



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

Town Council

Agenda

Packet

Meeting Date: Tuesday, June 1, 2021

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 JUNE 1, 2021
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

1. Recognition of Boy Scout Troop 124 for their assistance during the recent Shred Event
(Mayor – M. Andy Moore)
2. Utility Customer Smart Portal
(Public Utilities Director – Ted Credle) See attached information.....1

Public Hearings:

1. SUP-21-04 Saint Ann Catholic Church: The applicant is seeking a special use permit to allow for an outdoor columbaria on a 15.2 acre tract of land located within the B-3 (Highway Entrance Business) and R-20A (Residential-Agricultural) zoning districts. The property considered for approval is located on the west side US Highway 70 Business West approximately 2,100 feet north of its intersection with Cloverdale Drive and further identified as Johnston County Tax ID# 17Q99003.
(Planning Director – Stephen Wensman) See attached information.....3
2. FY 2021-2022 Budget: In accordance with NCGS 159 -12 (b), before adopting the budget ordinance, the Town Council shall hold a public hearing at which time any persons who wish to be heard on the budget may appear before the board.
(Town Manager – Michael Scott) See attached information.....29

Citizens Comments

Consent Agenda Items:

- 1. Approval of Minutes:
 - a. April 22, 2021 – Budget Session
 - b. April 26, 2021 – Budget Session
 - c. April 27, 2021 – Budget Session
 - d. May 4, 2021 – Regular Meeting
 - e. May 4, 2021 – Closed Session (Under Separate Cover)
 - f. May 10, 2021 – Special Meeting.....31

- 2. Special Event – Concert: Compass Community Church is seeking approval to conduct a concert at the Town Commons on Saturday, June 26, 2021 from 12:00 pm until 2:00 pm. This request includes amplified sound. (Planning Director – Stephen Wensman) See attached information.....61

- 3. Consideration and request for approval to promote a Police Officer II to the rank of Master Police Officer (Chief of Police – R. Keith Powell) See attached information.....65

- 4. Consideration and request for approval of various budget amendments (Finance Director – Greg Siler) See attached information.....75

- 5. Consideration and request for approval to renew an agreement with the Smithfield Disabled American Veterans Chapter 44 for the use of the Parks and Recreation building located at 1500 Buffalo Road. (Town Manager – Michael Scott) See attached information.....79

- 6. Consideration and request for approval of the 2021-2023 Interlocal Agreement with Johnston County for Fire Services (Assistant Fire Chief – Jeremy Daughtry) See attached information.....87

- 7. Board Appointment
 - a. Peggy Scott has submitted an application for consideration to be reappointed to the Appearance Commission for a third term. (Town Clerk – Shannan Parrish) See attached information.....99

- 8. New Hire Report (HR Director/ PIO – Tim Kerigan) See attached information.....103

Business Items:

- 1. Consideration and request for approval to promote the Public Works Superintendent to Public Works Director (Town Manager – Michael Scott) See attached information.....105

- 2. ANX-12-01: Annexation Request - ASP Smithfield LLC/SST Properties (Samet Properties) submitted a petition to voluntarily annex 193.027 acres into the Town of Smithfield. Also included, adoption of Resolution No. 680 (08-2021) (Planning Director – Stephen Wensman) See attached information.....109

3. Bid Award in the amount of \$240,626.80 to Garris Grading & Paving for the 2021 Street Resurfacing Project (Public Works Director– Lawrence Davis) See attached information.....121

4. Consideration and request for approval of FY 2020-2021 Year End Budget Amendments (Finance Director – Greg Siler) See attached information.....125

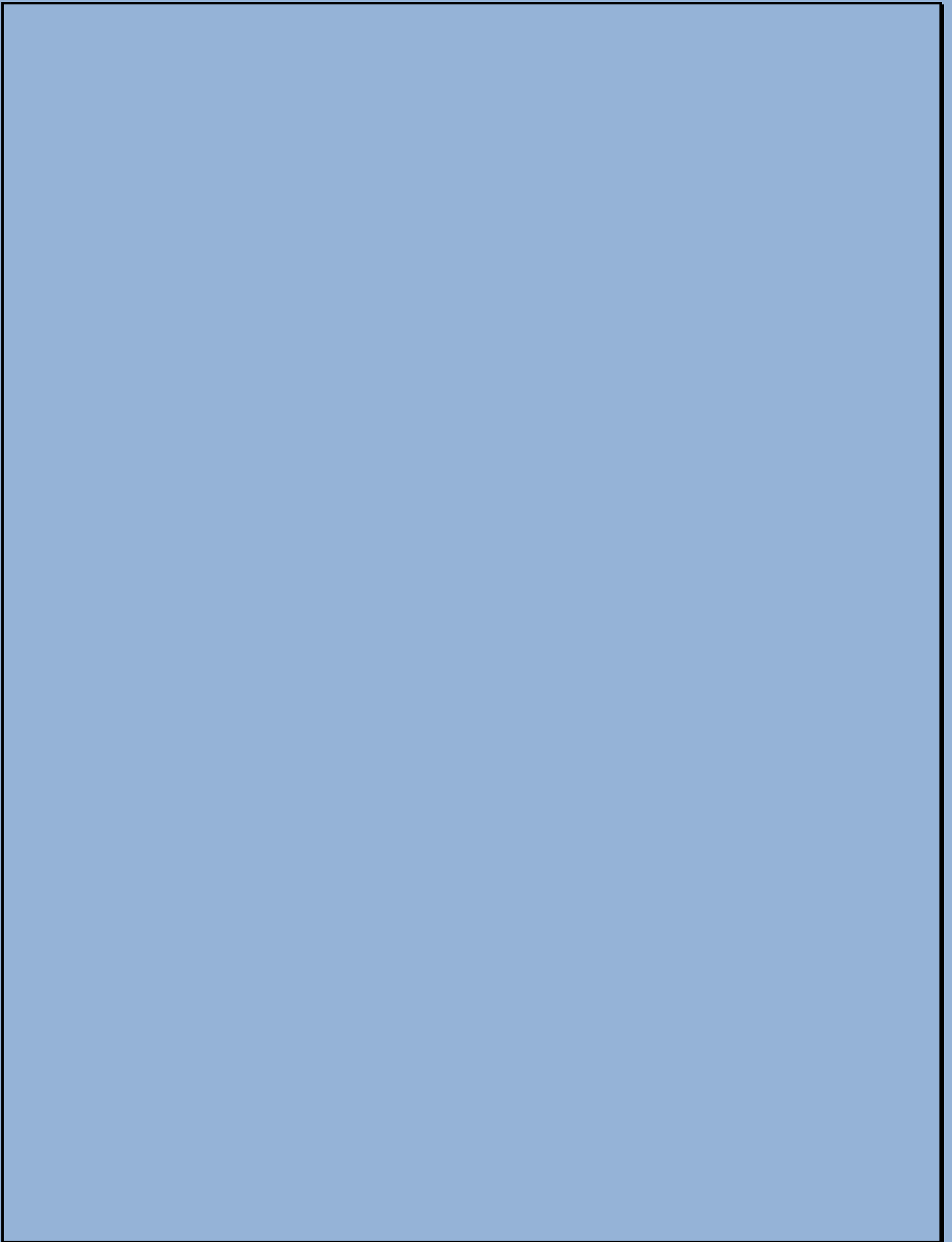
Councilmember’s Comments

Town Manager’s Report

- Financial Report (See attached information).....127
- Department Reports (See attached information).....131
- **Manager’s Report** (Will be provided at the meeting)

Adjourn

Presentations





Request for Town Council Action

Customer
Presentation: Utility
 Portals
Date: 06/01/2021

Subject: The Town has Created On-Line "Smart Portals" so Customers can Review Their Own Electric Consumption

Department: Public Utilities

Presented by: Public Utilities Director - Ted Credle

Presentation: Presentations

Issue Statement

In our continuing efforts to keep customers engaged, the Public Utilities Department has begun a service where any customer may go on-line and view their Utility Account to track their usage and billing information.

Financial Impact

None. The fee to create the portals was included in the approved FY 2020 – FY 2021 budget. This service is free to the customer

Action Needed

None

Recommendation

None

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Presentation: Customer
Utility Portals

The Town is **opening "Smart Portals" to all our electric customers. These portals are available** through the same website where people can pay their bill on-line. A customer merely needs to log-in and the ability to navigate through their monthly consumption will be available beginning July 6, 2021.

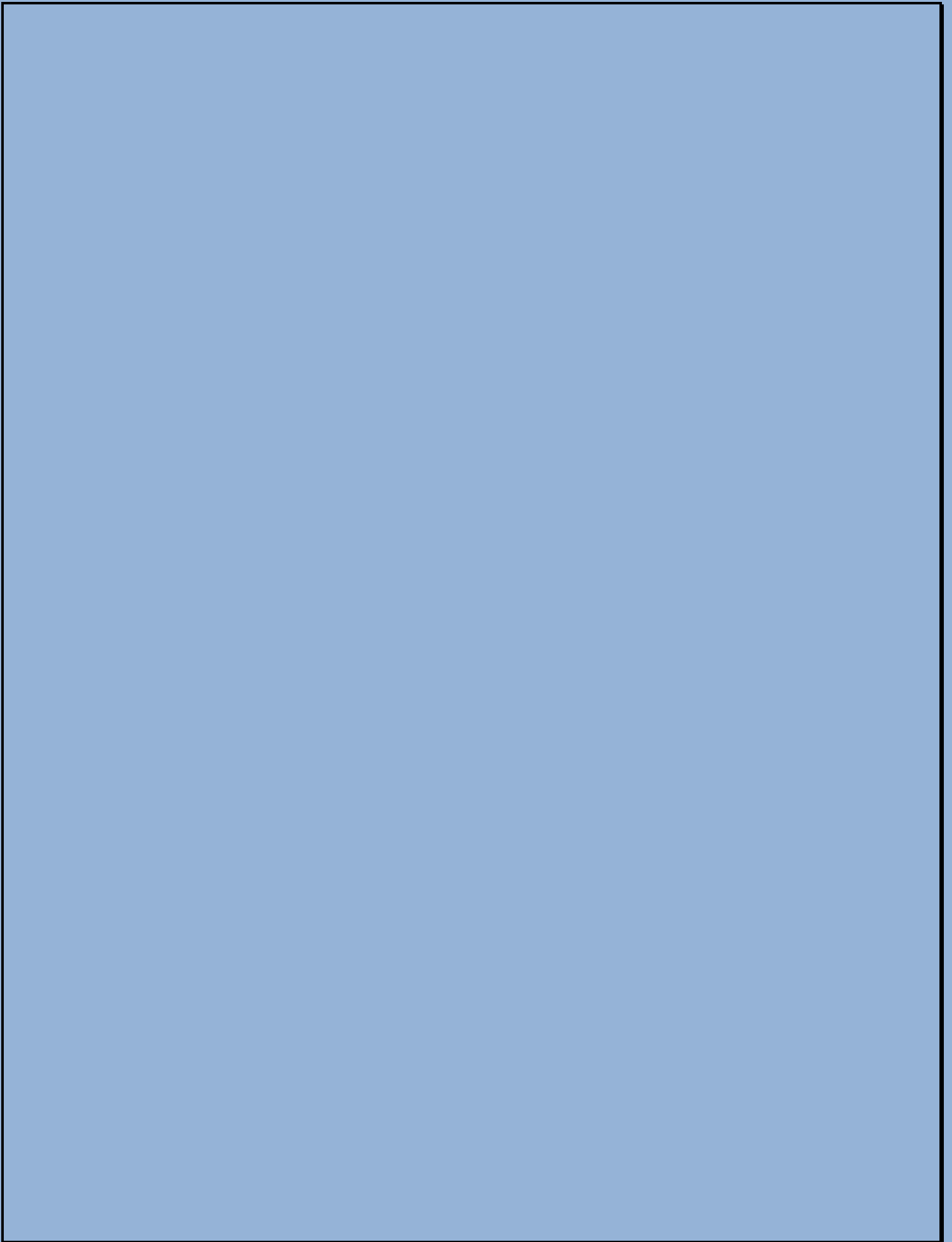
The site will show daily usage, monthly usage, demand (if applicable) and an estimation of **where each account's invoice is** – in real time. Bill inserts will be included in June to announce the launch; as well as, announcements on the web site and on all social media platforms.

Town customer service will be able to explain what the customer is seeing – should they have questions – and help the customer navigate around the site.

This feature will also be available for all new utility accounts in Town.

The initial launch will only be for electric customers; but; once we are comfortable with how things are being received, we will add active water customers, as well.

Public Hearings





Request for Town Council Action

Public
Hearing: SUP- 21-04
Date: 06/01/2021

Subject: **St. Ann's Columbaria**

Department: Planning Department

Presented by: Planning Director - Stephen Wensman

Presentation: Public Hearing

Issue Statement

Terraeden Landscape and Design, LLC is requesting on behalf of St. Ann's Church a special use permit to construct columbaria on the church property located at 4057 US Highway 70 Business.

Financial Impact

None.

Action Needed

To hold a quasi-judicial hearing, review the special use permit request and decide whether to approve, approve with conditions or deny the request.

Recommendation

Planning Staff recommends the Town Council approve SUP-21-04 based on finding of fact for special use permits.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Finding of Fact
3. Application
4. Diocese Letter
5. **Site Plan**
6. Zoning Map
7. Adjacent Property Owner Listing and Notification



Staff Report

Public Hearing: SUP-21-04

REQUEST:

Terraeden Landscape and Design, LLC is requesting on behalf of St. Ann's Church a special use permit to construct columbaria with 4,000 niches on the church property located at 4057 US Highway 70 Business..

SPECIAL USE:

Columbaria in the B-3 zoning district and those with over 200 niches require a special use permit.

APPLICATION:

Application Number: SUP-21-04
Location: **4057 US Highway 70 Business West**
Project Name: **St. Ann's Columbaria**
Parcel ID number: 17Q00993
Town Limits/ETJ: ETJ
Applicant: **Terraeden Landscape and Design, LLC**
Property Owner: **Luis Rafael Arama, Bishop of the Roman Catholiod Diocese of Raleigh**
Agents: None

SITE/DEVELOPMENT DATA:

Acreage: 15.29 acres
Present Zoning: B-3
Existing Uses: **Place of Worship**
Proposed Use: **Place of Worship with Columbaria**
Fire Protection: **Wilson's Mills**
School Impacts: None
Parks and Recreation: None
Water Provider: Johnston County
Sewer Provider: Johnston County
Electric Provider: Duke

ADJACENT ZONING AND LAND USES:

	Existing Zoning	Existing Use:
North	B-3	Vacant agricultural
South	B-3	Vacant agricultural
West	R-20A	Rural Residential
East	B-3	Vacant agricultural

EXISTING CONDITIONS:

The area planned for the columbaria is adjacent the church between the church and parking lot (phase 1) and between the church and the Chapel addition (phase 2). The area is comprised of turfgrass and landscaping.

PROJECT DESCRIPTION:

The Town recently adopted regulations for columbaria and had been aware of St. Ann's planned columbaria project. The regulations were recently amended by St. Ann's to refine the regulations and to make adjustments needed to accommodate this application.

The columbaria is comprised of 2 phases:

Phase 1.

The church is planning to construct the columbaria with 1,460 niches to be located between the parking lot and the church. The site is organized with the columbaria arranged in a cross shaped wall, surrounded by 4 ornamental trees and more columbaria in a circle arrangement around the cross with paving and benches. The columbaria are **identified as being 5'-6" tall on the plans. The approach to the columbaria is a walkway passing through an 8'-6" tall memorial plaque wall and scripture wall with a statue and fountain.**

Phase 2.

The church is planning to construct the columbaria with 2,540 niches to be located between the church and the chapel addition. Phase 2 will be visible from US 70 Business West. The site is organized with single sided columbaria walls that form the edge of the columbaria courtyard and create a wall or barrier from US 70 Business West. Within the walls are three linear columbaria walls within a plaza with trees and benches. **The columbaria are identified as being 5'-6" tall on the plans, consistent with Phase 1.**

ANALYSIS:

The planned columbaria are in accordance with the standards of Section 7.35:

- Adequate access is provided for maintenance. The columbaria is accessible from **the St. Ann's parking lot.**
- **St. Ann's will be creating perpetual care and maintenance** trust fund in the amount of 15% of the sales price.
- The church has clear title to the land.
- **The columbaria are shown as 5'-6" tall, less than the maximum allowed**
- They comply with setbacks
- The columbaria are made of stone that complement the church.
- Commemorative plaques will conform to the standards.
- There are over 200 niches, therefore approval of the Special Use Permit will allow the greater number of niches.

FINDINGS OF FACT (STAFF OPINION):

The UDO, Article 4, sets forth eight finding of fact that are required for approval of a special use permit through a quasi-judicial process. (Please see the attached application **which contains the applicant's findings of fact**). Staff's opinion for each finding are shown in *Bold/Italics* below:

4.9.3.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. *The proposed columbaria will not be detrimental to or endanger the public health, safety, or general welfare. The columbaria is well designed and integrated with the church campus.*

4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. *The columbaria will have no impact on the surrounding area. The columbaria is complementary to the church.*

4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided. *All necessary facilities are present.*

4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas. *It will not.*

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. *There is adequate access for pedestrians and for future maintenance.*

4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property. *The columbaria is well integrated into the church campus and will have no impact on adjoining property.*

4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. *The plan will be in harmony with the church.*

4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. *The use will conform to applicable regulations.*

RECOMMENDATION:

The Planning Department recommends approval of the SUP-21-04 based on the findings of fact for special use permits.

RECOMMENDED MOTION:

"Move to approve SUP-21-04 based on the eight finding of fact for special use permits".

"Move to approve eight finding of fact for the special use permit SUP-21-04 found in the staff report on pages 6 & 7."

**Town of Smithfield
Special Use Permit Application
Finding of Fact / Approval Criteria**

Application Number: SUP-21-04 **Name:** St. Ann's Church Columbaria

Request: The applicant seeks a special use permit to utilize property located within an B-3 (Highway Entranceway Business District) zoning district for residential purposes. The property considered for approval is located at 4057 US Highway 70 Business West, Clayton, NC 27520 further identified as Johnston County Tax IDs 17Q00993.

In approving an application for a special use permit in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town's currently adopted Comprehensive Plan. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which the below requires.

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

- 4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
- 4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- 4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided.
- 4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
- 4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- 4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
- 4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
- 4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Special Use Permit Application # SUP-21-04 with the following condition(s):*

1. _____

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application # SUP-21-04 for the following stated reason:*

1. _____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-21-04 is hereby:

_____ **approved upon acceptance and conformity with the following conditions:**

1. _____

_____ **denied for the noted reasons.**

1. _____

Decision made this 4th day of May 2021 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



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

SPECIAL USE PERMIT APPLICATION

Pursuant to Article 4, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Special Use. Special Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans and one (1) digital copy of all required documents, an Owner's Consent Form (attached) and the application fee.

SITE INFORMATION:

Name of Project: St. Ann Columbarium Acreage of Property: 15.29 ac
Parcel ID Number: 168617-01-1829 Tax ID: 17Q00993
Deed Book: 05157 Deed Page(s): 0051
Address: 4057 US Highway 70 Bus, Clayton NC 27520
Location: 4320' northwest of the intersection of US 70 Bus and Swift Creek Rd.

Existing Use: Church Proposed Use: Church/Columbarium
Existing Zoning District: Combination of B-3 Commercial, R-20A Residential and AR Agricultural

Is project within a Planned Development: Yes No
Planned Development District (if applicable): not applicable
Is project within an Overlay District: Yes No
Overlay District (if applicable): not applicable

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

REQUIRED FINDING OF FACT

Article 4 of the Town of Smithfield Unified Development Ordinance requires applications for a Special Use Permit to address the following findings. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which this section requires. The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
see attachment

- 2) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
see attachment

- 3) Adequate utilities, drainage, parking, or necessary facilities have been or are being provided
see attachment

- 4) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.
see attachment

- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
see attachment

- 6) That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.
see attachment

- 7) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.
see attachment

- 8) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
see attachment

REQUIRED SITE PLAN INFORMATION

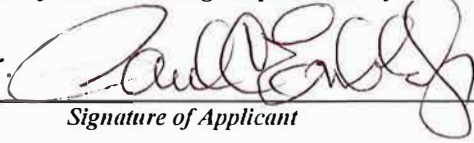
Article 5 of the Town of Smithfield Unified Development Ordinance requires a site plan be prepared by a professional engineer, registered land surveyor, or licensed architect and shall be drawn to scale of not less than one inch equals 30 feet. The site plan shall be based on the latest tax map information and shall be of a size as required by each individual site plan. The site plan shall contain the following information, if applicable as determined by the UDO Administrator:

- 1) A key map of the site with reference to surrounding areas and existing street locations.
- 2) The name and address of the owner and site plan applicant, together with the names of the owners of all contiguous land and of property directly across the street as shown by the most recent tax records.
- 3) Parcel Identification Numbers (PIN) for site and adjacent properties.
- 4) Deed book and page reference demonstrating ownership of property.
- 5) Location of all existing and proposed structures, including their outside dimensions and elevations, streets, entrances, and exits on the site, on contiguous property, and on property directly across the street.
- 6) Building setback, side line, and rear yard distances.
- 7) Location of watercourses, ponds, flood zones, water supply watershed areas, and riparian buffers.
- 8) All existing physical features, including existing trees greater than eight (8) inches in diameter measured four and one-half (4.5) feet above ground level, and significant soil conditions.
- 9) Topography showing existing and proposed contours at no greater than ten (10) foot intervals. All reference benchmarks shall be clearly designated.
- 10) The zoning of the property, including zoning district lines where applicable.
- 11) Lot line dimensions and property lines of the tract to be developed (with dimensions identified), adjacent property lines (including corporate limits, Town boundaries, and county lines).
- 12) Parking, loading, and unloading areas shall be indicated with dimensions, traffic patterns, access aisles, and curb radii per the requirements of Article 10, Part I.
- 13) Types of surfaces for drives, sidewalks, and parking areas.
- 14) Location and design of existing and proposed sanitary waste disposal systems, water mains and appurtenances (including fire hydrants) on or adjacent to the parcel.
- 15) Other utility lines both under- and above-ground, including electric power, telephone, gas, cable television.
- 16) Location of all US Clean Water Act Section 404 wetland areas, located of detention/retention ponds (Best Management Practices), riparian buffers and impervious surface areas with area dimensions, and ratios of impervious surface to the total size of the lot.
- 17) The location of all common areas.
- 18) The location and dimensions of all areas intended as usable open space, including all recreational areas. The plans shall clearly indicate whether such open space areas are intended to be offered for dedication to public use or to remain privately owned.
- 19) Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants, trees, and dimensions, approximate time of planting, and maintenance plans per the requirements of Article 10, Part II. The plan shall include the tree line of wooded areas and individual trees eight (8) inches in diameter or more, identified by common or scientific name.
- 20) Proposed site lighting.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that 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.

TELAD, Paul C. Embler, Jr.



4/1/2021

Print Name

Signature of Applicant

Date



August 25, 2020

Dear Brother Priests,

Within the Diocese of Raleigh, there are 16 parishes with on-site cemeteries and 27 parishes that either have, or are actively planning for, a columbarium.

The Church has an obligation to the families of those who are buried in our Catholic cemeteries, or who are interred in our columbaria, to provide for the perpetual care for those sacred spaces. Therefore, I ask that every parish that has a cemetery or columbarium maintain a perpetual care endowment with the Foundation of the Roman Catholic Diocese of Raleigh. Endowments can be established by contacting the Executive Director of the Foundation, Mr. Joe Langenderfer, at joe@foundationDOR.org.

Based upon national standards, experience within our own Diocese, and upon consultation with several other Dioceses, the amount of the perpetual care endowment for a cemetery should be 25% of the sale price of the existing and any future cemetery plots. The amount of the perpetual care endowment for a columbarium should be 15% of the sale price of the existing and any future columbarium niches. The corpus of these funds should remain intact and the earnings, based upon the current Diocesan spending policy, can be used for perpetual care needs, such as maintenance and repair of the related infrastructure and grounds.

For those parishes with a cemetery or columbarium, I ask that the pastor, in consultation with his Parish Finance Council, develop a plan to build or maintain an endowment, in the amounts referenced above, ideally within a period of three years.

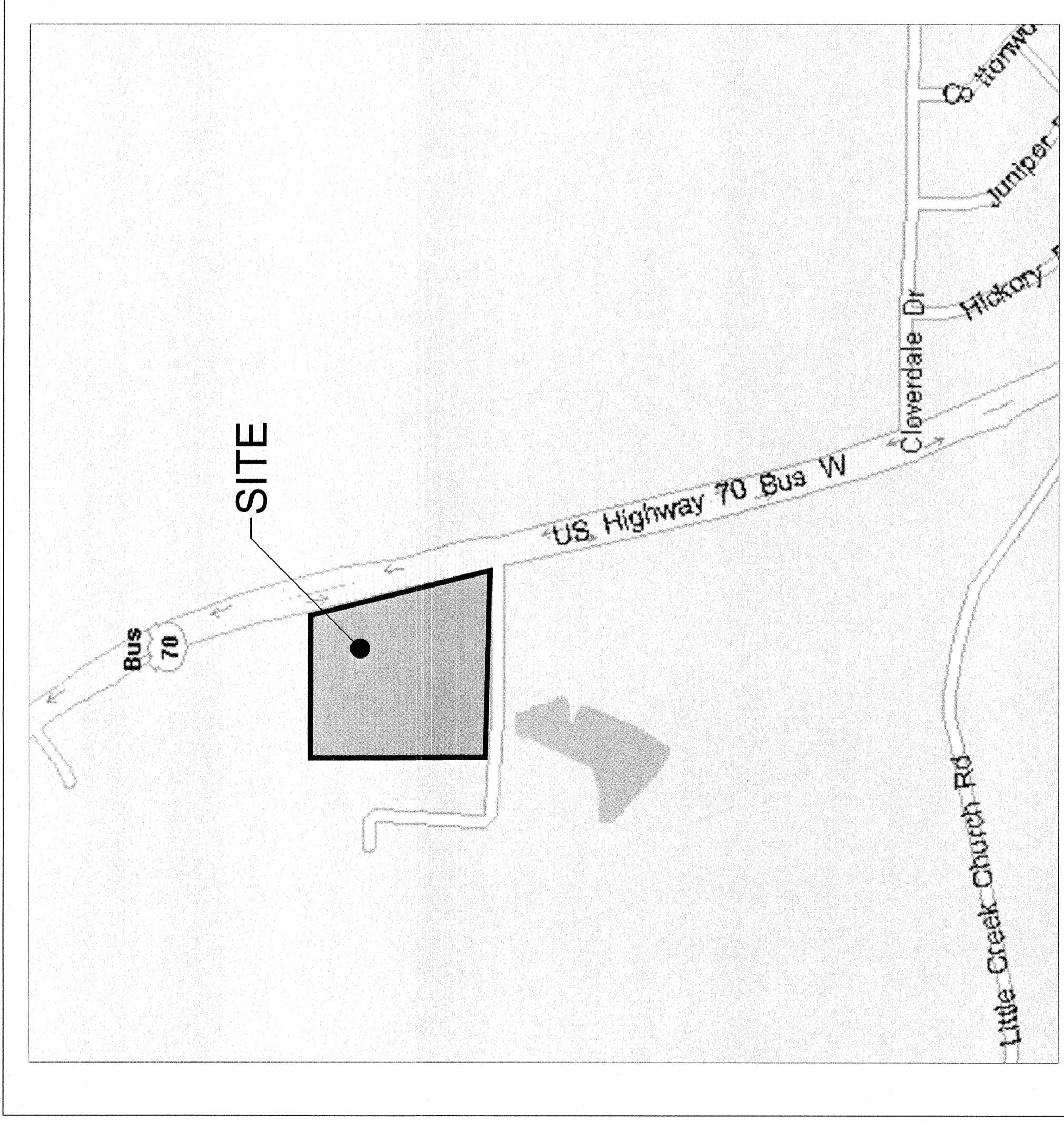
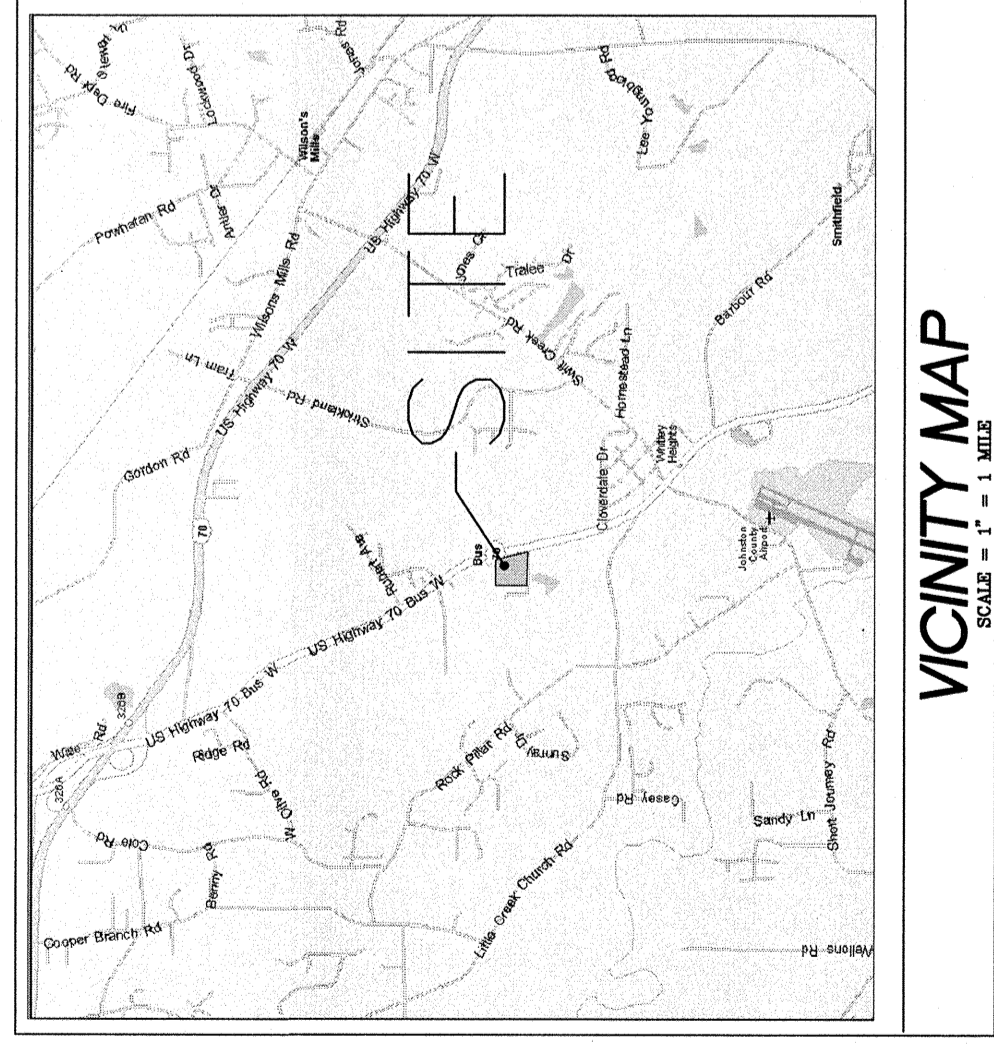
Thank you for your commitment to ensuring that the care for those who are buried or interred at our parishes is provided for in perpetuity.

In Christ,


† Luis Rafael Zarama, J.C.L.
Bishop of Raleigh

Site Plan Information FOR St Ann Catholic Church -Columbarium SUP

4057 US 70 BUS HWY
CLAYTON, NC 27520



VICINITY MAP
SCALE: 1/4" = 1 MILE

ARCHITECT
ROGER CANNON,
CANNON ARCHITECTS
401-135 N. WEST STREET
RALEIGH, NC 27603
(919) 833-1122

LANDSCAPE ARCHITECT
Paul C. Embler Jr., PSLA
Terraeden Landscape & Design,
LLC (TELAD)
11 Kentwood Drive, Smithfield,
NC 27577
(919) 219 - 3410

CIVIL ENGINEER
H. Dean Penny, P.E.
1013 Quail Trail
Clayton, NC 27520
(919) 815 - 3998

SURVEYOR
MATTHEW CRAWFORD, PLS
KCI ASSOCIATES OF NC
4601 SIX FORKS ROAD, SUITE 220
RALEIGH, NC 27609
(919) 783-9214

GEOTECHNICAL ENGINEER
R.L. "LEVI" DENTON, II, PE
TERRACON
2401 BRENTWOOD ROAD, SUITE 107
RALEIGH, NC 27604
(919) 873-2211

OWNER

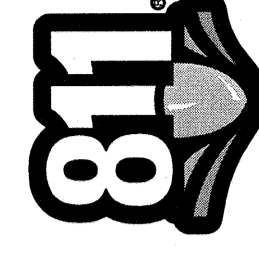
Luis Rafael Zarama, Bishop of the Roman Catholic Diocese of Raleigh
ST ANN CATHOLIC CHURCH
7200 STONEHENGE DRIVE
Raleigh, NC 27613
(919) 821-9717

PROJECT INFORMATION:
PROJECT LOCATION/ADDRESS: 4057 US HWY
CLAYTON, NC 27520
TAX ID: 3804289
BOOK: 0162 PAGE: 0530
OWNER/DEVELOPER: THE ROMAN CATHOLIC DIOCESE
ATTN: Luis Rafael Zarama
PHONE: (919) 821-9717
SITE PLAN PREPARED BY/ Landscape Architect
Paul C. Embler Jr., PSLA
Terraeden Landscape & Design, LLC (TELAD)
11 Kentwood Drive, Smithfield, NC 27577
ZONING: R-3, HIGHWAY BUSINESS, & R-20A,
RESIDENTIAL-AGRICULTURAL
GS PIN #: 168617012708
CURRENT USE: CHURCH AND CLASS ROOMS
PROPOSED USE: CHURCH AND CLASS ROOMS
REFUSE COLLECTION: PRIVATE SERVICE.
LOCAL INSPECTIONS: TOWN OF SMITHFIELD, NC
(919) 934-2116
UTILITIES: JOHNSTON COUNTY UTILITIES
MAKE KEEN (919) 988-5075
STORMWATER: EXISTING BMP DESIGNED FOR
188,817 SF (4.24 ACRES) BUILT
UPON AREA (BUA), PROPOSED
BUA=184,041 SF (4.23 ACRES)

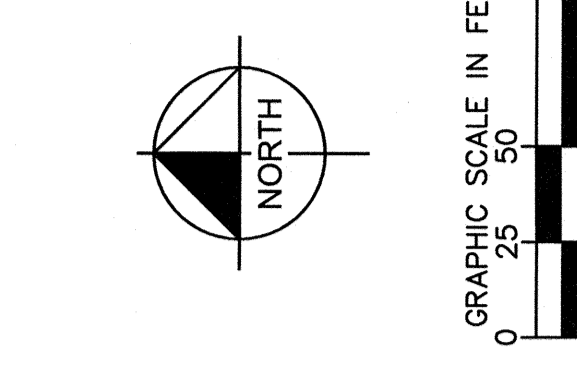
DISTURBED AREA: 7.349 AC

Sheet List Table

Sheet Number	Sheet Title
SUP 0.0	Cover Sheet
SUP 1.0	Existing Site Plan
SUP 1.1	Existing Grading and Drainage Plan
SUP 1.2	Existing Utility Plan
SUP 1.3	Enlarged Existing Utility Plan
SUP 2.0	Campus Masterplan
SUP 3.0	Enlarged Columbarium Phase I
SUP 3.1	Enlarged Columbarium Phase II



Know what's below.
Call before you dig.



PROJECT INFORMATION:
 PROJECT NAME: ST. ANNE CATHOLIC CHURCH
 ADDRESS: 4527 US 70 BUS HWY
 CLAYTON, NC 27820
 BOOK: 0162 PAGE: 0330

OWNER/DEVELOPER:
 THE ROMAN CATHOLIC DIOCESE
 1000 W. Hargett Street
 ATTN: DAVID BROCKMAN
 RALEIGH, NC 27601

SITE PLAN PREPARED/CIVIL ENGINEER:
 PROJECT NO.: 15-0001
 ATTN: MR. BRIAN MCDOTT, P.E., LEED AP
 1000 W. HARGETT STREET, SUITE 200
 RALEIGH, NC 27601
 TELEPHONE: (919) 678-4132

ZONING: B-3, HIGHWAY BUSINESS, & R-20A, RESIDENTIAL-AGRICULTURAL

GS PIN #: 16881701708

CURRENT USE: CHURCH AND CLASS ROOMS

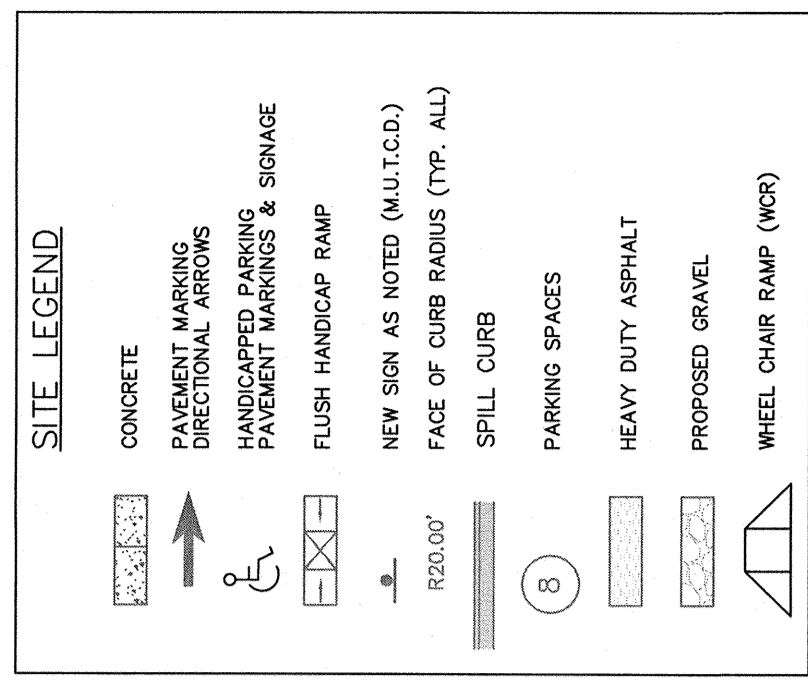
PROPOSED USE: CHURCH AND CLASS ROOMS

REFUSE COLLECTION: PRIVATE SERVICE

SITE DATA	
EXISTING SITE AREA =	14.075 ACRES
PROPOSED SITE AREA =	14.075 ACRES
TOTAL DISTURBED/REMOVED AREA =	7.249 AC
PREVIOUSLY APPROVED IMPERVIOUS AREA =	2,554 AC
TOTAL IMPERVIOUS AREA (PROPOSED) =	4.34 AC
PERVIOUS AREA =	4.13 AC
PERVIOUS IMPERVIOUS (ON-SITE) (4.13/14.075) =	9.72 AC
EXISTING USE OR ADJACENT PROPERTY:	CHURCH & CLASS ROOMS
PROPOSED USE:	CHURCH, ASSEMBLY HALL & CLASS ROOMS
PROPOSED PARISH CENTER AREA:	11,645 SF
PROPOSED MODULAR LEARNING UNITS:	12,066 SF
EXISTING CHURCH AREA:	ASSEMBLY
SETRACK:	50 FEET FROM ROW
FRONT BUILDING =	REDDY BRANCH
REAR BUILDING =	FLOOD PLAIN PER FORM MAP
REAR DRIVE =	25 FEET
FLOOD ZONE:	50 FEET FROM ROW
	REDDY BRANCH
	NO. 3720168600, PANEL 1686, AND NO. 3720168600, PANEL 1686.

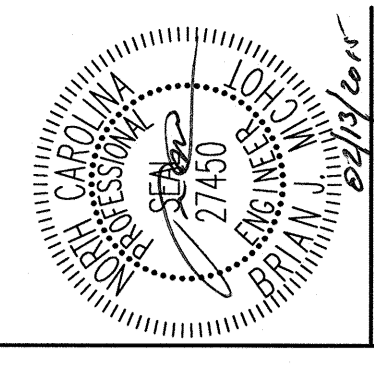
TOTAL REQUIRED PARKING	
(CALCULATION: 613 (CHURCH CAPACITY)/3=204.33)	205 SPACES
TOTAL PARKING PROVIDED (INCLUDES 22 HC SPACES)	258 SPACES
TOTAL AVAILABLE PARKING	58 SPACES
VAN ACCESSIBLE HC STALLS	8 STALLS
STANDARD HC STALLS	16 STALLS

REFER TO SHEET L2.0 FOR LANDSCAPE REQUIREMENTS



ST. ANN CATHOLIC CHURCH

Parish Center
 4527 US, 70 Business CLAYTON, NC



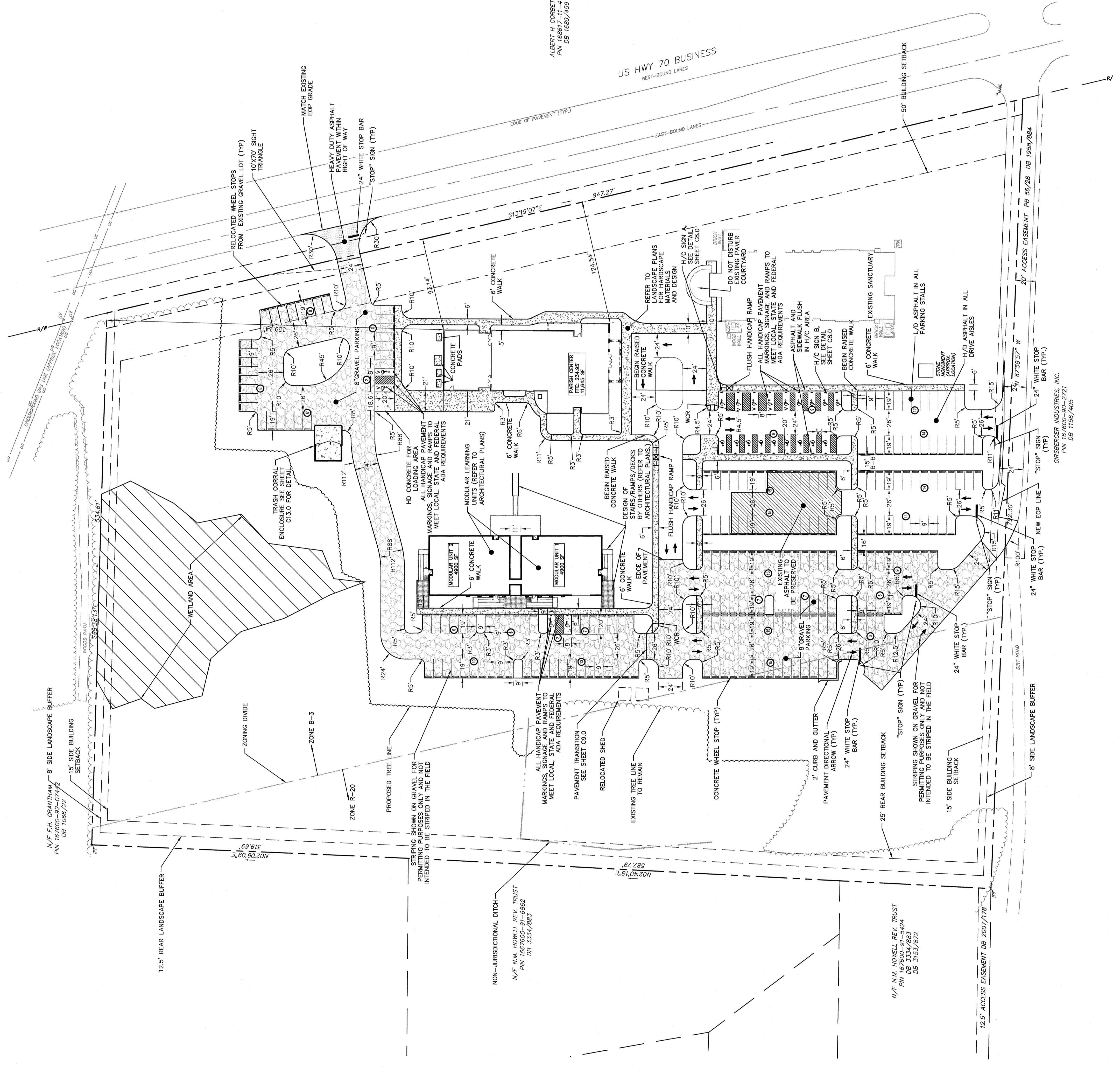
Kimley-Horn & Associates, Inc.
 333 FAYETTEVILLE STREET, SUITE 600, RALEIGH, NC 27601
 WWW.KIMLEY-HORN.COM
 NC LICENSE # F-10102

Existing Site Plan
 Special Use Permit Application
 SHEET SUP-1.0

NELSON ABERNETHY NOTE:
 JOHNSON COUNTY DEPARTMENT OF PUBLIC UTILITIES HAS REVIEWED THIS PROJECT AND HAS NO COMMENTS ON PROJECT SITE. REFER TO NUP # NB-002.

WELAND JURISDICTIONAL DETERMINATION APPROVED BY THE WELAND JURISDICTIONAL DEPARTMENT ON 1 OCTOBER 2014. REFER TO SAW-2014-0181.

SURVEY NOTE:
 EXISTING BOUNDARY AND TOPOGRAPHICAL INFORMATION FOR THIS PROJECT WAS OBTAINED FROM A SURVEY CONDUCTED BY JOHNSON COUNTY DEPARTMENT OF PUBLIC UTILITIES. PLAN - RECORD DRAWING DATED 4/13/2014 BY MOGM & CREED, CARY, NC.



ST. ANN CATHOLIC CHURCH

Parish Center
 4057 US, 70 Business CLAYTON, NC

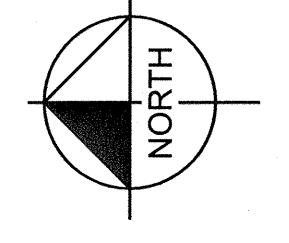
Existing Grading and Drainage Plan
 Special Use Permit Application
 SHEET SUP 1.1

LEGEND

— 100 —	LIMITS OF DISTURBANCE	●	STORM MANHOLE
— 10 —	PROPOSED CONTOURS	□	DRAIN BASIN
— 1.5 —	EXISTING CONTOURS	▽	HEADWALL
— 0 CD-1 —	ROOF DRAIN CLEANOUT	▽	FLARED END SECTION
— X 10.00 —	SPILL CURB	▽	CATCH BASIN
— (HP) —	PROPOSED SPOT ELEV.	▽	RP-RAP
— (LP) —	HIGH POINT	▽	STORM PIPE
— (LC) —	LOW POINT	▽	PROPOSED EASEMENT
— (TC) —	TOP OF CURB/SIDEWALK	▽	
→	FLOW ARROW	▽	
■	DROP INLET	▽	

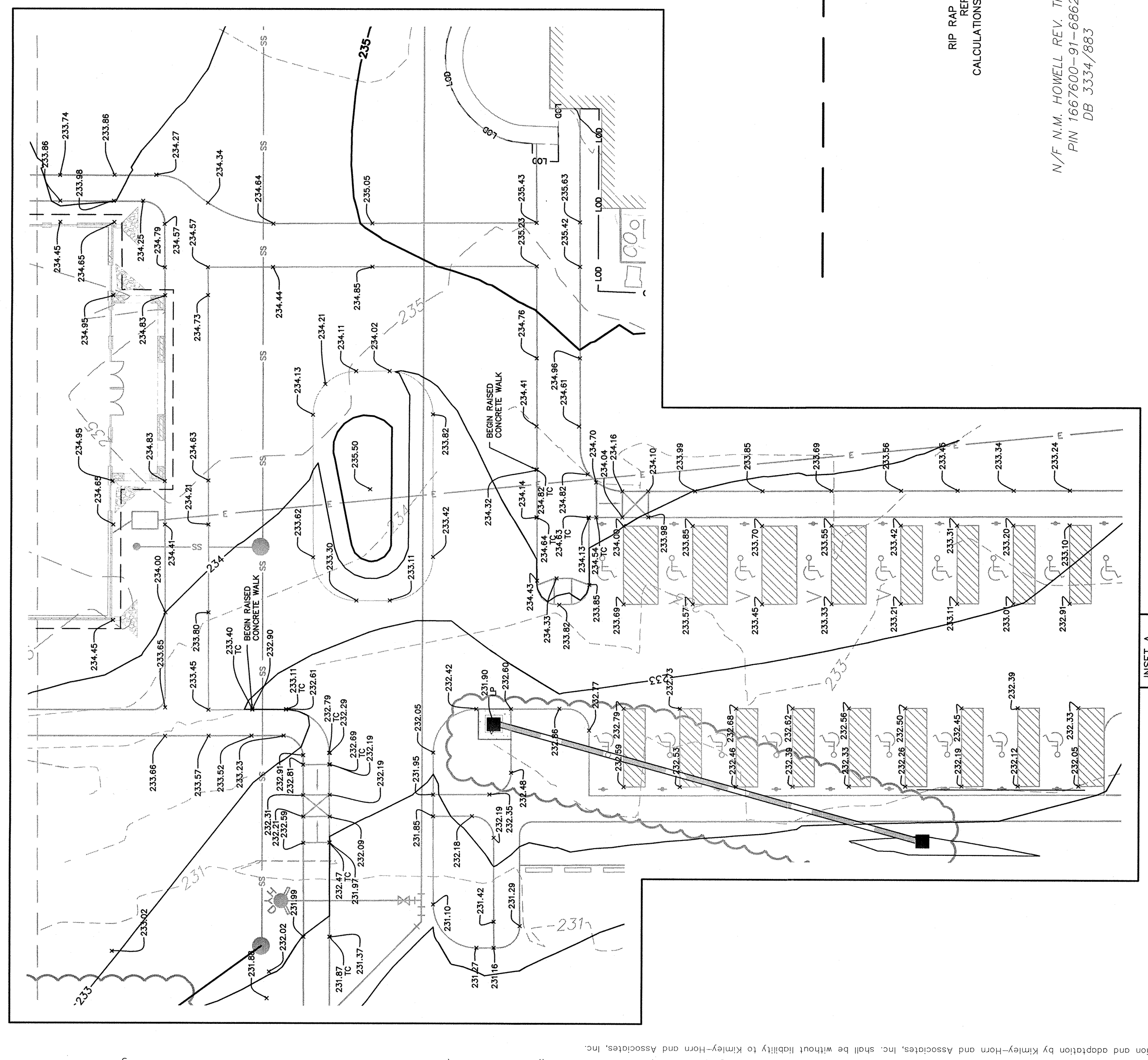
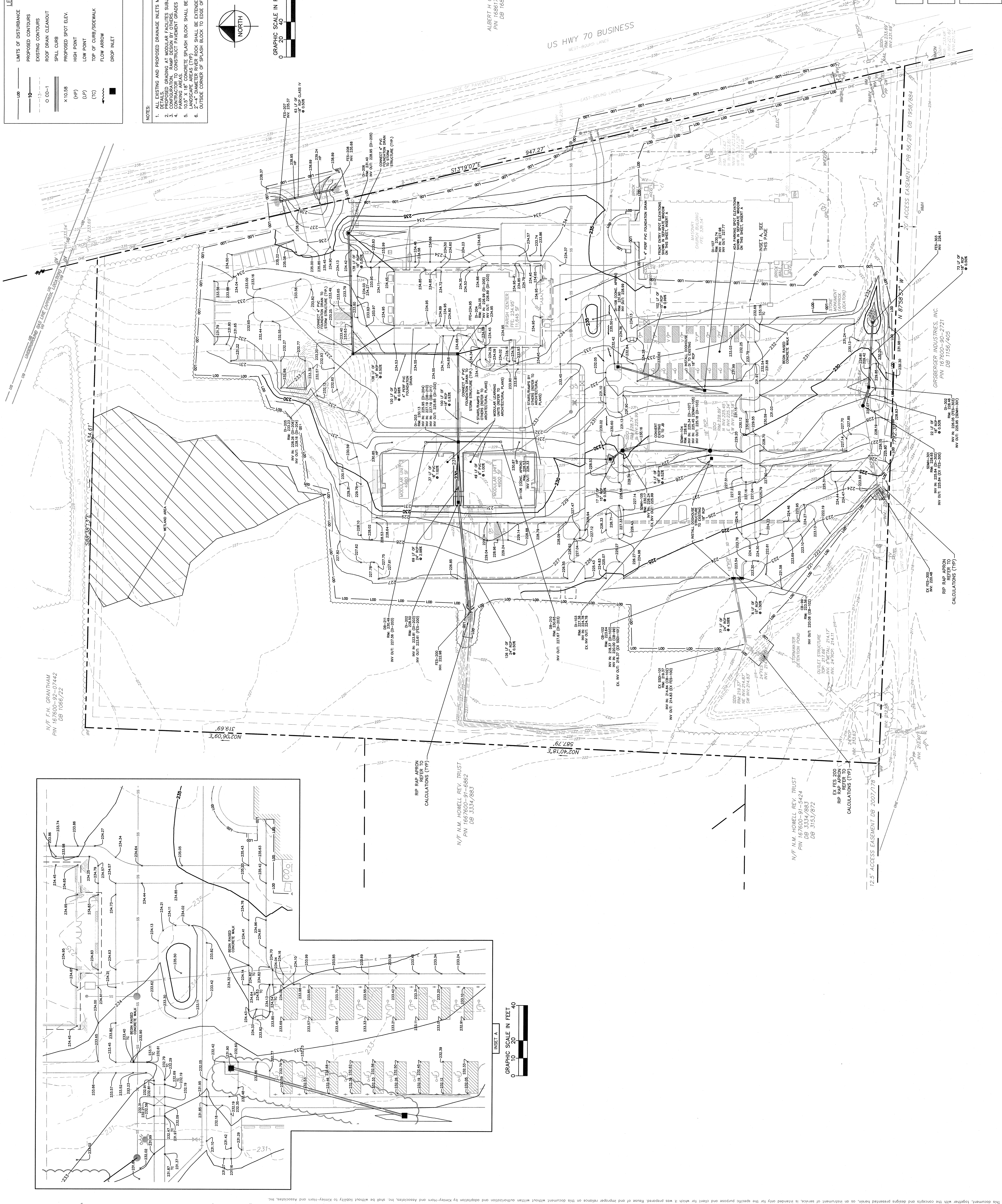
NOTES:

1. ALL EXISTING AND PROPOSED DRAINAGE INLETS MUST BE PROTECTED. SEE SHEET C12.0 FOR PROTECTION DETAILS.
2. PROPOSED GRADING AT MODULAR FACILITIES SUBJECT TO CHANGE BASED ON FEE OF FACILITY AND RAMP CONFIGURATION. RAMP DESIGN BY OTHERS.
3. CONDUIT PARALLEL GRABBERS TO DIRECT DRAINAGE TO PROPOSED DROP INLETS IN PARKING AREAS.
4. SPLASH BLOCK SHALL BE LOCATED UNDER DOWN SPOUTS THAT ARE WITHIN LANDSCAPE AREAS (TOP OF CURB/SIDEWALK).
5. 2"-4" DIAMETER RIVER ROCK SHALL BE EXTENDED AT A DEPTH OF 3" AT 45 DEGREE ANGLES FROM THE OUTSIDE CORNER OF SPLASH BLOCK TO EDGE OF SIDEWALK OR 4" INTO LANDSCAPE AREA (TYP).



GRAPHIC SCALE IN FEET
 0 20 40 80

ALBERT H. CORBETT, JR.
 P.E. 16589/453
 DB 16589/453

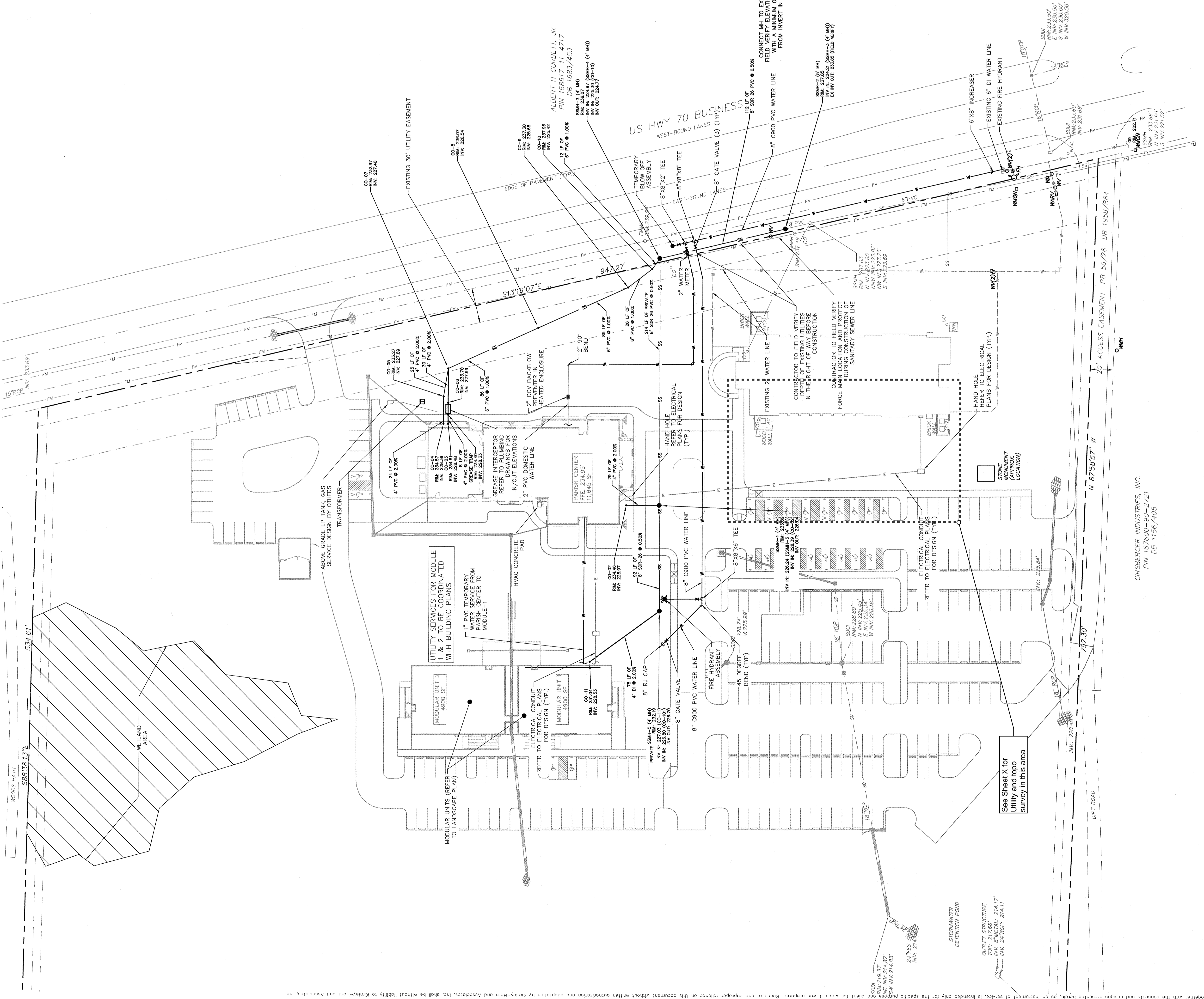
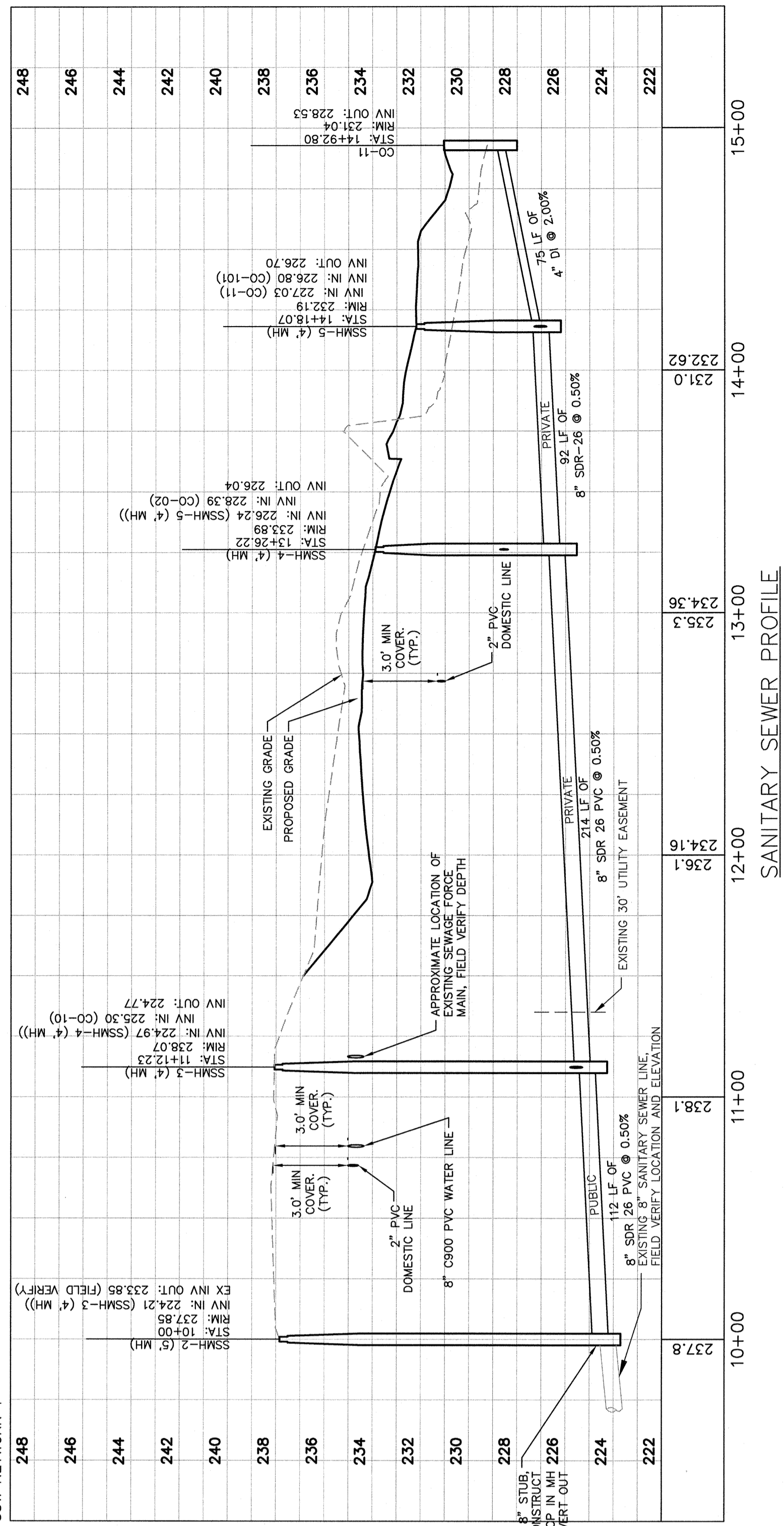
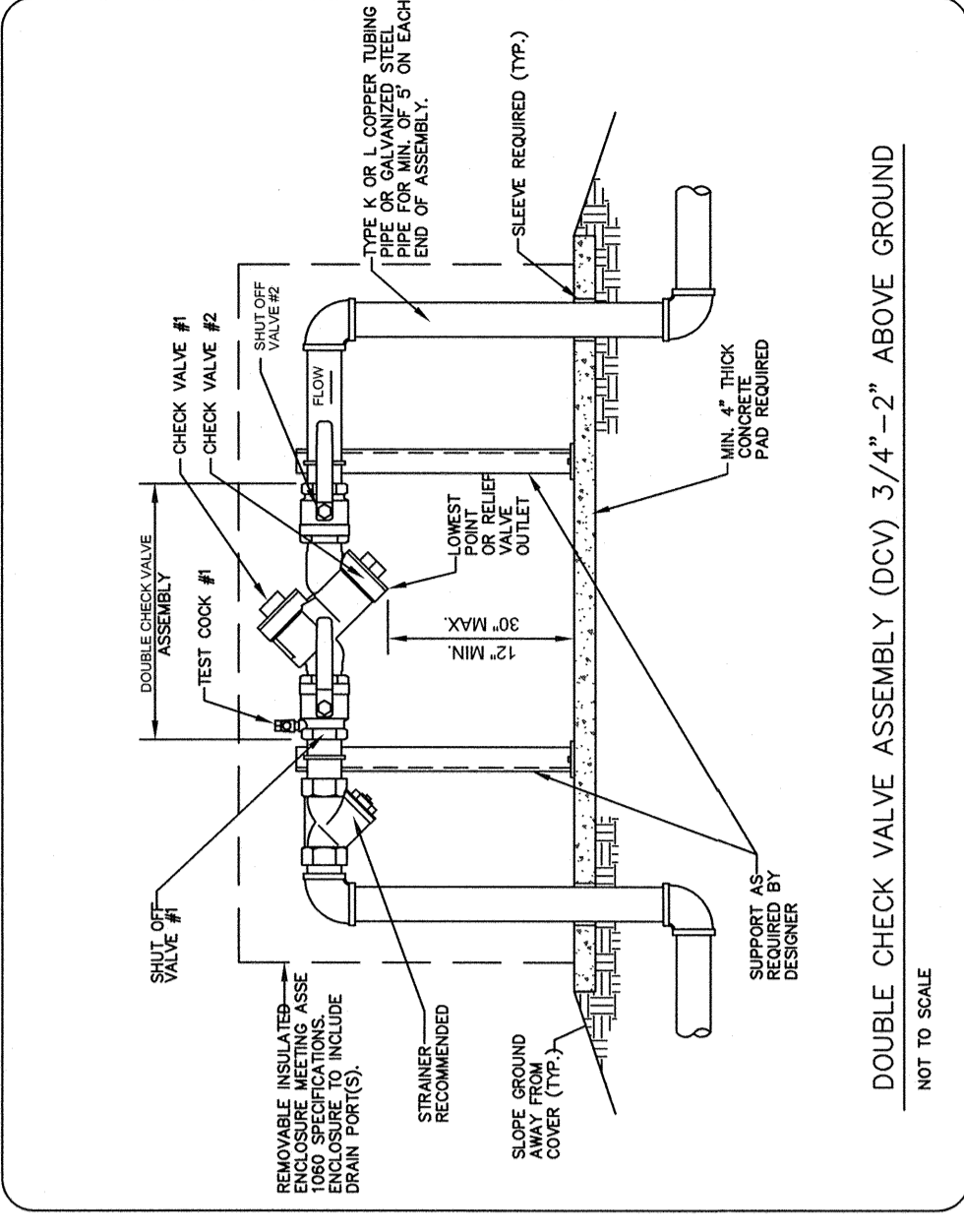
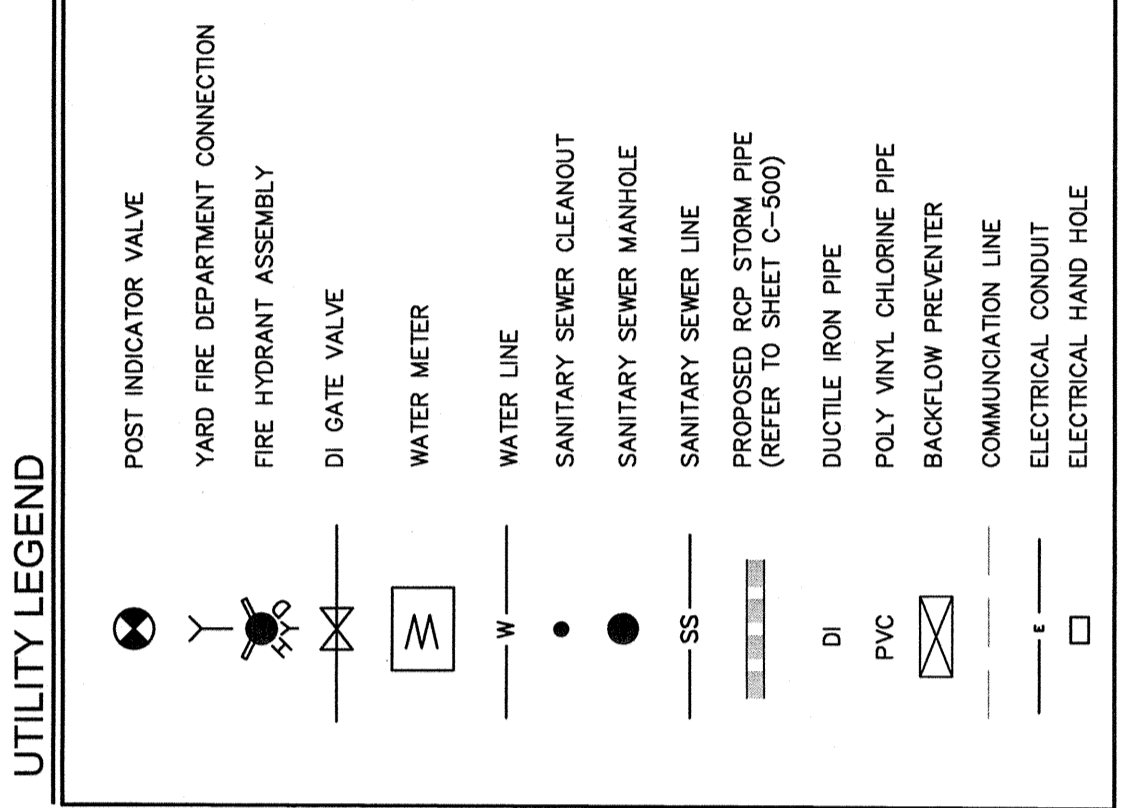
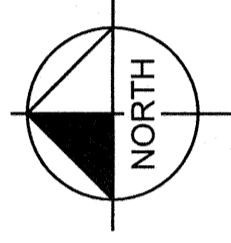


INSET A
 GRAPHIC SCALE IN FEET
 0 10 20 40

NEUSE RIVER BUFFER NOTE: THE LOCATION OF THIS BUFFER HAS BEEN DETERMINED BY THE US ARMY CORPS OF ENGINEERS ON OCTOBER 2014. REFER TO NER # NE-002.

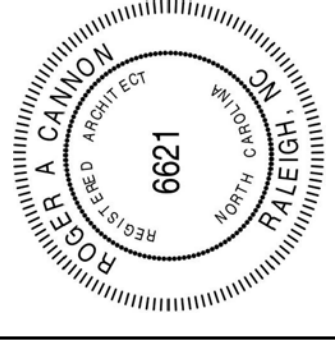
WELLS NOTE: THE LOCATION OF WELLS HAS BEEN DETERMINED BY THE US ARMY CORPS OF ENGINEERS ON OCTOBER 2014. REFER TO SAW-2014-001.

SURVEY NOTE: THE SURVEY DATA FOR THIS PROJECT WAS PROVIDED BY MCK ASSOCIATES OF NC, 4601 SIX FORKS ROAD, SUITE 200, RALEIGH, NC 27609. PROVIDED BY JOHNSTON COUNTY UTILITIES PLAN - RECORD DRAWING DATED 4/13/2014 BY MCKM & CREED, CHAR, NC.

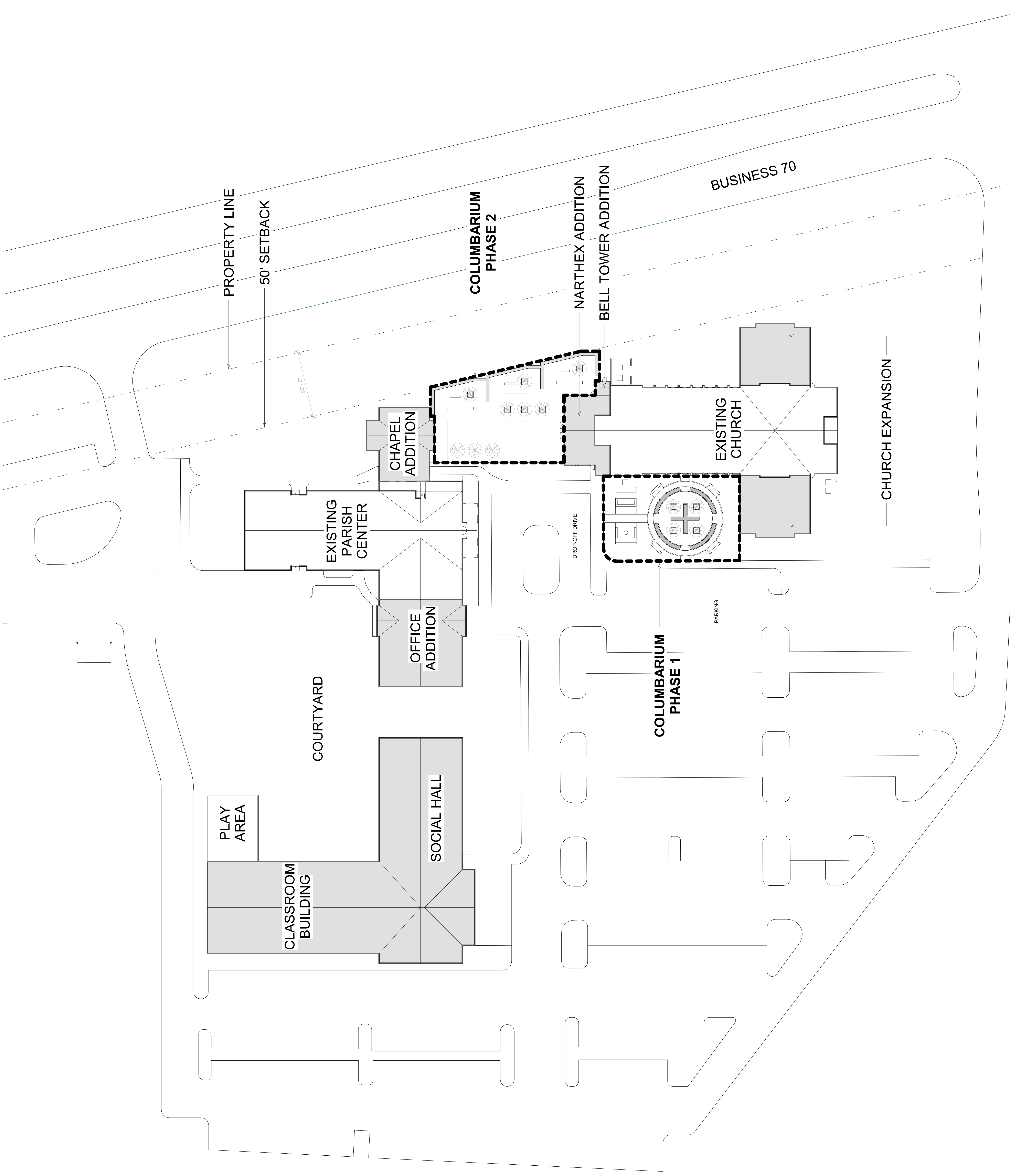


See Sheet X for Utility and topo survey in this area

GURFSCHER INDUSTRIES, INC.
 PIN 167600-90-2721
 DB 1156/405

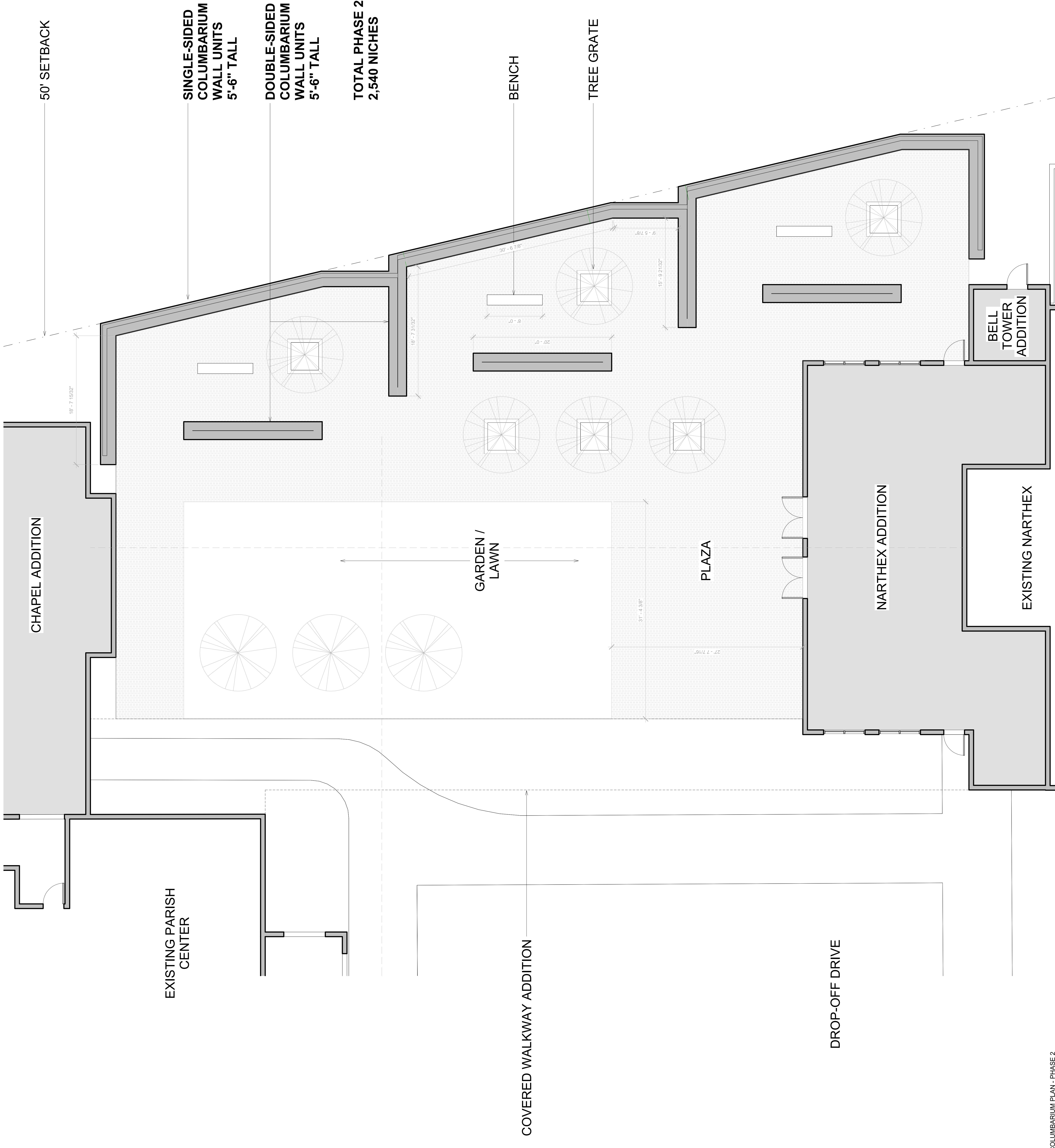


NO.	DESCRIPTION	DATE





NO.	DESCRIPTION	DATE



**TOTAL PHASE 2:
 2,540 NICHEs**

**SINGLE-SIDED
 COLUMBARIUM
 WALL UNITS
 5'-6" TALL**

**DOUBLE-SIDED
 COLUMBARIUM
 WALL UNITS
 5'-6" TALL**

BENCH

TREE GRATE

50' SETBACK

CHAPEL ADDITION

**EXISTING PARISH
 CENTER**

**GARDEN /
 LAWN**

PLAZA

NARTHEX ADDITION

EXISTING NARTHEX

**BELL
 TOWER
 ADDITION**

COVERED WALKWAY ADDITION

DROP-OFF DRIVE

4000 Block of US Highway 70 Business West

File Number:
SUP-21-04

Request:
Outdoor Columbaria

Location:
4057 US Highway
70 Business West

Tax ID#:
17Q99003

Existing Zoning:
B-3 (Highway
Entrance Business)
R-20A (Residential-
Agricultural)

Applicant:
Terraeden Landscape
& Design, LLC

Owner:
St. Ann Catholic Church
Roman Catholic
Diocese of Raleigh



1 in = 300 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 4/30/2022



Adjacent Property Owners of
SUP-21-04

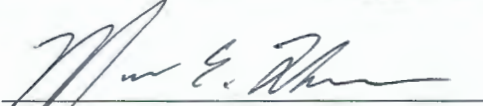
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
17J07028C	167600-91-7835	BYRDS WHOLESale INCORPORATED	3777 US 70 BUS HWY W	CLAYTON	NC	27520-6826
17J07028D	167600-91-5674	SINGLEtARY, LINDA KAYE	3974G US 70 BUS HWY W	CLAYTON	NC	27520-6891
17J08001A	168617-11-8272	TEKNION NORTH CAROLINA, LLC	3940 US 70 BUS HWY W	CLAYTON	NC	27520-7888
17J07028B	167600-91-6501	NELL M HOWELL REVOCABLE TRUST	PO BOX 528	SMITHFIELD	NC	27577-0000
17J07027	167600-90-2721	GIRSBERGER INDUSTRIES INC	P O BOX 1476	SMITHFIELD	NC	27577-0000
17J06043B	167600-92-6458	GRANTHAM, FLORA HULL	400 DOGWOOD ST	SMITHFIELD	NC	27577-0000
17J07026	168617-11-4717	MULECO, LLC	PO BOX 2346	SMITHFIELD	NC	27577-2346
17Q99003	168617-01-1829	NORTH CAROLINA	7200 STONEHENGE DR	RALEIGH	NC	27613-1620
17J07032	168600-13-3158	WALKER, NOVA C	PO BOX 277	PLATTSMOUTH	NE	68048-0277
		Terraeden Landscape & Design	11 Kentwood Drive	Smithfield	NC	27577



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-21-04, were notified by First Class Mail on 4-19-21.



Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

19th day of April, 2021



Notary Public Signature

Julianne Edmonds

Notary Public Name

My Commission expires on 1-15-2023



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, June 1, 2021 in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

SUP-21-04 Saint Ann Catholic Church: The applicant is seeking a special use permit to allow for an outdoor columbaria on a 15.2 acre tract of land located within the B-3 (Highway Entrance Business) and R-20A (Residential-Agricultural) zoning districts. The property considered for approval is located on the west side US Highway 70 Business West approximately 2,100 feet north of its intersection with Cloverdale Drive and further identified as Johnston County Tax ID# 17Q99003.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run Legal ad in the Johnstonian News on May 19, 2021 and May 26, 2021.



Request for Town Council Action

Public Hearing
Date: FY 2021-2022 Budget
06/01/2021

Subject: FY 2021-2022 Budget Proposal
Department: General Government
Presented by: Michael Scott, Town Manager; Greg Siler, Finance Director
Presentation: Public Hearing

Issue Statement

The **Manager's Proposed Budget was provided to the Town Council on May 19, 2021.** The following presentation is in accordance with the public hearing requirements of NC general Statute, 159-11 (b) and 159-12.

Financial Impact

Total Town Budget for FY 2022.

Action Needed

Hold a Public Hearing for the Proposed FY 2021-22 Budget for the Town of Smithfield.

Recommendation

Complete the Presentation and Public Hearing. Evaluate approving proposed budget and ordinance.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



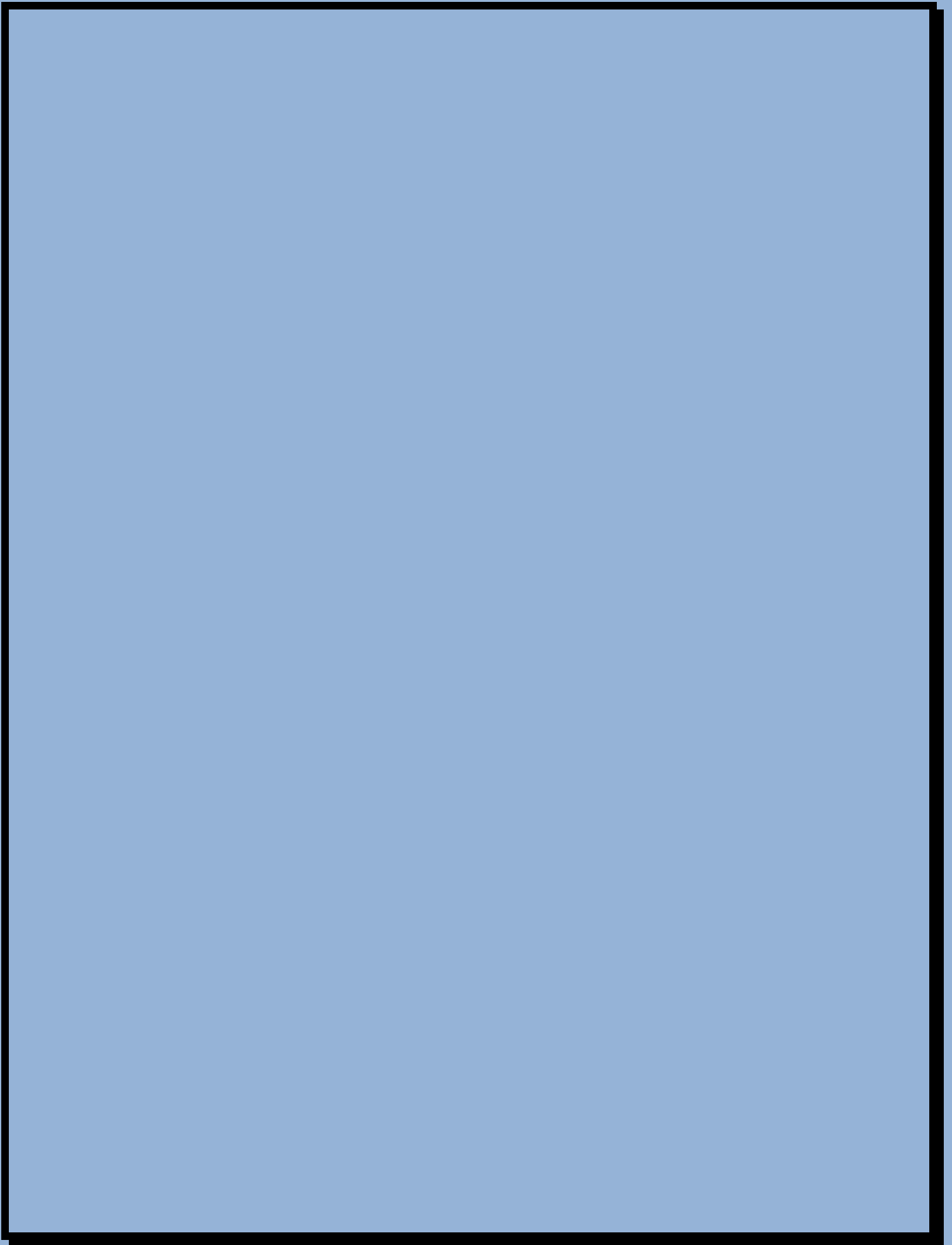
STAFF REPORT

Public Hearing
Date: FY 2021 -
2022
Budget
06/01/2021

Town staff has worked since November 2020 to create a draft budget for the Town. A Public meeting seeking public input on the budget was held at the Smithfield Recreation and Aquatic Center on February 25th. The draft budget was provided to the Town Council on April 6, 2021 **and a series of workshops were held in May. The Manager's proposed budget was provided to the Mayor and Town Council on May 19, 2021 with a copy available for viewing on the Town's website and in the Town Clerk's office. Notice was also provided to the media.** A presentation will be made to the Mayor, Town Council, and the Public at the Council Meeting on June 1, 2021 at 7:00 pm at Town Hall. A public hearing must be held in conjunction with this presentation in order to fulfill the requirements of NC General Statute 159-12. A Balanced Budget ordinance must be adopted by the majority of the Town Council before July 1, 2021.

Consent

Agenda Items



The Smithfield Town Council met in Special Session on Thursday, April 22, 2021 at 6:30 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Mayor Pro-Tem Dunn
David Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

Marlon Lee – District 1

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Tim Kerigan, HR Director/ PIO
Shannan Parrish, Town Clerk
Greg Siler, Finance Director

CALL TO ORDER

Mayor Moore called the meeting to order at 6:30 pm.

Town Manager Michael Scott informed the Council that the North Carolina League of Municipalities was interested in the Town's opinion on the upcoming municipal election. The Town can move forward with the election or wait until next year to hold elections since the census data will not be complete by the July filing deadline. While it was preferred to hold elections at its regularly schedule time this year, the Town would follow the guideline set forth by the North Carolina General Assembly.

Town Manager Michael Scott informed the Council that due to the June Council meeting being scheduled for June 1st, year end budget amendments would not be completed. Another meeting would need to be held in June. It was the consensus of the Council to hold an additional meeting via conference call.

Town Manager Michael Scott reminded the Council of the May 10th Special Meeting with Johnston County.

FY 2021-2022 Budget Discussion

1. Budget Overview

Town Manager Michael Scott provided an overview of the 2021-2022 Budget. He explained that all funds were balanced. No property tax increase was being proposed. Electric Fees and charges were consistent with UFS recommendations. Water fees would remain unchanged. Sewer fees would remain unchanged, but Johnston County is making changes to its billing formula for bulk customers and may also increase rates. All fund balances remain above the 25% Fiscal Policy requirements.

Included in the proposed budget were the following capital expenditure amounts: General Fund \$1,415,410, Electric Fund \$755,00, and Water Sewer Fund \$1,765,000

For FY 2021-2022, the medical insurance increased by 7% and retirement increased by 1.2%. This budget also accounts for a 2.5% salary adjustment. This could be changed to 4% merit increase if the Council preferred.

In the Sanitation Department, two general maintenance personnel have been used for sanitation. To fill that void, the sanitation department is requesting 2 sanitation equipment operator positions thereby allowing the general maintenance personnel to perform their duties. Capital Expenses include one new knuckleboom truck to replace an existing truck. The Town will take out a loan for this purchase. In 2023, a new garbage truck will be replaced and possibly purchased through loan proceeds. There is a proposed increase in sanitation fees that equates to \$2.00 per month per customer.

Additional personnel proposed in the budget were as follows: General Fund – 1 IT Specialist, 1 position change for the existing IT specialist, 2 Sanitation Equipment Operators and a part time Garage Mechanic. Water/Sewer Fund – 1 Water Plant Operator and 1 Water/Sewer Pump Mechanic. Electric Fund – 2 Electric Linemen.

In this budget, staff was requesting to pay off the existing loan for the EMS building at a cost of \$103,000. Paying off this loan would save \$38,000 in interest. This budget includes \$61,381 for the first payment of the Police Department expansion loan. The Booker Dairy road improvements mature in FY 2022 with the last payment being \$313,676. Debt Service for the water plant improvements will not be budgeted until FY 2023. The electric substation loan matures in 2028.

In this budget, all non-departmental requests remain the same as the current fiscal year's requests. The Annie D. Jones Child Enrichment Fund did not request funding this year due to COVID-19. No request has been received from the Smithfield Rescue Mission, but the same funding amount from the current fiscal year has been budgeted.

2. Utilities

a. Water Plant

Public Utilities Director Ted Credle highlighted some line items in the Water Plant's proposed FY 21-22 budget. They are as follows:

- Salaries – One new water plant operator was proposed. It takes one year to fully train a water plant operator. Staffing is adequate until current employees are out for vacation or sickness. Mr. Credle stated he was anticipating a
- Training and Education - \$1,000 has been added for training for the new employee.
- Building Equipment and Maintenance – 17% increase in this line due to some maintenance issues at the plant.
- Professional Services – 17% increase in this line due to miscellaneous engineering involving the SCADA system.
- Capital Outlay – \$250,000 was added for water system improvements in East Smithfield. Mr. Credle explained that these funds would be used for a mater plan and design along Brogden Road.

b. Water/Sewer Fund

Public Utilities Director Ted Credle highlighted some line items in the Water /Sewer Department's proposed FY 21-22 budget. They are as follows:

- Salaries – One new pump station mechanic was proposed.
- Training and Education - \$1,000 has been added for training for the new employee.
- Supplies and Operations – 19% increase due to the increased cost of PVC pipe.
- Sewage Treatment – 11% increase in this line. Johnston County informed the Town last year that they were receiving a reduced cost that the Town was not entitled to. Receive
- Capital Outlay includes the following: \$50,000 for manhole rehab, \$100,000 for waterline upgrades, \$30,000 for digitized mapping, \$35,000 for the replacement of a work truck and \$200,000 for a generator at the life station.

Councilman Scott questioned why meters were still being read by the contract employees. He thought the point of installing the smart meters was to discontinue using the meter reader contract employees. Mr. Credle responded that installing the water meters was more time consuming. A contractor is being used for this and it would be a few years before all the water meters were fulling installed and operational.

Councilman Barbour questioned the funds budgeted for the manhole rehab project. Mr.

Credle explained that all manholes had been evaluated and they were systematically being replaced based on condition.

Councilman Barbour questioned why the line locator position was not included in the budget. Town Manager Michael Scott responded he was not comfortable adding this position.

c. Electric

Public Utilities Director Ted Credle highlighted some line items in the Electric Department's proposed FY 21-22 budget. They are as follows:

- Salaries – Two new electric linemen were being proposed.
- Fuel – 10% increase due to the addition of a truck
- Supplies and Operations – 14% increase due to the increased cost of copper.
- East River Supplies – An increase of \$70,000 because additional supplies were needed for the growth of the subdivision.
- Service Contracts - \$3,000 increase due to the Asplundh increasing its rates for tree trimming services.
- Capital Outlay includes the following: \$30,000 for shelter enclosure and \$50,000 for Municipal Battery Analysis.

Town Manager Michael Scott explained that when he and the Finance Director met with the LGC, three other municipalities were seeking loan approval for purchasing municipal batteries. Mr. Credle explained the batteries were efficient for peak load shaving.

Councilman Scott stated he would like to see more done with the load management program.

Recess

Councilman Barbour made a motion, seconded by Councilman Wood, to recess the meeting until Monday, April 26, 2021 at 6:30 pm. The meeting recessed at approximately 8: 37pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

The Smithfield Town Council reconvened its April 22, 2021 meeting on Monday, April 26, 2021 at 6:30 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:
Mayor Pro-Tem Dunn
Marlon Lee – District 1
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent
David Stevens, District 2

Administrative Staff Present
Michael Scott, Town Manager
Shannan Parrish, Town Clerk
Greg Siler, Finance Director

Reconvene: April 22, 2021 Meeting

Mayor Moore reconvened the meeting at 6:30 pm

1. Non-Departmental / Nonprofit Requests

a. Innovation Academy

The Innovation Academy requested \$2,000. Funding in FY 2020-2021 was \$1,000. Principal Kelly Johnson explained the funding would be used for picnic tables.

Councilman Lee expressed his appreciation to Ms. Johnson and the Innovation Academy for all they provide for the East Smithfield Community.

Councilman Barbour questioned the number of students. MS. Johnson responded there were 286 students in grades 6 through 8. He further questioned the number of students that were Smithfield residents. Ms. Johnson responded there were 68 students with Smithfield addresses. She explained that students are heavily recruited from the I-95 corridor.

b. Neuse Charter School

Neuse Charter School requested \$1,000. Funding in FY 2020-2021 was \$1,000. A representative from Neuse Charter School was not present at the meeting.

c. Smithfield Middle School

Smithfield Middle School requested \$1,000. Funding in FY 2020-2021 was \$1,000. Councilman Lee stated he was contact by Principal LaShunda Faison explained that she was unable to be present at the meeting.

d. Smithfield Selma High School

Smithfield Selma High School requested \$1,000. Funding in FY 2020-2021 was \$1,000. Principal David Allen explained the support from the Town will be used to show appreciation to its teachers and staff.

Councilman Wood stated he would like to see the funding amount increased to \$2,000.

Councilman Barbour questioned if the budgeted funds for the Fire Program have been used. Fire Chief John Blanton stated those funds had not been requested. Mr. Allen stated he would follow-up with the director of that program.

e. South Smithfield Elementary

South Smithfield Elementary School requested \$2,000. Funding in FY 2020-2021 was \$1,000. A representative from South Smithfield Elementary School was not present at the meeting.

f. Career and Technical Leadership Academy

The Career and Technical Leadership Academy requested \$1,000. Funding in FY 2020-2021 was \$1,000. Principal Sheila Singleton explained the Career and Technical Leadership Academy is the

early college on the campus of Johnston Community College. The requested funds were going to be used for diploma covers and a social for graduates.

g. West Smithfield Elementary

West Smithfield Elementary School requested \$2,000. Funding in FY 2020-2021 was \$2,000. Principal Derrick McNeil explained the requested funds would be used to purchase recess equipment and a teacher luncheon.

h. Downtown Smithfield Development Corporation (DSDC)

Town Manager Michael Scott explained the Town has tried to keep the DSDC's funding to \$150,000 which is a total of motor vehicle taxes and the Town's donation. The DSDC was requesting \$63,223.50 while the Town Manager was proposing \$14,251. The Town Manager explained that the Town does not use those funds for approximately five years, after that period, the funds are given to the DSDC.

Executive Director Sarah Edwards explained the DSDC has been an economic development partner to the town for about 35 years. Since 1985, the DSDC has contributed to more than \$50 million in private investments in the downtown area. Ms. Edwards explained the DSDC would like to begin a marketing campaign and provide welcome bags to new homeowners.

Councilman Barbour requested that Ms. Edwards provide a list of events/plans the requested funding would be used.

i. Harbor, Inc.

Harbor, Inc. requested \$2,500. Funding in FY 2020-2021 was \$2,500. Executive Director Kay Johnson explained the requested funds would be used to provide non congregate sheltering.

j. Community and Senior Services of Johnston County

Community and Senior Services of Johnston County requested \$3,500. Funding in FY 2020-2021 was \$3,500. Executive Director Neal Davis expressed his appreciation for the continued support. Mr. Davis explained Community and Senior Services of Johnston County provided services for the aging population.

k. Ava Gardner Museum

The Ava Gardner Museum requested \$22,000. Funding in FY 2020-2021 was \$22,000. Executive Director Lynell Seabold explained the Gardner Museum was an integral part of the local economy. The funds received from the Town of Smithfield are used to pay a portion of the museum director salary.

l. Triangle East Economic Development Foundation

Triangle East Chamber of Commerce requested \$4,000. No funding was provided in FY 2020-2021. Executive Director Mike Mancuso explained the requested funding would be used for a perpetual care fund for the Lee House (Chamber of Commerce Office) and its grounds.

m. Public Library of Johnston County and Smithfield

The Library of Johnston County and Smithfield was requesting \$270,000. Funding for FY 2020-2021 was \$270,000. Library Executive Director Johnnie Pippin provided an overview of the library's operations, its services, its affiliate libraries, and the number of citizens it served. S

n. Annie D. Jones Child Enrichment Fund

Town Manager Michael Scott informed the Council that funding was not requested this year for the Annie D. Jones Child Enrichment Fund.

o. Smithfield Rescue Mission

Town Manager Michael Scott informed the Council that staff had not receive an application for funding from the Smithfield Rescue Mission. He included \$3,500 in the budget for this organization, but those funds could be used elsewhere.

Recess

Councilman Barbour made a motion, seconded by Councilman Wood, to recess the meeting to Tuesday, April 27, 2021 at 6:30 pm. The meeting recessed at approximately 8:07 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

DRAFT

The Smithfield Town Council reconvened its April 26, 2021 meeting on Monday, April 27, 2021 at 6:30 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Mayor Pro-Tem Dunn
Marlon Lee – District 1
David Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large

Councilmen Absent

Roger Wood, At-Large

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Shannan Parrish, Town Clerk
Greg Siler, Finance Director
Mark Helmer, Senior Planner

Reconvene: April 26th Meeting

Mayor Moore reconvened the meeting at 6:30 pm

1. UFS Rate Study Results

Mark Beauchamp of Utility Financial Services addressed the Council via WebEx to explain the proposed electric rate changes. He stated the premise behind the changes were to make the rates revenue neutral. Within the rate design, there was a proposal to increase the customer charge while reducing the actual energy rate. Although each individual class is not revenue neutral, all rates collectively will make it revenue neutral. Some customers will see a slight increase while others will see a slight decrease.

Town Manager Michael Scott stated that one of the biggest complaints the Town receives are from churches. Mr. Beauchamp responded that another rate would be better for churches of a rate could be developed for churches.

Councilman Scott stated that the more staff controls costs, the more it will be reflected in the rates.

Councilman Scott stated he was alarmed that the Town has wasted \$3.2 million on AMI metering. He stated staff needed to develop a plan for the removal of meter reading. The Town Manager stated the Town could do separate billing for electric and water/sewer, but that would mean customers would receive two monthly bills from the Town which could be confusing. Mr. Credle stated he has reached out to Electricities to see if they could provide a solution.

2. Fee Schedule

Town Manager Michael Scott informed the Council that they would review the proposed Electric fee changes once the Council has an opportunity to review the PowerPoint presentation from Mr. Beauchamp of Utility Financial Solutions.

The Town Manager explained that there were other minor changes in the proposed fee schedule in the Planning Department. Proposed changes to Sanitation fees will be discussed during that department's review.

Councilman Barbour stated the tethering ordinance needed to be included in the fee schedule.

Mayor Moore stated the water tap fees and sewer tap fees should cover the cost of the tap and not the cost of employee labor.

3. General Fund

a. General Government

Town Manager Michael Scott highlighted the General Government's FY 2021-2022 budget which included the following:

- Salaries – 1 new IT Specialist and reclassification of the current IT Specialist. These portions are split evenly between the three funds.
- Telephone – 73% increase in this line due to the use of conference calling and for the addition of monthly phone stipend in the amount of \$50 for the Town Council.
- Capital Outlay- \$50,500 is proposed in the budget for new cameras and video feed for the Council Chambers.

Councilman Barbour questioned if drones and a drone program were included in the budget. The Town Manager responded that he would prefer to develop a program and a plan before budgeting funds for the program.

b. Debt Service

Town Manager Michael Scott explained that included in this budget was the pay off of the EMS building loan. He stated there has been some interest by the County to purchase the building.

i. Finance

Finance Director Greg Siler highlighted the Finance Department's FY 2021-2022 Budget which included the following:

- Salaries: 1 additional customer service representative is being proposed.

Mayor Pro-Tem Dunn questioned the status of hiring the Assistant Finance Director. Town Manager Michael Scott responded that he did not move forward with hiring that position due to the economic uncertainty associated with the COVID-19 pandemic. Staff is now advertising for that position.

The Town Manager informed the Council that within the next 5 years, the Council would have to consider expanding Town Hall. Should the Town sell the County the EMS building, those funds could be used for the Town Hall expansion.

ii. Planning

Senior Planner Mark Helmer highlighted the Planning Department's FY 2021-2022 Budget which included the following:

- Professional Dues and Fees: Increase in this line due to the increased cost of professional associations.
- Service Contracts: \$30,000 will be carried over for engineering standards if not completed in the current fiscal year.
- Capital Outlay: There was no proposed capital outlay for the Planning Department.

Recess

Councilman Barbour made a motion, seconded by Councilman Stevens, to recess the meeting to Monday May 3, 2021 at 6:30 pm. The meeting recessed at approximately 8:38 pm.

ATTEST:

Shannan L. Parrish, Town Clerk

M. Andy Moore, Mayor

The Smithfield Town Council met in regular session on Tuesday, May 4, 2021 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

John Dunn, Mayor Pro-Tem
Marlon Lee, District 1
David Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
John Blanton, Fire Chief
Ted Credle, Public Utilities Director
Lawrence Davis, Public Works Superintendent
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

(Note: All Town Department Heads were present, but due to Social Distancing and Mass gathering restrictions related to Covid19, they were not present in the meeting room unless an item from their Department was discussed)

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

CALL TO ORDER

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

INVOCATION

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

APPROVAL OF AGENDA:

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the agenda with the following amendments:

Add to the Consent Agenda:

Item 9. Special Event: Carnival – Consideration and request for approval to allow Donna Inners of Inner Shows, Inc. to hold a Family Days Fun Fest Super Carnival at Carolina Premium Outlets on May 13th through May 23rd. This request included amplified sound.

Item 10. Special Event: Community Outreach Event – Consideration and request for approval to allow Gerard Sanders to hold a community outreach event at Smith Collins Park on June 5, 2021 from 11:00 am until 7:00 pm. This request includes amplified sound.

Item 11. Special Event: Piano Festival – Consideration and request for approval to allow Jonathan Levin to hold a Piano Festival at the Neuse River Amphitheater on June 18, 2021 from 7:30 pm until 9:00 pm. This request includes amplified sound.

Item 12. Special Event: Community Outreach Family Party – Consideration and request for approval to allow Rey de Reyes of First Baptist Church to hold a community outreach family party at the church on May 22, 2021 from 10:00 am until

1:00 pm. This request includes amplified sound.

Add a CLOSED SESSION Pursuant to NCGS 143-318.11 (a) (4)

Move Business Item: 1. Consideration and request for approval to name the new splash park the Eva E. Ennis Park to Consent Agenda Item 13

Move Business Item: 2. Consideration and request for approval to name the Girl Scout Hut the Rachael May Mattox Girl Scout Hut

Unanimously approved.

PRESENTATIONS:

1. Recognition of Public Works Crew Leader Daniel Rodrigue’s 21 years of service to the Town of Smithfield

Mayor Moor presented retiring Public Works Crew Leader Daniel Rodriguez with a plaque and a watch honoring his service to the Town of Smithfield. Mayor Moore expressed his appreciation to Mr. Rodriguez for his dedication to the Town of Smithfield.

2. Administration of the Oath of Office to new Police Officer Alyssa Berna

Mayor Moore administered the Oath of Office to new Police Officer Alyssa Berna and welcomed her to the Town of Smithfield.

3. Proclamation: Designating May as Water Safety Month in the Town of Smithfield

Mayor Moore presented the following proclamation to Aquatics Supervisor Laura Crumpler.

**Town of Smithfield
Proclamation
Designating May as Water Safety Month**

Whereas, citizens of the Town of Smithfield recognize the vital role that swimming and aquatic-related activities relate to good physical and mental health and enhance the quality of life for all people; and

Whereas, Town of Smithfield citizens understand the essential role that education regarding the topic of water safety plays in preventing drownings and recreational water related injuries; and

Whereas, we recognize the contributions made by the recreational water industry, as represented by the organizations involved in the National Water Safety Month Coalition, in developing safe swimming facilities, aquatic programs, home pools and spas, and related activities which provide healthy places to recreate, learn, and grow, build self-esteem, confidence and sense of self-worth which contributes to the quality of life in our community; and

Whereas, it is important to communicate water safety rules and programs to families and individuals of all ages, whether owners of private pools, users of public swimming facilities, or visitors to waterpark.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim **May 2021 as Water Safety Month** in Smithfield and encourage all citizens to join me in the worthy observation.

Mayor Moore recognized May 2nd through May 8th as Municipal Clerks Week and expressed his appreciation to Town Clerk Shannan Parrish for all she does for the Council, staff and the citizens of Smithfield.

PUBLIC HEARINGS:

- 1. Conditional Zoning Request: Spring Branch Commons (CZ-21-02):** The applicant is seeking conditional zoning approval to rezone a 1.2-acre tract of land from the R-8 (Residential) zoning district to the R-8 CZ (Conditional Zoning) district for the creation of 10 single family dwellings units. The property considered for rezoning is located on the southeast side of the intersection of South Sixth Street and East Johnston Street. The property is further identified as Johnston County Tax ID#15026060.

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

Planning Director Stephen Wensman explained that TerraEden Landscape and Design, LLC, was requesting a conditional rezoning request of a 1.21-acre parcel in the R-8 Zoning District to R-8 CZ with a master plan for a 10-lot detached single-family residential development. The site was currently vacant. Sometime before 2005, a +/- 1300 sq. ft. warehouse sat on the corner of S. Sixth and East Johnson along with 3 silo-type structures. That structure is gone, but about 290 feet of valley curb remain at the corner of S. Sixth and E Johnson Street adjacent to where the warehouse once stood. The curbing on the rest of the block is a B6-12 type. Overhead electric utilities run along the right-of-way on S. Sixth Street. Streetlights attached to the power poles are located at both street corners. There were no wetlands or other environmentally sensitive features on the property.

The applicant was proposing to redevelop a 1.21-acre parcel into a 10-detached single-family residential subdivision with the following:

- All single-family homes with minimum 1,290 sq. ft. single-story (average approximately 3,770 sq. ft. in size), with full-width front porch, three bedrooms, and two bathrooms and a small storage closet in the rear of each unit.
- 0.34-acres of common open space providing driveway access to residential parking, guest/handicap parking, mail kiosk, picnic shelter, picnic tables, play structure, and 2 area lights
- The 10-lots range from 3,444 sq. ft. (.079-acres) to 4,343 sq. ft. (.1 acres in size).
- The minimum lot size would be 41' x 84' and the largest lot would be 54.50' x 86'
- A 16' wide driveway was proposed to provide parking access to each of the lots. The driveway will provide access to the rear of each lot. There would be no curb and gutter on the driveway.
- 2 parking spaces per residence as required and six additional guest parking spaces.
- The setbacks are 10' – front, 5.5' -side (11' between homes), 25'-rear.
- Five-foot-wide public sidewalk will be constructed in the public right-of-way along the front property line.
- Decorative fencing will be installed along the street frontage on each lot.
- The lots and open space will be landscaped with grass, trees and shrubs which is not a requirement of the Town's UDO.
- No accessory building will be allowed
- The HOA will provide common ownership and maintenance of the shared opened space.

Mr. Wensman pointed out that Johnston Street is a 66' wide side street rather than the normal 60' wide street. That would lessen the effect of the shorter setbacks. He further explained no stormwater management was required because the impervious surface was grandfathered.

Mr. Wensman reminded the Council that the purpose of conditional zoning was to provide flexibility from conventional zoning. This allowed creative projects to occur through a negotiated approach to achieve the desired project for both the Town and the developer.

The requested deviations from the UDO are as follows:

Item	R-8/UDO	R-8 CZ
Min. lot size	8,000 sq. ft. (.18 ac.)	3,444 sq. ft. (.079 ac.)
Min. lot width	70 feet	41 feet
Min. front setback	10 feet	30 feet
Min. Side Setback	10 feet	5.5 feet
Accessory Bldg. Setback	10 feet	None allowed
Min. corner lot setback	15 feet	12 feet
Driveway width	20 feet	16 feet
Sight triangle	25 feet x 25 feet	23 feet x 23 feet

Mr. Wensman explained that the 16' driveway width is meant to make it tighter for cars to come and go and to slow down the traffic. He further explained that staff was supportive of the 23' x23' sight triangle because in the downtown area, there were building directly on the corners.

Mr. Wensman stated the applicant was proposing a compact urban infill development in a distressed part of Smithfield near its downtown. The development supported walkability to downtown with a sidewalk along the street frontages and with attractive pedestrian scale architecture – one-story homes with porches and a fence along the public street frontage. Although the individual lots are small, the common open space provided usable amenities: playground, picnic shelter, picnic tables, trash receptacles, and landscaping that will create a mini-neighborhood within the greater downtown and Brooklyn neighborhoods.

Planning Staff and the Planning Board recommend approval of the zoning text amendment, CZ-21-02 with 3 conditions with a statement declaring the request was consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request was reasonable and in the public interest. The 3 conditions are as follows:

1. That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
2. That concrete pads for trash bins be shown on the master plan.
3. That the valley curb in the public right-of-way be replaced with B6-12 curb.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the May 4, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Scott questioned if the short distance between the houses posed a fire risk. He further questioned if the houses would have fire resistant siding installed.

Paul Embler of Terra Eden Landscaping Design responded that according to state building code, the eaves of the houses must be 6' apart. In the proposed development, the houses would be 11' apart (side wall to side wall). Therefore, no fire rated material would be needed for the homes.

Councilman Scott questioned if there would be windows on the common sides of the houses. Mr. Embler responded windows on the common side would be minimal.

Mayor Moore questioned the 16' width of the driveway. Mr. Wensman responded the proposed driveway would be tight for two cars passing, but it was unlikely there would be a lot of two-way traffic. This approach would cause drivers to slow down when entering or exiting the area.

Mayor Moore further questioned if parking would be allowed in the driveway area. Mr. Wensman responded there would be two parking stalls for each unit and some guest parking. There was no prohibition for parking on Johnston Street. Mr. Wensman further explained there was additional guest parking in the development so there should be adequate parking.

Councilman Barbour questioned if the driveway would be the responsibility and the ownership of the home owner's association (HOA) and not the responsibility of the Town. Mr. Wensman responded that the driveway did not meet the Town's code as far as the structural road itself therefore it would be the responsibility and ownership of the HOA.

Councilman Barbour questioned if some type of roadway standards should be placed in the code since more of these developments were being requested. Mr. Wensman responded that a typical driveway is 24 feet wide which was intended for trucks and car to pass. He stated if this were a larger development with more than 10 units, the Town would want at least a 20' wide driveway which was the standard width of an NCDOT road and the Town's alley standard.

Councilman Barbour stated he had the opportunity to visit the site with the developer. The proposed development would fit very well into the community.

Councilman Stevens stated he too had met with the developer and it appeared the plan was above and beyond some of the requirements.

Mayor Moore expressed concerns about parking. Mr. Wensman responded there were 2 dedicated parking stalls for each unit behind the homes. An additional 6 spaces for guest parking were located near the picnic shelter.

Councilman Rabil stated there were 26 spaces for 10 housing units.

Mayor Moore questioned if the home owner's association would restrict parking in the driveway. Mr. Embler responded restricting parking in the driveway was a reasonable request and it could be regulated by the HOA. Mr. Embler further stated that the purpose of the reduced driveway size was to slow the movement of the vehicular traffic through the driveway. He didn't anticipate there would be much through traffic because most people would enter and exit the entrance closest to their home. The intent is to minimize the traffic through the development.

Mayor Moore questioned if the Town could be assured that language restricting parking in the driveway would be added to the HOA contract. Mr. Wensman responded that restricting parking in the driveway could be added as a condition of approval.

Mayor Moore stated he felt this was a wonderful project. He questioned if the proposed fencing at the front of each property would be maintained by the HOA or the property owner. Mr. Embler responded the fencing and landscaping would be the responsibility of the HOA. Mr. Wensman stated that maintenance of the fencing by the HOA could be added as a condition of approval.

Mayor Moore was concerned that the fencing would not be uniform and it would not be maintained. Mr. Embler responded that the intent would be to install a uniform 30" fence along the street side and a 6' screening fence would be installed along the rear access. Mr. Embler stated the developer desired to construct an aesthetically pleasing development as he would like to continue building in the area.

Councilman Scott questioned if the second entrance to the units would be side entrances instead of rear entrances. Mr. Embler responded the side entrance opens into a utility room in the house. There was no access from the back of the house. The other access would be at the front of the house.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter. There was no one in attendance that wished to speak on the matter.

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

Councilman Barbour made a motion, seconded by Councilman Wood, to approve zoning map amendment, CZ-21-02, with 5-conditions finding is consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be and other adopted plans, and that the amendment is reasonable and in the public interest.

Conditions:

1. That the driveway aprons be constructed in accordance with the Town's Standard Specifications and Details.
2. That concrete pads for trash bins be shown on the master plan.
3. That the valley curb in the public right-of-way be replaced with B6-12 curb.
4. That the HOA required no parking in the driveway.

5. That the HOA was responsible for landscaping and fence maintenance.

Unanimously approved.

Mayor Moore asked that the Homeowners Association documents be sent to the Town for the Town Attorney's review to ensure conditions four and five were included. Mr. Wensman responded the attorney's review of the HOA documents was a requirement for the final plat.

Town Clerk Shannan Parrish administered affirmations to those that wished to offer testimony during the Public Hearings.

2. **Special Use Permit Request: Connie Godwin (21-03)**: The applicant is seeking a special use permit to allow for a single-family residential dwelling within a OI (Office & Institutional) zoning district. The property considered for approval is located on the north side of Wilkins Street approximately 175 feet east of its intersection with North Seventh Street and further identified as Johnston County Tax ID# 15010038

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

Planning Director Stephen Wensman testified the applicant was requesting the Council review the special use permit application to permit the use of a property for detached single-family residential use in the Office/ Institutional District (O/I). Mr. Wensman explained that properties to the left of Ms. Godwin's property were single-family homes and everything to the right and rear of the property were office/institutional uses. Everything across the street was commercial office use.

Mr. Wensman testified the structure was originally constructed and used as a detached single-family home then converted to an office many years ago. When converted, the entire yard was paved with concrete for parking. The paved parking is contiguous to parking in the rear yard of 518 N Seventh Street (a residential property owned by the applicant). There is driveway access in the rear of the property to 601 N. Eighth St. (an office property owned by William and Suzanne Bizzell). The properties to the west were detached single family residential and to the east, north and south are used for offices. According to the applicant, the office has been vacant for a long time and the property is no longer attractive for office tenants. The applicant wants to convert it back to single-family because she knows there is a need for that type of use.

Mr. Wensman explained the property was adjacent to a medical clinic owned by the applicant's daughter. The side yard of the property was paved. The rear yard of the property slopes on the right side to provide driveway access to an adjacent commercial property. The applicant has not proposed any buffers or any changes to the site to accommodate the residential use.

Staff reviewed the application and determined the property no longer had any residential character given the paving and contiguous driveway to the commercial property in the rear. Also, the front yard is paved for driveway access. The return to the residential use for this property is not in harmony with the surrounding development.

Mr. Wensman testified there were no landscape buffers between the property and the adjacent commercial use except for a small strip of grassy vegetation. The UDO requires a Type B bufferyard between commercial and single-family residential uses. The requirement is a 20' wide landscaped buffer with a fence. The applicant is not purposing any buffers. In addition, the UDO only allows 24' wide driveway for residential properties and 36' for commercial properties. This property exceeds both standards.

The Planning Department recommends denial of the SUP-21-03 based on finding of fact.

Mr. Wensman reviewed staff's opinion of the findings. They are as follows:

STAFF'S OPINION ON THE FINDINGS OF FACT

1. With no landscape buffer in place, the residential use of the property would be a detriment to the public health, safety, or general welfare.
2. The Wilkins Street, mid-block to the east, has been transitioning to office uses over the years and has a commercial character. Therefore, a residential use would impede the normal and ordinary development and improvement of the surrounding properties.
3. There are adequate facilities for the proposed use.
4. The use will not be offensive by reason of vibration, noise, odor, dust, smoke, or gas.
5. The ingress and egress to the property infringe on the public right-of-way. The UDO and the Town's Standard Specifications and Details do not allow residential driveways to exceed 24' in width.
6. The use will adversely affect the commercial uses surrounding the property. All the uses are commercial to the north, south, and east.
7. The residential use of the property would not be harmonious with the character of this portion of the block or the street.
8. The special use would not conform to the buffer requirements of the UDO.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the May 4, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Barbour questioned if the yard met the suitable requirements for a residential use would the property meet the requirements. Mr. Wensman responded it would be more suitable as the character of the property would have the look of a residential use. He further explained it would blend better with the residential half of the block. Currently, the property has more of a commercial feel because of hard surfaces and is barren of green space.

Councilman Barbour further questioned if the appearance of the property were returned to a residential use, would staff recommend approval of the special use permit. Mr. Wensman responded the staff's findings would be supportive of a residential use in that situation.

Mayor Pro-Tem Dunn questioned when this property was last used as a residential dwelling. Mr. Wensman responded he was unsure, but the applicant may have some knowledge.

Mayor Moore asked the applicant if she agreed with the testimony provided by Mr. Wensman and if she had additional testimony to offer.

Bonny Godwin of 778 Napoleon Road, Selma, NC stated she did not agree with all the testimony offered by Mr. Wensman. Ms. Godwin testified that Mr. Wensman stated her property was adjacent to commercial uses. She stated the only commercial use adjacent to the property was the medical office owned by her daughter. She further stated that her property has not been used as a rental unit in five to seven years.

Ms. Godwin testified there was yard space that was shared with the adjacent property. As for parking, across the street is the same type of parking. She believed that four or five feet were within the Town's right-of-way. The back of the property was used for parking.

Ms. Godwin testified that she investigated removal of the cement on the property. It was estimated to cost between \$15,000 and \$20,000 which was not feasible for her.

Mayor Pro-Tem Dunn questioned when this property was last a residential use. Ms. Godwin responded she was unsure. She explained she has tried to rent this as a commercial use to no avail. There was more demand for residential rental units.

Mayor Pro-Tem Dunn further questioned if Ms. Godwin receive a cost estimate for removal of all the concrete on the property or just a portion. He explained that if the front left side of the concrete were removed it would give the property more of a residential appearance. Ms. Godwin responded she did not receive a cost estimate for only that portion.

Councilman Scott questioned how people accessed the back parking lot. Mr. Wensman responded the only access to that parking lot was through Ms. Godwin's property. Councilman Scott further questioned if there was a designated grassy front yard, could the property return to a residential use. Mr. Wensman responded it would add to a greater residential character. Ms. Godwin stated she has lost a considerable amount of money on this property because she has not been able to rent it as a commercial use.

Mayor Pro-Tem Dunn questioned if the property were returned to a residential use, a 20' buffer was required between the residential use and the commercial use. Mr. Wensman responded that a new use would trigger the need for a buffer. The UDO requires a 20' buffer with a fence and landscaping. Mr. Wensman explained the lack of buffer existed when this was a residential property, and the adjacent property was developed as a commercial use. Since the request is to return it to a residential use, it was appropriate to require the 20' buffer.

Mayor Pro-Tem Dunn questioned if Ms. Godwin would consider removing the front concrete from the left side of the property until it meets the driveway portion. Ms. Godwin responded she would like to obtain a cost estimate for removal of the front concrete because she has already invested a lot of money into the property.

Rene Watson of 4298 Shoe Hill Road, Kenly, NC testified that the area beyond the property line belongs to the Town therefore removal of the concrete in the right-of-way should be the expense of the Town and not Ms. Godwin. Ms. Watson stated she did not feel it was necessary to remove the concrete from the front of the property. She stated as the adjacent commercial property owner, she did not have any issues with the property being a residential use. She stated for her own safety she would like to have someone using the property. She further stated she has personally shown the property for medical uses and no one was interested in the property.

Mr. Wensman clarified that the right-of way that Ms. Watson pointed out was Town property, but the pavement constructed for the property was actual an encroachment in the public right-of-way. They were private improvements in the public right-of-way.

Mayor Moore questioned the required buffer and fencing between the property owned by Ms. Godwin and the adjacent commercial use. Mr. Wensman responded a buffer would be needed between the two properties.

Mayor Moore questioned if Ms. Godwin also owned the residential property to the left of this property. Ms. Godwin responded that she does own that property. Mayor Moore further questioned if Ms. Godwin would be willing to install a fence between her property and the adjacent commercial use. Mayor Moore explained he was concerned about the safety of any children playing on the property. Ms. Godwin responded she would be willing to install a fence between the two properties. She asked that it not be a solid white vinyl fence. Mayor Moore stated that the installation of a fence between the two types of uses was a reasonable request.

Councilman Barbour stated that the key was to make sure the use was safe for children and to make sure the property had the look and feel of a residential use. Ms. Godwin stated if this property were a residential use, she could have rented it and maintained a renter at this property.

Mayor Pro-Tem Dunn questioned if Ms. Godwin's property went from Wilkins Street to 7th Street adjacent to the alleyway of the commercial building behind her property. She responded in the affirmative. Ms. Godwin further stated she would prefer installing a fence then removing cement.

Councilman Scott stated for the record it was important to point out that the concrete was in the right-of-way. Councilman Scott questioned if this property were returned to a residential use, would the tenants be required to park in the rear of the property. Ms. Godwin responded if the tenant has a small vehicle they could park in the front. The safest place for them to park would be at the rear of the property. She explained that when she parks at the property, she must park at an angle, so her vehicle is not in the road.

Mayor Moore questioned if the front parking was unsafe for vehicular parking. Ms. Godwin responded when the previous doctor used the building there was parking in the front of the building.

Councilman Wood questioned if others were using her lot for parking. Ms. Godwin stated most people will park beside her property in the grassy area or in the front parking. Councilman Wood further questioned how Ms. Godwin would prevent people from parking in the front parking. Ms. Godwin responded that if it were residential, most people would be considerate and not park in the area.

Mayor Pro-Tem Dunn clarified that one of staff's concerns was the appearance of the property being a commercial use because all the concrete in the front makes it look like a commercial use. If the concrete were removed from the front of the property, it would appear more residential in nature. Mr. Wensman responded if there was less pavement there would be less run of. He further stated that if there were less concrete in the front of the property, it would have the character of a residential use. The Mayor's suggestion of a fence addressed the buffer and created a separation between the two uses. Mr. Wensman stated it was a judgement call made by the Council as to what was acceptable.

Ms. Godwin stated she was agreeable to almost anything imposed by the Council, but she was not agreeable to removing the concrete at the front of the property.

Councilman Scott stated that people parking along the streets is more of a Town issue.

Mayor Moore asked if there was in attendance that was duly sworn in who wished to testify on the matter. There was no one in attendance that wished the testify on the matter.

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

Councilman Barbour stated there were three things were needed for the Council to approve the request. They are as follows:

1. Installation of a fence between the property and the adjacent commercial property to separate the uses.
2. Require No Parking at the front of the building.
3. Removal of small portion of concrete from the front door to the roadway and from the front door to the left line of the part of the property line

Councilman Wood stated he did not agree with the last requirement as that was an added expense to the property owner. Councilman Scott agreed with Councilman Wood's statement.

Councilman Barbour stated that based on the Town's UDO, the proposed use does not meet the Town's requirements. Mr. Wensman responded that staff's findings were suggested findings and if the Council differed from staff's opinion, they could highlight which ones they disagreed with and qualify the statements.

THE WRITTEN FINDING OF FACT

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

Council's Finding: With the addition of the fence, the residential use would not be detrimental to or endanger the public health, safety, or general welfare.

4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Council's Finding: The residential use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided.

Council's Finding: There are adequate facilities for the proposed use with parking only allowed in the rear of the property only.

4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

Council's Finding: The use will not be offensive by reason of vibration, noise, odor, dust, smoke, or gas.

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Council's Finding: Ingress and egress would not infringe on traffic congestion in the public streets because parking for this use would only be allowable in the rear of the property only.

4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.

Council's Finding: The use will not adversely affect the use or any physical attribute of adjoining or abutting property.

4.9.4.5.7. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.

Council's Finding: The residential use of the property will be harmonious with the character of the portion of the block or street.

4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

Council's Finding: With the addition of the fence and parking in the rear of the property, the residential use would conform to all the applicable regulations of the district in which it is located.

Councilman Barbour stated that after further review, the Planning Department believes that ingress and egress to the property will infringe upon the public right-of-way. The Town's standards do not allow residential driveways to exceed 24 feet in width. He stated the Council should abide by that standard.

Ms. Godwin stated that the concrete in front of the property was not a part of the driveway. The driveway was the portion of concrete beside the building that accessed the parking in the rear of the property. Mayor Moore stated that the issue was the area in the front of the property which was paved and there was parking which is considered a driveway.

Councilman Stevens questioned if it would be feasible to allow Ms. Godwin two years to remove the concrete in the front of the property and plant grass. This would allow her to rent the property and still meet the Town's residential standards within that time.

Councilman Barbour made a motion, seconded by Councilman Stevens, to reopen the public hearing. Unanimously approved.

Councilman Stevens questioned if Ms. Godwin would be agreeable to removing the concrete from the front of the property and planting grass if the Council gave her a year to make the transition from concrete to grass. The major concern of the Council was the UDO specifies that a driveway cannot exceed 24 feet in width. The driveway/ parking area in the front of the property was 30' feet of concrete pavement.

Councilman Scott stated that the area in question was in the Town's right-of-way. Mr. Wensman stated there were driveways that encroach on the Town's right-of-way. The issue was the UDO does not allow the whole frontage of a home to have paved. Councilman Scott questioned if artificial grass could be installed over the concrete. Mayor Moore responded that was not acceptable.

Ms. Godwin questioned if anything associated with this property was grandfathered. Mayor Moore responded that when a use was changed, it must adhere to the regulations of the UDO.

Ms. Godwin asked for consideration with this property stating it had been vacant for several years. Mayor Moore explained the issue was the property did not have the appearance of a residential use. The concrete at the front of the property makes it appear as a commercial use. Mayor Moore further explained that Councilman Stevens proposed allowing Ms. Godwin eighteen months to remove the front portion of the concrete, so it conformed with the UDO requirements.

Ms. Godwin stated the Council might consider making all the yards on that block concrete due to the conditions of the yards.

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

THE WRITTEN FINDING OF FACT

Councilman Barbour made a motion, seconded by Councilman Stevens to approve the 8 findings of fact as stated below. Unanimously approved.

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

4.9.4.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

Council's Finding: With the addition of the fence, the residential use would not be detrimental to or endanger the public health, safety, or general welfare.

4.9.4.5.2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Council's Finding: The residential use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4.9.4.5.3. Adequate utilities, drainage, parking, or necessary facilities have been or are being provided.

Council's Finding: There are adequate facilities for the proposed use with parking only allowed in the rear of the property only.

4.9.4.5.4. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.

Council's Finding: The use will not be offensive by reason of vibration, noise, odor, dust, smoke, or gas.

4.9.4.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Council's Finding: The UDO and the Town's standard specifications and details do not allow residential driveways to exceed 24' in width but adequate measures will provide ingress and egress so designed as to minimize traffic congestion in the public streets by removing the concrete in front of the property within 18 months from May 4, 2021.

4.9.4.5.6. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property.

Council's Finding: The use will not adversely affect the use or any physical attribute of adjoining or abutting property.

4.9.4.5.7. That the location and character of the use, if developed according to the plan as

submitted and approved, will be in harmony with the area in which it is to be located.

Council's Finding: The residential use of the property will be harmonious with the character of the portion of the block or street.

4.9.4.5.8. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

Council's Finding: With the addition of the fence and parking in the rear of the property, the residential use would conform to all the applicable regulations of the district in which it is located.

RECORD OF DECISION

Councilman Barbour made a motion, seconded by Councilman Scott, that Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Special Use Permit Application # SUP-21-03 with the following conditions:

1. Installation of a 6' high fence between the property and the adjacent commercial property to separate the uses. The fence will be installed from the front of the house to the rear property line.
2. Require No Parking at the front of the building.
3. Removal of small portion of concrete from the front door to the roadway and from the front door to the left line of the part of the property line within 18 months of May 4, 2021.

Unanimously approved.

Mayor Moore called for a five-minute recession at this time.

Mayor Moore reconvened the meeting at 9:14 pm.

3. UDO Text Amendment Request: Town of Smithfield (ZA-21-03): The applicant was requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 7, Section 7.3 Accessory Uses or Structures to allow for fences as an accessory structure in all zoning districts.

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

Planning Director Stephen Wensman explained staff was requesting to amend the UDO to create regulations for fences as an accessory structure. Mr. Wensman stated there were no fence regulations in the Unified Development Ordinance. It appeared the regulations were omitted when the UDO was updated in 2016. Uses not listed in the table of permitted are prohibited. The purposed of the fence regulation I to maintain adequate visibility on private property and in public rights-of-way, to maintain the openness of front and street side yards, to protect the light and air to abutting properties, and to provide adequate screening by regulating the height, location, and design of fences and walls. Since 2016, the town has received complaints about fences in front yards and without regulations, code enforcement is unable to provide enforcement.

Mr. Wensman explained the draft ordinance regulates fences and walls such that the height of fences and walls in front yards or in front of principal structures, including along the side lot line cannot exceed 48 inches in height, which is more than 75% solid may be placed in the front of a principal structure. Electric fences and razor wire or barbed wire fences are only allowed on bon-a-fide farms, public and quasi-public institutions for security and industrial uses in the Industrial districts for security purposes. Fences shall be installed such that exposed framing faces the interior yard and not toward adjacent properties or public rights-of-way. The height of fences in residential

side and rear yards cannot exceed (7) feet in height. The height of commercial and industrial fences cannot exceed 10 in height and that part of the fence or wall greater than (7) feet must be open similar to woven wire or wrought iron. Fences and walls may exceed the height requirement if authorized by another section of the UDO or by special use permit. Fences are exempt from setbacks and can be up to the property line. Fences must respect the vision triangle at intersections for public safety reasons. Fences and walls that are less than 7' in height are to be permitted accessory uses and do not requiring a zoning permit. Electric and barbed wire fences are prohibited except when used to enclose livestock on bona fide farm or for public or quasi-public institution for public safety or security purposes.

Mr. Wensman further explained that staff did receive two public comments on the proposed fence ordinance. One was that barbed/razor wire fences be allowed in the Light Industrial and Heavy Industrial. The other comment was that the exposed framing face the interior yard and not towards adjacent properties of public right-of-ways.

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-21-03, with a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the May 4, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council.

Mayor Pro-Tem Dunn questioned if someone needed a fence to be taller than the height requirement, would that request trigger a special use permit. Mr. Wensman responded in the affirmative.

Councilman Scott questioned how the height of the fence was measured. Mr. Wensman responded it was measured from the ground upward.

Councilman Barbour stated he was agreeable to the fence being installed on the property line.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter.

Sonny Howard of Woodlawn Drive, Smithfield, NC questioned the fence being installed on the property line. He stated that out of respect he typically builds a fence 6 inches off the property line. Within 7 years, the Squatters Law takes effect, and the adjacent property owner can claim that 6 inches of your property. Mr. Wensman responded with this ordinance, one could install a fence on the property line. He questioned if the Town's ordinance would supersede the squatter's law. Town Attorney Bob Spence the squatter's law was complicated, and it was in the best interest of the Town to allow the fence to be installed on the property line.

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

Councilman Barbour made a motion, seconded by Councilman Wood, to approve zoning text amendment, ZA-21-03, amending Article 7, Section 7.3 to create regulations for fences as accessory structures finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

ORDINANCE # ZA-21-03
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 7 SUPPLEMENTAL REGULATIONS AS IT PERTAINS TO FENCES
WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the
Unified Development Ordinance by making changes to the Town of Smithfield
Unified Development Ordinance to regulate fences as an accessory structure.
WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote

regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

[Revise Article 7, Section 7.3 Accessory Uses or Structures, to regulate fences as an accessory structure.]

PART 1

7.3.3. Fences

Fences and walls that meet these requirements are permitted as accessory uses and shall comply with the following:

7.3.3.1. For the purposes of this Section of this ordinance, a fence is a barrier composed of wire, wood, metal, plastic, or a similar material and a wall is a barrier composed of brick, stone, rock, concrete block, or a similar masonry material. Electric fences and fences constructed with razor or barbed wire are prohibited except when used to enclose livestock on bona fide farm, for public or quasi-public institutions for public safety or security purposes, or for industrial uses in the Light or Heavy Industrial Zoning District for security purposes.

7.3.3.2. No fence or wall more than 48 inches in height, which is more than seventy-five percent (75%) solid, may be placed in the front of a principal structure.

7.3.3.3. Fences shall be installed such that exposed framing faces the interior yard and not toward adjacent properties or public rights-of-way.

7.3.3.4. Fences and walls may not exceed seven (7) feet in height, except that in commercial and industrial districts, a fence may not exceed ten (10) feet in height. Fences greater than seven (7) feet in height shall be of an open type similar to woven wire or wrought iron. Fences and walls may exceed the height requirements of this Section if required or specifically authorized in another Section of this ordinance or with a special use permit.

7.3.3.5. Fences and walls are exempt from the setback requirements of this ordinance.

7.3.3.6. No fence or wall shall impede vision as regulated in Section 2.21 of this ordinance.

7.3.5.7. Fences and walls approved with a special use permit shall not adversely impede light or airflow to adjoining properties.

7.3.3.8. Fences, if replaced, shall meet the requirements of this Section.

7.3.3.9. Fences and walls seven (7) feet or less in height meeting the requirements of this ordinance shall not require a zoning permit.

PART 2

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 3

That these amendments of the Unified Development Ordinance shall become effective upon adoption

4. **UDO Text Amendment Request: Town of Smithfield (ZA-20-05):** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Articles 1, 9 10, and Appendix A to incorporate 160D enabling legislation changes.

Councilman Wood made a motion, seconded by Councilman Stevens, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman explained staff was requesting to amend Articles 1,9,10 and Appendix A to incorporate 160D legislation. Mr. Wensman explained that the code must be undated and adopted by July 31, 2021. He explained that mot changes are minor in nature.

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-21-03, with a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the May 4, 2021 agenda packet.

Mayor Moore asked if there were any questions from Council. There were no questions from the Council.

Mayor Moore asked if there was anyone in attendance who wished to speak on the matter. There was no one in attendance that wished to speak on the matter.

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

Councilman Barbour made a motion, seconded by Councilman Stevens, to approve zoning text amendment, ZA-20-05, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

**ORDINANCE # ZA-20-05
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLES 1, 9, 10 and Appendix A**

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to incorporate the 160D enabling legislation changes.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

NOW, THEREFORE, be it ordained that:

1. The Articles attached in Exhibit A are amended as set forth by the deletions (strikethroughs) and additions (double underlining)
2. That if this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.
3. That if it be determined that any other Town Ordinance or any part of any other Town Ordinance is in conflict with this Ordinance, said conflicting Ordinance shall be deemed repealed and of no effect and the provisions of this Ordinance shall prevail.

These amendments of the Unified Development Ordinance shall become effective upon adoption.

{Attached by reference and made a part of these official minutes is Exhibit A which is on file in the Office of the Town Clerk}

CITIZEN'S COMMENTS: None

CONSENT AGENDA:

Councilman Wood made a motion, seconded by Mayor Pro-Tem Dunn, to approve the following items as listed on the Consent Agenda:

1. The following minutes were approved:
 - April 6, 2021 – Regular Meeting
 - April 6, 2021 – Closed Session
2. Special Event: Juneteenth Celebration – Marlon Lee gained approval to conduct an outdoor celebration at Smith Collins Park and short parade/march on Collier Street from the Alumni Center to the Innovation Academy on Saturday, June 19, 2021 from 7:00 am until 8:00 pm. Amplified sound was also approved with this request.
3. Approval was granted to allow employees to donate sick time to a Police Department employee.
4. Promotion: Approval was granted to promote a Master Police Officer to the rank of Police Sergeant.
5. Promotion: Approval was granted to promote a Parks and Recreation employee to Assistant Aquatics Supervisor.
6. Bid award to JLP Carpentry in the amount of \$21,295.00 for improvements/renovations to the Girl Scout Hut.
7. The following advisory board appointments were approved:
 - C. Andrew Byrd IV was appointed to serve a first term on the Recreation Advisory Committee
 - Scott Wright was reappointed to serve a fourth term on the Recreation Advisory Committee

8. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Police Officer (Chaplain)	Police	10-20-5100-5100-0200	\$16.85/hr.
P/T SYCC Staff (2 positions)	P&R – SYCC	10-60-6240-5100-0210	\$9.00/hr.

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200
Camp Counselors (Part-time)	P&R – Recreation	10-60-6200-5100-0210
Firefighter I (2 positions)	Fire	10-20-5300-5100-0200
Fire Inspector (Part-time)	Fire	10-20-5300-5100-0210
Public Works Director	Public Works	10-60-5500-5100-0200
Police Officer I (5 positions)	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	Public Works	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Zoning Compliance Assistant (Part-time)	Planning	10-10-4900-5100-0200

9. Special Event: Carnival – Donna Inners of Inners Shows, Inc. gained approval to hold a family Days Fun Fest Super Carnival at Carolina Premium Outlets May 13 through the May 23, 2021. Amplified sound was also approved with this request.
10. Special Event: Community Outreach Event – Gerard Sanders gained approval to hold a community outreach event at Smith Collins Park on June 5, 2021 from 11:00 am until 7:00 pm

Amplified sound was also approved with this request.

11. Special Event: Piano Festival – Jonathan Levin gained approval to hold a Piano Festival at the Neuse River Amphitheater on June 18, 2021 from 7:30 pm until 9:30pm. Amplified sound was also approved with this request.
12. Special Event: Community Outreach Family Party – Martha Marcia of Iglesia Bautista Rey De Reyes to hold a community outreach family party at First Baptist Church on May 22, 2021 from 10:00 am until 1:00 pm. Amplified sound was also approved with this request.
13. Approval was granted to name the new splash park at 535 Martin Luther King, Jr. Drive the Eva E. Ennis Park.
14. Approval was granted to name the Girl Scout Hut located at 306 South Second Street the Rachael May Mattox Girl Scout Hut.

Business Items:

1. FY 2021-2022 Budget Discussions

Town Manager Michael Scott stated this item should be tabled until 6:30 pm on Thursday, May 6, 2021 for continued budget discussions. This meeting would be held in the training room of the Fire Station.

Councilmembers Comments: None

Town Manager's Report:

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

- The Council approved for the Downtown Smithfield Development Corporation to hold the Third Streatery events every other Friday from May 7th until July30th. They are requesting that the dates in July be changed from July16th and July 30th to July 9th and July 23rd
- A joint meeting will be held on Monday, May 10th at 11:00 in the gym at the SRAC. The meeting will consist of a joint public hearing regarding incentives being offered to Project XD. An announcement, as to the parent company coming to the Project XD site is also anticipated.

Closed Session Pursuant to NCGS 143-318.11 (a) (4)

Councilman Stevens made a motion, seconded by Councilman Barbour, to enter into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 9:34 pm

Reconvene in Open Session

Councilman Stevens made a motion, seconded by Councilman Wood, to reconvene in Open Session. Unanimously approved at approximately 10:11 pm.

No action was taken by the Council following the Closed Session

Recess

Councilman Barbour made a motion, seconded by Mayor Pro-Tem Dunn to recess the meeting until Thursday, May 6, 2021 at 6:30 pm in the Fire Station Training Room located at 111 South Fourth Street, Smithfield. Unanimously approved. The meeting recessed at approximately 10:12 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

DRAFT

The Smithfield Town Council met in special session on Monday, May 10, 2021 at 11:00 am in the gymnasium of the Smithfield Recreation and Aquatics Center. Mayor M. Andy Moore presided.

Note: This was a special joint meeting with the Johnston County Board of Commissioner

Councilmen Present:

John A. Dunn, Mayor Pro-Tem
David Stevens, District 2
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Councilmen Absent

Marlon Lee, District 1
Travis Scott, District 3

Administrative Staff Present

Michael Scott, Town Manager
Tim Kerigan, Human Resources/PIO
Shannan Parrish, Town Clerk

Also Present

Bob Spence, Town Attorney

WELCOME

Mayor Moore welcomed dignitaries in attendance.

CALL TO ORDER

Mayor Moore called the meeting to order at 11:01 am. Mayor Moore stated this was a historic day in the Town of Smithfield and Johnston County. With the addition of an Amazon facility to the Town, it would have an immediate impact on job creation and growth. He expressed his appreciation to everyone who assisted in this endeavor. He welcomed Amazon to the Smithfield Community.

INVOCATION

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

PUBLIC HEARING

Mayor Moore opened the public hearing at approximately 11:07am

Johnston County Economic Development Director Chris Johnson informed the members of the Town Council and the Johnston County Board of Commissioner that this economic development package would have an impact for generation. This company could move the Town of Smithfield to the forefront of growth and opportunity, which the Town has not seen since companies like Sylvania, Burlington Mills and Field Crest Mills were in business. Mr. Johnson explained that with the \$100 million investment, Amazon would create 500 jobs with salaries of \$15 per hour and an excellent benefits package. This economic development incentive grant comes at no risk to the taxpayers of Smithfield of Johnston County. The incentives come from the company's investment. The grant equates to a percentage of taxes Amazon will pay on its \$100 million investment. If benchmarks outlined in the agreement are not met, no incentives will be paid. During the grant period, Amazon will be the second largest taxpayer in the Town of Smithfield. And during this grant period, the Town of Smithfield will review \$1.4 million in tax revenue. In five years, Amazon will be the largest taxpayer in the Town of Smithfield. Mr. Johnson stated the West Smithfield Business Park will be voluntarily annexed into the Town of Smithfield and before the facility is completed, the Samet Corporation will already have invested \$2 million. This project has been vetted and approved by the Johnston County Economic Development Committee and an economic development impact study has been completed by Dr. Michael Walden of North Carolina State University. Mr. Johnson requested the Town Council to consider approving the economic development incentive package for Amazon.

Sam Blatt Amazon's Economic Development Manager expressed his appreciation to the Town Council and the Johnston County Board of Commissioners. He stated Amazon was making a large investment in the community, but they also wanted to be community partners.

Jennifer Slusser Johnston County Attorney addressed the Town Council and the Johnston County Board of Commissioners on the proposed economic development incentive package. Ms. Slusser explained that in order to be able to offer economic development incentives, the company must have a capital investment of real and personal property. The company must also be able to create jobs. The investment of real and personal

property is proposed to be completed by December 31, 2022. The company will create 500 new jobs by December 31, 2023. She further explained that this was a highly competitive project with many potential sites. Ms. Slusser stated an economic impact analysis had been conducted by Dr. Michael Walden of North Carolina State University. He concluded that Amazon would have a \$97 million output to the Johnston County economy. She stated that all the grants proposed under the agreement would never be more than the property taxes paid by Amazon. Amazon would have to make the capital investment and create the jobs before any grant funds were paid by the Town or the County. The grant incentive percentage are as follows:

Real Property		Personal Property	
Tax Year	Grant %	Tax Year	Grant %
Year 1	90%	Year 1	50%
Year 2	90%	Year 2	50%
Year 3	90%	Year 3	50%
Year 4	80%	Year 4	50%
Year 5	70%	Year 5	50%
Year 6	60%	Year 6	0%
Year 7	50%	Year 7	0%

Ms. Slusser explained the first grant payment would be made in 2024. She stated the draft agreement before the boards was almost complete. She stated the revisions were not materially or formally inconsistent with the draft agreement.

Town Attorney Bob Spence stated this incentive plan was consistent with the NC General Statute. The incentives are in the form of tax rebates based on real and personal property and job creation. Mr. Spence stated this project created a substantial investment.

Mayor Moore asked if there was anyone in attendance that wished to speak on the matter.

David Johnson of 39 Sassafras Lane Clayton, NC welcomed Amazon to the community. He stated this was great opportunity for the county and the town. He requested the Town and the County to be just as eager to assist existing business owners with their needs and problems as they arise in the community.

Dr. David Johnson of 166 McLemore Road stated that as the President of Johnston Community College, the college was ready to support Amazon and its needs. He welcomed Amazon to the community.

Councilman Barbour stated the new Amazon facility would be located in District 4 which he represents. He stated the community was excited and eager to welcome Amazon. He expressed his appreciation to Amazon for investing in the Town.

Mayor Moore closed the Public Hearing at approximately 11:32 am

Mayor Pro- Tem Dunn made a motion, seconded by Councilman Barbour, to approve Resolution No. 679 (07-2021) authorizing incentives for economic development. Unanimously approved.

**TOWN OF SMITHFIELD
RESOLUTION NO. 679 (07-2021)
AUTHORIZING INCENTIVES FOR ECONOMIC DEVELOPMENT**

WHEREAS, AMAZON.COM SERVICES LLC (“the Company”) proposes to locate a new multi-purpose warehouse/distribution facility (the “Facility”) on the parcel located at or near the Town of Smithfield in Johnston County, North Carolina more particularly described as being all of that 169.674 acre, Tract 1 and that 23.353 acre Tract 2 shown on a Recombination Plat for Samet Corporation by RWK, PA recorded 4/28/2021 in Plat Book 93, Page 241 of the Johnston County Registry (“the Project Site”); and

WHEREAS, the Company will locate the Facility on the Project Site and, in connection therewith, construct or cause to be constructed and up-fit improvements comprising the Facility and install or cause to be installed on the Project Site industrial machinery, equipment,

and other real and personal property improvements subject to ad valorem taxation by Johnston County and the Town of Smithfield, by including construction and expansion of new buildings and other real property improvements, as well as installation of new manufacturing equipment at the Facility; and

WHEREAS, an economic impact review containing a fiscal analysis of the proposed Expansion prepared for the Johnston County Economic Development Commission in May 2021 indicates that at full buildout the proposed project would result in a substantial increase in direct property tax revenues for the County and Town and the direct and indirect creation of a substantial number of new jobs; and

WHEREAS, North Carolina General Statute 158.7.1(a) authorizes the Town to make appropriations to aid and encourage the location of manufacturing enterprises, industrial and commercial facilities within the Town and other purposes which will increase the population, taxable property, employment, industrial output or business prospects of the Town; and

WHEREAS, the Council has determined that granting incentives (the Incentives) to the Company in exchange for the commitment of the Company to locate and operate the Facility at the Project Site in Johnston County would be beneficial to the Town's efforts to increase economic opportunities for its residents, its population, *ad valorem* tax revenues and sales tax revenues, and enhance and improve business prospects in general, including the creation of a substantial number of jobs; and

WHEREAS, the Council has received and reviewed a proposed Economic Development Agreement between the Town and the Company providing for the Town's granting the Incentives to the Company in consideration of the Company's commitments set forth there (the Agreement), and a copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Council has, pursuant to the notice and hearing requirements of North Carolina General Statute 158-7.1, held a public hearing to consider whether to grant the Incentives in exchange for the commitment of the Company to locate and operate the Facility at the Project Site in Smithfield.

Whereas, the Company has agreed to petition to annex the Project Site into the corporate limits of the Town of Smithfield by satellite annexation and consent to the same until annexed as all terms of the Agreement are subject to a condition precedent of the annexation.

NOW, THEREFORE, the Council:

1. Determines and concludes (a) that granting the Incentives in exchange for the commitment of the Company to proceed with the development and buildout of the Facility at the Project Site in the Town would be beneficial to the Town's efforts to increase overall economic opportunities for, and improve the general welfare of, its residents and increase *ad valorem* tax revenues, sales tax revenues and business prospects in general and result in the creation of a substantial number of new jobs in the County and Town, and (b) that the benefits described above accruing to the Town will outweigh the cost of the Incentives granted hereunder, creating a net public benefit; and
2. In consideration of the undertakings of the Company set forth in the Agreement and the benefits derived by the Town as described above, the Town's grant of Incentives to the Company as set forth in the Agreement is hereby approved, and the Town Manager, subject to compliance with any pre-audit requirements under the Local Government Budget and Fiscal Control Act, is hereby authorized to enter into and execute the Agreement on behalf of the Town in the form set forth on Exhibit A or with revisions as the Town Manager, in consultation with the Town Attorney, shall find to be not materially inconsistent with the form of the Agreement attached hereto and the intent and purpose thereof.
3. The Agreement shall be construed as a continuing contract in accordance with North Carolina General Statutes 153A-13 subject to the condition precedent that

Company petitions to annex the Project Site into the corporate limits of the Town of Smithfield by satellite annexation and consent to the same until annexed as all terms of the Agreement are subject to a condition precedent of the annexation.

Mayor Moore recognized former Councilmembers Emery Ashley, Perry Harris and Susan Lassiter,

Mayor Moore stated Smithfield was severely impacted when the tobacco and textile industries faced economic hardship and devastation. Industries that shaped the Town had to close their doors and people left the community to find other jobs. This facility will create immediate much needed job opportunity for residents of all skill levels at a competitive wage. He expressed his appreciation to private partners, state partners, county partners, the landowners, Chris Johnson, Tim Kerigan, Michael Scott and countless others that made this day a reality. Mayor Moore stated Smithfield was fortunate to have an outstanding institute of higher learning such as Johnston Community College, which stands ready to provide any specific training. The college has a long-standing record of producing graduates who possess the necessary skills to make a positive impact on employers on day one. He again welcomed Amazon to the Town of Smithfield.

Adjourn

Being no further business, Mayor Moore adjourned the meeting at approximately 11:42 am.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: Application
for
Temporary
Use Permit
Date: 06/01/2021

Subject: Temporary Use Permit
Department: Planning Department
Presented by: Stephen Wensman – Planning Director
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow Compass Community Church to hold a concert at Town Commons located at 200 S. Front Street on June 26, 2021.

Financial Impact

N/A

Action Needed

To approve the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Compass Community Church is requesting to hold a concert at Town Commons located at 200 S. Front Street, on June 26, 2021 from 12:00 pm to 2:00 pm. They will have amplified sound between those same hours. No food or goods will be sold, there will not be any alcohol and no streets have been requested to be closed. Security will not be needed. The applicant has requested (4) event trash cans to be delivered.



Town of Smithfield
 Planning Department
 P.O. Box 761 or
 350 East Market Street
 Smithfield, NC 27577

Completed applications should be submitted at least 4 weeks prior to event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

Temporary Use Permit Application

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event
 - Over 100 people in attendance
 - Live Band or Amplified Sound
 - Requires closure or blockage of Town Street
 - Involves Food Trucks
 - Requires Security (potential safety, security concerns)
 - Involves structures larger than 200 square feet and canopies larger than 400 square feet
 - Involves Town park property
 - Involves Fireworks

OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) _____

Compass Community Church Concert Smithfield Neuse Riverwalk Smithfield
 Name of Event Location of Event/Use (exact street address)

Name Charlene White Address 115 W. 7th St Smithfield NC
 Phone number 919-805-8207 Email address the.pentecostals2317@gmail.com
 Event date June 26, 2021 Will alcohol be sold or served? NO
 Event start time Noon Event end time 2pm
 Event set up time 11am Event cleanup time 3pm
 Sound amplification hours 2 Will food or goods be sold? NO

Food Trucks if applicable _____ (requires a valid permit from NC Department of Agriculture, a copy of the vehicle or trailer registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: _____
 (If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? Neuse River Amphitheater

If any town streets require closure, please list all street names: _____

Are event trash cans needed? yes How many? 4

Method of Payment: Cash _____ Check# _____ Credit Card _____ Amount \$ _____

Payment received by: _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify that the information contained in this application is true to the best of my knowledge and I further certify that this event/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Charlene White Charlene White May 13, 2021
Applicant's Name (print) Signature Date

Planning Director signature: [Signature] Date: May 17, 21

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.

Property owners name (print) _____
Address _____ *Zip* _____
Phone number _____ *Email* _____
Signature: _____ *Date:* _____



Request for Town Council Action

Consent
Agenda
Item: Police
Date: Promotion
06/01/2021

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

Issue Statement

This is a request to promote one officer from the rank of Police Officer II (POII) to Master Police Officer (MPO), moving from pay grade 17 to pay grade 18. Under the **Town's Employee Handbook, all promotions to a higher pay grade will be accompanied** by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

Financial Impact

Approved Budgeted Amount for FY 2020-2021: Covered by the Current Budget

This salary increase will be covered by the Police **Department's current budget and will not** require a budget amendment to the current salary line item. In this case, the required salary increase for the current budget year will be \$230.21 and the 2021/2022 Budget will cost will be \$2762.52 which will be covered by budget.

Action Needed

The Officer has followed the attached career ladder policy previously approved by the Council found in the support documentation and has earned the promotion. The Police Chief recommends this promotion and a five percent salary increase, moving him to the next pay grade in the current Town salary schedule

Recommendation

It is requested to allow this Officer to be promoted to Master Patrol Officer (MPO).

Approved: Town Manager Town Attorney

Attachments:

1. Career Ladder
2. Officer Request /Training



Staff Report

Consent
Agenda
Item: Police
Promotion

This is a request to promote one officer from the rank of Police Officer II (POII) to Master Police Officer (MPO), moving from pay grade 17 to pay grade 18. Under the Town's Employee Handbook, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

Smithfield Police Department

Interoffice Memorandum

Date: May 5th 2021


To: Chief K. Powell

From:

Subject: Master Patrol Officer

I'm writing this memorandum because I meet the following requirements to be promoted to Master Patrol Officer.

- I was promoted to Policer Officer II in February 2020
- I completed Crisis Intervention Team in July 2020
- I received Better than Satisfactory rating on the 2019 evaluation and since the ratings changed for the 2020 evaluation from Better than Satisfactory to Above Satisfactory, I received an Above Satisfactory rating on the 2020 evaluation
- I completed Field Training Officer Training on April 30th 2021

Cc: Captain J. Grady 
Lt. B. O'Branovich
Sgt. D. Johnson



Chapter 500
Personnel Policy 504: Promotions & Career Development
Effective Date: January 1, 2014 Revised Date: June 15, 2020
Approved by: Chief Robert K. Powell

R.K. 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 Master Police Officer 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 or 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 CVSA 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.



Request for Town Council Action

Consent Agenda Item: Various Budget Amendments
Date: 06/01/2021

Subject: Various Budget Amendments
Department: Finance
Presented by: Finance Director - Greg Siler
Presentation: Consent Agenda

Issue Statement - Budget Amendments for Riverbank Repair, Splash Pad/Sarah Yard Center Paved Parking, Wayfinding Phase III, Gertrude B. Johnson Memorial Park Fence and J.C. Visitors Bureau Grant to Reimburse for Boat Ramp Shelter

Financial Impact – See impact and description under each amendment

Action Needed – Approve as presented

Recommendation – Approve amendments

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Budget Amendments



Staff Report

Consent
Agenda
Item: Budget
Amendments

Attached are various budget amendments previously authorized by Council but not officially approved for budget adjustments. These include:

- Riverbank Repair
- Splash Pad/Sarah Yard Center Paved Parking,
- Wayfinding Phase III
- Gertrude B. Johnson Memorial Park Fence
- J.C. Visitors Bureau Grant to Reimburse for Boat Ramp Shelter

BUDGET AMMENDMENTS
Jun-21

<u>GENERAL FUND</u>	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
1. Expenditures			
10-60-6200-5700-7400 Parks and Rec. - Capital Outlay	196,570	30,000	226,570
10-00-9990-5300-0000 General Fund Contingency	<u>289,718</u>	<u>(30,000)</u>	<u>259,718</u>
	<u>\$ 486,288</u>	<u>\$ -</u>	<u>\$ 486,288</u>

To fund second riverbank refurbishment along greenway as approved at the May 6, 2021 Council Meeting

2. Revenue			
10-10-3300-3307-0020 Grant - JC Visitors Bureau			
	<u>\$ -</u>	<u>\$ 15,000</u>	<u>\$ 15,000</u>
Expenditures			
10-60-5500-5300-3440 General Services - Appearance Commission			
	<u>\$ 23,625</u>	<u>\$ 15,000</u>	<u>\$ 38,625</u>

To fund the reimbursement of boat ramp shelter with Johnston County Visitors Bureau Grant

3. Revenue			
10-00-3990-3900-0000 Fund Balance Appropriation			
	<u>\$ 1,798,008</u>	<u>\$ 40,536</u>	<u>\$ 1,838,544</u>
Expenditures			
10-60-6240-5700-7400 SYCC - Capital Outlay	\$ 29,000	\$ 15,869	\$ 44,869
10-60-6200-5700-7400 Parks and Rec. - Capital Outlay	<u>\$ 226,570</u>	<u>\$ 24,667</u>	<u>\$ 251,237</u>
	<u>255,570</u>	<u>40,536</u>	<u>296,106</u>

To fund SYCC and Slash Pad paved parking as approved at the April 6, 2021 Council Meeting

4. Revenue			
10-10-3300-3307-0020 Grant - JC Visitors Bureau			
	<u>\$ 15,000</u>	<u>\$ 7,500</u>	<u>\$ 22,500</u>
Expenditures			
10-60-6200-5700-7400 Parks and Rec. - Capital Outlay			
	<u>\$ 251,237</u>	<u>\$ 7,500</u>	<u>\$ 258,737</u>

To fund Gertrude B. Johnson Memorial Park fence with Johnston County Visitors Bureau Grant

General Fund Capital Projects Fund

5. Revenue

46-10-3410-4900-4115 Visitors Bureau Wayfinding

\$ 133,919 \$ 37,765 \$ 171,684

Expenditures

46-10-4900-5700-7400 Wayfinding

\$ 262,550 \$ 37,765 \$ 300,315

To fund Phase III of Wayfinding Project as approved at the April 6, 2021 Council Meeting

Approved by the Smithfield Town Council this the 1st day of June, 2021

ATTEST:

M. Andy Moore

Shannan Parrish, Town Clerk



Request for Town Council Action

Consent
Agenda
Item: DAV
Date: 06/01/2021
Contract

Subject: Disabled American Veterans Contract
Department: General Government
Presented by: Town Manager -Michael Scott
Presentation: Consent Agenda

Issue Statement

The Town has been in a contract with the Disabled American Veterans (DAV) since **August 2010 to utilize the Town's property located at 1500 Buffalo Road in Smithfield**. The DAV is requesting to renew the contract for a subsequent two (2) years.

Financial Impact

\$1.00 annually

Action Needed

Approve the contract

Recommendation

Approve the contract

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Draft Contract



Staff Report

Contract
Agenda
Item: DAV
Contract

The Town has been in a contract with the Disabled American Veterans (DAV) since August **2010 to utilize the Town's property located at 1500 Buffalo Road in Smithfield. The DAV is** requesting to renew the contract for a subsequent two (2) years. The draft contract is attached and is unchanged from the previous contract approved in 2019.

North Carolina
Johnston County

This Lease agreement is made and entered into this ____ day of _____, 2021 by and between TOWN OF SMITHFIELD, a North Carolina municipal corporation, Town (hereinafter called Town); and DISABLED AMERICAN VETERANS (DAV) CHAPTER 44, JOHNSTON COUNTY, a North Carolina corporation, Tenant (hereinafter called Tenant);

WITNESSETH:

1. Subject to the terms and conditions hereinafter set forth, said Town doth hereby hereby let and lease unto said Tenant, and said Tenant doth hereby accept as Tenant of Town a certain parcel of land together with the buildings and other improvements thereon situate, with a street address of 1500 Buffalo Rd., Smithfield, NC 27577, and lying and being in Johnston County, North Carolina, being hereinafter referenced as the "Premises" and more particularly described as follows:

BEING all of that 8 acre tract of land as shown on map prepared by Barbour Land Surveying, dated 05/25/1992, styled "Survey for James Albert Jones and Mary H. Jones" and recorded in Plat Book 37, Page 45, Johnston County Registry. See Deed Book 1261, Page 750, Johnston County Registry.

Less and except the following tract of land:

BEING 3.99 acres, located in Smithfield Township, Johnston County and being more particularly described as follows:

BEGINNING at a point best located by reference to an existing iron pipe which in turn is located South 07 degrees 18 minutes 32 seconds West 30.00 feet from an existing PK nail in the centerline of NCSR 1923; said PK nail being located South 81 degrees 22 minutes 38 seconds East 228.29 feet from an existing PK nail also set in the centerline of NCSR 1923, said PK nail being located South 81 degrees 33 minutes 26 seconds East 1168.03 feet from an existing PK nail in the intersection of the centerlines of NCSR 1923 and NCSR 1003; the point of BEGINNING lies the following calls and distances from this existing iron pipe: North 81 degrees 32 minutes 02 seconds West 579.08 feet, South 08 degrees 20 minutes 57 seconds West 293.33 feet, North 81 degrees 39 minutes 16 seconds West 199.87 feet, North 08 degrees 20 minutes 46 seconds East 143.96 feet, North 81 degrees 17 minutes 28 seconds West 148.18 feet, South 26 degrees 47 minutes 54 seconds West 531.65 feet; thence from said point of BEGINNING, South 65 degrees 16 minutes 48 seconds East 304.23 feet to an existing iron pipe; thence South 23 degrees 13 minutes 26 seconds West 424.67 feet to an existing iron pipe; thence North 87 degrees 31 minutes 09 seconds West 531.04 feet to an iron pipe set, a new corner with N/F James Jones; thence a new line of James Jones, North 41 degrees 24 minutes 25 seconds East 418.64 feet to an existing iron pipe, a corner with Jones and a corner with Mrs. C. C. Hamilton; thence with Mrs. C. C. Hamilton, North 25 degrees 19 minutes 30 seconds East 202.47 feet to the point and place of BEGINNING, and being 3.99 acres, depicted as Tract 1 on a plat entitled "Survey for Smithfield Parks and Recreation: Clyde Hamilton Property", by Linwood Jones, RLS, dated 10-29-93.

See Exhibit A for a GIS printout of the above, being Tax Parcel No. 14075030

THE TERMS AND CONDITIONS ABOVE REFERRED TO ARE AS FOLLOWS:

TERMS

1. **Terms.** The Tenant took possession of the Premises in August of 2010 and has since invested Ten Thousand Three Hundred Dollars in the Premises by upgrading air

- conditioning, sewer and other renovations. The Tenant originally took possession under a Lease but the Town has agreed to convert the Lease to this lease giving the Tenant more rights in the light of Tenant's investment in the Premises with the lease to extend for two years from September 1, 2021 through August 31, 2023. However, both parties will have the right to terminate this Lease on 90 days written notice before the first day of the month after termination without the necessity of cause or justification.
2. **Rent.** The rental to be paid by said Tenant for said premises shall be One Dollar, per year or part of a year.
 3. **Lights, Heat, Water, And Sewer.** During the term of this Lease Tenant shall set up accounts to provide and pay for all lights, heat, water and sewer charges upon said demised premises.
 4. **Repairs.** It is understood and agreed that Tenant accepts said premises in the physical condition in which the same now are, and that Town shall be under no obligation whatever to make any repairs or replacements to said premises during the term of this Lease; except in the event of damage by fire as hereinafter provided. Tenant will repair any damage to said premises and restore the same to the present condition.
 5. **Improvements By Tenant.** Tenant may not at any time during the term of this Lease erect upon the demised premises such buildings or other improvements as it may elect, without specific prior written permission from Town.
 6. **Use Of Premises.** It is expressly agreed that this Lease is executed and accepted subject to the use of a Disabled American Veterans' office.
 7. **Damage Or Destruction By Fire.** Town assumes no obligation whatever to repair or replace any building on the demised premises which is damaged or destroyed by fire or other casualty; but Tenant may at his own option and expense cause said buildings to be insured and in case of damage or destruction use all sums collected from such insurance in repairing or replacing said buildings. Town will be a beneficiary and Loss Payee on all insurance and entitled under to the policy to notice before cancellation or failure to renew. Tenant must bear the sole responsibility of any hazard or liability insurance on their personalty.
 8. **Bankruptcy Or Insolvency Of Tenant.** It is expressly agreed that if at any time during the term of this Lease Tenant should be adjudged bankrupt or insolvent by any Federal or State court of competent jurisdiction, such adjudication shall terminate and cancel this Lease without any further action on the part of either party hereto, and Town may at once re-enter and take possession of said premises.
 9. **Assignment And Subletting.** Tenant shall not assign this Lease or sublet any part of the demised property without the written consent of Town.
 10. **Insurance.** Tenant agrees that it will at all times during the term hereof, at its own expense, maintain and keep in force a \$1,000,000.00 public liability insurance policy

against claims for bodily injury, death or property damage occurring in or on or about the demised premises and will also provide at its sole cost and expense, fire and extended coverage and vandalism and malicious mischief insurance covering the contents of the demised premises as provided in paragraph 7.

11. **Indemnity:** Tenant shall indemnify Town against all expenses, liabilities and claims of every kind, including reasonable counsel fees, by or on behalf of any person or entity arising out of either (1) a failure by Tenant to perform any of the terms or conditions of this Lease, (2) any injury or damage happening on or about the demised premises, (3) failure to comply with any law of any governmental authority, or (4) any mechanic's lien or security interest filed against the demised premises or equipment, materials or alterations of buildings or improvements thereon.

Tenant specifically agrees to indemnify Town for any loss by virtue of any alleged violation of an environmental law, specifically any current or future law relating to the transportation, storage or sale of goods, unless such violation was due to the gross negligence of the Town. In accepting this provision, the Tenant agrees that the construction of the premises met current legal requirements.

12. **Subordination:** This Lease and all rights of Tenant hereunder shall be subject and subordinate to the lien of any and all mortgages that may now or hereafter affect the demised premises, or any part thereof, and to any and all renewals, modifications or extensions of any such mortgages. Tenant shall on demand execute, acknowledge and deliver to Town, without expense to Town, any and all instruments that may be necessary or proper to subordinate this Lease and all rights therein to the lien of any such mortgage or mortgages and each renewal, modification or extension and if Tenant shall fail at any time to execute, acknowledge and deliver any such subordination instrument, Town in addition to any other remedies available in consequence thereof, may execute, acknowledge and deliver the same as Tenant's attorney in fact and in Tenant's name. Tenant hereby irrevocably makes, constitutes and appoints Town, its successors and assigns, his attorney in fact for that purpose.

13. **Inspections:** Town shall have the right to enter the premises and to inspect the conditions of the premises themselves and to make repairs, alterations or modifications as required upon notice of five (5) business days to Tenant.

14. **DAV Clause:** All parties to this contract expressly agree and covenant that they will not seek from the DAV National Organization not the DAV Department of North Carolina through litigation or otherwise, any damages arising or alleged to arise from the performance or nonperformance of this contract. The DAV National Organization and DAV Department of North Carolina are not parties to this contract.

15. Miscellaneous:

- a. **Merger and Modification.** This instrument constitutes the entire agreement between the parties and supersedes any and all prior agreements, arrangements and understandings, whether oral or written, between the parties. All negotiations, correspondence and memorandums passed between the parties hereto are merged herein and this agreement cancels and supersedes all prior agreements between the parties with reference thereto.

No modification of this instrument shall be binding unless in writing, attached hereto, and signed by the party against whom or which it is sought to be enforced.

- b. Waiver. No waiver of any right or remedy shall be effective unless in writing and nevertheless shall not operate as a waiver of any other right or remedy or of the same right or remedy on a future occasion.
- c. Caption and Words. The captions and headings contained herein are solely for convenience and reference and do not constitute a part of this instrument. All words and phrases in this instrument shall be construed to include the singular and plural number, and the masculine, feminine or neuter gender, as the context requires.
- d. Binding Effect. This instrument shall be binding upon and shall insure to the benefit of the parties and their heirs, successors and permitted assigns.
- e. North Carolina Law. This instrument shall be construed in accordance with the laws of North Carolina without giving effect to its conflict of laws principles.
- f. Forum Selection. In any action arising from or to enforce this agreement, the parties agree (a) to the jurisdiction and venue exclusively of the state courts in Johnston County, North Carolina.
- g. Limitation of Liability. No party will be liable to another party, or to the extent this agreement may limit the same to any third party, for any special, indirect, incidental, exemplary, consequential or punitive damages arising out of or relating to this agreement, whether the claims alleges tortious conduct (including negligence) or any other legal theory.
- h. Two Originals. This instrument may be executed in two (2) or more counterparts as the parties may desire, and each counterpart shall constitute an original.
- i. Follow Through. Each party will execute and deliver all additional documents and do all such other acts as may be reasonably necessary to carry out the provisions and intent of this instrument.
- j. Authority. Any corporate party or business entities and its designated partners, venturers, or officers have full and complete authority to sell, assign and convey the contracts and assume the obligations referred to herein; said corporations or entities are in good standing under North Carolina law.
- k. Severability. If any one or more of the terms, provisions, covenants or restrictions of this agreement shall be determined by a Court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, provisions, covenants and restrictions of this Contract shall remain in full force and effect and shall in no way be affected, impaired or invalidated. If, moreover, any one or more of the provisions contained in this Contract shall for any reason be determined by a Court of competent jurisdiction to be excessively broad as to duration, geographical scope, activity or subject, it shall be construed, by limiting or reducing it, so as to be enforceable to the extent compatible with the then applicable law.
- l. Contract Termination. The Town may terminate this contract without cause on 10 days' notice.

m. Pre-Audit Certification. This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act to assure compliance with NCGS 159-28.

Greg Siler, Town Budget Officer

In Testimony Whereof, said TOWN OF SMITHFIELD, a North Carolina municipal corporation, Town, presents this Lease to be signed in its corporate name by its Town Manager and DISABLED AMERICAN VETERANS, INC, a North Carolina corporation, Tenant, presents this Lease to be signed in its corporate name by its Town Manager; this contract being executed in duplicate originals, one of which is retained by each of the parties.

TOWN OF SMITHFIELD

DISABLED AMERICAN VETERANS, INC

By: _____(SEAL)

By: _____(SEAL)

Town Manager _____(Title)

_____ (Title)



Request for Town Council Action

Consent
Agenda
Item: Inter-local
Agreement
for Fire
Protection
Date: 06/01/2021

Subject: Inter-local Agreement for Fire Service with Johnston County
Department: Fire Department
Presented by: Assistant Fire Chief Jeremey Daughtry
Presentation: Consent Agenda

Issue Statement

The Smithfield Fire Department is seeking consideration to authorize the approval of the 2021-2023 Inter-local Agreement for Fire Service with Johnston County. The Smithfield Fire Department provides service in the unincorporated areas around the Town of Smithfield. This agreement is renewed every two years for the provision of service and collection of Rural Fire Tax.

Financial Impact

If not approved the Town will not collect Rural Fire Tax and the Mutual-Aid from other Departments when needed.

Action Needed

To approve the Fire Protection Contract for a period not to exceed two years. Signed by the Mayor and Clerk

Recommendation

The Fire Department recommends approval of this contract

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Letter from Johnston County Fire Marshal – Adam Stanley
3. Interlocal Agreement for provision of Fire Protection Services



Staff Report

Consent
Agenda
Item:

The Smithfield Fire Department is seeking consideration to authorize the approval of the 2021-2023 Inter-local Agreement for Fire Service with Johnston County. The Smithfield Fire Department provides service in the unincorporated areas around the Town of Smithfield. This agreement is renewed every two years for the provision of service and collection of Rural Fire Tax.



May 10, 2021

Town of Smithfield Fire Department
111 S Fourth St
Smithfield, NC 27577

Dear Chief:

There have been no changes to our fire service contract for contract dates July 1, 2021 to June 30, 2023. **The current contract will expire on June 30, 2021, coinciding with the execution of this new contract.**

Enclosed, you will find two copies of your 2021-2023 fire contract for your department's approval signatures. Please examine this document and notify me immediately if there are any questions or discrepancies. The following actions are required of your agency

1. Sign Page 8 of the contract document as designated for approval (two signatures).
2. **Return the signed documents to our office by June 25, 2021.**

Once approved with all signatures, one of the original signed documents will be returned to you. Again, if you have any questions, please do not hesitate to call me.

Sincerely,

Adam R. Stanley

Adam R. Stanley
Fire Division Chief/Fire Marshal

Enclosures



**NORTH CAROLINA
JOHNSTON COUNTY**

INTERLOCAL AGREEMENT FOR PROVISION OF FIRE PROTECTION SERVICES

This Agreement (sometimes referred to as "Contract"), made and entered into this the first day of July, 2021, by and between County of Johnston, a political subdivision of the State of North Carolina, hereinafter referred to as the "County," and the **Town of Smithfield**, a body politic and corporate of the State of North Carolina, hereinafter referred to as the "Town" or "Contractor";

WHEREAS, the Town and the County are authorized pursuant to N.C. General Statute § 160A-460, *et seq.*, to enter into an interlocal agreement; and

WHEREAS, the Town and the County wish to enter into such an agreement by which the County will assess and collect a special fire tax and the Town will provide certain fire protection services as described herein.

Now therefore, in consideration of the mutual promises contained herein and other good and valuable consideration, the parties hereto contract and agree as follows:

- 1) The County agrees that it will cause to be assessed or levied a special fire tax within statutory limits after consultation with the Town; and will collect said fire tax on an ad valorem basis on property within the **Smithfield** Fire Protection Service District (hereinafter the "District").
- 2) The Town, after consultation with the Fire District Tax Commission for the District, shall submit in writing to the Johnston County Fire Marshal a proposed budget and the requested rate of fire tax to be levied by the established deadline each year. This request shall be forwarded to the Johnston County Manager and the Johnston County Board of Commissioners for consideration by the Johnston County Board of Commissioners. The Johnston County Board of Commissioners will determine and approve, in its discretion, the amount to be assessed or levied, taking into consideration the needs of the citizens of the District and the budget projections submitted by the Town and the recommendations of the Fire District Tax Commission.
- 3) "Fire Department" as used herein refers to the Town, acting by and through its Fire Department.
- 4) Funds collected by the County as a result of said special fire tax shall be distributed in accordance with the rate of fire tax levied per hundred dollars valuation of all real property and personal property in the District and the provisions established by the Johnston County Finance Office.
- 5) Fire Protection Service District (N.C. General Statute 153A-301) funds levied and collected by the County and paid to the Fire Department by the County shall be used exclusively for fire department operations to provide fire protection and emergency services in the District, whether within or outside the Town's corporate boundaries, and other areas of response as dispatched and to meet the standards established by this Agreement.
- 6) The Fire Department will furnish fire protection and related emergency services pursuant to the standards set forth by the North Carolina Department of Insurance, County, and all other



pertinent federal, state, and local laws and regulations within the Fire District (sometimes referred to herein as "primary service area") and shall provide the necessary equipment, personnel, and those things necessary for furnishing such protection in the District. The District is defined in the map of the Fire Protection Service District on record with the Clerk to the Johnston County Board of Commissioners and in the GIS/Land Records Management of Johnston County. The services shall be in accordance with minimum standards set forth in this Agreement and all future amendments adopted in accordance with paragraph 18 of this Agreement. The Fire Department shall furnish said fire protection without charge to all persons and property located in the District in an efficient and competent manner. This provision shall not prohibit the Fire Department from recouping costs and expenses from incidents or from entering into contracts with the Federal, State, or local governments or utility companies for the provision of emergency protection services for a fee, or from applying for and/or receiving any donations, grants, or contributions of any kind, whether governmental or private.

- 7) Fire Department agrees that County has the right to inspect all books and accounts of Fire Department at any time. Said inspection shall be conducted by the Johnston County Board of Commissioners through the Johnston County Fire Marshal, the Johnston County Finance Officer, or other designees of the Johnston County Board of Commissioners. The Fire Department shall furnish all applicable materials and financial statements for the purpose of the annual audit conducted by the Town in conformity with General Accepted Accounting Principles or other comprehensive basis of accounting. The Town shall follow the applicable statutory procedures for letting of public contracts for fire apparatus, equipment, and construction as may be amended by the North Carolina Legislature from time to time. Fire Department shall maintain an accurate inventory of any property with a purchase price of \$5,000.00 or greater purchased in whole or in part with County Fire District funds for the purpose of providing and furnishing fire protection services to the Fire District pursuant to this Agreement.
- 8) If any condition of this Agreement is not being fulfilled by Fire Department to the satisfaction of County, in County's sole discretion, the Johnston County Finance Officer has the right to withhold any and all funds to be paid to Fire Department under this Agreement at any time and until such time as the Fire Department complies with the terms of this Agreement. If Fire Department refuses or fails to provide fire protection services, facilities, or functions as contemplated under this Agreement and to the sole satisfaction of County, the Johnston County Fire Marshal shall investigate the cause of said refusal or failure. During the investigation by the Johnston County Fire Marshal, County may withhold any and all funds due and payable to Fire Department. If the investigation by the Johnston County Fire Marshal determines that Fire Department has refused or failed to perform the duties and obligations of it as required herein, and certifies the results of the investigation to the County Manager, the County Manager may instruct the Finance Officer to withhold any and all funds to be aid to Fire Department under this Agreement until a resolution regarding the refusal or failure to perform is reached by the parties. If a resolution is unable to be reached by the parties, County, in its sole discretion, may withhold nay and all funds to be paid to Fire Department under this Agreement, terminate this Agreement for cause, or take any other such action as County deems necessary to protect the citizens of the District. Fire Department's failure to file reports required of it to any Federal, State, or local authority shall be grounds for County to terminate this Agreement with Fire Department for cause. If this Agreement is terminated by County for cause, Fire Department shall be liable to County for any and all funds appropriated and paid to Fire Department during the fiscal year in which the



termination occurs. Additionally, Fire Department shall not be relieved of its obligations to County under paragraph (7) of this Agreement. Nothing herein shall affect Fire Department's ultimate rights to payments, or County's responsibility for payments, as outlined herein for services actually rendered by Fire Department prior to the effective date of any termination. Nothing herein shall prevent County and Fire Department, in the event of a termination of this Agreement for any reason, from entering into an agreement to provide services beyond the effective date of any such termination.

- 9) The Fire Department shall obtain and keep in force during the term of this contract the following minimum insurance coverage:
 - a. Worker's Compensation: Coverage for all paid and volunteer workers meeting the statutory requirements of the State of North Carolina;
 - b. Comprehensive General Liability, Malpractice, and Errors and Omissions: Coverage with minimum limits of \$1,000,000.00 per occurrence, \$1,000,000.00 aggregate combined single minimum for bodily injury liability and property damage liability;
 - c. Business Auto Policy: Coverage with minimum limits of \$1,000,000.00 per occurrence combined single limit for bodily injury liability and property damage liability. This shall include owned vehicles, hired, and non-owned vehicles and employee non-ownership.
 - d. Management or Directors and Officers Liability: Coverage with minimum limits of \$1,000,000.00 per claim and \$2,000,000.00 aggregate.
 - e. Umbrella Liability: Coverage with a minimum limit of \$1,000,000.00 with underlying coverage of auto liability, general liability, employer's liability, and \$1,000,000.00 aggregate.
 - f. County as an Additional Insured: County of Johnston shall be named as an additional insured on all policies of insurance required hereunder. Fire Department shall furnish County a certificate of insurance annually.
 - g. Indemnity Agreement: Fire Department shall and hereby agrees to indemnify and save harmless County, from any and all liability and expenses, including attorney's fees, court costs, and other costs incurred by County caused by the negligent acts or omissions of Fire Department, its volunteers, agents and employees.
 - h. Nothing contained herein shall be construed as a waiver of immunity by the County.
- 10) The Fire Department shall provide services within the District (N.C. General Statute 153A-233) and maintain a minimum of a 9S/E rating or better with the North Carolina Department of Insurance, Office of State Fire Marshal. The Fire Department, shall continuously comply with all applicable laws, ordinances, and State regulations. Fire Department shall submit to the Johnston County Fire Marshal a written plan outlining how it will maintain or upgrade its current insurance rating when requested by the Johnston County Fire Marshal.
- 11) The Fire Department shall use reporting software supplied by Johnston County. The following information is required to be reported in the reporting software to be used for compiling reports: 1. Incident; 2. Staff; 3. Hydrants Testing and Maintenance; 4. Training. Fire Incident Reports shall be completed, utilizing the software provided by County, by the 10th day of the month showing completion of the reports for the previous month. The Fire Department shall keep all reports and records on site at Contractor's principal place of business for at least five years from the creation date. All mandatory State and County reports and rosters shall be submitted to the appropriate authority by the requested deadline.



- 12) The Fire Department shall provide annually to the Johnston County Fire Marshal's Office a current and complete roster of members of the Fire Department to include contact numbers for the Chief and Assistant Chief(s).
- 13) The Fire Department agrees to provide automatic and mutual aid services to other emergency services providers in Johnston County. The Fire Department understands that other agencies will maintain their own liability policies and be responsible for their own expenses. The Fire Department further agrees that it will be responsible for its own expenses while responding to a request for mutual aid to another agency within the county. The current automatic aid agreement is included in Appendix A of this contract.

In areas where the fire district has been extended to six miles, the Fire Department agrees to maintain agreements with adjoining districts to respond with a minimum of one apparatus capable of transporting a minimum of 1,000 gallons of water to all alarms involving reported structure fires. This apparatus will be dispatched simultaneously with the department within whose district the incident occurs.

- 14) The following minimal performance standards are agreed upon by the County, Town, and the Fire Department and are part of this contract:
 - a. The Fire Department shall comply with the procedures for radio communications and established protocols for the dispatch of emergencies as defined by the Johnston County Communications Center Protocols.
 - b. The Fire Department officer in charge at all fire scenes shall attempt to determine the origin and cause of every fire. When the officer in charge cannot determine the origin and cause of the fire, or if the cause is suspected to be of an incendiary nature, the officer in charge shall request assistance from the Johnston County Fire Marshal's Division.
 - c. The Fire Department shall keep all records on site for minimum period of five (5) years. These records include all those "Records and Documents" required to be maintained in order to meet and/or retain 9S classification, as published in that memo entitled "Requirements to Meet the 9S Rating for Initial Certification/Re-Inspection of Fire Departments in North Carolina," or any superseding memorandum or directive, published by the Office of the State Fire Marshal. All State and County required reports and rosters shall be submitted by the requested deadlines.
 - d. The Fire Department shall adopt a standard operating guideline that addresses the number of firefighters required on all types of fire calls. A current, valid copy of the Contractor's guideline shall be kept on file with the Johnston County Fire Marshal. The Fire Department shall place at least four (4) personnel on the scene to operate at least one (1) pumper on all structure fire calls.
 - e. The Fire Department shall have the minimum standard training requirements, as established by the State of North Carolina, for providing fire, rescue, and emergency management services. The Fire Department shall maintain training levels in accordance with National Incident Management System (NIMS) directives.



- f. The Fire Department shall participate in at least two (2) or more county wide mutual aid trainings each year.
- g. The Fire Department shall develop a pre-fire incident survey and update it annually for all commercial buildings within the Fire Protection Service District. Facilities that should be given priority are those buildings displaying NFPA 704 placards, as well as hazardous, institutional, and assembly occupancies. The Fire Department agrees to cooperate with local fire code enforcement officials to determine hazards and occupancies. Upon request, the Johnston County Fire Marshal or his designee shall assist the Fire Department in developing pre-fire incident surveys for buildings within the Johnston County Fire Marshal's fire code enforcement service area.
- h. If pressurized fire hydrants are located within the fire district, the Fire Department shall adhere to the guidelines established by the Johnston County Public Utilities Department for the flowing of hydrants. The Fire Department shall immediately report any malfunctions or damage to hydrants to the entity owning the water system. The Fire Department shall conduct fire hydrant testing and maintenance on not less than an annual basis. Testing shall ensure that every wet and dry fire hydrant in the Fire Protection Service District is flushed and checked for accessibility, functionality, visibility, and operation. Records of fire hydrant tests and maintenance conducted by the Fire Department shall be completed and maintained in compliance with the North Carolina Rating System.
- i. The Fire Department shall follow the Johnston County Emergency Operations Plan when responding to an emergency or disaster.
- j. During a declared State of Emergency affecting the County, the Fire Department shall assist, within the limits of its personnel and equipment and capabilities and with deference to its primary service area, to the extent possible with the following services: 1) Debris removal from roadways; 2) Traffic Control; 3) Alert and notification; 4) Search and rescue; 5) Evacuation; and 6) other life saving and property protection measures as necessary. Request for additional assistance outside the primary service area shall be directed to the Fire Chief or designee. All operations shall be in accordance with the Johnston County Emergency Operations Plan.
- k. The Fire Department should have a public fire/life safety education program or similar activities for, at a minimum, educating persons regarding life safety from fire.
- l. When determining the need and location of additional facilities (fire stations, etc.), the Fire Department shall participate in a planning process involving the County Fire Marshal which evaluates, at a minimum, the needs of the department, the effects on property owners, the effects on insurance grading, and the impacts on adjoining fire districts.
- m. Each Fire Department may elect to voluntarily participate in certain services. Each department that provides these services shall be contracted or franchised for the operation of such service, pursuant to the rules set forth by the Johnston County Board of Commissioners. If the Fire Department has chosen to participate in any of these programs, the agreements can be found as Appendices of this contract:



SERVICE	APPENDIX #
Aid Agreement for Fire Protection	A
Medical Services	B
Rescue Services	C
Cardiac Arrest Assistance Agreement	

- 15) This agreement shall become effective the first day of July 2021, and remain in effect for a period not to exceed two years, subject to the continued legal existence of the District and the Fire Department, and further subject to the termination provisions of paragraph 8 and 17 hereof.
- 16) This agreement may not be transferred or assigned by the Town, nor may the services contracted for herein be sub-contracted to other parties unless approved by the Johnston County Board of Commissioners.
- 17) This contract may be terminated by either party upon advance notification to the other party by certified mail at least sixty (60) days prior to termination.
- 18) Either party may propose an amendment to this agreement by submitting the amendment in writing at least sixty (60) days in advance of the amendment's proposed effective date. Amendments to this agreement must be approved by both the County and the Town prior to becoming effective.
- 19) If any part of this Contract is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that part shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this Contract.
- 20) This contract is not intended to serve for the benefit of any third party. The rights and obligations contained herein belong exclusively to the entities that are parties hereto and no third party shall rely upon anything contained herein as a benefit to that third party.
- 21) The terms and provisions herein contained constitute the entire agreement by and between the County and the Town and shall supersede all previous communications, representations, or agreements, either oral or written between the parties hereto with respect to the subject matter hereof.
- 22) **RELATIONSHIP OF THE PARTIES.** The relationship of the parties established by this Agreement is solely that of independent contractors, and nothing contained in this contract shall be construed to (i) give any party the power to direct or control the day-to-day activities of the other; (ii) constitute such parties as partners, joint ventures, co-owners or otherwise as participants in a joint or common undertaking; (iii) make either party an agent of the other for any purpose whatsoever; or (iv) give either party the authority to act for, bind, or otherwise create or assume any obligation on behalf of the other. Nothing herein shall be deemed to eliminate any fiduciary duty on the part of the Fire Department to the County that may arise under the law or under the terms of this Agreement.



- 23) IRAN DIVESTMENT AND DIVESTMENT FROM COMPANIES BOYCOTTING ISRAEL. By signing this agreement Contractor certifies that as of the date of execution they are not listed on the Final Divestment List created by the NC Office of State Treasurer pursuant to NCGS 147 Article 6E, Iran Divestment Act, Iran Divestment Act Certification. Contractor shall not utilize any subcontractor that is identified on the Final Divestment List. Any organization defined under NCGS 147-86.80(2), Divestment from Companies Boycotting Israel, shall not engage in business totaling more than \$1,000 with any company or business that boycotts Israel. A list of companies that boycott Israel is maintained by the NC Office of State Treasurer, pursuant to NCGS 147-86.81(a)(1). Any company listed as boycotting Israel is not eligible to do business with any State agency or political subdivision of the State.
- 24) E-VERIFY. Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if Contractor utilizes a subcontractor, Contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
- 25) NOTICES: All notices or other communications which shall be made pursuant hereto shall be in writing and shall be deemed to be given and received (a) when hand delivered to the address stated below; (b) three (3) days after being mailed to the address stated below, postage prepaid by certified or registered mail of the United States, return receipt requested to the address set forth below:

TO FIRE DEPARTMENT: Town of Smithfield Fire Department
111 S. Fourth Street
Smithfield, NC 27577
Attn: Fire Chief

TO COUNTY: Johnston County Emergency Services
Post Office Box 530 (mail)
120 S. Third Street (physical)
Smithfield, North Carolina 27577
Attn: Johnston County Fire Marshal

With copy to: County of Johnston
Post Office Box 1049 (mail)
Courthouse 206-B
207 E. Johnston Street (physical)
Smithfield, North Carolina 27577
Attn: County Attorney

- 26) Either party to this Contract may change its designated person or designated address at any time and from time to time by giving notice of such change to the other party in the manner set forth above.

**JOHNSTON COUNTY
EMERGENCY SERVICES**



Kevin Hubbard
Emergency Services Director

120 S. Third Street | PO Box 530 | Smithfield, NC 27577

Main Office Phone: (919) 989-5050 | Fax: (919) 989-5052

IN TESTIMONY WHEREOF, the County has caused this instrument to be executed by the Chairman of the Board of County Commissioners and attested by the Clerk to the Board of County Commissioners, and Town of Smithfield has caused this instrument to be signed in its name by its Mayor, attested by its Clerk, all by the authorization of their respective Boards duly given.

Johnston County Board of County Commissioners

By: _____
Chairman: Chad M. Stewart

Attest:

Clerk

Town of Smithfield

By: _____
Mayor

Attest:

Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
J. Chad McLamb, Finance Officer



Request for Town Council Action

Consent Advisory
Agenda Board
Item: Appointment

Date: 06/01/2021

Subject: Advisory Board Appointments
Department: General Government
Presented by: Town Clerk - Shannan Parrish
Presentation: Consent Agenda

Issue Statement

The Town Council is asked to consider a reappointment to the Appearance Commission

Financial Impact

N/A

Action Needed

The Town Council is asked to consider and approve the reappointment of Peggy Scott to a third term on the Appearance Commission.

Recommendation

Staff recommends approval of this appointment

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Peggy Scott – Board Application



Staff Report

Consent Advisory
Agenda Board
Item Appointments

Board Reappointments

Peggy Scott has submitted an application for consideration to be reappointed to a third term on the Appearance Commission.

Current Board vacancies are as follows:

- Appearance Commission – 2 positions
- Board of Adjustment – 1 In-Town positions
- Historic Properties Commission – 2 positions
- Parks and Recreation Advisory Commission – 1 position and 2 High School representative positions



Town of Smithfield
Board, Commission, or Committee
Application

Name: Scott Peggy M
(Last) (First) (MI)

Home Address: 714 Chestnut Dr Smithfield, NC 27577

Business Name & Address: _____

Telephone Numbers: _____ 919-915-0448 _____ curtaincalls@nc.rr.com
(Home) (Mobile) (Email)

Please check the Board(s) that you wish to serve on:

<input checked="" type="checkbox"/> Appearance Commission	<input type="checkbox"/> Parks/Recreation Advisory Commission
<input type="checkbox"/> Board of Adjustment In Town Resident	<input type="checkbox"/> Planning Board In-Town Resident
<input type="checkbox"/> Board of Adjustment ETJ Member	<input type="checkbox"/> Planning Board ETJ Resident
<input type="checkbox"/> Historic Properties Commission	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Library Board of Directors	_____

Interests & Skills: Gardening,

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: owner of Curtaincalls Custom Window Treatment Co.

Civic or Service Organization Experience: Dolphins for Christ,

Town Boards previously served on and year(s) served: Appearance Comm 6 years chair for 5 1/2 years

Please list any other Boards/Commissions/Committees on which you currently serve: _____

Why are you interested in serving on this Board/Commission/Committee? Help Smithfield look more clean and Beautiful

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? Yes No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Peggy Scott

Signature:  Date: 5/18/2021

Return completed for to:

Shannan Parrish
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.parrish@smithfield-nc.com

**Applicants are required to be a resident of the Town of Smithfield for In-Town positions
and within the Town's ETJ for ETJ positions**



Staff Report

Consent
Agenda
Item: New Hire / Vacancy Report

Background

Per Policy, upon the hiring of a new or replacement employee, the Town Manager 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:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200
Camp Counselors (Part-time)	P&R – Recreation	10-60-6200-5100-0210
Firefighter I (2 positions)	Fire	10-20-5300-5100-0200
Fire Chief	Fire	10-20-5300-5100-0210
Fire Inspector (Part-time)	Fire	10-20-5300-5100-0200
Public Works Director	Public Works	10-60-5500-5100-0200
Police Officer I (4 positions)	Police	10-20-5100-5100-0200
Sanitation Equipment Operator (2 positions)	Public Works	10-40-5800-5100-0200
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 2020-2021 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Facility Maintenance Specialist	P&R – Recreation	10-60-6200-5100-0200	\$14.45/hr. (\$30,056.00/yr.)
Firefighter I (2)	Fire	10-20-5300-5100-0200	\$16.76/hr. (\$36,603.84/yr.)
P/T General Staff	P&R – Aquatics	10-60-6220-5100-0210	\$9.00/hr.
P/T Pool Staff/Lifeguard (4)	P&R – Aquatics	10-60-6220-5100-0220	\$8.00/hr.
P/T Zoning/Compliance Asst.	Planning	10-10-4900-5100-0200	\$12.00/hr.

Business Items





Request for Town Council Action

Business
Agenda
Item:
Date: Promotion
Public
Works
Director
06/01/2021

Subject: Hire of Public Works Director
Department: Public Works/ General Government
Presented by: Town Manager - Michael Scott
Presentation: Business Item

Issue Statement

The Council is asked to approve the promotion of Lawrence Davis to fill the vacancy of Public Works Director.

Financial Impact

\$70,013 annually

Action Needed

Approve the promotion

Recommendation

Approve Promotion as described in the attached conditional offer.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Conditional Offer



Staff Report

Business
Agenda
Item: Promotion;
Public
Works
Director

The Town Manager is requesting the promotion of Lawrence Davis from Public Works Superintendent to Public Works Director. Lawrence Davis has worked with the Town since February of 2007. He has held multiple positions with the Town, starting with the Utility Department and advancing to Public Works. Lawrence was promoted to crew leader for the General Maintenance Division in April of 2014. He was promoted to Public Works Superintendent in December of 2016. Lawrence Davis has been operating as Public Works Director since January 2021 and has done an outstanding job. During this time, he has evaluated all the rolling stock equipment and created a schedule for needed repairs, completed all budget requests for all Departments in Public Works, organized and implemented a new work schedule for Sanitation that meets FLSA requirements, completed an RFP for street resurfacing, and managed several personnel issues related to Covid-19.

Lawrence is also a graduate from SSS High School and attended two years of undergraduate education at St Augustine's University in Raleigh. He holds a valid CDL License and several training certificates related to Public Works. His conditional offer of employment is attached.

Michael L Scott, Town Manager
Greg Siler, Finance Director
Tim Kerigan, Human Resources/PIO
Shannan Parrish, Town Clerk



350 East Market Street
Post Office Box 761
Smithfield, NC 27577

Telephone: 919.934.2116

Fax: 919.989.8937

CONDITIONAL OFFER OF EMPLOYMENT

I PURPOSE

The purpose of this document is to extend a Conditional Offer of Employment. The applicant must meet the below listed terms and conditions before being hired by the Town of Smithfield, North Carolina in the position of **Public Works Director** within the **Public Works** Department. A Final Offer of Probationary Employment will be extended to you only after you have satisfied all the requirements established herein. A probationary term of employment will span six months from the hire date. All entering applicants for the listed position of Public Works Director are required to successfully comply with these same conditions.

II PARTIES

This is an agreement between the Town of Smithfield, NC and **Lawrence Davis**, Smithfield NC, 27577, SSN#:

TERMS & CONDITIONS

III

Applicant must meet the following:

- a. Minimum employment standards as required by the job advertisement and description;
- b. Must possess a valid NC Driver's License with a satisfactory driving record throughout employment.

A final screening of the candidates that successfully complete the above items will be conducted to determine those applicant(s) best suited for employment. Please note, successfully completing the items above does not guarantee you a confirmed offer of probationary employment. We can fill only a limited number of positions. Therefore, only those applicants deemed most qualified after the final screening will be given formal offers of employment.

IV LENGTH OF EMPLOYMENT

The CONDITIONAL OFFER OF EMPLOYMENT shall remain valid and in effect for 45 days from the effective date of this agreement, or until the Town withdraws the offer, whichever may occur first. This offer shall be immediately withdrawn upon the applicant's failure to meet any one of the above terms and conditions. The applicant may receive a final offer of employment subject to verification that all conditions have been satisfied. The effective date of this agreement is **May 20, 2021** offering the beginning salary of **\$70,012.80 annually**. A monthly cell phone stipend will be paid, consistent with Town policy, as approved and amended by the Town Council. Currently the stipend is \$50.00/month. A take home vehicle is authorized from the existing fleet, for work purposes only. This is only authorized if the applicant resides within Johnston County. All employee benefits will be consistent with those found in the Town of Smithfield Employee Handbook and subject to amendment, as approved by the Town Council.

ACKNOWLEDGMENT

Successful compliance of the above job-related and necessary conditions of employment is required to carry out the essential functions of the above position. I have read and understand the terms of this CONDITIONAL OFFER OF EMPLOYMENT and agree to abide by these terms.


Lawrence Davis
5/20/2021
Date


Michael L Scott – Town Manager
5/20/21
Date


Tim Kerigan – HR Director
05/20/2021
Date



Request for Town Council Action

Business ANX-21-
Item: 01
Date: 06/01/2021

Subject: Contiguous Annexation Petition
Department: Planning & Administration
Presented by: Stephen Wensman – Planning Director
Presentation: Business Agenda Item

Issue Statement

ASP Smithfield LLC/SST Properties (Samet Properties) has submitted a petition to voluntarily annex 193.027 acres to the Town of Smithfield.

Financial Impact

The annexation will encompass the Amazon development site (169.674 acres) and an additional 23.353-acre parcel. The Amazon site is expected to have a \$90 Million market value when constructed. Additional warehousing sites and the West Smithfield Business Park road are expected to be carved out of the 23.353-acre parcel.

Action Needed

The Town Council is asked adopt Resolution No. 680 (08-2021) directing the Town Clerk to investigate the sufficiency of the annexation petition.

Recommendation

Adopt Resolution No. 680 (08-2021)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Map of the Proposed site
4. Resolution No. 680 (08-2021)



Staff Report

Business ANX-
Item 21-01

The Town of Smithfield received a petition from ASP Smithfield LLC/SST Properties (Samet Properties) to annex 193.027 acres to the west of the Westview Subdivision, beginning approximately 315 ft west of North Rogers Drive.

The annexation properties include the 169.674-acre Amazon site and an adjacent 23.353-acre site that will likely be developed into warehouse facilities and future West Smithfield Business Park road to provide access to the industrial properties. Both parcels have road frontage on US Highway 70 Business.

The applicant is requesting water and sewer services.

Per NCGS 160A-58.2, the Council must pass a resolution directing the Town Clerk to investigate the sufficiency of the petition.

160A-58.2. Public hearing. Upon receipt of a petition for annexation under this Part, the city council shall cause the city clerk to investigate the petition, and to certify the results of his investigation. If the clerk certifies that upon investigation the petition appears to be valid, the council shall fix a date for a public hearing on the annexation. Notice of the hearing shall be published once at least 10 days before the date of hearing.

At the hearing, any person residing in or owning property in the area proposed for annexation and any resident of the annexing city may appear and be heard on the questions of the sufficiency of the petition and the desirability of the annexation. If the council then finds and determines that (i) the area described in the petition meets all of the standards set out in G.S. 160A-58.1(b), (ii) the petition bears the signatures of all of the owners of real property within the area proposed for annexation (except those not required to sign by G.S. 160A-58.1(a)), (iii) the petition is otherwise valid, and (iv) the public health, safety and welfare of the inhabitants of the city and of the area proposed for annexation will be best served by the annexation, the council may adopt an ordinance annexing the area described in the petition. The ordinance may be made effective immediately or on any specified date within six months from the date of passage. (1973, c. 1173, s. 2.)



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:

<input checked="" type="checkbox"/>	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 .	
<input type="checkbox"/>	Boundary Survey to be recorded upon approval or an existing recorded plat showing the above written metes and bounds description of the property to be annexed. This document must be submitted electronically in .pdf format.	
<input type="checkbox"/>	Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number (Z-__-__, etc.) or	Copy of Subdivision Plat submitted for lot recording approval with Town file number (S-__-__, etc.)
<input checked="" type="checkbox"/>	Projected Market Value of Development at build-out (land and improvements).	
<input checked="" type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	This application form completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines .	

Required, but often missing information. Please make sure to include the following:

<input checked="" type="checkbox"/>	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.
<input checked="" type="checkbox"/>	Owner's Signatures and Date of Signatures. See page 3 of this application. All real property owners must sign the application, and the <u>date of signature</u> MUST be filled in!
<input type="checkbox"/>	Corporate Seal for property owned by a corporation.
<input type="checkbox"/>	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

Project XD

Street Address

2095 W Market St

Town of Smithfield Subdivision approval #

(S- _____ - _____) or

Building Permit Transaction #

_____ or

Site Plan approval # for multi-family

(SP- _____ - _____)

Johnston County Property Identification Number(s) list below

P.I.N.

15078011

P.I.N.

P.I.N.

P.I.N.

P.I.N.

P.I.N.

Acreage of Annexation Site

193.027

Linear Feet of Public Streets within Annexation Boundaries

+/- 2002 lf

Annexation site is requesting Town of Smithfield

Water

and/or Sewer

Number of proposed dwelling units

0

Type of Units:

Single Family ⁰ _____

Townhouse ⁰ _____

Condo ⁰ _____

Apartment ⁰ _____

Building Square Footage of Non-Residential Space

+/- 630,000

Specific proposed use (office, retail, warehouse, school, etc.)

Distribution

Projected market value at build-out (land and improvements) \$

\$90M

Person to contact if there are questions about the petition

Samet Properties

Name

Brian Hall

Address

309 Gallimore Dairy Rd

Phone

336-544-2643

Fax #

Email

BHall@sametcorp.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 4th day of May, 2021 by the owners of the property described in Section C.

Owner's Signature(s)

Signature [Signature] Date 5/4/21

Signature [Signature] Date 5/4/21

Signature _____ Date _____

Signature _____ Date _____

Corporate Seal

Print owner name(s) and information

Name ASP Smi thfi eldLLC Phone 336-544-2600

Address 309 Galli moreDai ry RD STE 102, Greensboro, NC 27409

Name SST Pr operti es Phone 336-544-2000

Address 309 Galli moreDai ry RD STE 102, Greensb oro, NC 27409

Name _____ Phone _____

Address _____

Name _____ Phone _____

Address _____

Above signature(s) attested by

[Signature]

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

Signature of Town Clerk _____



RDU2 ANNEXATION - LAND DESCRIPTION

ALL OF LOTS 1 AND 2 AS SET FORTH ON THAT CERTAIN RECOMBINATION PLAT "RDU2", FOR SAMET CORPORATION, RECORDED ON APRIL 28, 2021 IN JOHNSTON COUNTY REGISTRY IN PB 93, PAGE 241.

ALSO DESCRIBED AS:

ALL THOSE CERTAIN PARCELS OF LAND LYING IN JOHNSTON COUNTY, NORTH CAROLINA ADJOINING THE NORTH SIDE OF WEST MARKET STREET (US HWY 70 BUSINESS), AND BEING WEST OF M DURWOOD STEPHENS HIGHWAY (NCSR 1923), SAID PROPERTY BEING A PORTION OF LANDS IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN THE JOHNSTON COUNTY REGISTRY IN DEED BOOK 5875, PAGE 96 AND ALL OF THE PROPERTY IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES, LLC AS DESCRIBED IN DB 5875 PG 91 AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERN RIGHT OF WAY OF US HWY 70 BUSINESS AND IN THE SOUTHERN CORNER OF THE COMMON LINE OF LAND IN THE NAME OF NELL WOOD LEE AS RECORDED IN DB 3609 PG 832 AND LAND IN THE NAME OF ASP SMITHFIELD, LLC & SST PROPERTIES LLC AS RECORDED IN DB 5875 PG 77, SAID POINT BEING IN THE CENTERLINE OF A STREAM, AND RUNS;

THENCE, WITH LEE, ALONG A CREEK FOR THE FOLLOWING COURSES, N 07°34'49" E A DISTANCE OF 38.73' TO A POINT, AND RUNS;

THENCE, N 36°14'53" E A DISTANCE OF 16.77' TO A POINT, AND RUNS;

THENCE, N 17°46'03" E A DISTANCE OF 31.95' TO A POINT, AND RUNS;

THENCE, N 11°20'00" E A DISTANCE OF 53.07' TO A POINT, AND RUNS;

THENCE, N 62°17'44" E A DISTANCE OF 35.51' TO A POINT, AND RUNS;

THENCE, N 16°18'03" E A DISTANCE OF 45.51' TO A POINT, AND RUNS;

THENCE, N 68°24'38" E A DISTANCE OF 22.13' TO A POINT, AND RUNS;

THENCE, N 24°42'16" E A DISTANCE OF 15.29' TO AN EXISTING IRON PIPE, AND RUNS;

THENCE, N 02°07'47" W A DISTANCE OF 46.26' TO A POINT, AND RUNS;

THENCE, N 47°27'41" E A DISTANCE OF 21.96' TO A POINT, AND RUNS;

THENCE, N 03°00'56" W A DISTANCE OF 14.67' TO A POINT, AND RUNS;

THENCE, N 16°28'16" E A DISTANCE OF 50.37' TO A POINT, AND RUNS;
THENCE, N 40°39'15" E A DISTANCE OF 81.48' TO A POINT, AND RUNS;
THENCE, N 38°40'38" E A DISTANCE OF 48.59' TO A POINT, AND RUNS;
THENCE, N 36°24'47" E A DISTANCE OF 88.18' TO A POINT, AND RUNS;
THENCE, N 50°15'49" E A DISTANCE OF 25.85' TO AN EXISTING IRON PIPE (DISTURBED), AND RUNS;
THENCE, N 26°33'56" E A DISTANCE OF 43.04' TO A POINT, AND RUNS;
THENCE, N 04°46'03" E A DISTANCE OF 16.77' TO A POINT, AND RUNS;
THENCE, N 22°42'38" E A DISTANCE OF 42.17' TO A POINT, AND RUNS;
THENCE, N 26°42'10" E A DISTANCE OF 83.85' TO A POINT, AND RUNS;
THENCE, N 25°40'44" E A DISTANCE OF 94.07' TO A POINT, AND RUNS;
THENCE, N 16°40'31" E A DISTANCE OF 68.61' TO A POINT, AND RUNS;
THENCE, N 11°53'36" E A DISTANCE OF 43.49' TO A POINT, AND RUNS;
THENCE, N 03°26'38" W A DISTANCE OF 66.84' TO A POINT, AND RUNS;
THENCE, N 22°31'17" W A DISTANCE OF 14.50' TO A POINT, AND RUNS;
THENCE, N 11°52'48" W A DISTANCE OF 42.02' TO A POINT, AND RUNS;
THENCE, N 13°01'03" W A DISTANCE OF 56.05' TO A POINT, AND RUNS;
THENCE, N 09°41'04" W A DISTANCE OF 66.62' TO A POINT, AND RUNS;
THENCE, N 06°51'56" W A DISTANCE OF 63.97' TO A POINT, AND RUNS;
THENCE, N 29°35'36" W A DISTANCE OF 3.07' TO A POINT, AND RUNS;
THENCE, N 13°28'22" W A DISTANCE OF 62.12' TO A POINT, AND RUNS;
THENCE, N 17°42'52" W A DISTANCE OF 42.47' TO A POINT, AND RUNS;
THENCE, N 17°20'34" W A DISTANCE OF 38.01' TO A POINT, AND RUNS;
THENCE, N 30°01'11" W A DISTANCE OF 56.74' TO A POINT, AND RUNS;
THENCE, N 28°53'41" W A DISTANCE OF 22.37' TO A POINT, AND RUNS;
THENCE, N 36°36'06" W A DISTANCE OF 49.90' TO A POINT, AND RUNS;
THENCE, N 35°46'40" W A DISTANCE OF 72.63' TO A POINT, AND RUNS;
THENCE, N 30°19'44" W A DISTANCE OF 67.62' TO A POINT, AND RUNS;
THENCE, N 32°48'25" W A DISTANCE OF 48.90' TO A POINT, AND RUNS;
THENCE, N 31°22'56" W A DISTANCE OF 61.88' TO A POINT, AND RUNS;

THENCE, N 27°10'17" W A DISTANCE OF 57.59' TO A POINT, AND RUNS;

THENCE, N 25°42'32" W A DISTANCE OF 58.85' TO A POINT, AND RUNS;

THENCE, N 19°28'35" W A DISTANCE OF 60.49' TO A POINT, AND RUNS;

THENCE, N 18°13'31" W A DISTANCE OF 37.96' TO A POINT, AND RUNS;

THENCE, N 16°18'42" W A DISTANCE OF 26.37' TO A POINT, AND RUNS;

THENCE, N 08°39'31" W A DISTANCE OF 20.45' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF KIMBERLY GOWER JOHNSON AS RECORDED IN DEED BOOK 3628, PAGE 932, AND RUNS;

THENCE, WITH JOHNSON, N 12°27'05" E A DISTANCE OF 354.96' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF ANN U WOOD et al. AS RECORDED IN DEED BOOK 5007, PAGE 850, AND RUNS;

THENCE, WITH WOOD, S 88°41'47" E A DISTANCE OF 387.09' TO AN EXISTING IRON STAKE IN THE CORNER OF LAND IN THE NAME OF EULA MAE BELL LIFE ESTATE AS RECORDED IN DEED BOOK 3661, PAGE 954, AND RUNS;

THENCE, WITH TWO PARCELS IN THE NAME OF BELL, S 88°38'00" E A DISTANCE OF 1,200.90' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAMES OF WILLIE CAROL DAVIS HEIRS, PARCEL ID: 15078023B, DEED BOOK AND PAGE UNKNOWN, AND WILBERT EDWARD McCLAMB AS RECORDED IN DEED BOOK 1047 PAGE 73, AND RUNS;

THENCE, WITH McCLAMB, S 88°40'53" E A DISTANCE OF 503.47' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF HEATH STREET #215 LMTD PRTRSH AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 86°28'17" E A DISTANCE OF 499.48' TO AN EXISTING IRON PIPE IN THE CORNER OF A SECOND PARCEL OF LAND IN THE NAME HEATH STREET #215 LMTD PRTRSH AS RECORDED IN DEED BOOK 1897 PAGE 945, AND RUNS;

THENCE, WITH HEATH STREET, S 00°17'44" W A DISTANCE OF 1,824.82' TO AN EXISTING IRON PIPE IN THE CORNER OF LAND IN THE NAME OF RUTH J LEE LIVING TRUST AS RECORDED IN DEED BOOK 5793 PAGE 535, AND RUNS;

THENCE, WITH RUTH J LEE LIVING TRUST FOR THE FOLLOWING 3 COURSES, S 01°43'58" W A DISTANCE OF 883.39' TO A POINT, AND RUNS;

THENCE, N 89°00'24" W A DISTANCE OF 576.84' TO A POINT, AND RUNS;

THENCE, S 02°01'53" W A DISTANCE OF 828.46' TO AN EXISTING IRON PIPE IN THE NORTHWEST CORNER OF LOT 9 OF THE WESTVIEW SUBDIVISION RECORDED IN PLAT BOOK 14 PAGE 119, AND RUNS;

THENCE, WITH THE WESTVIEW SUBDIVISION ALONG LOTS 9, 8, 7, 6, 5, 4 AND 1, S 55°49'06" W A DISTANCE OF 844.89' TO AN IRON PIPE SET IN THE NORTHERN RIGHT OF WAY OF WEST MARKET STREET, (US HIGHWAY 70 BUSINESS), AND RUNS;

THENCE WITH THE RIGHT OF WAY N 47°09'28" W A DISTANCE OF 294.14' TO AN IRON PIPE SET, AND RUNS;

THENCE, CONTINUING WITH THE RIGHT OF WAY, WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 2,016.90', WITH A RADIUS OF 4,837.29', WITH A CHORD BEARING OF N 35°12'47" W, WITH A CHORD LENGTH OF 2,002.32', TO THE POINT AND PLACE OF BEGINNING AND HAVING AN AREA OF 193.027 ACRES 8,408,257 SQUARE FEET, TO BE THE SAME MORE OR LESS.



TOWN OF SMITHFIELD
RESOLUTION NO. 680 (08-2021)
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 June 1, 2021 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 attached petition and to certify as soon as possible to the Town Council the result of her investigation

Adopted this the 1st day of June, 2021

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Business	20/21
Agenda	Resurfacing
Item:	Project
Date:	06/01/2021

Subject: FY 20/21 Resurfacing Project
Department: Public Works
Presented by: Public Works Director – Lawrence Davis
Presentation: Business Item

Issue Statement

The Public Works Department is proposing the FY 20/21 Resurfacing project be awarded to Garris Grading & Paving.

Financial Impact

If approved by council the 20/21 Resurfacing Project will utilize the budgeted \$240,626.80 in Powell Bill funds.

Action Needed

Council approval to award the 20/21 Resurfacing Project to Garris Grading & Paving.

Recommendation

Staff recommends awarding the 20/21 Resurfacing Project to the lowest bidder Garris Grading & Paving.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report along with Bid tabulations sheets.
2. Street List



Staff Report

Business
Agenda
Item: Paving
project

This year's resurfacing project consist of 14 streets that will receive a 1" ½ overlay. Three (3) of the streets will require to be milled down a 1" ½ below line before paving can be done. Approximately .88 mile of city streets will be paved.

Fourteen (14) BID packets for the project were sent out to area contractors. We received proposals from Six (6) companies and are as follows:

1. Garris Grading & Paving	\$240,626.80
2. Daniels Inc Garner	\$267,928.01
3. Tripp Bro	\$313,988.98
4. Barnhill Contracting	\$340,460.78
5. ST Wooten Corp	\$383,592.47
6. Fred Smith Company	\$441,855.06

Our contract allows us the right to increase or decrease the various amounts of work up to 25% with no increase in unit pricing should the project come in under budget or should additional streets be added to the project.

Staff recommends awarding the 20/21 Resurfacing Project to the lowest bidder Garris Grading and Paving.

1. Daughtry Street 100 Block
2. Moon Beam Cul-de-sac 116-117 Block
3. Rodgers Circle Cul-de sac 200-215 Block
4. W. Wellons 500 – 599 Block
5. Magnolia Dr. Cul-de-sac
6. N. Fifth Street 100 -199 Block
7. White Oak 54-56 Block
8. Cherry Street 1000 – 1009 Block
9. Eden Dr. 2-5 Block
10. Northern Ave. 900 Block
11. Caswell 600 -699 Block
12. Eden Dr. 6 -13 Block
13. W. Wellons 600 -700 Block
14. W. Wellons 800 Block



Request for Town Council Action

Business
Agenda
Item: Year End
Date: Budget
6/1/2021

Subject: Year-End Budget Amendments
Department: Finance
Presented by: Finance Director - Greg Siler
Presentation: Business Item

Issue Statement

Year-end budget amendments and encumbrances are often required at year end to balance departmental budgets or to carry over funds for ongoing projects and/or items ordered through purchase orders. See the budget description under each budget amendment provided at a later date. All budget increases should be accomplished using other departmental budgets or contingency dollars.

Attachments

Attachment will be provided at later meeting as additional time is needed in the current fiscal year to assess the need for budget amendments.

Financial Impact – Use of Contingency Funds

Action Needed – Separate Board approval is required on each fund amendment.

Recommendation – Approve Amendments

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

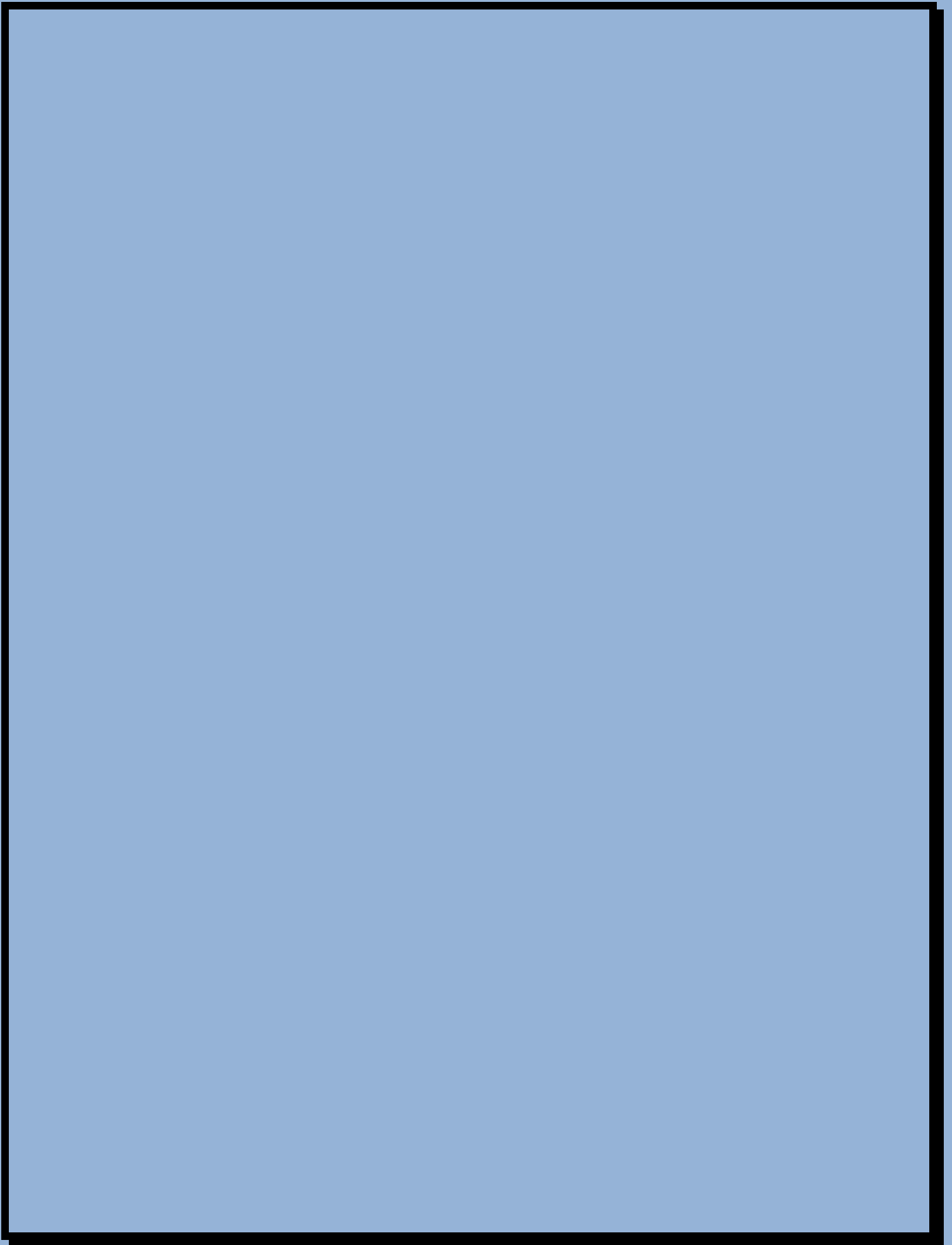
Business End of Year
Agenda Budget
Item: Amendments

Year-end budget amendments and encumbrances are often required at year end to balance departmental budgets or to carry over funds for ongoing projects and/or items ordered through purchase orders. Budget descriptions will be included under each budget amendment. All budget increases planned to be accomplished using other departmental budgets or contingency dollars.

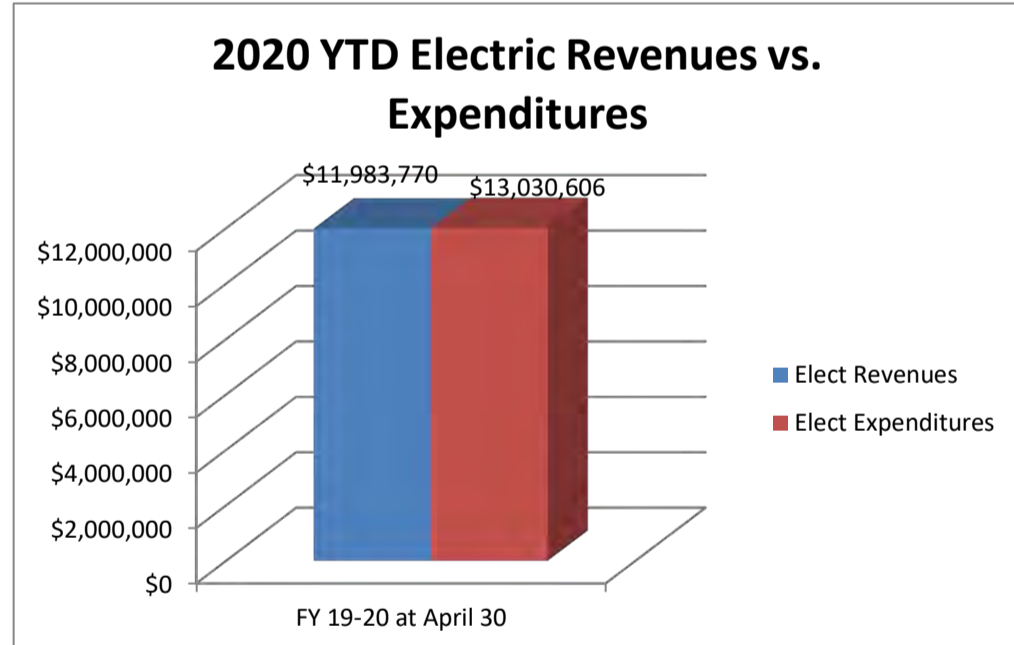
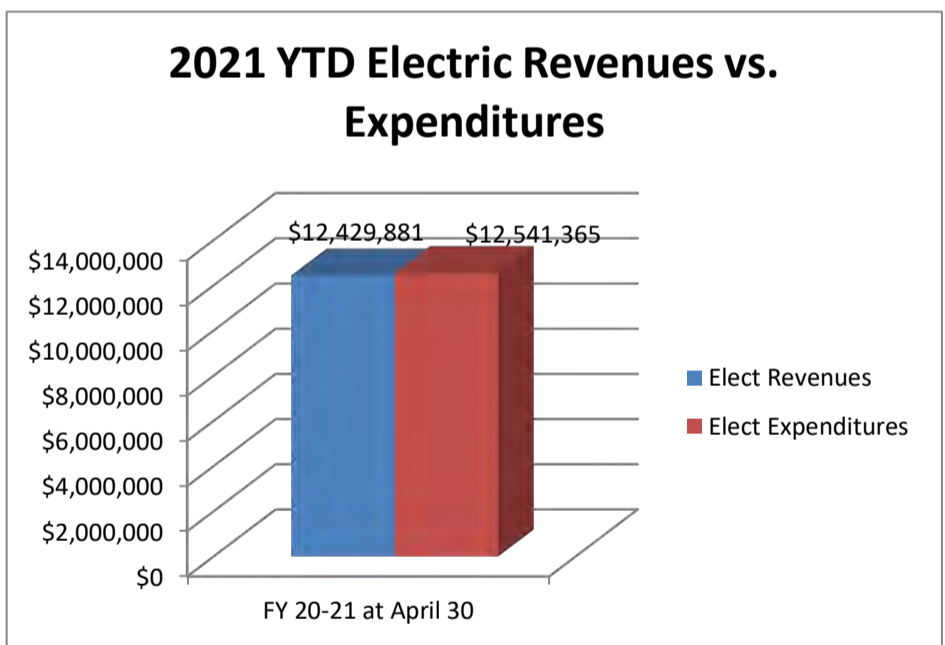
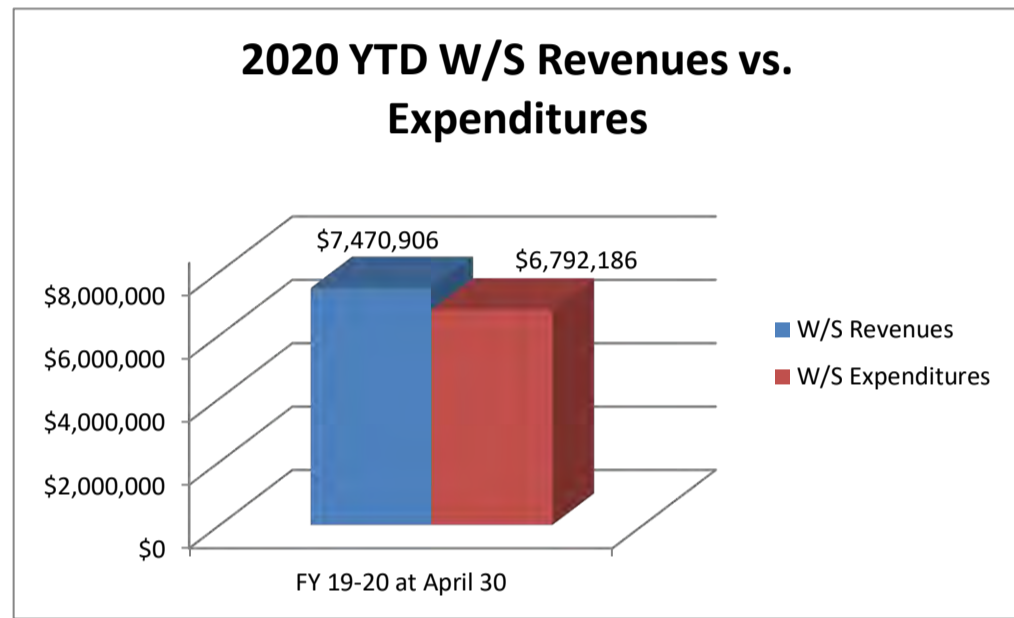
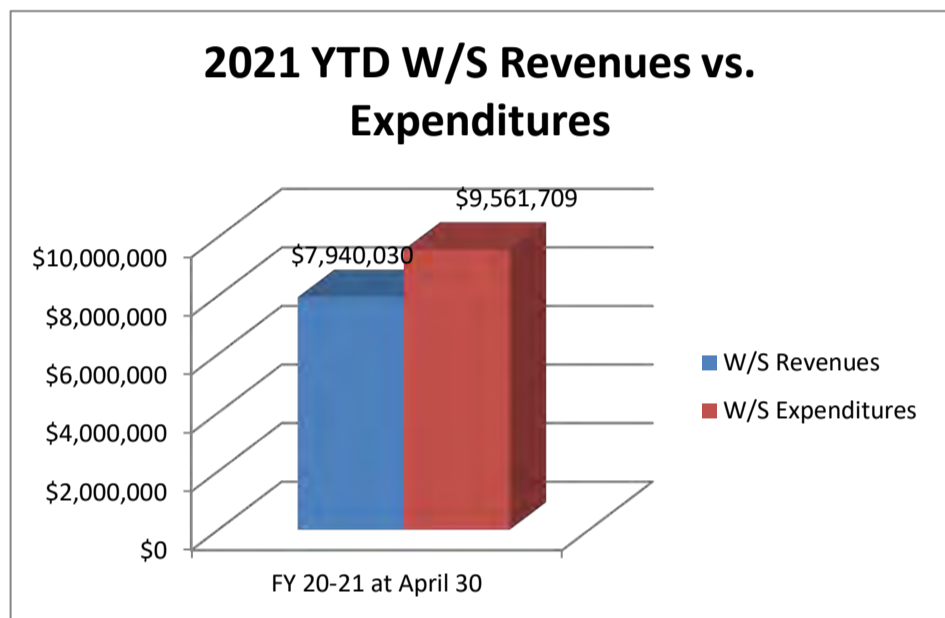
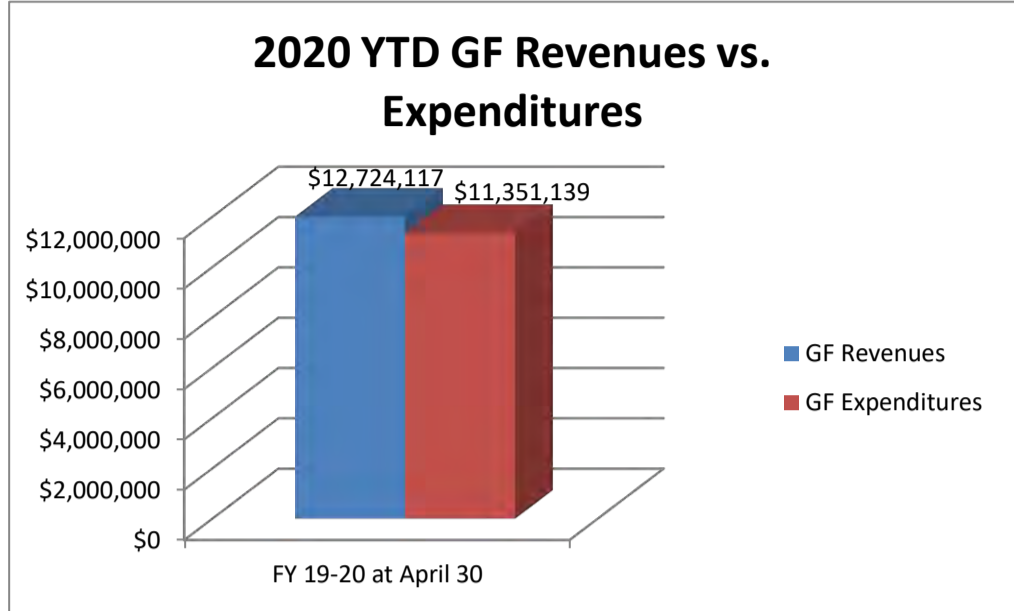
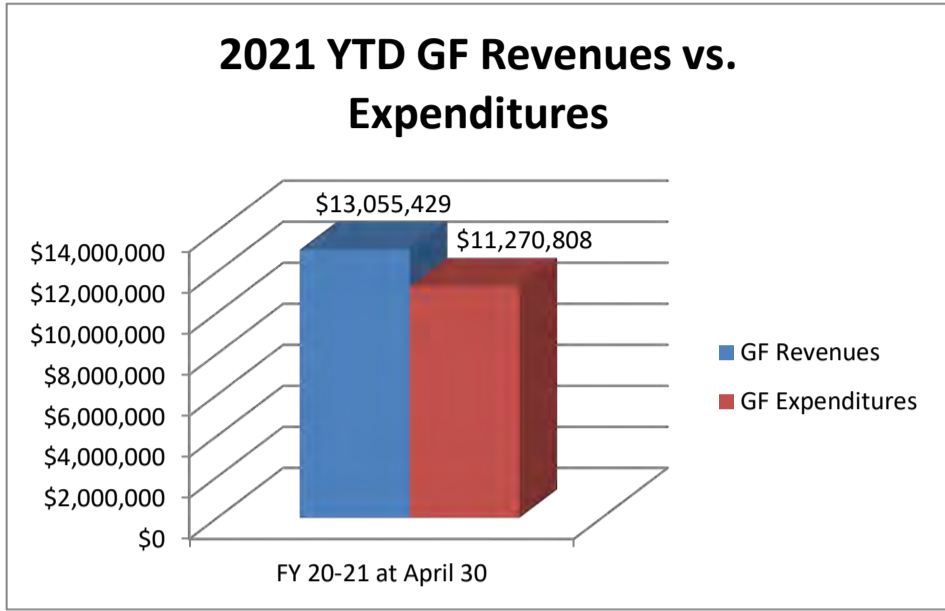
These budget amendments were often created by additional expenditures related to unforeseen circumstances, or approved expenditures that have occurred throughout the fiscal year. No fund balance appropriations are planned except those that were previously approved by the Town Council.

The amendments will be provided for a meeting in later June when staff can better assess year end needs.

Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
April 30, 2021
Gauge: 10/12 or 83 Percent

GENERAL FUND

Revenues	Frequency	Actual to Date	Budget	Actual to Date
		FY '19-20	FY '20-21	FY '20-21
Current & Prior Year Property Taxes	Monthly	\$ 6,388,610	\$ 6,450,000	\$ 6,536,213
Motor Vehicle Taxes	Monthly	497,394	575,000	575,244
Utility Franchise Taxes	Quarterly	736,071	975,000	702,668
Local Option Sales Taxes	Monthly	1,834,167	2,147,000	1,969,957
Aquatic and Other Recreation	Monthly	512,438	585,000	187,546
Sanitation (Includes Penalties)	Monthly	1,032,711	1,351,300	1,041,553
Grants		311,842	204,852	466,905
All Other Revenues		1,410,884	1,378,308	1,311,442
Loan Proceeds		-	-	-
Transfers (Electric and Fire Dist.)		-	261,614	263,900
Fund Balance Appropriated		-	1,798,008	-
Total		\$ 12,724,117	\$ 15,726,082	\$ 13,055,429

Expenditures	Actual to Date	Budget	Actual to Date
	FY '19-20	FY '20-21	FY '20-21
General Gov.-Governing Body	\$ 364,078	\$ 478,048	\$ 362,187
Non Departmental	723,974	932,054	613,394
Debt Service	828,743	920,953	920,997
Finance	77,601	133,015	86,245
Planning	252,959	366,642	250,851
Police	2,791,240	4,289,712	3,171,331
Fire	1,718,760	2,791,203	2,321,554
EMS	-	-	5,124
General Services/Public Works	450,299	682,641	602,990
Streets	1,177,943	863,111	392,503
Motor Pool/Garage	81,942	95,215	85,906
Powell Bill	36,557	274,315	43,287
Sanitation	922,472	1,410,260	1,156,543
Parks and Rec	1,165,877	1,005,200	566,586
SRAC	738,549	1,115,890	672,536
Sarah Yard Center	20,145	76,610	18,774
Contingency	-	291,213	-
Appropriations/Contributions	-	-	-
Total	\$ 11,351,139	\$ 15,726,082	\$ 11,270,808

YTD Fund Balance Increase (Decrease)

- -

WATER AND SEWER FUND

Revenues	Actual to Date	Budget	Actual to Date
	FY '19-20	FY '20-21	FY '20-21
Water Charges	\$ 2,096,339	\$ 2,872,930	\$ 2,191,649
Water Sales (Wholesale)	1,358,599	\$ 1,800,000	1,233,547
Sewer Charges	3,390,415	4,370,000	3,667,643
Penalties	-	50,000	43,110
Tap Fees	7,240	4,500	24,390
Other Revenues	118,313	39,400	779,691
Grants	500,000	-	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	213,812	-
Total	\$ 7,470,906	\$ 9,350,642	\$ 7,940,030

Expenditures	Actual to Date	Budget	Actual to Date
	FY '19-20	FY '20-21	FY '20-21
Water Plant (Less Transfers)	\$ 1,469,428	\$ 2,059,102	\$ 1,531,138
Water Distribution/Sewer Coll (Less Transfers)	3,419,044	4,820,402	4,120,940
Transfer to General Fund	-	-	-
Transfer to W/S Capital Proj. Fund	1,250,000	1,500,000	3,298,500
Debt Service	653,714	611,133	611,131
Contingency	-	360,005	-
Total	\$ 6,792,186	\$ 9,350,642	\$ 9,561,709

ELECTRIC FUND

Revenues	Actual to Date	Budget	Actual to Date
	FY '19-20	FY '20-21	FY '20-21
Electric Sales	\$ 11,713,896	\$ 16,300,000	\$ 12,146,699
Penalties	91,935	100,000	74,459
All Other Revenues	177,939	164,000	208,723
Grants	-	-	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	233,862	-
Total	\$ 11,983,770	\$ 16,797,862	\$ 12,429,881

Expenditures	Actual to Date	Budget	Actual to Date
	FY '19-20	FY '20-21	FY '20-21
Administration/Operations	\$ 1,757,824	\$ 2,689,692	\$ 2,070,283
Purchased Power - Non Demand	3,792,385	12,615,420	3,279,682
Purchased Power - Demand	5,102,784	-	5,246,756
Purchased Power - Debt	963,480	-	963,480

Debt Service	351,307	342,586	342,585
Capital Outlay	112,826	35,000	18,579
Contingency	-	331,664	-
Transfers to Electric Capital Proj Fund	950,000	695,000	620,000
Transfer to Electric Capital Reserve		-	-
Transfers to General Fund	-	88,500	-
Total	<u>\$ 13,030,606</u>	<u>\$ 16,797,862</u>	<u>\$ 12,541,365</u>

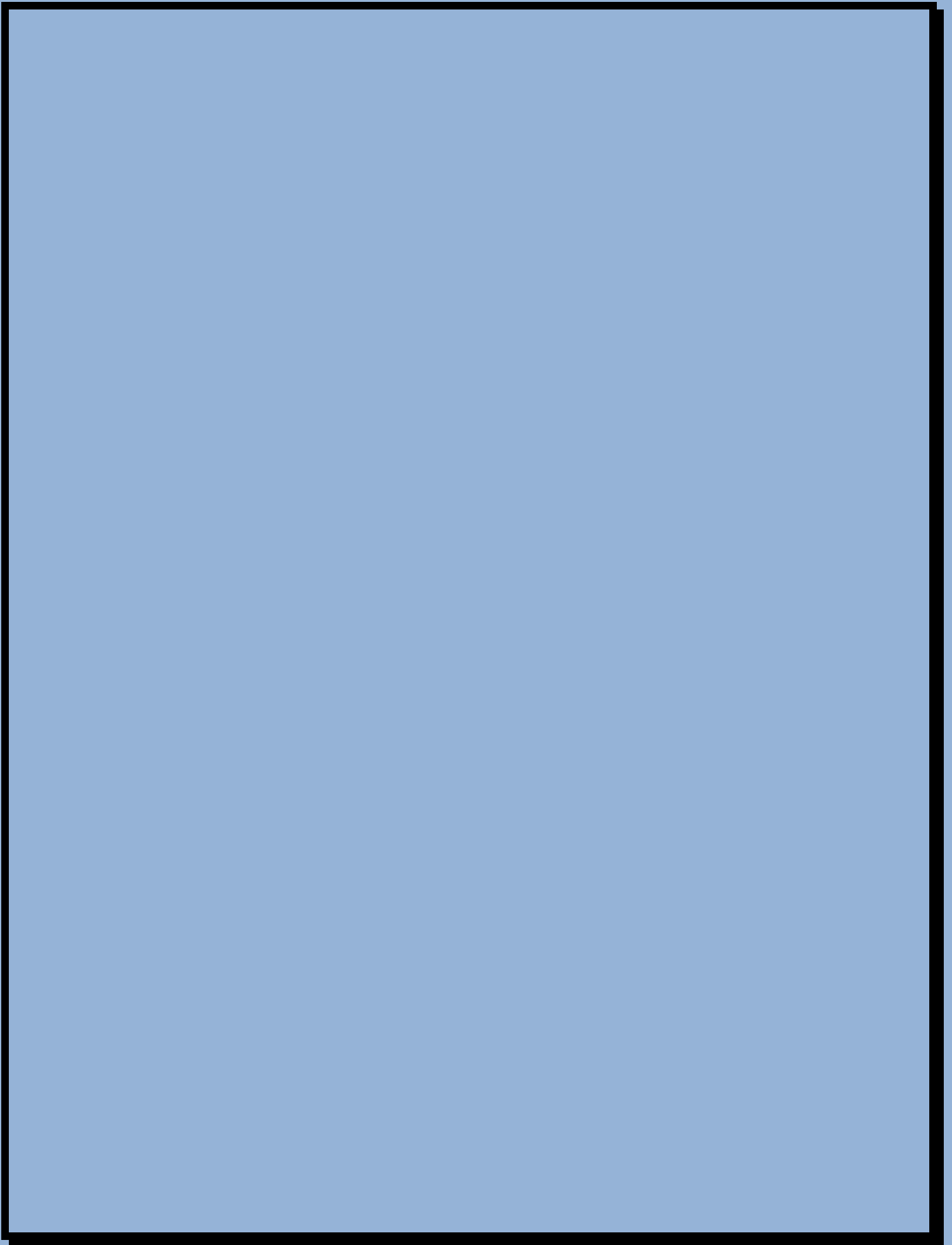
CASH AND INVESTMENTS FOR APRIL

General Fund (Includes P. Bill)	14,690,199		
Water and Sewer Fund	6,909,263		
Electric Fund*	10,480,082		
JB George Endowment (40)	135,100		
Water Plant Expansion (43)	4,407,371		
Booker Dairy Road Fund (44)	457,896		
Capital Project Fund: Wtr/Sewer (45)	1,500,486		
Capital Project Fund: General (46)	218,724		
Capital Project Fund: Electric (47)	885,535		
FEMA Acquisitions and Elevations (48)	550		
CDBG Neighborhood Revitalization (49)	(12,746)	1st CITIZENS	32,548,837
Firemen Relief Fund (50)	96,061	NCCMT	2,388,388
Fire District Fund (51)	135,795	KS BANK	3,682,965
General Capital Reserve Fund (72)	6,009	UNITED COMM	1,290,135
Total	<u>\$ 39,910,325</u>		<u>\$ 39,910,325</u>

*Plug

Account Balances Confirmed By Finance Director on 5/19/2021

Department Reports





Department Report

Monthly Economic
Development
Update

Update

In July 2017, upon request of Economic Development Liaison Tim Kerigan along with Rocky Lane of Sanford Holshouser, Council approved to continue to engage the Scope of Work with Sanford Holshouser for Implementation of the Strategic Economic Development Update Action Items that originally began in August 2016.

Since August of 2016, the Town has been able to make steady progress on implementing the identified action **items from the Town's Economic Development Strategic Plan that was updated in 2014.**

Attached is a list of mentionable activities for April/May 2021.

Action Requested

No action requested.

Smithfield Economic Development Implementation Activities APR/MAY21

1. Product Development/New Company Recruitment

Tim and Rocky discussed the upcoming joint meeting between the town council and county commissioners. Incentive packages from both entities will be approved that day and the project will be formally and publicly announced. The discussion centered on issues of coordination and logistics for the meeting. As it was unclear as to what Smithfield's responsibilities would be, it was decided to schedule a call with Chris Johnson for clarification.

Tim, Mike Scott, Chris Johnson, and Rocky had a Teams Meeting to review all elements of the May 10th meeting and ensure that everyone knew their respective responsibilities. Elements discussed included: the venue, sound system, live streaming the event, public hearing notices, gifts for the company (it was decided to present one gift from both bodies), the meal, invitation list, and other logistics items. Responsibility for each item was assigned.

At Tim's direction, Rocky coordinated a Teams Meeting to discuss the infrastructure extensions necessary to support Project XD. The discussion included the timeline for the projected opening of the plant and the corresponding construction of the infrastructure, along with the potential grant funding to support the construction. The meeting included: Mike Scott, Tim Kerrigan, Stephen Wensman, Ted Credle, Chris Johnson, Bryan Hall of the Samet Corporation, and Skip Green, grant writer. The discussion focused on leveraging certain grants to access additional funding from different grant sources. A couple of issues regarding the use of funds and timing were identified and potential strategies to address those were discussed.

Amazon announced that it will build a facility in West Smithfield Industrial Park with a capital investment of almost \$100 million creating 500 jobs at a joint session of the Smithfield Town Council and the Johnston County Commissioners. A great day for Smithfield and Johnston County. The announcement is the culmination of the economic development efforts of the town in partnership with the Johnston County Economic development office. It is also a testament of the vision and support by the Mayor, Council, and the Manager to do the things necessary to position Smithfield to attract quality companies such as Amazon. Economic development is not the announcement itself, rather it is the culmination of all the things done to make an area more attractive and create a competitive advantage. Smithfield leadership and its economic development director did an outstanding job in recruiting and landing this project. Further, the location of Amazon will have benefits well beyond the facility and its jobs in that the publicity from the announcement sends a clear message that Smithfield is serious about economic development and is a viable, desirable location for other projects.

2. Internal/External Marketing/Ally Development

Tim, Stephen, and Rocky met with Dr. Eric Bracy, Superintendent, Dr. David Pearce, Assistant Superintendent, and Brooks Moore Chief of Facilities and Construction of the Johnston County Public Schools. The purpose of the meeting was to establish communications and foster a working relationship between the town and the school system. Tim and Stephen also believed that it was important to ensure that JCPS was aware of the huge amount of residential development that is in various stages of planning in Smithfield. To that end, Stephen shared a planning map and discussed the residential projects and their potential construction timelines. Many of the projects were unknown to the JCPS staff and they were appreciative of the discussion.

The meeting went extremely well and had multiple benefits. It established communications with the new superintendent, demonstrated the town's efforts in residential and economic development, and its desire to establish a partnership with the schools to ensure that future needs can be addressed adequately and in a timely fashion, which in turn facilitates continuing residential and economic development.



FINANCE DEPARTMENTAL REPORT FOR APRIL, 2021

SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):

Daily Collections/Property Taxes/Other.....	\$ 2,351,992
Franchise Tax.....	0
Sales & Use Tax.....	235,543
Powel Bill.....	0
Total Revenue	\$2,587,535

Expenditures: General, Water, and Electric.....\$ 2,732,707

FINANCE:

- Compiled and submitted monthly retirement report on 4/30/2021
- Issued 52 purchase orders
- Processed 787 vendor invoices for payment and issued 439 accounts payable checks
- Prepared and processed 3 regular payrolls. Remitted federal and state payroll taxes on 4/2, 4/16 and 4/30/2021
- Issued 0 renewal privilege licenses for beer and wine sales
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 2 notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$8,436
- Processed 8 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Bad debt calendar year-to-date collections total \$20,457.98 (EMS: \$4,324.26; SRAC: \$2,408.20; Utility: \$13,725.52; and Other: \$0)
- Invoiced 1 grave opening FOR A TOTAL OF \$700.
- Invoiced Johnston Community College for Police Security
- Earned \$1,371.97 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$10,002 in credit/debit/Tyler card fees, but earned \$8,698 (31-72-3550-3520-0002) in convenience fees (Reporting month charged/earned, not month paid)

FINANCE DIRECTOR

- Attended Town Council Meeting on April 6, 2021
- Attended Department Head Meetings on April 5 and 20, 2021
- Attended budget meetings with Council April 22, 26 and 27, 2021
- Completed Memorandum of Participation for Law Enforcement Separation Study on April 12, 2021
- Met with Local Government Commission on Police Building Expansion Loan on April 13, 2021
- Met with HR to post Assistant Finance Director's position
- Met with Accounts Payable Clerk to review AP process and discuss common errors
- Reviewed FY22 Budget for Town Manager



Planning Department Development Report

Monday, May 24, 2021

Project Name: **Project XD**

Request: 629,215 square foot warehouse

Location 2110 US70 East Highway

Tax ID#: 15078011 PIN#: 168500-63-4559

Project Status **In Second Review**

Notes:

Site Plan 2021-07

Submittal Date: 4/21/2021

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date:

Project Name: **WSBP Infrastructure**

Request: Utility Extension

Location 2110 US70 East Highway

Tax ID#: 15078011 PIN#: 168500-63-4559

Project Status **In Second Review**

Notes:

Site Plan 2021-08

Submittal Date: 4/21/2021

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date:

Project Name: **Tina Hobbs**

Request: reduction of required parking located within a landscape yard

Location 616 Hancock Street

Tax ID#: 15089017 PIN#: 168408-88-8455

Project Status **Approved**

Notes: Approved by the Board of Adjstment

Variance 2021-01

Submittal Date: 4/2/2021

Planning Board Review:

Board of Adjustment Review: 4/29/2021

Town Council Hearing Date:

Approval Date:

Project Name: **Aaron's**

Request: Exceed maximum wall sign area by 31 square feet

Location 1231 North Brightleaf Boulevard

Tax ID#: 14074002 PIN#: 260410-45-5318

Project Status

Notes: Denied by the Board of Adjustment

Variance 2021-02

Submittal Date: 4/2/2021

Planning Board Review:

Board of Adjustment Review: 4/29/2021

Town Council Hearing Date:

Approval Date:

Project Name: **Saint Ann Catholic Church**
 Request: Outdoor Columbaria
 Location 4057 US 70 East Highway
 Tax ID#: 17Q99003 PIN#: 168617-01-1829
 Project Status **In First Review**
 Notes: Planning Board recommended approval

Special Use 2021-04	
Submittal Date:	4/2/2021
Planning Board Review:	5/6/2021
Board of Adjustment Review:	
Town Council Hearing Date:	6/1/2021
Approval Date:	

Project Name: **Spring Branch Commons**
 Request: CZ to allow for 9 single family dwellings on 1.21 acres
 Location 600 East Johnston Street
 Tax ID#: 15026060 PIN#: 169419-50-6175
 Project Status **Approved**
 Notes:

Conditional Zoning 2021-02	
Submittal Date:	3/5/2021
Planning Board Review:	4/1/2021
Board of Adjustment Review:	
Town Council Hearing Date:	5/4/2021
Approval Date:	5/4/2021

Project Name: **Town of Smithfield**
 Request: Amends Article 7.2 to allow for fences in all zoning districts
 Location
 Tax ID#: PIN#:
 Project Status **Approved**
 Notes:

Text Amendment 2021-03	
Submittal Date:	3/5/2021
Planning Board Review:	4/1/2021
Board of Adjustment Review:	
Town Council Hearing Date:	5/4/2021
Approval Date:	5/4/2021

Project Name: **Town of Smithfield**
 Request: Amends Articles 1, 9, 10, and Appendix A
 Location
 Tax ID#: PIN#:
 Project Status **In First Review**
 Notes: PB recommends approval. 160D changes only

Text Amendment 2020-05	
Submittal Date:	11/5/2020
Planning Board Review:	12/3/2020
Board of Adjustment Review:	
Town Council Hearing Date:	4/6/2021
Approval Date:	4/6/2021

Project Name: **Ambit Plumbing**
 Request: Contractor with outdoor storage
 Location 100 Rock Pillar Road
 Tax ID#: 5J08017E PIN#: 167500-94-9799
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-08
Submittal Date: 8/11/2020
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date: 10/16/2020

Project Name: **Twin Oaks Subdivision**
 Request: 20 lot subdivision
 Location Will Drive
 Tax ID#: 15J11008M PIN#: 260300-46-0287
 Project Status **Approved**
 Notes: approval eminent

Subdivision 2020-02
Submittal Date: 6/5/2020
Planning Board Review: 7/9/2020
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date: 8/4/2020

Project Name: **Smithfield Living Facility**
 Request: 83 Unit Assisted Living Facility
 Location Kellie Drive
 Tax ID#: 14075022D PIN#: 260405-09-8645
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-07
Submittal Date: 6/5/2020
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date: 9/10/2020

Project Name: **JCC Engineering Building**
 Request: 46,365 square foot educational facility
 Location 245 College Road
 Tax ID#: 15K10199F PIN#: 159308-87-5887
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-06
Submittal Date: 5/19/2020
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date: 8/24/2020

Project Name: **Tru Hotel**
 Request: 4 Story Hotel
 Location 167 South Equity Drive
 Tax ID#: 15008046c PIN#: 260417-10-4438
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-04	
Submittal Date:	4/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/1/2020

Project Name: **Johnston County Detention Center**
 Request: Site Plan Approval
 Location 1071 Yelverton Grov Road
 Tax ID#: 15L11011 PIN#: 260300-67-6920
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-02	
Submittal Date:	2/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/14/2020

Project Name: **East River Phase II**
 Request: 32 lot division / Construction Plan Review
 Location Buffalo Road
 Tax ID#: 14075013 PIN#: 169520-80-3415
 Project Status **Approved**
 Notes: All lots permitted for new home construction

Subdivision 2018-01	
Submittal Date:	1/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	4/20/2020

Project Name: **Johnston Animal Hospital**
 Request: Free Standing Facility
 Location 826 North Brightleaf Boulevard
 Tax ID#: 15005038 PIN#: 260413-02-5950
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-01	
Submittal Date:	1/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/24/2020

Project Name: **Johnston Regional Airport FBO**
 Request: FBO Hanger Addition
 Location 3149 Swift Creek Road
 Tax ID#: 15079017D PIN#: 168500-12-1015
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2019-04	
Submittal Date:	5/22/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/22/2019

Project Name: **Kamdon Ranch**
 Request: 110 Lot Division
 Location Swift Creek Road
 Tax ID#: 15108020 PIN#: 167400-55-9495
 Project Status **Approved**
 Notes: News homes being permitted. 11 total for March 2021

Subdivision 2019-02	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/27/2019

Project Name: **East River Phase 1**
 Request: 40 lot division
 Location 1899 Buffalo Road
 Tax ID#: 14075013 PIN#: 169520-80-0490
 Project Status **Approved**
 Notes: Built Out

Subdivision 2018-01	
Submittal Date:	7/9/2018
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	2/12/2019

Project Name: **Tires and Wheels**
 Request: Auto Repair
 Location 2134 South Brightleaf Boulevard
 Tax ID#: 15A61047D PIN#: 168320-91-1779
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2017-09	
Submittal Date:	8/8/2017
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	3/8/2018



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

Permit Issued for April 2021

			Permit Fees	Permits Issued
Zoning	Land Use		\$850.00	9
Site Plan	Major Site Plan		\$100.00	1
Site Plan	Minor Site Plan		\$150.00	6
Zoning	Sign		\$400.00	8
Report Period Total:			\$1,500.00	24
Fiscal YTD Total:			15525	253

Z21-000045	Zoning	Sign	TNT Fireworks	1299 N Brightleaf Blvd
Z21-000046	Zoning	Land Use	TNT Fireworks	1299 N Brightleaf Blvd
Z21-000042	Zoning	Sign	Ambit Plumbing	100 Rock Pillar Rd
Z21-000034	Zoning	Land Use	Mod Envy	36 E Edgerton St
SP21-000033	Site Plan	Minor Site Plan	Accessory Structure	3153 US 70 BUS Highway E
Z21-000036	Zoning	Land Use	Kayla's Unique Furniture	828 S Third St
Z21-000037	Zoning	Sign	Tarheel Paper & Supply	1689 S Brightleaf Blvd
Z21-000038	Zoning	Land Use	RM Bail Bonds	123 S Third St
Z21-000039	Zoning	Land Use	The Twisted Willow Antiques &	119 S Third St
SP21-000034	Site Plan	Minor Site Plan	16' x 40' Accessory Structure	825 Midway St
SP21-000035	Site Plan	Major Site Plan	SCNB Warehouse	199 Airport Industrial Dr
Z21-000040	Zoning	Sign	Beauty World	721 N Brightleaf Blvd
Z21-000044	Zoning	Land Use	Beauty World	721 N Brightleaf Blvd
Z21-000041	Zoning	Sign	Quality Finance	721 N Brightleaf Blvd
SP21-000036	Site Plan	Minor Site Plan	Single Family Dwelling	98 Pioneer St
Z21-000043	Zoning	Sign	Southern Attitude	1025 Outlet Center Dr



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING April 30, 2021**

I. STATISTICAL SECTION

Month Ending April 30 , 2021	April 2021	April 2020	Total 2021	Total 2020	YTD Difference
Calls for Service	1805	1273	6695	5931	764
Incident Reports Completed	148	86	509	435	74
Cases Closed	111	56	384	325	59
Accident Reports	74	25	277	210	67
Arrest Reports	83	70	328	340	-12
Burglaries Reported	4	2	30	22	8
Drug Charges	28	18	95	87	8
DWI Charges	8	2	26	24	2
Citations Issued	315	97	1053	521	532
Speeding	121	33	346	152	194
No Operator License	63	12	231	69	162
Registration Violations	49	8	157	71	86

II. PERSONNEL UPDATE

The police department is currently short 5 sworn officer positions. One Supervisor and one detective are out on medical leave.

III. MISCELLANEOUS

Mandatory in-service training was continued in April. The agency's training is being done online thru the NC Justice Academy. The Police Department has seen a reduction in community events as a result of COVID 19. The agency has still assisted with numerous drive by birthday parades for residents.

REPORTED UCR OFFENSES FOR THE MONTH OF APRIL 2021

	April 2020	April 2021	+/-	Percent Changed	Year-To-Date 2020	Year-To-Date 2021	+/-	Percent Changed

PART I CRIMES								
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	0	0	N.C.	0	0	0	N.C.
ROBBERY	2	0	-2	-100%	4	0	-4	-100%
Commercial	0	0	0	N.C.	0	0	0	N.C.
Individual	2	0	-2	-100%	4	0	-4	-100%
ASSAULT	4	5	1	.25%	15	8	-7	-47%
* VIOLENT *	6	5	-1	-17%	19	8	-11	-58%
BURGLARY	2	4	2	100%	19	27	8	42%
Residential	2	3	1	50%	12	15	3	25%
Non-Resident.	0	1	1	N.C.	7	12	5	71%
LARCENY	30	41	11	37%	122	131	9	7%
AUTO THEFT	2	6	4	200%	5	13	8	160%
ARSON	1	0	-1	-100%	3	2	-1	-33%
* PROPERTY *	35	51	16	46%	149	173	24	16%

PART I TOTAL:	41	56	15	37%	168	181	13	8%

PART II CRIMES								

Drug	15	28	13	87%	57	90	33	58%
Assault Simple	5	7	2	40%	15	37	22	147%
Forgery/Counterfeit	3	3	0	0%	19	9	-10	-53%
Fraud	5	7	2	40%	23	21	-2	-9%
Embezzlement	0	3	3	N.C.	6	3	-3	-50%
Stolen Property	0	0	0	N.C.	2	1	-1	-50%
Vandalism	4	5	1	25%	16	20	4	25%
Weapons	0	1	1	N.C.	3	3	0	0%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	0	2	2	N.C.	1	4	3	300%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	1	1	N.C.	4	1	-3	-75%
D. W. I.	2	8	6	300%	24	26	2	8%
Liquor Law Violation	0	0	0	N.C.	5	7	2	40%
Disorderly Conduct	0	1	1	N.C.	0	1	1	N.C.
Obscenity	0	0	0	N.C.	0	0	0	N.C.
Kidnap	0	0	0	N.C.	0	0	0	N.C.
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	12	21	9	75%	69	70	1	1%

PART II TOTAL:	46	87	41	89%	244	293	49	20%
=====								
GRAND TOTAL:	87	143	56	64%	412	474	62	15%

N.C. = Not Calculable



Town of Smithfield
Fire Department
April 2021

I. Statistical Section

Responded to	2021 Apr	Apr IN	Apr OUT	2020 Apr	2021 IN	2021 OUT	2021 YTD	2020 YTD
Total Structure Fires Dispatched	10	3	7	10	10	20	30	40
Confirmed Structure Fires (Our District)	3	3	0	4	8	2	10	11
Confirmed Structure Fires (Other Districts)	6	0	6	5	0	10	10	12
EMS/Rescue Calls	119	111	8	19	435	24	459	391
Vehicle Fires	1	1	0	2	4	2	6	6
Motor Vehicle Accidents	22	18	4	12	58	9	67	62
Fire Alarms (Actual)	3	3	0	4	22	0	22	23
Fire Alarms (False)	9	9	0	15	36	6	42	52
Misc./Other Calls	23	17	6	19	73	22	95	103
Mutual Aid (Received)	9	0	0	4	0	0	22	21
Mutual Aid (Given)	6	0	0	7	0	0	22	22
Overlapping Calls (Calls at the same time)	45	0	0	8	0	0	162	126
TOTAL EMERGENCY RESPONSES	186	162	24	80	636	75	711	660

* 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**).

	Apr	YTD
Fire Inspections/Compliance Inspections	26	93
Public Fire Education Programs	0	0
Children in Attendance	0	2
Adults in Attendance	0	2
Plans Review Construction/Renovation Projects	5	24
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	6	31
Re-Inspections	7	114

II. Major Revenues

	Apr	YTD
Inspections	\$150.00	\$1,350.00
False Alarms	\$0.00	\$0.00
Fire Recovery USA	\$0.00	\$1584.00
EMS Debt Setoff	\$1,173.00	\$4,323.76

Major Expenses for the Month:

III. Personnel Update:

IV. Narrative of monthly departmental activities:

- We participated in Birthday drive byes with Fire Truck

**Town of Smithfield
Public Works Department
April 30, 2021**



4 Total Work Orders completed by the Public Works Department

3 Burials, at \$700.00 each = \$2100.00

1 Cremation Burial, \$400.00 each = \$400.00

\$1,000 Sunset Cemetery Lot Sales

\$2,500 Riverside Extension Cemetery Lot Sales

504.47 tons of household waste collected

156.00 tons of yard waste collected

3.91 tons of recycling collected

0 gallons of used motor oil were recycled

0 scrap tires were recycled

Appearance Commission April 2021 Monthly Report:

1. The Art Walk discussion continued possible grants to be given to the Town.
2. Review of trees to be planted Downtown.

Joey Price was present at the meeting. He gave soil samples and tree request to the committee. We are waiting on orders as how to move on the project for planting trees downtown.

Next Appearance Commission meeting will be on July , 13 2021 at 5:00 pm in Town Hall.

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
April 30, 2021



I. Statistical Section

- 4 Burials
- 6 Works Orders – Buildings & Facilities Division
- 9 Work Orders – Grounds Division
- 6 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	<u>\$1,000.00</u>
Riverside Ext Cemetery Lot Sales:	<u>\$2,500.00</u>
Grave Opening Fees:	<u>\$2,500.00</u>
Total Revenue:	<u>\$6,000.00</u>

III. Major Expenses for the Month:

The Appearance Division purchased
Paid \$1,024.00 Power Mulch Systems for 32 yards of dyed brown Mulch for pine
acers.

IV. Personnel Update:

Public Works Director Lenny Branch retired with 26 years of outstanding service
& dedication to The Town of Smithfield, the citizens, and employees.

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways,
buildings and facilities. The Public Works safety meeting was led by Jaime Pearce from
Johnston Health on "Blood Borne Pathogens/Personal Protective Equipment".

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
April 30, 2021**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Work Orders – 0 Tons of Asphalt was placed in 0 utility cuts,
- c. 0 gator areas and 0 overlay.
- c. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- d. 3 Work Orders – 180 lbs. of Cold Patch was used for 3 Potholes.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

Paid \$1,474.00 to NC Dept of Public Safety for Stop signs & and speed limit signage and 8" U Channel post. Paid \$520.87 Gregory Poole Equip.Co. for Blades and hardware for 420 F2 Backhoe. Paid \$29,957.37 to JSmith Civil Inc, LLC Equity Drive. Paid \$ 570.00 to Super Cast, INC. for grate for was pit.

IV. Personnel Update:

No new employees hired for the month

V. Narrative of monthly departmental activities:

The Public Works safety meeting was led by Jaime Pearce from Johnston Health on "Blood Borne Pathogens/Personal Protective Equipment".

SIDEWALK REPAIRS - APRIL 2021

<u>Page # 1</u>	<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>SIZE</u>	<u>DATE</u>	<u>CONTRACTOR</u>
#22896 (4/2/21)	118 S. 2nd St.	Repair sidewalk panels and 5' Step	5' x 45', 5' Step	4/2/2021	David Hinton Construction
#22969 (4/2/21)	208 S. Sixth St.	Repair sidewalk panels	5' x 12'	4/2/2021	David Hinton Construction
#22970 (4/2/21)	310 & 312 E. Church St.	Repair sidewalk panels	5' x 45'	4/2/2021	David Hinton Construction
#22971 (4/2/21)	311 Bridge St.	Repair sidewalk panels	5' x 21'	4/2/2021	David Hinton Construction
#22972 (4/2/21)	420 S. 2nd St.	Repair sidewalk panels	5' x 12'	4/2/2021	David Hinton Construction
#22973 (4/2/21)	510 Hancock St.	Repair sidewalk panels	5' x 15'	4/2/2021	David Hinton Construction

**Town of Smithfield
Public Works Department
April 2021 Drainage Report**

Location: 118 S. 2nd street (Travis Wheeler Law Practice), 208 S. Sixth Street, 312& 310 East Church Street, 311 Bridge Street., 420 S. 2nd St., 510 Hancock street.
Starting Date: 4/2/2021
Completion Date: 4/2/2021
Description David Hinton Construction Co. Side walk repair. Replaced 15` LF of sidewalk, Replace 12` LF of sidewalk at 420 S. 2nd St., Repair a 21` LF area of sidewalk, Repair a 45` LF sidewalk panel area. Equipment, Repair a 12` LF sidewalk panel area.,
Materials: All Material used by David Hinton CO.

Location: Corner of Shady Lane & McCullers St., 1205 S. Vermont St.
Starting Date: 4/5/21.
Completion Date 4/6/21.
Description: Grate has been removed off drain structure. There is an open hole
Man-hours: 15 man hrs.
Equipment: trucks 412, 408 and Unit # 410 Backhoe
Materials: 60-lb of Quikrete and one 8 in and two 4 in solid blocks.(1/2 Bag of Perma Patch

Location: 1205 S. Vermont St., North St. near Buffalo Road traveling east, 102 E. Johnston St.
Starting Date: 4/6/2021
Completion Date 4/27/2021
Description: 2` x 2` pothole (2) 2` x 2` and 2` x 2` (2) 2` x 2`, and 2` x 2` Potholes
Equipment: truck 412
Materials: 1/2 Bag of Perma Patch, 1/2 Bag of Perma Patch, 2 Bag of Perma Patch

Location: Outlet Ctr. Dr., Equity Dr.
Starting Date: 4/7/20201
Completion Date: 4/7/2021
Description: Cut right-of-way., Paint the 4 or 5 manhole rims with a florescent paint for better visibility.
Man-hours: 6
Equipment: 2 Scags
Materials: truck 412 and Trailer ,

Location: College Rd. & Martin Luther King Jr. Dr., 808 Martin St., 721 Ind Ave., Rand St. & Brogden Rd., and Blount St. Riverside Dr., 2nd St. @ Spring Branch, 3rd St. beside of Travel Odyssey, 5th St. & Church St., 5th St. (2) Lots beside of the Police Dept., Woodall St. & Bright Leaf Blvd., and 115 E. Riverside Dr.
Starting Date: 4/12/2021
Completion Date: 4/29/2021
Description: Cut FEMA Lots.
Man-hours: 18.5
Equipment: truck 412 & Trailer
Materials: 2 scags

Location: 5th St. Community Gardens
Starting Date: 4/16/2021
Completion Date: 4/16/2021
Description: Meet Power Mulch at the Community Gardens for a free delivery of 2 yards of compost that was donated.
Man-hours: 1.25
Equipment: 905 and Equipment Trailer
Materials: Picked up 2 sheets of 1/2-4-8 Treated Cox Plywood @ \$57.93 each

Location: McCullers St. & Strickland Dr.
Starting Date: 4/22/2021
Completion Date: 4/22/2021
Description: Remove and replace faded stop sign.
Man-hours: .50
Equipment: 412 truck
Materials: One 30x30 Stop Sign, (2) of each: Bolts, Nuts and Washers

Location: 8th St. & Market St. (Old Rite Aid Location), Futrell Way (Underpass on South East side), Underpass on South East side (Futrell Way), Holt St. & 3rd St.
Starting Date: 4/23/2021
Completion Date: 4/28/2021
Description: Request for grass to be cut at old Rite Aid at 301 and 70. If you have any questions give mc a call. Cut back vegetation at the blind corner. Cut back bushes from Hwy 70 West because of visibility concerns. Bushes blocking view at intersection.
Man-hours: 9
Equipment: truck 412 & Trailer, 905 & Trailer
Materials: 3 weed eaters, 3 scags

Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
April 30, 2021



I. Statistical Section

 7 Preventive Maintenances

 0 North Carolina Inspections

 71 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

Black's Tire was paid \$770.94 for tires for the shop service truck.

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 safety meeting was led by Jaime Pearce from Johnston Health on "Blood Borne Pathogens/Personal Protective Equipment". Shop employee obtained EPA Section 608 Type 1 Open Book Certification for Refrigerant Recycling and Reclamation and has complied with all requirements of the EPA Clean Air Act.

**Town of Smithfield
Public Works Sanitation Division
Monthly Report
April 30, 2021**



I. Statistical Section

The Division collected from approximately 4,155 homes, 4 times during the month

- a. Sanitation forces completed 28 work orders.
- b. Sanitation forces collected tons 504.47 of household waste.
- c. Sanitation forces disposed of 78 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 3.91 tons of recyclable plastic
- h. Recycled 1860 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 2560 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 1600 lbs. of shredder steel for \$104.00 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$1,914.00 for disposal of yard waste and debris. Paid \$1,796.27 to Amick Equipment Co. Inc. for Trap system for Truck #319. Paid \$997.04 to Bear Torque Link, Restrictors for Hose end female, Hose wire. Paid \$1,718.85 to Carolina Environmental Systems for charges to have grabbers checked out and repaired. Paid \$600.00 to Cox's repair service for towing of Garbage truck #310. Paid \$13,217.50 to Cummings Atlantic INC. for Electronic control module. ECM and turbo charge. Paid \$604.66 to Sampson Bladen Oil, for Citgard 700 oil. Paid \$706.65 to Sampson Bladen Oil Co, INC. for Dyna Flo Perm 6000 Hydraulic fluid. Paid \$2,330.29 to White's Tire service of Wilson, INC. for Tires and Parts for truck #305.

IV. Personnel Update:

No new personnel hired for the month. Continue to use Mitchell's Temporary Services.

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. The Public Works safety meeting was led by Jaime Pearce from Johnston Health on "Blood Borne Pathogens/Personal Protective Equipment". Community Service Workers worked 0 hrs.



MONTHLY REPORT FOR APRIL, 2021

PROGRAMS STATISTICS	APRIL, 2021		APRIL, 2020	
NUMBER OF PROGRAMS	9		0	
TOTAL ATHLETICS PARTICIPANTS	261		0	
TOTAL NON/ATHLETIC PARTICIPANTS	49		0	
NUMBER OF GAMES PLAYED	33		0	
TOTAL NUMBER OF PLAYERS (GAMES)	964		0	
NUMBER OF PRACTICES	51		0	
TOTAL NUMBER OF PLAYER(S) PRACTICES	661		0	
SARAH YARD COMMUNITY CENTER	165			
	APRIL, 2021	20/21 FY YTD	APRIL, 2020	19/20 FY YTD
PARKS RENTALS	137	219	0	219
USERS (PARKS RENTALS)	3364	8841	0	9363
TOTAL UNIQUE CONTACTS	5,464		0	
	APRIL, 2021	20/21 FY YTD	APRIL, 2020	19/20 FY YTD
PARKS AND RECREATION REVENUES	\$ 3,120.00	\$ 17,413.00	\$ 64.00	\$ 56,220.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 73,069.00	\$ 545,004.00	\$ 56,018.00	\$ 574,249.00
PARKS AND RECREATION EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ 1,095.00	\$ 21,581.00	\$ 15,897.00	\$ 220,418.00
SARAH YARD CENTER EXPENDITURES (OPERATION)	\$ 2,777.00	\$ 18,773.00	\$ 794.00	\$ 20,145.00

HIGHLIGHTS Resumed programming (Covid) with Youth Baseball, T-Ball, Softball
 Hosted Litter Pick-Up Day



SRAC MONTHLY REPORT FOR APRIL, 2021

PROGRAMS STATISTICS	APRIL, 2021		APRIL, 2020	
NUMBER OF PROGRAMS	12		0	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	3819		0	
	APRIL, 2021	20/21 FY YTD	APRIL, 2020	19/20 FY YTD
SRAC MEMBER VISITS	2328	17451	0	30700
DAY PASSES	1047	1053	0	6595
RENTALS (SRAC)	16	73	0	429
USERS (SRAC RENTALS)	233	2927	0	30097
TOTAL UNIQUE CONTACTS	7,427		0	
	APRIL, 2021	20/21 FY YTD	APRIL, 2020	19/20 FY YTD
FINANCIAL STATISTICS				
SRAC REVENUES	\$ 37,061.00	\$ 182,979.00	\$ (6,008.00)	\$ 456,218.00
SRAC EXPENDITURES (OPERATIONS)	\$ 72,453.00	\$ 565,030.00	\$ 50,042.00	\$ 738,549.00
SRAC EXPENDITURES (CAPITAL)	\$ -	\$ 107,505.00		
SRAC MEMBERSHIPS	2307		2307	

HIGHLIGHTS

Opened the SRAC to General Public after being closed due to COVID
Over 2000 Swim Lessons through Alligator Steps



- **Statistical Section**

- Electric CP Demand 15,660 Kw relative to March's demand of 19,943 Kw.
- Electric System Reliability for was 99.952%, with three (3) recorded main line outage; relative to March's 99.999%.
- Raw water treated on a daily average was 4.167 MG relative to 3.941 MG for March; with maximum demand of 5.479 MG relative to March's 4.554 MG.
- Total finished water to the system was 114.878 MG relative to March's 110.822 MG. Average daily for the month was 3.706 MG relative to March's 3.575 MG. Daily maximum was 4.941 MG (April 30th) relative to March's 4.351 MG. Daily minimum was 3.338 MG (April 2nd), relative to March's 3.289 MG.

- **Miscellaneous Revenues**

- Water sales were \$236,924 relative to March's \$219,413
- Sewer sales were \$403,409 relative to March's \$372,700
- Electrical sales were \$1,169,650 relative to March's sales of \$1,240,729
- Johnston County Water purchases were \$192,632 for 81.971 MG relative to March's \$138,605 for 58.981 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$755,569 relative to March's \$877,181.
- Johnston County sewer charge was \$199,240 for 61.052 MG relative to March's \$267,884 for 81.887 MG.

- **Personnel Changes –**

- There were no changes in April



**Town of Smithfield
Electric Department
Monthly Report
April, 2021**

I. Statistical Section

- Street Lights repaired –28
- Area Lights repaired -5
- Service calls – 51
- Underground Electric Locates –156
- Poles changed out/removed or installed -17
- Underground Services Installed -4

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety meeting on Arc Flash & Ladder Safety.

V. Miscellaneous Activities:

- The Electrical Dept. is working on conversion/upgrade to the electrical system in the area of Baker St., Wellons, Cedarwood, Rosewood Streets.
- The Electrical Dept. is working on 9th St. Replacing poles.



WATER & SEWER

April 2021 Monthly Report

● DISCONNECT WATER	1
● RECONNECT WATER	4
● TEST METER	3
● TEMPORARY METER SET	1
● DISCOLORED WATER CALLS	4
● LOW PRESSURE CALLS	5
● NEW/RENEW SERVICE INSTALLS	4
● LEAK DETECTION	16
● METER CHECKS	11
● METER REPAIRS	7
● WATER MAIN/SERVICE REPAIRS	7
● STREET CUTS	6
● REPLACE EXISTING METERS	1
● INSTALL NEW METERS	5
● FIRE HYDRANTS REPAIRED	0
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	20

- CLEANOUTS INSTALLED 14
- INSPECTIONS 8
- CAMERA SEWER 1
- SEWER MAIN CLEANED LF
- SERVICE LATERALS CLEANED 1260LF
- SERVICE CALLS 115
- LOCATES 106

- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELPING PUBLIC WORKS CLEANING STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

MAJOR EXPENSES FOR THE MONTH OF APRIL

PERSONNEL UPDATES

UPCOMING PROJECTS FOR THE MONTH OF MAY

- WATER LINE REPLACEMENT SOUTH SMITHFIELD
- INSTALL NEW METERS ON 70 AND BUFFALO RD

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	04/27/21	3.4	15	7965	10	North Street	04/27/21	3	15	17820	40
Computer Drive	04/27/21	3.2	15	31860	10	West Street	04/27/21	3	15	78030	50
Castle Drive	04/27/21	3.4	15	7965	10	Regency Drive	04/27/21	2.5	15	63720	60
Parkway Drive	04/27/21	3.2	15	63720	40	Randers Court	04/27/21	3	15	15930	40
Garner Drive	04/27/21	3.2	15	63723	40	Noble Street	04/27/21	3	15	15930	40
Hwy 210 LIFT ST.	04/27/21	3.4	15	15930	40	Fieldale Dr#1(L)	04/27/21	3	15	63720	40
Skyland Drive	04/27/21	3.2	15	7965	10	Fieldale Dr#2(R)	04/27/21	3	15	63720	40
Bradford Street	04/27/21	3	15	15930	10	Heather Court	04/27/21	3	15	15930	40
Kellie Drive	04/27/21	3.2	15	7965	10	Reeding Place	04/27/21	3	15	15930	40
Edgewater	04/27/21	3.2	15	7965	10	East Street	04/27/21	3	15	63720	40
Edgecombe	04/27/21	2.8	15	15930	40	Smith Street	04/27/21	3	15	63720	40
Valley Wood	04/27/21	3.4	15	63720	40	Wellons Street	04/27/21	3	15	63720	40
Creek Wood	04/28/21	3.4	15	63720	40	Kay Drive	04/27/21	2	15	38985	15
White Oak Drive	04/28/21	3.2	15	7965	10	Huntington Place	04/27/21	1	15	38985	15
Brookwood Drive	04/28/21	3.2	15	22515	5	N. Lakeside Drive	04/27/21	1	15	9750	15
Runnymede Place	04/28/21	2.5	15	31860	10	Cypress Point	04/27/21	1.5	15	34890	12
Nottingham Place	04/28/21	3	15	38985	10	Quail Run	04/27/21	1	15	8715	12
Heritage Drive	04/28/21	3.2	15	38985	10	British Court	04/27/21	0.5	15	8715	12
Noble Plaza #1	04/28/21	2.8	15	9750	10	Tyler Street	04/27/21	1	15	78030	60
Noble Plaza #2	04/28/21	2.6	15	9750	10	Yelverton Road	04/27/21	1	15	63720	40
Pinecrest Street	04/28/21	3	15	19500	10	Ava Gardner	04/27/21	2	15	63720	40
S. Sussex Drive	04/28/21	3	15	31860	10	Waddell Drive	04/27/21	2	15	7965	10
Elm Drive	04/28/21	3.2	15	9750	10	Henly Place	04/27/21	2	15	8715	12
						Birch Street	04/27/21	1.5	15	34890	12
						Pine Street	04/28/21	1	15	38985	15
Coor Farm Supply	04/28/21	2.8	15	7965	10	Oak Drive	04/28/21	1	15	37695	14
Old Goldsboro Rd.	04/28/21	3.2	15	7965	10	Cedar Drive	04/28/21	1.5	15	31860	10
Hillcrest Drive	04/28/21	3	15	31860	10	Aspen Drive	04/28/21	1	15	34890	12
Eason Street	04/28/21	3	15	38985	40	Furlonge Street	04/28/21	2	15	34890	12
Magnolia circle	04/28/21	3	15	78030	40	Golden Corral	04/28/21	1.5	15	40290	16
Rainbow Drive	04/28/21	1.5	15	19500	60	Holland Drive	04/28/21	2	15	9750	15
Rainbow Circle	04/28/21	1.5	15	19500	60	Davis Street	04/28/21	1.5	15	34890	12
Moonbeam Circle	04/28/21	1.5	15	19500	60	Caroline Ave.	04/28/21	1	15	31860	10
Ray Drive	04/28/21	3	15	15930	60	Johnston Street	04/28/21	2	15	38985	15
Will Drive	04/28/21	3	15	63720	40	Ryans	04/28/21	1	90	9750	15
Michael Lane	04/28/21	3	15	63720	40						
Ward Street	04/28/21	3	15	15930	40						

977883

1282815 2260698



MONTHLY WATER LOSS REPORT

APRIL 2021

(7) - Meters with slow washer leaks

(4) 3/4" Line, 1/8" hole – 1 Day

(2) 1" Line, 1/8" hole – 1 Day

(2) 2" Line, 1/4" hole – 1 Day