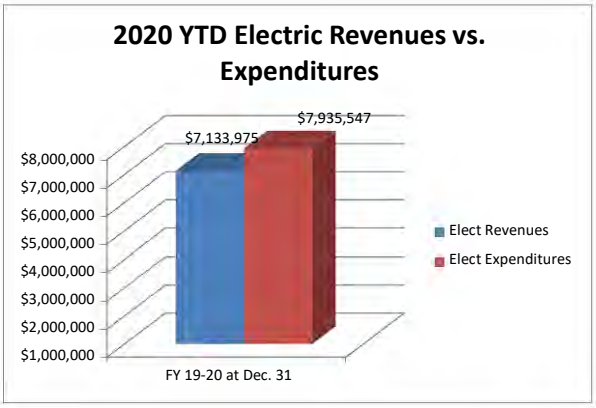
# Town of Smithfield
# Revenues vs. Expenditures

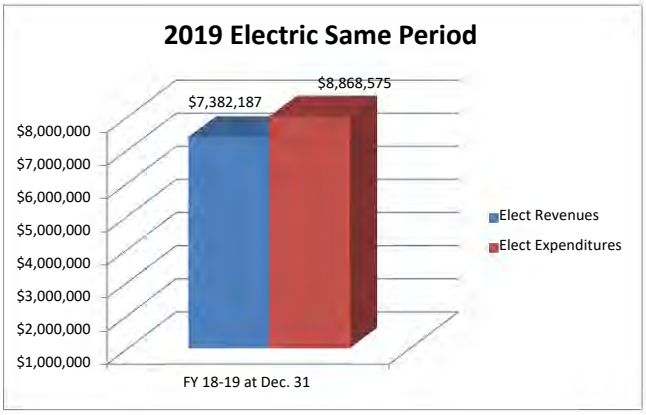


**TOWN OF SMITHFIELD**
**MAJOR FUNDS FINANCIAL SUMMARY REPORT**
**December 31, 2019**
**Gauge: 6/12 or 50 Percent**

**GENERAL FUND**

| **Revenues** | Frequency | **Actual to Date FY '18-19** | **Budget FY '19-20** | **Actual to Date FY '19-20** |
|---|---|---|---|---|
| Current & Prior Year Property Taxes | Monthly | $ 3,001,645 | $ 6,276,000 | $ 3,823,367 |
| Motor Vehicle Taxes | Monthly | 287,838 | 505,000 | 312,870 |
| Utility Franchise Taxes | Quarterly | 495,553 | 975,000 | 496,930 |
| Local Option Sales Taxes | Monthly | 873,236 | 2,400,000 | 911,051 |
| Aquatic and Other Recreation | Monthly | 342,692 | 738,000 | 353,900 |
| Sanitation (Includes Penalties) | Monthly | 582,014 | 1,335,300 | 597,554 |
| Grants | | | 49,500 | 298,252 |
| All Other Revenues | | 1,276,360 | 1,394,636 | 1,029,685 |
| Loan Proceeds | | - | - | |
| Transfers (Electric and Fire Dist.) | | - | 261,214 | - |
| Fund Balance Appropriated | | - | 1,593,056 | - |
| Total | | $ 6,859,338 | $ 15,527,706 | $ 7,823,609 |

| **Expenditures** | **Actual to Date FY '18-19** | **Budget FY '19-20** | **Actual to Date FY '19-20** |
|---|---|---|---|
| General Gov.-Governing Body | $ 200,684 | $ 459,438 | $ 239,531 |
| Non Departmental | 465,377 | 929,616 | 462,228 |
| Debt Service | 733,267 | 939,258 | 568,124 |
| Finance | 47,869 | 115,511 | 46,644 |
| Planning | 247,701 | 455,635 | 163,250 |
| Police | 1,587,919 | 4,073,619 | 1,655,272 |
| Fire | 1,144,559 | 2,169,318 | 1,098,273 |
| EMS | - | - | - |
| General Services/Public Works | 234,244 | 601,590 | 266,422 |
| Streets | 195,974 | 1,664,371 | 203,345 |
| Motor Pool/Garage | 36,244 | 103,816 | 42,512 |
| Powell Bill | 15,577 | 333,815 | 25,553 |
| Sanitation | 533,868 | 1,287,765 | 559,261 |
| Parks and Rec | 431,461 | 1,105,243 | 715,287 |
| SRAC | 473,685 | 981,173 | 505,062 |
| Sarah Yard Center | 10,770 | 46,500 | 14,208 |
| Contingency | - | 261,038 | - |
| Appropriations/Contributions | - | - | - |
| Total | $ 6,359,199 | $ 15,527,706 | $ 6,564,972 |

| | | |
|---|---|---|
| YTD Fund Balance Increase (Decrease) | - | - |

## WATER AND SEWER FUND

| Revenues | Actual to Date FY '18-19 | Budget FY '19-20 | Actual to Date FY '19-20 |
|---|---|---|---|
| Water Charges | $ 1,191,742 | $ 2,852,000 | $ 1,250,328 |
| Water Sales (Wholesale) | 674,911 | $ 1,400,000 | $ 802,035 |
| Sewer Charges | 1,918,185 | 4,180,000 | 1,992,162 |
| Tap Fees | 700 | 2,500 | 4,450 |
| All Other Revenues | 207,718 | 110,400 | 84,287 |
| Grants | - | - | 500,000 |
| Loan Proceeds | - | - | - |
| Fund Balance Appropriated | - | 132,941 | - |
| Total | $ 3,993,256 | $ 8,677,841 | $ 4,633,262 |

| Expenditures | Actual to Date FY '18-19 | Budget FY '19-20 | Actual to Date FY '19-20 |
|---|---|---|---|
| Water Plant (Less Transfers) | $ 858,126 | $ 1,980,216 | $ 866,200 |
| Water Distribution/Sewer Coll (Less Transfers) | 1,880,088 | 4,480,720 | 2,046,260 |
| Transfer to General Fund | - | - | - |
| Transfer to W/S Capital Proj. Fund | 1,350,000 | 1,250,000 | - |
| Debt Service | 534,887 | 653,574 | 348,149 |
| Contingency | - | 313,331 | - |
| Total | $ 4,623,101 | $ 8,677,841 | $ 3,260,609 |

## ELECTRIC FUND

| Revenues | Actual to Date FY '18-19 | Budget FY '19-20 | Actual to Date FY '19-20 |
|---|---|---|---|
| Electric Sales | $ 7,219,788 | $ 16,550,000 | $ 6,971,465 |
| Penalties | 71,271 | 150,000 | 62,796 |
| All Other Revenues | 91,129 | 156,000 | 99,714 |
| Grants | | | - |
| Loan Proceeds | - | - | - |
| Fund Balance Appropriated | - | 100,000 | - |
| Total | $ 7,382,188 | $ 16,956,000 | $ 7,133,975 |

| Expenditures | Actual to Date FY '18-19 | Budget FY '19-20 | Actual to Date FY '19-20 |
|---|---|---|---|
| Administration/Operations | $ 1,084,211 | $ 2,363,740 | $ 1,054,504 |
| Purchased Power - Non Demand | 2,467,915 | 12,750,000 | 2,445,365 |
| Purchased Power - Demand | 3,200,869 | - | 3,462,681 |
| Purchased Power - Debt | 578,088 | - | 578,088 |

| | | | |
|---|---|---|---|
| Debt Service | 351,278 | 351,279 | 351,307 |
| Capital Outlay | - | 120,000 | 43,602 |
| Contingency | - | 332,481 | - |
| Transfers to Electric Capital Proj Fund | 1,100,000 | 950,000 | - |
| Transfer to Electric Capital Reserve | | - | - |
| Transfers to General Fund | 86,214 | 88,500 | - |
| Total | $ 8,868,575 | $ 16,956,000 | $ 7,935,547 |

| CASH AND INVESTMENTS FOR APRIL | | | |
|---|---|---|---|
| General Fund (Includes P. Bill) | 13,405,528 | | |
| Water and Sewer Fund | 8,379,717 | | |
| Electric Fund* | 10,141,402 | | |
| JB George Endowment (40) | 134,727 | | |
| Water Plant Expansion (43) | 2,623,645 | | |
| Booker Dairy Road Fund (44) | 457,896 | | |
| Capital Project Fund: Wtr/Sewer (45) | (139,160) | | |
| Capital Project Fund: General (46) | 176,132 | | |
| Capital Project Fund: Electric (47) | 504,537 | 1st CITIZENS | 28,686,403 |
| FEMA Acquisitions and Elevations | (17,593) | NCCMT | 2,398,642 |
| Firemen Relief Fund (50) | 118,412 | KS BANK | 3,713,876 |
| Fire District Fund (51) | 122,827 | UNITED COMM | 1,290,135 |
| General Capital Reserve Fund (72) | 180,986 | PNC BANK | - |
| Total | $ 36,089,056 | | $ 36,089,056 |

*Plug

**Account Balances Confirmed By Finance Director on 1/15/2020**

# Department Reports

**FINANCE DEPARTMENTAL REPORT FOR DECEMBER, 2019**

**SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):**

| | |
|---|---|
| Daily Collections/Property Taxes/Other……. | $3,996,792 |
| Franchise Tax……... | 268,811 |
| Sales & Use Tax…….. | 219,907 |
| Powel Bill……... | 0 |
| **Total Revenue** | **$4,485,510** |

Expenditures: General, Water, and Electric……..….. $2,389,076

**FINANCE:**

- Compiled and submitted monthly retirement report on 12/31/2019
- Issued 42 purchase orders
- Processed 667 vendor invoices for payment and issued 368 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 12/16, and 12/30/19
- Issued 0 new privilege licenses (new law change in effect 7/1/2015)
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected $0 in grass cutting invoices. Total collected to date is $8,436
- Processed 11 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Bad debt calendar year-to-date collections total $37,849.65 (EMS = $10,121.45; SRAC = $6,346.15; Utility= $21,382.05; and Other = $0).
- Invoiced 5 grave opening for a total of $3,500.
- Invoiced Smithfield Housing Authority, Johnston Community College, Johnston County Schools and Neuse Charter School for Police Security
- Earned $5,899.54 in interest from FCB and paid 0 in fees on the central depository account
- Paid $6,329 in credit/debit card fees.

**FINANCE DIRECTOR**

- Attended Town Council Meeting on December 3, 2019
- Attended Department Head Meetings on December 2 and 19
- Responded to Auditor's questions via email throughout the month

Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

# BOARD ACTIONS REPORT - 2019

| | December |
|---|---|
| **Town Council** | |
| Zoning Map Ammendments | 0 |
| Special Use Permit | 0 |
| Zoning Ordinance Amendments | 0 |
| Major Subdivisions | 0 |
| Annexations | 0 |
| Special Events | 0 |
| Town Plan | 0 |
| **Planning Board** | |
| Zoning Map Amendments | 0 |
| Zoning Ordinace Ammendments | 0 |
| Major Subdivisions | 0 |
| Town Plan Review | |
| | |
| **Board of Adjustment** | |
| Variance | 0 |
| Admin Appeal | 0 |
| **Historic Properties Commission** | |
| Certificate of Appropriateness | 0 |
| Historic Landmarks | 0 |

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## Permit Issued for December 2019

| | | Permit Fees | Permits Issued |
|---|---|---|---|
| Zoning | Land Use | 500.00 | 5 |
| Site Plan | Minor Site Plan | $375.00 | 9 |
| Zoning | Sign | $100.00 | 2 |
| | Report Period Total: | $975.00 | 16 |
| | Fiscal YTD Total: | $9,025.00 | 141 |

| | | | | |
|---|---|---|---|---|
| SP19-000097 | Site Plan | Minor Site Plan | Handicap Ramp | 2228 Kay Dr. |
| SP19-000098 | Site Plan | Minor Site Plan | Accessory Structure | 3 Eden Dr. |
| Z19-000158 | Zoning | Sign | Verizon Wirless | 1104 North Brightleaf Blvd |
| Z19-000159 | Zoning | Land Use | Beachside Home Service | 101 E. Market St Ste 2B |
| Z19-000160 | Zoning | Land Use | Krab Kingz Food Truck | 1043 Outlet Center` Dr. |
| Z19-000161 | Zoning | Land Use | JoCo Repulican Party | 250 Venture Dr. |
| Z19-000162 | Zoning | Land Use | Swift Creek Riding | 3905 Swift Creek Road |
| Z19-000163 | Zoning | Sign | Ortiz Tires | 116 S. Brightleaf Blvd |
| SP19-000099 | Site Plan | Minor Site Plan | Manufactured Home | 6162 Swift Creek Rd. |
| SP19-000100 | Site Plan | Minor Site Plan | SFD Addition | 203 Cloverdale Dr |
| Z19-000164 | Zoning | Land Use | Reebok Upfit | 1227 Outlet Center Dr Ste 1065 B |
| SP19-000102 | Site Plan | Minor Site Plan | Single Family Dwelling | 128 Croatan Rd |
| SP19-000103 | Site Plan | Minor Site Plan | Temp. Const. Trailer | 2228 Kay Dr. |
| SP19-000104 | Site Plan | Minor Site Plan | Manufactured Home | 2161 Galilee Rd. |
| SP19-000105 | Site Plan | Minor Site Plan | Accessory Structure | 520 N. Fourth St. |
| SP19-000106 | Site Plan | Minor Site Plan | SFD Addition | 240 Homestead Ln. |

**TOWN OF SMITHFIELD**
**POLICE DEPARTMENT**
**MONTHLY REPORT**
**MONTH ENDING December 31, 2019**

## I. STATISTICAL SECTION

| Month Ending Dec. 31, 2019 | | Dec -19 | Dec- 18 | Total 2019 | Total 2018 | YTD Difference |
|---|---|---|---|---|---|---|
| Calls For Service | | 1562 | 1630 | 19676 | 22332 | -2656 |
| Incident Reports Completed | | 150 | 134 | 1674 | 1623 | 51 |
| Cases Closed | | 108 | 90 | 1182 | 1187 | -5 |
| Accident Reports | | 94 | 87 | 922 | 884 | 38 |
| Arrest Reports | | 80 | 108 | 1092 | 1301 | -209 |
| Burglaries Reported | | 5 | 7 | 65 | 77 | -12 |
| Drug Charges | | 15 | 25 | 332 | 400 | -68 |
| DWI Charges | | 5 | 17 | 82 | 94 | -12 |
| Citations Issued | | 142 | 161 | 1779 | 2738 | -960 |
| Speeding | | 19 | 35 | 320 | 899 | -579 |
| No Operator License | | 21 | 37 | 394 | 517 | -123 |
| Registration Violations | | 12 | 19 | 207 | 365 | -158 |

## II. PERSONNEL UPDATE

The police department currently has 3 vacant positions at this time. Two employees are under contract and will graduate BLET in April 2020.

## III. MISCELLANEOUS

The police department provided security for the Christmas Tree Lighting and the Town's Annual Christmas Parade. Both events were well attended , with no major issues. We assisted with the Grinch Run which collected toys for needed children. The department partnered with The Greater Vision Worship Center and the Parks and Rec to donate over 300 toys. We also partnered with the FOP for shop with a COP at Wal mart and were able assist 32 children for Christmas with the assistance of Wal Mart. These children where selected from the local schools in Smithfield.

# REPORTED UCR OFFENSES FOR THE MONTH OF DECEMBER 2019

| PART I CRIMES | December 2018 | December 2019 | +/- | Percent Changed | Year-To-Date 2018 | Year-To-Date 2019 | +/- | Percent Changed |
|---|---|---|---|---|---|---|---|---|
| MURDER | 0 | 0 | 0 | N.C. | 0 | 2 | 2 | N.C. |
| RAPE | 0 | 2 | 2 | N.C. | 2 | 4 | 2 | 100% |
| ROBBERY | 0 | 2 | 2 | N.C. | 13 | 13 | 0 | 0% |
| Commercial | 0 | 2 | 2 | N.C. | 1 | 7 | 6 | 600% |
| Individual | 0 | 0 | 0 | N.C. | 12 | 6 | -6 | -50% |
| ASSAULT | 0 | 6 | 6 | N.C. | 37 | 48 | 11 | 30% |
| * VIOLENT * | 0 | 10 | 10 | N.C. | 52 | 67 | 15 | 29% |
| BURGLARY | 5 | 4 | -1 | -20% | 72 | 58 | -14 | -19% |
| Residential | 5 | 1 | -4 | -80% | 49 | 35 | -14 | -29% |
| Non-Resident. | 0 | 3 | 3 | N.C. | 23 | 23 | 0 | 0% |
| LARCENY | 25 | 49 | 24 | 96% | 390 | 387 | -3 | -1% |
| AUTO THEFT | 0 | 3 | 3 | N.C. | 17 | 15 | -2 | -12% |
| ARSON | 0 | 1 | 1 | N.C. | 2 | 1 | -1 | -50% |
| * PROPERTY * | 30 | 57 | 27 | 90% | 481 | 461 | -20 | -4% |
| PART I TOTAL: | 30 | 67 | 37 | 123% | 533 | 528 | -5 | -1% |
| **PART II CRIMES** | | | | | | | | |
| Drug | 18 | 14 | -4 | -22% | 351 | 276 | -75 | -21% |
| Assault Simple | 6 | 10 | 4 | 67% | 113 | 210 | 97 | 86% |
| Forgery/Counterfeit | 2 | 6 | 4 | 200% | 41 | 32 | -9 | -22% |
| Fraud | 13 | 8 | -5 | -38% | 77 | 83 | 6 | 8% |
| Embezzlement | 0 | 0 | 0 | N.C. | 5 | 2 | -3 | -60% |
| Stolen Property | 2 | 1 | -1 | -50% | 21 | 12 | -9 | -43% |
| Vandalism | 4 | 5 | 1 | 25% | 55 | 63 | 8 | 15% |
| Weapons | 0 | 0 | 0 | N.C. | 24 | 4 | -20 | -83% |
| Prostitution | 0 | 0 | 0 | N.C. | 0 | 0 | 0 | N.C. |
| All Other Sex Offens | 0 | 0 | 0 | N.C. | 0 | 2 | 2 | N.C. |
| Gambling | 0 | 0 | 0 | N.C. | 0 | 0 | 0 | N.C. |
| Offn Agnst Faml/Chld | 0 | 0 | 0 | N.C. | 5 | 7 | 2 | 40% |
| D. W. I. | 17 | 4 | -13 | -76% | 90 | 87 | -3 | -3% |
| Liquor Law Violation | 0 | 5 | 5 | N.C. | 4 | 12 | 8 | 200% |
| Disorderly Conduct | 0 | 2 | 2 | N.C. | 6 | 19 | 13 | 217% |
| Obscenity | 0 | 0 | 0 | N.C. | 1 | 1 | 0 | 0% |
| Kidnap | 0 | 1 | 1 | N.C. | 0 | 5 | 5 | N.C. |
| Human Trafficking | 0 | 0 | 0 | N.C. | 0 | 0 | 0 | N.C. |
| All Other Offenses | 31 | 22 | -9 | -29% | 121 | 353 | 232 | 192% |
| PART II TOTAL: | 93 | 78 | -15 | -16% | 914 | 1168 | 254 | 28% |
| GRAND TOTAL: | 123 | 145 | 22 | 18% | 1447 | 1696 | 249 | 17% |

N.C. = Not Calculable

**Town of Smithfield**

# Fire Department

**December 2019**

## I. Statistical Section

| Responded to | 2019 Dec | Dec IN | Dec OUT | 2018 Dec | 2019 IN | 2019 OUT | 2019 YTD | 2018 YTD |
|---|---|---|---|---|---|---|---|---|
| **Total Structure Fires Dispatched** | 8 | 2 | 6 | 9 | 43 | 72 | 115 | 118 |
| *Confirmed Structure Fires (Our District)* | **1** | **1** | **0** | **2** | **21** | **4** | **25** | **35** |
| *Confirmed Structure Fires (Other Districts)* | **4** | 0 | **4** | **6** | 0 | **42** | **42** | **27** |
| **EMS/Rescue Calls** | **128** | **117** | **11** | **133** | **1428** | **67** | **1495** | **1599** |
| **Vehicle Fires** | **5** | **3** | **2** | **2** | **11** | **4** | **15** | **25** |
| **Motor Vehicle Accidents** | **14** | **12** | **2** | **25** | **188** | **33** | **221** | **236** |
| **Fire Alarms (Actual)** | **2** | **2** | **0** | **5** | **95** | **6** | **101** | **102** |
| **Fire Alarms (False)** | **11** | **11** | **0** | **16** | **150** | **9** | **159** | **140** |
| **Misc./Other Calls** | **28** | **23** | **5** | **20** | **300** | **41** | **341** | **326** |
| *Mutual Aid (Received)* | 2 | 0 | 0 | 2 | 0 | 0 | 42 | 57 |
| *Mutual Aid (Given)* | 6 | **0** | 0 | 12 | 0 | 0 | 86 | 85 |
| *Overlapping Calls (Calls at the same time)* | 37 | 0 | 0 | 23 | 0 | 0 | 490 | 343 |
| **TOTAL EMERGENCY RESPONSES** | **194** | **169** | **25** | **208** | **2193** | **207** | **2400** | **2490** |

*** Denotes the breakdown of calls, these are not calculated into the totals ***
**IN/OUT denotes in and out of the Town, not outside the fire district. When we respond to another fire district (Mutual Aid), which is outside of our total fire district boundaries that is reported in (Other Districts).**

| | Dec | YTD |
|---|---|---|
| Fire Inspections/Compliance Inspections | 45 | 480 |
| Public Fire Education Programs | 2 | 57 |
| Children in Attendance | 106 | **2714** |
| Adults in Attendance | 30 | **1538** |
| Plans Review Construction/Renovation Projects | 3 | 32 |
| Fire Code Citations | 0 | 2 |
| Fire Lane Citations | 0 | 0 |
| Consultation/Walk Through | 4 | 93 |
| Re-Inspections | 3 | 89 |

## II. Major Revenues

| | Dec | YTD |
|---|---|---|
| **Inspections** | $1,450.00 | $15,455.00 |
| **False Alarms** | $525.00 | $3,525.00 |
| **Fire Recovery USA** | $396.00 | $4,366.00 |
| **EMS Debt Setoff** | $0.00 | $2,504.52 |

**Major Expenses for the Month:**

## III. Personnel Update:

## IV. Narrative of monthly departmental activities:

- We participated in an Event or Fire prevention/Training program's in the month of December:
    - Fire Station Tour – Heritage Home School Group
    - Fire Station Tour – West Smithfield Elementary

## Appearance Commission December 2019 Monthly Report:

### E Market Street Welcome Sign

- Landscape bed around the new East Smithfield Welcome Sign was installed this month. Four (4) Nellie Stevens trees, Two (2) Hydrangea Snow Queen, Five (5) Loropetalum Jazz hand and Twenty Five (25) Variegated Liriope were installed.

**Next Appearance Commission meeting is scheduled on Tuesday January 21 at 5:00pm. All meetings are held in the conference room at Town Hall.**

# Town of Smithfield
# Public Works Department
# Dec. 31, 2019

169 Total Work Orders completed by the Public Works Department

8 Burials, at $700.00 each = 5,600.00

0 Cremation Burial, $400.00 each = $0.00

$1,000.00 Sunset Cemetery Lot Sales

$0.00 Riverside Extension Cemetery Lot Sales

437 tons of household waste collected

160 tons of yard waste collected

5.3 tons of recycling collected

**Town of Smithfield**
**Public Works Appearance Division**
**Cemetery, Landscapes, and Grounds Maintenance**
**Buildings, Facilities, and Sign Division**
**Monthly Report**
**Dec. 31, 2019**

## I. Statistical Section

8 Burials

11 Works Orders – Buildings & Facilities Division

33 Work Orders – Grounds Division

38 Work Orders – Sign Division

## II. Major Revenues

| | |
|---|---|
| Sunset Cemetery Lot Sales: | $1,000.00 |
| Riverside Ext Cemetery Lot Sales: | $0.00 |
| Grave Opening Fees: | $5,600.00 |
| Total Revenue: | $6,600.00 |

## III. Major Expenses for the Month:

None for the month

## IV. Personnel Update:

None for the month

## V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Appearance Division safety meeting was on "Be Safe, Be Proud".

**Town of Smithfield**
**Public Works Drainage/Street Division**
**Monthly Report**
**Dec. 31, 2019**

## I. Statistical Section

- **a.** All catch basins in problem areas were cleaned on a weekly basis
- **b.** 8.14 Tons of Asphalt was placed in 2 root damaged areas and 1 pothole.
- **d.** Assisted with the Grinch Run and Christmas Parade.
- **e.** 31 Work Orders – 2,685lbs. of Cold Patch was used for 61 Potholes.

## II. Major Revenues

None for the month

## III. Major Expenses for the Month:

$1,380.75 to Sampson Bladen Oil for Hydraulic oil, $1,330.00 to Whites Tire Service for dump truck tires.

## IV. Personnel Update:

None for the month

## V. Narrative of monthly departmental activities:

The Public Works Department safety meeting on "Be Safe, Be Proud".

**Town of Smithfield**
**Public Works Department**
**Dec. 2019 Drainage Report**

| | |
|---|---|
| Location: | Various locations. |
| Starting Date: | 12/2/2019 |
| Completion Date: | 12/30/2019 |
| Description | Backfilled utility department cuts with screening. |
| Man-hours: | 25hrs. |
| Equipment: | 420 Cat backhoe, 412 pickup plus hand tools. |
| Materials: | 4 yards of screening material. |

| | |
|---|---|
| Location: | Old Goldsboro Road dead end. |
| Starting Date: | 12/4/2019 |
| Completion Date | 12/4/2019 |
| Description: | Backfilled low shoulder area with topsoil. |
| Man-hours: | 2.5hrs. |
| Equipment: | 420 Cat backhoe, 412 pickup plus hand tools. |
| Materials: | 1 yard of topsoil. |

| | |
|---|---|
| Location: | N 5th and E Market Street. |
| Starting Date: | 12/5/2019 |
| Completion Date | 12/5/2019 |
| Description: | Repaired sinkhole at catch basin for positive drainage. |
| Man-hours: | 1hr. |
| Equipment: | 412 pickup plus hand tools. |
| Materials: | 80lbs. bag of concrete. |

| | |
|---|---|
| Location: | Maple and Cherry, Fayetteville and Futrell, Outlet Center Drive, 10th and North, 5th and Brogden, 125-230-250-270 Equity, 4th and Hancock, 7th and Hancock, 522 S 5th, 215 Turlington, 1109 S Vermont, Turlington and Vermont, Stevens and Vermont, Woodsdale and Bookerdairy, Woodsdale and Hazelwood, Berkshire and Edgerton, 509 Rosewood, 407-422 S 2nd, Hospital and Berkshire, 408 E Lee, Peedin near RR track, Glenn and 5th, Wellons and SBL, North and Buffalo, Alley between PD and EMS. |
| Starting Date: | 12/6/2019 |
| Completion Date: | 12/31/2019 |
| Description: | Repaired 61 potholes with Perma Patch asphalt. |
| Man-hours: | 11.36hrs. |
| Equipment: | 412 pickup plus hand tools. |
| Materials: | 44.75 bags of Perma Patch. |

| | |
|---|---|
| Location: | Community Park. |
| Starting Date: | 12/6/2019 |
| Completion Date: | 12/9/2019 |
| Description: | Assisted Parks and Rec with Grinch Run. |
| Man-hours: | 3.67hrs. |
| Equipment: | 412 and 905 pickups with trailers. |
| Materials: | 80 traffic cones, 10 barrels, 6 recycling containers. |

| | |
|---|---|
| Location: | 301 S 2nd Street. |
| Starting Date: | 12/9/2019 |
| Completion Date: | 12/9/2019 |
| Description: | Removed hazardous tree pushing up sidewalk panels. |
| Man-hours: | 8hrs. |
| Equipment: | 420 Cat backhoe, 408 flatbed truck plus hand tools. |
| Materials: | N/A |

| | |
|---|---|
| Location: | Bob Wallace Park and Dog Park. |
| Starting Date: | 12/11/2019 |
| Completion Date: | 12/11/2019 |
| Description: | Planted two Willow Oak trees for Garden Club. |
| Man-hours: | 7hrs. |
| Equipment: | 420 Cat backhoe, 405 dump truck, 905 pickup plus hand tools. |
| Materials: | Two large Willow Oaks from Taylors Nursery. |

| | |
|---|---|
| Location: | Down Town. |
| Starting Date: | 12/12/2019 |
| Completion Date: | 12/12/2019 |
| Description: | Assisted Police Department and Parks and Rec with Christmas Parade. |
| Man-hours: | 8.18hrs. |
| Equipment: | 412 with cone trailer, 905 with trailer and trash truck. |
| Materials: | 83 traffic cones and 16 event containers. |

| | |
|---|---|
| Location: | 920 3rd Ave. |
| Starting Date: | 12/13/2019 |
| Completion Date: | 12/13/2019 |
| Description: | Repaired low shoulder in right of way. |
| Man-hours: | 1hr. |
| Equipment: | 412 pickup plus hand tools. |
| Materials: | ½ yard of topsoil. |

| | |
|---|---|
| Location: | S Etna, 410 Wellons and 410 W Sanders. |
| Starting Date: | 12/17/2019 |
| Completion Date: | 12/18/2019 |
| Description: | Repaired 3 areas in roadway caused by root damage and pot holes. |
| Man-hours: | 15.01hrs. |
| Equipment: | 420 Cat backhoe, 405 dump truck, 408 flatbed plus hand tools. |
| Materials: | 8.14 tons of 9.5B asphalt mix. |

:

**Town of Smithfield**
**Public Works Fleet Maintenance Division**
**Monthly Report**
**Dec. 31, 2019**

## I. Statistical Section

0 Preventive Maintenances

0 North Carolina Inspections

25 Work Orders

## II. Major Revenues

None for the month

## III. Major Expenses for the Month:

None for the month

## IV. Personnel Update:

None for the month

## V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department safety meeting was on "Be Safe, Be Proud".

**Town of Smithfield**
**Public Works Sanitation Division**
**Monthly Report**
**Dec. 31, 2019**

## I. Statistical Section

The Division collected from approximately 4100 homes, 4 times during the month

- **a.** Sanitation forces completed 57 work orders
- **b.** Sanitation forces collected 437.61 tons of household waste
- **c.** Sanitation forces disposed of 80 loads of yard waste and debris at Spain Farms Nursery
- **d.** Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- **e.** Town's forces collected 0 tons of construction debris (C&D)
- **f.** Town disposed of 0 scrap tires that was collected at Convenient Site Center
- **g.** Recycling forces collected 3.30 tons of recyclable plastic
- **h.** Recycled 1980 lbs. of cardboard material from the Convenient Site Center
- **i.** A total of 0 gals of cooking oil was collected at the Convenient Site Center
- **j.** Recycled 2360 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

## II. Major Revenues

- **a.** Received $ 0 from Sonoco Products for cardboard material
- **b.** Sold 0 lbs. of aluminum cans for $ 0
- **c.** Sold 0 lbs. of shredder steel for $ 0 to Omni Source

## III. Major Expenses for the Month:

Spain Farms Nursery was paid $2475.00 for disposal of yard waste and debris.
Paid $541.77 to Blacks Tire Service for tires for yellow leaf box. Paid $951.25 to Carolina Environmental System Inc. for swivel motor Knuckle boom Loader #304.
Paid $450.10 to Gregory Poole Equipment co. for Repairs to Knuckle Boom loader #301.
Paid $1,380.75 to Sampson Bladen Oil Co. for Hydraulic Fluid and oil.

## IV. Personnel Update:

No new hiring's in December.
Utilized Mitchell's Temporary Service.

## V. Narrative of monthly departmental activities:

The department worked closely with Parks & Recreation providing traffic control devices and event containers for special events held at the SRAC. Provided cones and event cans for Christmas lighting Downtown Development 12/5/19. Provided cones and event cans for Christmas Parade12/12/19. Provided rollouts for Sarah Yard Christmas.12/20/19 The Public Works Department safety meeting was on "Be Safe, Be Proud."
Community Service Workers worked 8.5 hrs.

SMITHFIELD
PARKS AND RECREATION

# MONTHLY REPORT FOR DECEMBER, 2019

| PROGRAMS SATISTICS | DECEMBER, 2019 | DECEMBER, 2018 |
|---|---|---|
| NUMBER OF PROGRAMS | 7 | 7 |
| TOTAL ATHLETICS PARTICIPANTS | 270 | 223 |
| TOTAL NON/ATHLETIC PARTICIPANTS | 1970 | 1203 |
| SARAH YARD COMMUNITY CENTER | 281 | 244 |
| NUMBER OF GAMES PLAYED | 0 | 0 |
| TOTAL NUMBER OF PLAYERS (GAMES) | 0 | 0 |
| NUMBER OF PRACTICES | 180 | 223 |
| TOTAL NUMBER OF PLAYER(S) PRACTICES | 1800 | 2230 |

| | DECEMBER, 2019 | 19/20 FY YTD | DECEMBER, 2018 | 18/19 FY YTD |
|---|---|---|---|---|
| PARKS RENTALS | 14 | 159 | 10 | 138 |
| USERS (PARKS RENTALS) | 247 | 7898 | 200 | 9575 |
| **TOTAL UNIQUE CONTACTS** | **4,298** | | **3,877** | |

| FINANCIAL STATISCTICS | DECEMBER, 2019 | 19/20 FY YTD | DECEMBER, 2018 | 18/19 FY YTD |
|---|---|---|---|---|
| PARKS AND RECREATION REVENUES | $ 2,704.00 | $ 40,685.00 | $ 2,648.00 | $ 36,641.00 |
| PARKS AND RECREATON EXPENDITURES (OPERATIONS) | $ 51,670.00 | $ 355,124.00 | $ 90,197.00 | $ 387,158.00 |
| PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP) | $ 5,000.00 | $ 113,953.00 | $ 49.00 | $ 44,302.00 |
| SARAH YARD COM CTR EXPENDITURES | $ 2,462.00 | $ 14,208.00 | $ 1,896.00 | $ 10,769.00 |

NOTES: HOSTED CHRISTMAS TREE LIGHTING (WITH DSDC)
HOSTED THE ANNUAL CHRISTMAS PARADE WIT MORE THAN 88 ENTRIES
HOSTED THE GRINCH RUN WITH PROCEEDS BENEFITTING DSS AND HARBOR HOUSE

# MONTHLY REPORT FOR DECEMBER, 2019

**PROGRAMS SATISTICS**

| | | |
|---|---|---|
| NUMBER OF PROGRAMS | 21 | 23 |
| TOTAL CONTACT WITH PROGRAM PARTICIPANTS | 3413 | 1502 |

| | DECEMBER, 2019 | 19/20 FY YTD | DECEMBER, 2018 | 18/19 FY YTD |
|---|---|---|---|---|
| SRAC MEMBER VISITS | 2810 | 21162 | 2683 | 21838 |
| DAY PASSES | 437 | 0 | 477 | 4780 |
| RENTALS (SRAC) | 41 | 0 | 57 | 380 |
| USERS (SRAC RENTALS) | 6722 | 0 | 6423 | 27924 |
| **TOTAL UNIQUE CONTACTS** | **13,382** | | **11,085** | |

| **FINANCIAL STATISCTICS** | **DECEMBER, 2019** | **19/20 FY YTD** | **DECEMBER, 2018** | **18/19 FY YTD** |
|---|---|---|---|---|
| SRAC REVENUES | $ 36,564.00 | $ 313,210.00 | $ 36,056.00 | $ 310,975.00 |
| SRAC EXPENDITURES | $ 84,835.00 | $ 505,062.00 | $ 59,649.00 | $ 473,685.00 |
| SRAC MEMBERSHIPS | 2155 | | 1710 | |

**NOTES:** Hosted 7 High School Swim Meets with 450+ Competitors and 1500+ visitors
Hosted 2 Johnston Community College Basketball Games
Hosted Liga Latina Basketball League with 12 teams participating

**Utilities Department**
**Monthly Report**
**December 2019**

- **Statistical Section**
  - Electric CP Demand 23,050 Kw relative to November's demand of 22,199 Kw.
  - Electric System Reliability for was 99.285%, with one (1) recorded outage; relative to November's 99.999%.
  - Raw water treated on a daily average was 3.699 MG relative to 3.632 MG for November; with maximum demand of 4.393 MG relative to November's 4.507 MG.
  - Total finished water to the system was 105.743 MG relative to November's 100.856 MG. Average daily for the month was 3.411 MG relative to November's 3.253 MG. Daily maximum was 3.772 MG (December 18th) relative to November's 3.830 MG. Daily minimum was 3.084 (December 3rd), relative to November's 2.759 MG.
- **Miscellaneous Revenues**
  - Water sales were $222,817 relative to November's $226,398
  - Sewer sales were $363,337 relative to November's $363,438
  - Electrical sales were $1,241,890 relative to November's sales of $1,193,614
  - Johnston County Water purchases were $133,822 for 60.828 MG relative to November's $126,361 for 57.437 MG.
- **Major Expenses for the Month**
  - Electricity purchases were $992,096 relative to November's $935,829.
  - Johnston County sewer charge was $237,905 for 64.661 MG relative to November's $155,837 for 42.621 MG.
- **Personnel Changes –**
  - There were no changes in the month of December

**Town of Smithfield**
**Electric Department**
**Monthly Report**
**December, 2019**

## I. Statistical Section

- Street Lights repaired –27
- Area Lights repaired -10
- Service calls – 35
- Underground Electric Locates –81
- Poles changed out or installed -4
- Underground Services Installed -0

## II. Major Revenues

- N/A

## III. Major Expenses for the Month:

- N/A

## IV. Personnel Update:

- The Utility Dept. had a Safety Meeting on Excavation & Trenching.

## V. Miscellaneous Activities:

- Ashpiund finished trimming tree.
- Installed Lights for Welcome Signs.
- Installed Underground Primary line along Kellie Dr. for new Dentist office.
- Replaced Circuit Breaker in Hospital Rd. Substation due to a fault on the breaker.

# WATER & SEWER

## DECEMBER 2019 MONTHLY REPORT

| | |
|---|---|
| DISCONNECT WATER | 9 |
| RECONNECT WATER | 8 |
| TEST METER | 2 |
| TEMPORARY METER SET | 1 |
| DISCOLORED WATER CALLS | 1 |
| LOW PRESSURE CALLS | 3 |
| NEW/RENEW SERVICE INSTALLS | 1 |
| LEAK DETECTION | 16 |
| METER CHECKS | 18 |
| METER REPAIRS | 9 |
| WATER MAIN/SERVICE REPAIRS | 6 |
| STREET CUTS | 6 |
| REPLACE EXISTING METERS | 10 |
| INSTALL NEW METERS | 16 |
| FIRE HYDRANTS REPAIRED | 0 |
| FIRE HYDRANTS REPLACED | 0 |
| SEWER REPAIRS | 9 |

## Smithfield Water Plant

Distribution Sampling Site Plan

## Hydrant Flushing

| Street Name | Date | Chlorine | Time | Gallons | Psi | Street Name | Date | Chlorine | Time | Gallons | PSI |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Stephson Drive | 12/19/19 | 3.4 | 15 | 7965 | 10 | North Street | 12/19/19 | 1 | 15 | 17820 | 40 |
| Computer Drive | 12/19/19 | 3.4 | 15 | 31860 | 10 | West Street | 12/19/19 | 1.5 | 15 | 78030 | 50 |
| Castle Drive | 12/19/19 | 3.4 | 15 | 7965 | 10 | Regency Drive | 12/19/19 | 1 | 15 | 63720 | 60 |
| Parkway Drive | 12/19/19 | 3.2 | 15 | 63720 | 40 | Randers Court | 12/19/19 | 1.5 | 15 | 15930 | 40 |
| Garner Drive | 12/19/19 | 3.2 | 15 | 63723 | 40 | Noble Street | 12/19/19 | 0.8 | 15 | 15930 | 40 |
| Hwy 210 LIFT ST. | 12/19/19 | 3.2 | 15 | 15930 | 40 | Fieldale Dr#1(L) | 12/19/19 | 0.4 | 15 | 63720 | 40 |
| Skyland Drive | 12/19/19 | 3.4 | 15 | 7965 | 10 | Fieldale Dr#2(R ) | 12/19/19 | 0.6 | 15 | 63720 | 40 |
| Bradford Street | 12/23/19 | 3.2 | 15 | 15930 | 10 | Heather Court | 12/19/19 | 1.5 | 15 | 15930 | 40 |
| Kellie Drive | 12/23/19 | 3.4 | 15 | 7965 | 10 | Reeding Place | 12/19/19 | 1.5 | 15 | 15930 | 40 |
| Edgewater | 12/23/19 | 3.2 | 15 | 7965 | 10 | East Street | 12/19/19 | 1 | 15 | 63720 | 40 |
| Edgecombe | 12/23/19 | 2.8 | 15 | 15930 | 40 | Smith Street | 12/19/19 | 1 | 15 | 63720 | 40 |
| Valley Wood | 12/23/19 | 3.4 | 15 | 63720 | 40 | Wellons Street | 12/19/19 | 0.2 | 15 | 63720 | 40 |
| Creek Wood | 12/23/19 | 3.4 | 15 | 63720 | 40 | Kay Drive | 12/20/20 | 2.5 | 15 | 38985 | 15 |
| White Oak Drive | 12/23/19 | 3.2 | 15 | 7965 | 10 | Huntington Place | 12/20/20 | 2 | 15 | 38985 | 15 |
| Brookwood Drive | 12/23/19 | 3.4 | 15 | 22515 | 5 | N. Lakeside Drive | 12/20/20 | 2 | 15 | 9750 | 15 |
| Runneymede Place | 12/23/19 | 3.4 | 15 | 31860 | 10 | Cypress Point | 12/20/20 | 2 | 15 | 34890 | 12 |
| Nottingham Place | 12/23/19 | 3.4 | 15 | 38985 | 10 | Quail Run | 12/20/20 | 1.5 | 15 | 8715 | 12 |
| Heritage Drive | 12/23/19 | 3.4 | 15 | 38985 | 10 | British Court | 12/20/20 | 1.5 | 15 | 8715 | 12 |
| Noble Plaza #1 | 12/23/19 | 2.6 | 15 | 9750 | 10 | Tyler Street | 12/20/20 | 2 | 15 | 78030 | 60 |
| Noble Plaza #2 | 12/23/19 | 2.8 | 15 | 9750 | 10 | Yelverton Road | 12/20/20 | 1.5 | 15 | 63720 | 40 |
| Pinecrest Street | 12/23/19 | 3.2 | 15 | 19500 | 10 | Ava Gardner | 12/20/20 | 2 | 15 | 63720 | 40 |
| S. Sussex Drive | 12/23/19 | 3.4 | 15 | 31860 | 10 | Waddell Drive | 12/20/20 | 2 | 15 | 7965 | 10 |
| Elm Drive | 12/23/19 | 3.2 | 15 | 9750 | 10 | Henly Place | 12/23/19 | 2.5 | 15 | 8715 | 12 |
| | | | | | | Birch Street | 12/23/19 | 3 | 15 | 34890 | 12 |
| Coor Farm Supply | 12/23/19 | 2.8 | 15 | 7965 | 10 | Pine Street | 12/23/19 | 3 | 15 | 38985 | 15 |
| Old Goldsboro Rd, | 12/23/19 | 3.2 | 15 | 7965 | 10 | Oak Drive | 12/23/19 | 2.5 | 15 | 37695 | 14 |
| Hillcrest Drive | 12/19/19 | 1.5 | 15 | 31860 | 10 | Cedar Drive | 12/23/19 | 2.5 | 15 | 31860 | 10 |
| Eason Street | 12/19/19 | 1 | 15 | 38985 | 40 | Aspen Drive | 12/23/19 | 3 | 15 | 34890 | 12 |
| Magnolia circle | 12/19/19 | 0.8 | 15 | 78030 | 40 | Furlonge Street | 12/23/19 | 3 | 15 | 34890 | 12 |
| Rainbow Drive | 12/19/19 | 1.8 | 15 | 19500 | 60 | Golden Corral | 12/23/19 | 2 | 15 | 40290 | 16 |
| Rainbow Circle | 12/19/19 | 1 | 15 | 19500 | 60 | Holland Drive | 12/23/19 | 2 | 15 | 9750 | 15 |
| Moonbeam Circle | 12/19/19 | 0.8 | 15 | 19500 | 60 | Davis Street | 12/23/19 | 2.5 | 15 | 34890 | 12 |
| Ray Drive | 12/19/19 | 1 | 15 | 15930 | 60 | Caroline Ave. | 12/23/19 | 2 | 15 | 31860 | 10 |
| Will Drive | 12/19/19 | 0.8 | 15 | 63720 | 40 | Johnston Street | 12/23/19 | 2.5 | 15 | 38985 | 15 |
| Michael Lane | 12/19/19 | 1.5 | 15 | 63720 | 40 | Ryans | 12/23/19 | 2.5 | 90 | 9750 | 15 |
| Ward Street | 12/19/19 | 1 | 15 | 15930 | 40 | | | | | | |
| | | | | 977883 | | | | | | 1282815 | 2260698 |

# MONTHLY WATER LOSS REPORT

## DECEMBER, 2019

(4) Meters with slow washer leaks

(2) 3/4" Line, 1/8" hole – 2 days

2" Line, 1/8" hole – 2 days

2" Line, 1/8" hole – 5 days

6" Line, 1/8" hole – 1 day

6" Line, 1/8" hole – 2 days