



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

Sloan 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, August 2, 2022

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 AUGUST 2, 2022  
7:00 PM**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Approval of Agenda**

**Page**

**Presentations: None**

**Public Hearings:**

**1. ANX-22-01 Contiguous Annexation Petition: Floyd Landing Holdings, LLC**

In accordance with NCGS 160A-31, a public hearing and adoption of Ordinance No. 508 are required before the properties can be annexed into the corporate limits of the Town of Smithfield.

(Planning Director – Stephen Wensman) See attached information.....1

**2. CZ-22-03 Blueline Aviation:** The applicant is requesting rezoning of a 14.43-acre tract of land from an R-20A (Residential) zoning district to a PUD (Conditional Zoning) district. The property considered for approval is located on the west side of Swift Creek Road approximately 650 feet north of its intersection with Airport Industrial Drive and further identified as Johnston County Tax ID# 15J08015B

(Planning Director – Stephen Wensman) See attached information.....15

**Citizens Comments**

**Consent Agenda Items:**

**1. Approval of Minutes:**

a. July 12, 2022 – Regular Meeting

b. July 12, 2022 – Closed Session (Under Separate Cover).....43

**2. Special Event: Back to School Community and Youth Explosion** – Purpose and Power Apostolic Ministries is requesting to hold a back-to-school community event on August 20, 2022 from 10:00 am until 3:00 pm at Smith Collins Park. This request includes the use of amplified sound during the event.  
(Planning Director – Stephen Wensman) See attached information.....49

**3. Special Event: End of Summer Bash** – Bulldog Harley – Davidson is requesting to hold an end of summer event on August 27, 2022 from 10:00 am until 4:00 pm at 1043 Outlet Center Drive. This request includes the use of amplified sound (live band), vendors, food trucks and a beer truck.  
(Planning Director – Stephen Wensman) See attached information.....55

**4. Consideration and request for approval to adopt Resolution 702 No. (11-2022) accepting the third year of funding from the NC Governors Highway Safety Program for the Police Department**  
(Chief of Police – R. Keith Powell) See attached information.....65

**5. Consideration and request for approval to adopt Resolution No. 703 (12-2022) formally accepting State Directed American Rescue Plan Grants in the amount of \$3,000,000**  
(Town Manager – Michael Scott) See attached information.....77

**6. Consideration and request for approval of a contract with Skip Green and Associates for administration of the EDA Grant**  
(Town Manager – Michael Scott) See attached information.....81

**7. Bid Award to Carolina Environmental in the amount of \$227,987.00 for the purchase of a trash truck for the Public Works Sanitation Department**  
(Public Works Director – Lawrence Davis) See attached information.....91

**8. Board Appointments**

- a. Lana (Michelle) Choe has submitted an application for consideration to serve on the Appearance Commission (first term)
- b. Wiley Narron has submitted an application for consideration to serve on the Planning Board as an In-Town Member (first term)
- c. Bryan Stanley has submitted an application for consideration to serve on the Planning Board as an In-Town Member (first term)  
(Town Clerk – Shannan Parrish) See attached information.....105

**9. New Hire Report**  
(HR Director– Tim Kerigan) See attached information.....113

**Business Item:**

- 1. ANX – 22-02: Blueline Aviation has submitted a petition for a voluntarily noncontiguous annexation of 14.43 acres into the Town of Smithfield**

<b>and adoption of Resolution No. 704 (13-2022) directing the Clerk to investigate the sufficiency of the petition</b> (Planning Director – Stephen Wensman) <u>See</u> attached information.....	115
<b>2. Consideration and request for approval to adopt Resolution No. 705 (14-2022) to begin the procedure for the closing of Circle Drive</b> (Planning Director- Stephen Wensman) <u>See</u> attached information.....	123
<b>3. Consideration and request for approval to adopt Ordinance No. 509 amending Article III of the Fire Prevention Code and Chapter 11, Section 11-25 of the Administrative Code of Ordinances</b> (Fire Chief – Michael Brown) <u>See</u> attached information.....	131
<b>4. Consideration and request for approval to adopt Ordinance No. 510, amending Chapter 10, Article IV, Section 10-170 of the Administrative Code of Ordinances</b> (Chief of Police – R. Keith Powell) <u>See</u> attached information.....	139
<b>5. Consideration and request for approval to amend the FY 2022-2023 Fee Schedule</b> (Chief of Police – R. Keith Powell & Fire Chief – Michael Brown) <u>See</u> attached information....	145

**Councilmember’s Comments**

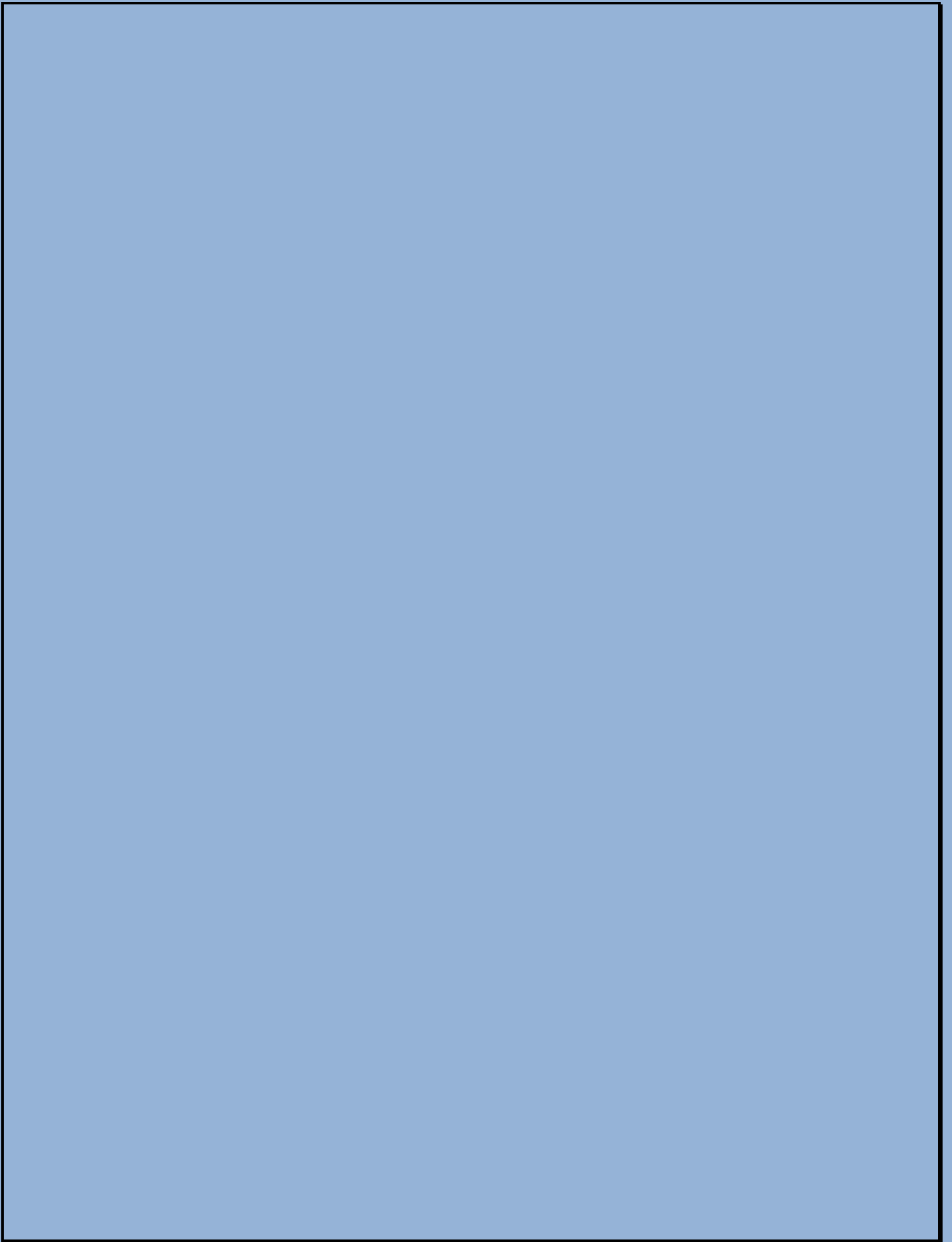
**Town Manager’s Report**

- Financial Report.....149
- Department Reports.....151
- Manager’s Report

**Adjourn**



# Public Hearings







# Request for Town Council Action

**Public  
Hearing:** ANX-22-01  
Date: 08/02/2022

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**Subject:** Annexation Petition  
**Department:** Planning & Administration  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

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## Issue Statement

Floyd Landing Holdings, LLC has submitted a petition for a voluntarily annexation of 96.82 acres to the Town of Smithfield.

## Financial Impact

The annexation will add to the Town's tax base.

## Action Needed

The Town Council is asked to hold a public hearing on the annexation, then adopt Ordinance No. 508 extending the Corporate Limits of the Town of Smithfield. This can be done immediately or within six months.

## Recommendation

Adopt Ordinance No. 508, extending the Corporate Limits of the Town of Smithfield.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Annexation Petition
3. Annexation Survey
4. Site Map
5. Ordinance No. 508



# Staff Report

**Public ANX-  
Hearing 22-01**

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The Town of Smithfield received a petition from Floyd Landing Holdings, LLC for a voluntarily annexation of 96.82 acres to the Town of Smithfield located north of Rodgers Drive on the West side of US Highway 70 Business West.

The annexation properties include all of the Floyds Landing subdivision properties: NC Pin #s 168500-73-3381, 168407-58-1487, 168519-50-2545, 168500-40-6654, and 168500-41-0730.

The applicant is requesting Town services including water and sewer.

## **PAST ACTIONS ON PETITION:**

On June 7, 2022, the Town Council adopted Resolution No. 699 (08-2022), directing the Town Clerk to investigate the sufficiency of the petition. The Town Clerk investigated the petition and determined it to be sufficient.

On July 12, 2022, the Town Council adopted Resolution No. 701 (10-2022), setting the date for the Public Hearing on August 2, 2022.

## **ANALYSIS:**

**Utilities.** The Floyds Landing development will be connected to the Town's water and sewer and Duke's electrical grid.

**Police.** The Town Police Department will provide police protection. It already provides protection to the Amazon facility across the highway.

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

**Public Works.** Public works will provide trash, and yard waste pickup to the area.

**Code Enforcement.** Code Enforcement will provide enforcement with little additional burden. The development has an HOA that will address most nuisance issues before they become a town issue.

**ANNEXATION STATUTE:**

*Per NCGS 160A-31 (d): At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection (b1) or (j) of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance.*



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"/>	<b>Electronic Word document of the written metes and bounds</b> must be e-mailed to: <a href="mailto:Stephen.Wensman@smithfield-nc.com">Stephen.Wensman@smithfield-nc.com</a> or <a href="mailto:Mark.Helmer@smithfield-nc.com">Mark.Helmer@smithfield-nc.com</a> .	
<input checked="" type="checkbox"/>	<b>Boundary Survey</b> 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 checked="" type="checkbox"/>	<b>Copy of Approved Preliminary Site Plan or Final Site Plan</b> showing Town Permit number (Z-__-__, etc.) or	<b>Copy of Subdivision Plat</b> submitted for lot recording approval with Town file number (S-__22-__02 etc.)
<input type="checkbox"/>	Projected Market Value of Development at build-out (land and improvements).	
<input type="checkbox"/>	<b>General Annexation Area Data:</b> 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 type="checkbox"/>	This application form completed, <u>dated and signed</u> by the property owner(s) and attested <b>submitted by the deadlines.</b>	
<b>Required, but often missing information. Please make sure to include the following:</b>		
<input type="checkbox"/>	<b>Correct Parcel Identification Number(s) (PIN).</b> Call Johnston County Geographic Information Services at 919-989-5153, if there is any question about the parcel identifier. <b>This is very important.</b> Please indicate if the property being requested for annexation is only a portion of an existing parcel.	
<input type="checkbox"/>	<b>Owner's Signatures and Date of Signatures.</b> See page 3 of this application. All real property owners must sign the application, and the <u>date of signature</u> <b>MUST be filled in!</b>	
<input type="checkbox"/>	<b>Corporate Seal</b> for property owned by a corporation.	
<input type="checkbox"/>	<b>Rezoning Application</b> , 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**

Floyd Landing

**Street Address**

**Town of Smithfield Subdivision approval #**

(S- 22 - 02 ) or

**Building Permit Transaction #**

\_\_\_\_\_ or

**Site Plan approval # for multi-family**

(SP- \_\_\_\_\_ - \_\_\_\_\_ )

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

**P.I.N.**  
168500-73-3381

**P.I.N.**  
168407-58-1487

**P.I.N.**  
168519-50-2545

**P.I.N.**  
168500-40-6654

**P.I.N.**  
168500-41-0730

**P.I.N.**

**Acreage of Annexation Site**  
96.82 acres

**Linear Feet of Public Streets within Annexation Boundaries**  
+/- 10,708 LF

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

**Number of proposed dwelling units**

669

**Type of Units:**

Single Family 89

Townhouse 220

Condo \_\_\_\_\_

Apartment 360

**Building Square Footage of Non-Residential Space**

TBD - Not to exceed as allowed by current Zoning

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

TBD - As allowed by current Zoning

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

\$200,000,000

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

**Name**

Joe Faulkner, RLA

**Address**

301 Glenwood Avenue Suite 220 Raleigh NC 27603

**Phone**

919-606-7703

**Fax #**

**Email**

Joe@CEGroupInc.com

# Annexation Petition

<b>State of North Carolina, County of Johnston, Petition of Annexation of Property to the Town of Smithfield, North Carolina</b>	
<p><b>Part 1</b> 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. <b>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.</b> The property to be annexed is:</p>	
<input checked="" type="checkbox"/>	Contiguous to the present corporate limits of the Town Of Smithfield, North Carolina, or
<input type="checkbox"/>	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)
<p><b>Part 2</b> 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.</p>	
<p>Do you declare such vested rights for the property subject to this petition?      Yes      <u>No</u></p>	
<p>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.</p>	
<p>S      this <u>igned</u> day of _____, 20<u>22</u> by the owners of the property described in Section C.</p>	
<p><b>Owner's Signature(s)</b></p> <p>2      Signature <u>Eric V. Brownlee</u> <u>manager</u> Date <u>5/2/2022</u></p> <p>1      Signature <u>[Signature]</u> <u>manager</u> Date <u>5/3/2022</u></p> <p>Signature _____ Date _____</p> <p>Signature _____ Date _____</p>	<p><b>Corporate Seal</b></p>
<p><b>Print owner name(s) and information</b></p> <p>1      Name <u>Andrew Ross, Manager Floyd Landing Holdings, LLC</u> Phone <u>919-703-6206</u></p> <p>Address <u>341 Kilmayne Drive Suite 201 Cary, NC 27511</u></p> <p>2      Name <u>Eric V. Brownlee, Manager Chatham Capital Group, LLC</u> Phone <u>919-270-0822</u></p> <p>Address <u>1064 N. Lakeside Drive Smithfield, NC 27577</u></p> <p>Name _____ Phone _____</p> <p>Address _____</p> <p>Name _____ Phone _____</p> <p>Address _____</p>	
<p><b>Above signature(s) attested by</b></p>	
<p>Received by the Town of Smithfield, North Carolina, this <u>7th</u> day of <u>June</u>, 20<u>22</u>, at a Council meeting duly held.</p> <p>S      e of <u>Mayor</u> Clerk <u>Sharon Parrish</u></p>	

NO.	REVISION	DATE

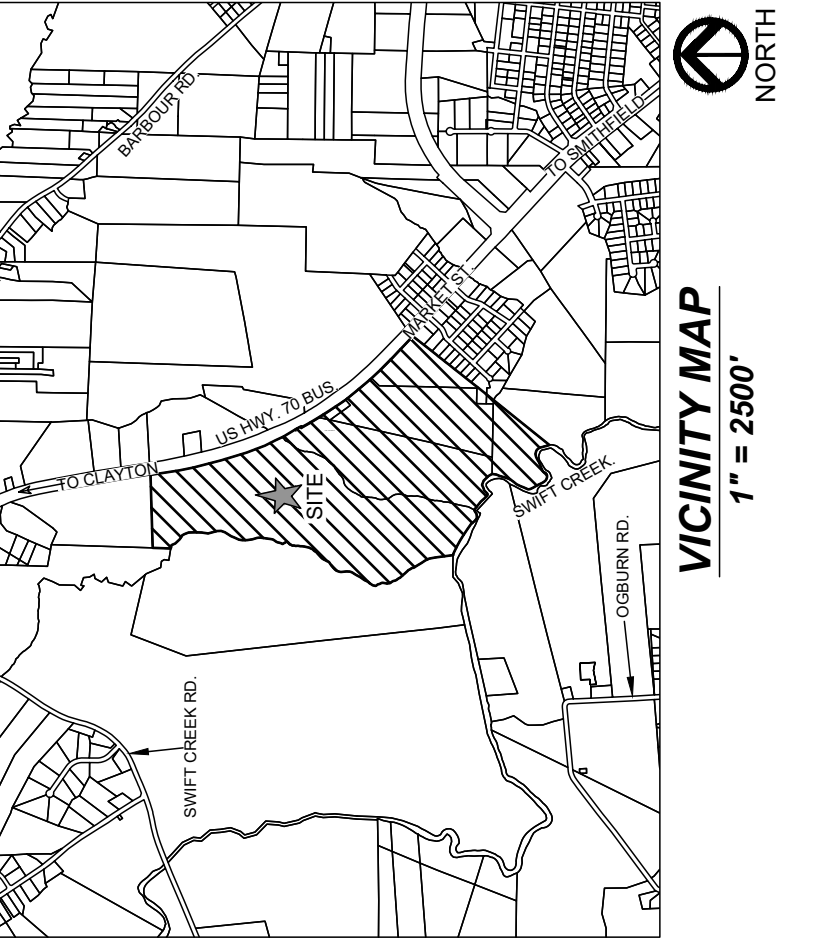


**CE GROUP**  
 301 GLENWOOD AVE. 220  
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 PHONE: 919-367-8790  
 FAX: 919-233-0032  
 www.cegroupinc.com  
 License # C-1739

SMITHFIELD TOWNSHIP - COUNTY OF JOHNSTON - NORTH CAROLINA  
 U.S. HIGHWAY 70 BUSINESS  
 FLOYD LANDING HOLDINGS, LLC  
 PROPERTY OF CHATHAM CAPITAL GROUP, LLC, AND  
 CONTIGUOUS ANNEXATION PLAT

Date: \_\_\_\_\_ Date  
 Scale: 1" = 500'  
 Drawn: HKS  
 Checked: JSS  
 Project No. 127-343  
 Computer Dwg. Name 127-343\_FLOYDLANDING\_ANNEXATION

Sheet No. 1  
 Of 3



**FLOOD CERTIFICATION**  
 UPON EXAMINATION OF FLOOD INSURANCE RATE MAP, PANEL NUMBER 1684 OF COMMUNITY NUMBER 370140 (TOWN OF SMITHFIELD ETJ), BEARING MAP # 3720168400K, DATED JUNE 20, 2018, THE SUBJECT PROPERTIES LIE IN ZONE "AE", WHICH IS AN AREA DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND PANEL NUMBER 1685 OF COMMUNITY NUMBER 370140 (TOWN OF SMITHFIELD ETJ), BEARING MAP # 3720168500K, DATED JUNE 20, 2018, THE SUBJECT PROPERTIES LIE IN ZONE "X", WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN.

**SYMBOL LEGEND**

●	PROPERTY CORNER FOUND
○	PROPERTY CORNER SET
■	CONC MONUMENT FOUND
△	CALCULATED POINT
XXXX	SITE ADDRESS

**Line Table**

Line #	Direction	Length
L1	S42°47'27"W	75.00'
L2	N02°34'50"E	22.81'
L3	N86°49'41"W	200.10'
L4	S01°38'14"W	221.96'
L5	S79°50'13"E	48.70'
L6	N10°01'17"W	205.94'
L7	S71°33'39"W	376.93'
L8	N81°18'08"W	128.63'
L9	N05°53'33"W	170.91'
L10	N26°41'21"E	400.03'
L11	N12°11'48"W	145.10'
L12	N45°55'32"W	26.62'
L13	N76°31'16"W	107.13'
L14	N06°11'12"E	65.37'
L15	N51°55'33"W	77.97'
L16	N10°54'16"E	118.52'
L17	N11°43'49"W	62.24'
L18	N42°16'54"W	158.00'
L19	N77°16'54"W	158.00'
L20	N87°12'06"W	238.00'
L21	N70°02'08"W	112.00'
L22	N57°42'06"W	201.00'
L23	N66°37'06"W	375.00'
L24	N26°02'08"W	117.00'
L25	N46°02'06"W	307.00'
L26	N07°07'54"E	244.00'
L27	N26°32'54"E	425.00'
L28	N03°28'15"W	145.00'
L29	N60°31'45"E	125.00'
L30	N00°06'45"E	53.00'
L31	N44°56'45"E	289.00'
L32	N23°21'45"E	169.00'
L33	N13°01'31"W	99.85'
L34	N19°21'45"E	134.89'
L35	N04°32'49"E	155.18'
L36	N45°46'45"E	136.00'
L37	S88°01'45"W	53.00'
L38	N22°31'30"E	55.00'
L39	N12°31'45"E	100.00'
L40	N26°13'04"E	383.54'
L41	N42°45'15"W	258.00'
L42	S86°31'45"W	52.00'
L43	N80°12'47"E	75.00'
L44	S09°47'13"E	416.23'
L45	S24°24'00"E	74.92'
L46	S57°49'17"W	75.00'
L47	N15°01'17"E	136.32'
L48	S39°47'07"E	327.08'
L49	N49°15'35"E	94.12'
L50	N55°04'39"E	75.00'
L51	S46°12'59"W	75.00'
L52	S47°12'33"E	284.76'
L53	N00°13'05"E	284.00'
L54	N07°43'05"E	257.00'

**Line Table**

Line #	Direction	Length
L55	N11°13'08"E	522.00'
L56	N08°45'38"E	287.92'
L57	N59°32'31"W	31.61'
L58	N12°28'46"E	23.57'
L59	N32°26'14"E	115.33'
L60	N36°07'19"E	73.42'
L61	N53°09'11"E	54.25'
L62	N60°40'26"E	67.64'
L63	N62°41'24"E	82.41'
L64	N59°25'33"E	32.74'
L65	N76°37'14"E	27.36'
L66	N09°04'32"E	18.87'
L67	N50°01'39"E	53.64'
L68	N15°10'25"W	11.35'
L69	N24°10'24"E	25.36'
L70	N04°17'29"E	12.29'
L71	N11°23'23"W	12.89'
L72	N32°05'05"E	11.42'
L73	N52°47'52"E	13.18'
L74	N74°33'28"E	10.87'
L75	N69°58'51"E	20.89'
L76	N15°53'31"E	21.94'
L77	N43°42'50"E	16.26'
L78	N83°17'54"E	19.13'
L79	N00°57'06"E	17.28'
L80	N75°21'47"E	15.94'
L81	N05°36'24"W	46.65'
L82	N25°22'27"E	13.54'
L83	S89°23'56"E	18.82'
L84	N45°10'24"E	11.33'
L85	N17°03'38"E	26.42'
L86	N33°26'32"W	16.22'
L87	N39°43'27"E	24.01'
L88	N61°31'09"E	17.62'
L89	N33°18'14"E	23.13'
L90	N71°12'24"E	12.49'
L91	N61°57'10"E	28.71'
L92	N08°46'31"E	54.74'
L93	N59°42'35"E	42.46'
L94	N24°07'54"E	17.55'
L95	N25°07'45"E	38.58'
L96	N24°07'54"E	17.74'
L97	N34°31'02"E	14.85'
L98	N51°45'04"E	18.62'
L99	N36°57'24"E	18.54'
L100	N77°56'44"W	28.80'
L101	N09°53'31"E	19.76'
L102	N69°11'26"E	40.71'
L103	N73°01'18"E	32.15'
L104	N25°13'57"E	60.05'
L105	N29°46'20"E	42.88'
L106	N13°38'59"E	29.24'
L107	N64°45'48"E	75.00'

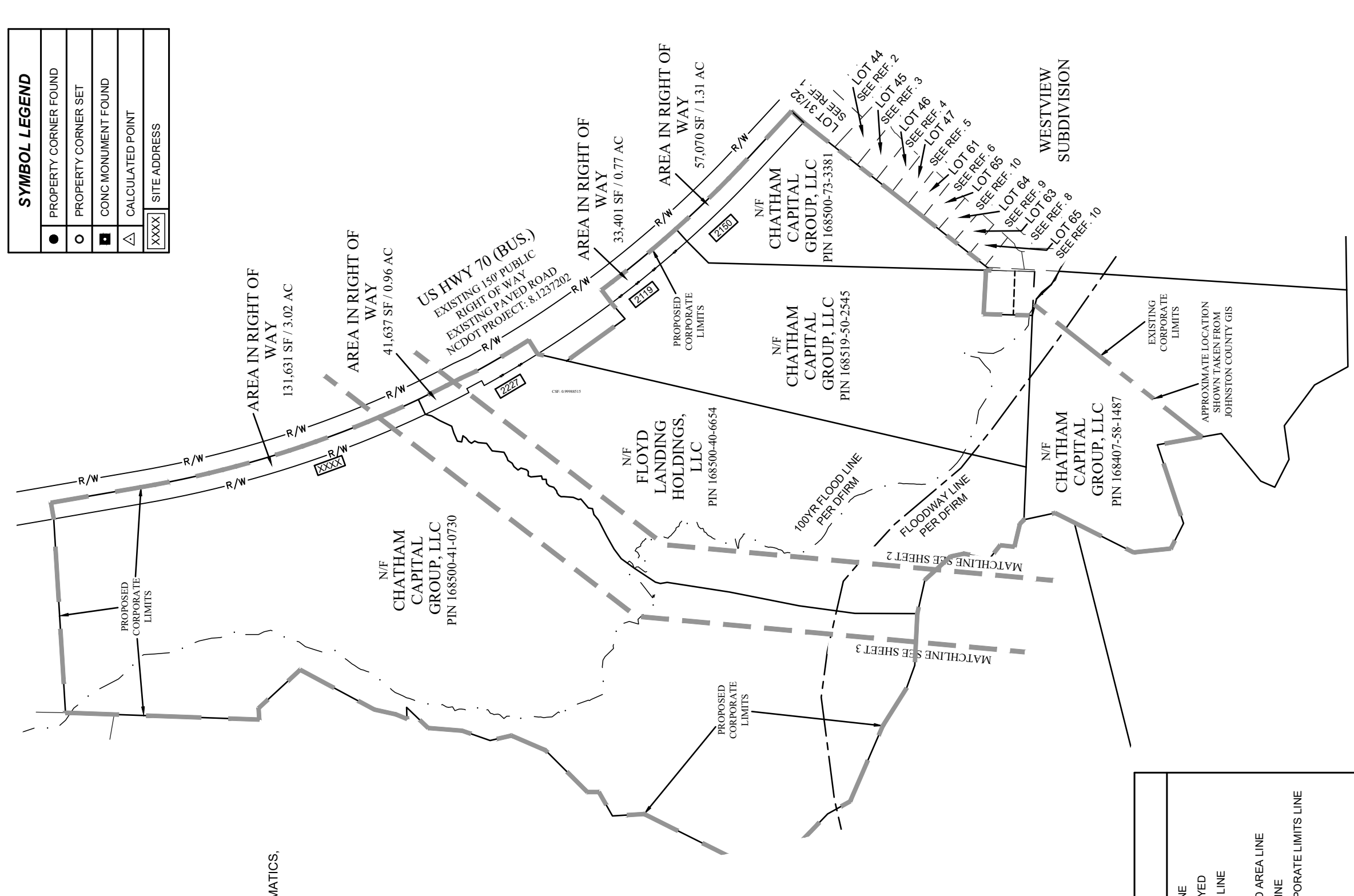
**Curve Table**

Curve #	Radius	Length	Tangent	Chord Bearing	Ch. Length	Delta
C1	4972.34	1328.73	689.44'	S17°32'03"E	1324.68'	015°29'52"
C2	4956.92	216.03	106.03	S26°39'16"E	216.01'	002°29'49"
C3	4864.29	280.73	140.40	S30°31'31"E	280.69'	003°18'24"
C4	4864.29	286.30	146.20	S38°40'02"E	286.25'	003°29'24"
C5	4864.29	141.86	70.93	S40°56'53"E	141.85'	001°40'15"
C6	4862.60	466.94	233.65	S44°32'01"E	466.76'	005°30'07"

**PROPERTY DATA**  
 CURRENT OWNER: CHATHAM CAPITAL GROUP, LLC  
 FLOYD LANDING HOLDINGS, LLC  
 U.S. HIGHWAY 70 BUSINESS WEST, SMITHFIELD, NC  
 168519-50-2545; 168500-73-3381; 168407-58-1487;  
 168500-40-6654; 168500-41-0730

**SHEET INFORMATION**

- SEE SHEET 2 & 3 FOR CHATHAM CAPITAL GROUP, LLC
- SEE SHEET 4 FOR FLOYD LANDING HOLDINGS, LLC
- SEE SHEET 5 FOR PROPERTY AND CHATHAM CAPITAL GROUP, LLC



**SURVEY REFERENCES**  
 PLAT BOOK 14 PAGE 121  
 PLAT BOOK 14 PAGE 171  
 PLAT BOOK 38 PAGE 307  
 PLAT BOOK 42 PAGE 333  
 PLAT BOOK 46 PAGE 55  
 PLAT BOOK 64 PAGE 64  
 PLAT BOOK 72 PAGE 119  
 HIGHWAY PLANS PROJECT# 8, 1237202  
 DEED BOOK 523 PAGE 26  
 DEED BOOK 624 PAGE 146  
 DEED BOOK 637 PAGE 276  
 DEED BOOK 642 PAGE 17  
 DEED BOOK 644 PAGE 405  
 DEED BOOK 1243 PAGE 192  
 DEED BOOK 1336 PAGE 557  
 DEED BOOK 1452 PAGE 205  
 DEED BOOK 1469 PAGE 442  
 DEED BOOK 1991 PAGE 791  
 DEED BOOK 3103 PAGE 137  
 DEED BOOK 3223 PAGE 620  
 DEED BOOK 3912 PAGE 642  
 DEED BOOK 4221 PAGE 652  
 DEED BOOK 4222 PAGE 500  
 DEED BOOK 4899 PAGE 355  
 DEED BOOK 5875 PAGE 87  
 DEED BOOK 5931 PAGE 899  
 DEED BOOK 6103 PAGE 017  
 DEED BOOK 6103 PAGE 137 (CURRENT)  
 DEED BOOK 6221 PAGE 420 (CURRENT)  
 DEED BOOK 6221 PAGE 476 (CURRENT)  
 DEED BOOK 6234 PAGE 37 (CURRENT)  
 OTHERS AS SHOWN HEREON

AN UNRECORDED PLAT BY HAWKEYE GEOMATICS,  
 PC SIGNED BY AARON J. PERKINSON, PLS.

**ADJOINER REFERENCES**

- FRANK H. & KIMBERLY G. PARRISH  
 D.B. 1600, P.G. 622  
 LOT 31 & 32  
 ID#H150940011  
 PIN#168519-50-1189
- PABLO JIMENEZ OSORIO  
 VEDA M. ARREAGA  
 D.B. 2393, P.G. 773  
 LOT 44  
 ID#H150940008  
 PIN#168519-50-1015
- ROBERT JUNIUS & LINDA D. BARFOOT  
 D.B. 714, P.G. 94  
 LOT 45  
 ID#H150940017  
 PIN#168407-69-0962
- DONNIE R. & JANICE POWELL  
 LOT 46  
 ID#H150940018  
 PIN#168407-59-9897
- HERBERT A. SCOTT  
 D.B. 1771, P.G. 925  
 LOT 47  
 ID#H150940025  
 PIN#168407-59-9830
- JEFFERY K. HAMILTON  
 D.B. 3991, P.G. 770  
 LOT 61  
 ID#H150940026  
 PIN#168407-59-9772
- RONALD ALLEN HARDEE  
 D.B. 1079, P.G. 96  
 LOT 62  
 ID#H150940027  
 PIN#168407-59-9836
- JOYCE A. NEWP  
 D.B. 1262, P.G. 44  
 LOT 63  
 ID#H150940037  
 PIN#168407-59-7660
- WILSON MILLS ROAD HOLLINESS CHURCH  
 LOT 64  
 ID#H150940038  
 PIN#168407-59-7515

**CERTIFICATE OF FLOODWAY INFORMATION**  
 PROPERTY SHOWN HEREON X IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.  
 FLOOD HAZARD PANEL NO. 1684  
 EFFECTIVE DATE: JUNE 20, 2018  
 PROPERTY SHOWN HEREON IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.  
 FLOOD HAZARD PANEL NO. 1685  
 EFFECTIVE DATE: JUNE 20, 2018

DATE \_\_\_\_\_ SURVEYOR \_\_\_\_\_

**JOHNSTON COUNTY REGISTER OF DEEDS**  
 STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
 THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS DAY OF \_\_\_\_\_ 20\_\_\_\_ AT \_\_\_\_\_  
 BY \_\_\_\_\_ ASST. REG. OF DEEDS \_\_\_\_\_

**REVIEW OFFICER'S CERTIFICATE**  
 STATE OF NORTH CAROLINA  
 COUNTY OF JOHNSTON  
 I, \_\_\_\_\_ REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

**SURVEYORS CERTIFICATE**  
 I, JAMIE SHANE STRICKLAND, HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. I DEED THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_. THAT THE RATIO OF PRECISION AS CALCULATED IS 1:\_\_\_\_\_. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE.  
 THIS DAY OF \_\_\_\_\_ A.D. 2022.  
 JAMIE SHANE STRICKLAND, PLS  
 N.C. LICENCE NUMBER L-4669

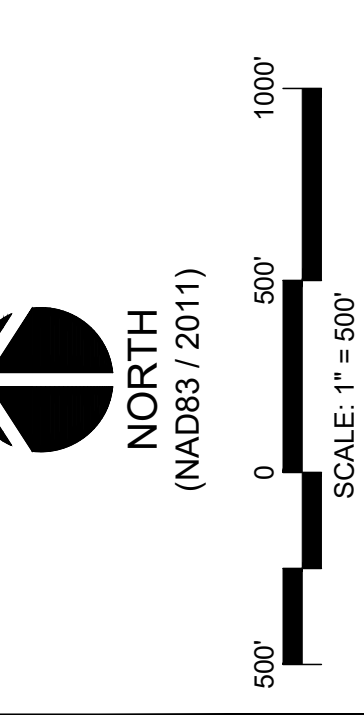
**PRELIMINARY**  
 JAMIE SHANE STRICKLAND, PLS  
 N.C. LICENCE NUMBER L-4669

*Not for recordation*  
 I, JAMIE SHANE STRICKLAND, HEREBY CERTIFY THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS (WHICH MAY BE PART OF AN UNRECORDED PLAT) AND THE BOUNDARIES THEREOF.

JAMIE SHANE STRICKLAND, PLS N.C. LICENCE NUMBER L-4669

**ANNEXATION AREA TABLE**

ANNEXATION AREA	PIN NUMBER	AREA IN LOT	TOTAL AREA
CHATHAM CAPITAL GROUP	168519-50-2545	1,292,872 SF / 29.68 AC	1,326,273 SF / 30.45 AC
CHATHAM CAPITAL GROUP	168500-73-3381	57,070 SF / 1.31 AC	524,115 SF / 12.03 AC
CHATHAM CAPITAL GROUP	168407-58-1487	537,452 SF / 12.34 AC	0 SF / 0 AC
CHATHAM CAPITAL GROUP	168500-41-0730	4,219,184 SF / 96.86 AC	4,350,815 SF / 99.88 AC
FLOYD LANDING HOLDINGS, LLC	168500-40-6654	1,787,890 SF / 41.04 AC	1,829,527 SF / 42.00 AC
TOTAL AREA IN LOT		8,304,443 SF / 190.64 AC	
TOTAL AREA IN RW		263,739 SF / 6.05 AC	
TOTAL ANNEXATION AREA			8,568,182 SF / 196.70 AC







**GENERAL NOTES**

- THE PURPOSE OF THIS PLAT IS TO PERFORM AN ANNEXATION SURVEY ON THE CHATHAM GROUP, LLC PROPERTY, AND ON THE FLOYD LANDING HOLDINGS, LLC PROPERTY, LOCATED IN SMITHFIELD TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA; BEARING PINS:
  - CHATHAM CAPITAL GROUP, LLC - 168519-50-2545
  - CHATHAM CAPITAL GROUP, LLC - 168500-73-3381
  - CHATHAM CAPITAL GROUP, LLC - 168407-58-1487
  - CHATHAM CAPITAL GROUP, LLC - 168500-41-0730
  - FLOYD LANDING HOLDINGS, LLC - 168500-40-6654
- PROPERTIES SHOWN HEREON ARE SUBJECTED TO EASEMENTS AND RESTRICTIONS OF RECORD THAT WOULD BE REVEALED BY A THOROUGH TITLE SEARCH. THIS PLAT SHOULD NOT BE RELIED UPON AS A COMPLETE RECORD OF ALL EASEMENTS THAT MAY AFFECT THESE PROPERTIES.
- THE UNIT OF MEASUREMENT IS U.S. SURVEY FEET (FT) UNLESS SPECIFICALLY NOTED AS METERS (M).
- ALL DISTANCES AND COORDINATES SHOWN HEREON ARE LOCALIZED, GROUND INFORMATION, UNLESS SPECIFICALLY NOTED AS "GRID".
- AREAS CALCULATED BY THE COORDINATE METHOD.
- THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NONEXISTENCE OF ANY UNDERGROUND UTILITIES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
- ALL PROPERTY CORNERS SET ARE 5/8" IRON PIPES SET (IPS) FLUSH WITH EXISTING GROUND UNLESS OTHERWISE NOTED.
- ALL PROPERTY CORNERS FOUND AND SHOWN HEREON WITHOUT A DESCRIPTION ARE 5/8" IRON REBAR FOUND FLUSH WITH THE EXISTING GROUND UNLESS OTHERWISE NOTED.

**ADJOINER REFERENCES**

- FRANK H. & KIMBERLY G. PARRISH  
D.B. 1600, PG. 622  
LOT 318332  
ID#15094001
- PABLO JIMENEZ OSORIO  
VEDA M. ARREAGA  
D.B. 2393, PG. 773  
LOT 44  
ID#15094008
- ROBERT JUNIUS & LINDA D. BAREFOOT  
D.B. 714, PG. 94  
LOT 45  
ID#15094017
- DONNIE R. & JANICE POWELL  
ID#15094018
- HERBERT A. SCOTT  
D.B. 1771, PG. 925  
LOT 47  
ID#15094025
- JEFFERY K. HAMILTON  
D.B. 3991, PG. 770  
LOT 61  
ID#15094026
- RONALD ALLEN HARDEE  
D.B. 1079, PG. 96  
LOT 62  
ID#15094027
- JOYCE A. KEMP  
D.B. 1262, PG. 44  
LOT 63  
ID#15094037
- WILSON MILLS ROAD HOLLINESS CHURCH  
LOT 64  
ID#15094038

**SHEET INFORMATION**

- SEE SHEET 1 OVERALL ANNEXATION AREA.
- SEE SHEET 2 FOR CHATHAM CAPITAL GROUP, LLC PROPERTY ANNEXATION AREA.

**FLOOD CERTIFICATION**

UPON EXAMINATION OF FLOOD INSURANCE RATE MAP, PANEL NUMBER 1684 OF COMMUNITY NUMBER 370140 (TOWN OF SMITHFIELD), JOHNSTON COUNTY, NORTH CAROLINA, DATED JUNE 20, 2018, THE SUBJECT PROPERTIES ARE DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN. BEARING MAP # 3720168500K, DATED JUNE 20, 2018; THE SUBJECT PROPERTIES LIE IN ZONE "X", WHICH IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE AND FUTURE CONDITIONS 1% ANNUAL CHANCE FLOODPLAIN.

**SURVEY REFERENCES**

- PLAT BOOK 14 PAGE 1271
- PLAT BOOK 14 PAGE 171
- PLAT BOOK 38 PAGE 307
- PLAT BOOK 42 PAGE 333
- PLAT BOOK 46 PAGE 55
- PLAT BOOK 64 PAGE 64
- PLAT BOOK 72 PAGE 119
- HIGHWAY PLANS PROJECT # 8,1237202
- DEED BOOK 523 PAGE 26
- DEED BOOK 524 PAGE 146
- DEED BOOK 637 PAGE 17
- DEED BOOK 642 PAGE 405
- DEED BOOK 644 PAGE 192
- DEED BOOK 1243 PAGE 192
- DEED BOOK 1336 PAGE 557
- DEED BOOK 1452 PAGE 205
- DEED BOOK 1469 PAGE 442
- DEED BOOK 1991 PAGE 791
- DEED BOOK 3103 PAGE 137
- DEED BOOK 3223 PAGE 620
- DEED BOOK 3225 PAGE 620
- DEED BOOK 3912 PAGE 542
- DEED BOOK 4221 PAGE 652
- DEED BOOK 4222 PAGE 500
- DEED BOOK 4899 PAGE 355
- DEED BOOK 5875 PAGE 87
- DEED BOOK 5931 PAGE 899
- DEED BOOK 6103 PAGE 017
- DEED BOOK 6103 PAGE 137 (CURRENT)
- DEED BOOK 6221 PAGE 420 (CURRENT)
- DEED BOOK 6234 PAGE 476 (CURRENT)
- DEED BOOK 6234 PAGE 37 (CURRENT)
- OTHERS AS SHOWN HEREON

**PROPERTY OWNER:**

CHATHAM CAPITAL GROUP, LLC  
FLOYD LANDING HOLDINGS, LLC  
U.S. HIGHWAY 70 BUSINESS WEST, SMITHFIELD, NC  
168519-50-2545, 168500-73-3381, 168407-58-1487,  
168500-40-6654, 168500-41-0730

AN UNRECORDED PLAT BY HAWKEYE GEOMATICS,  
PC SIGNED BY AARON J. PERKINSON, PLS.

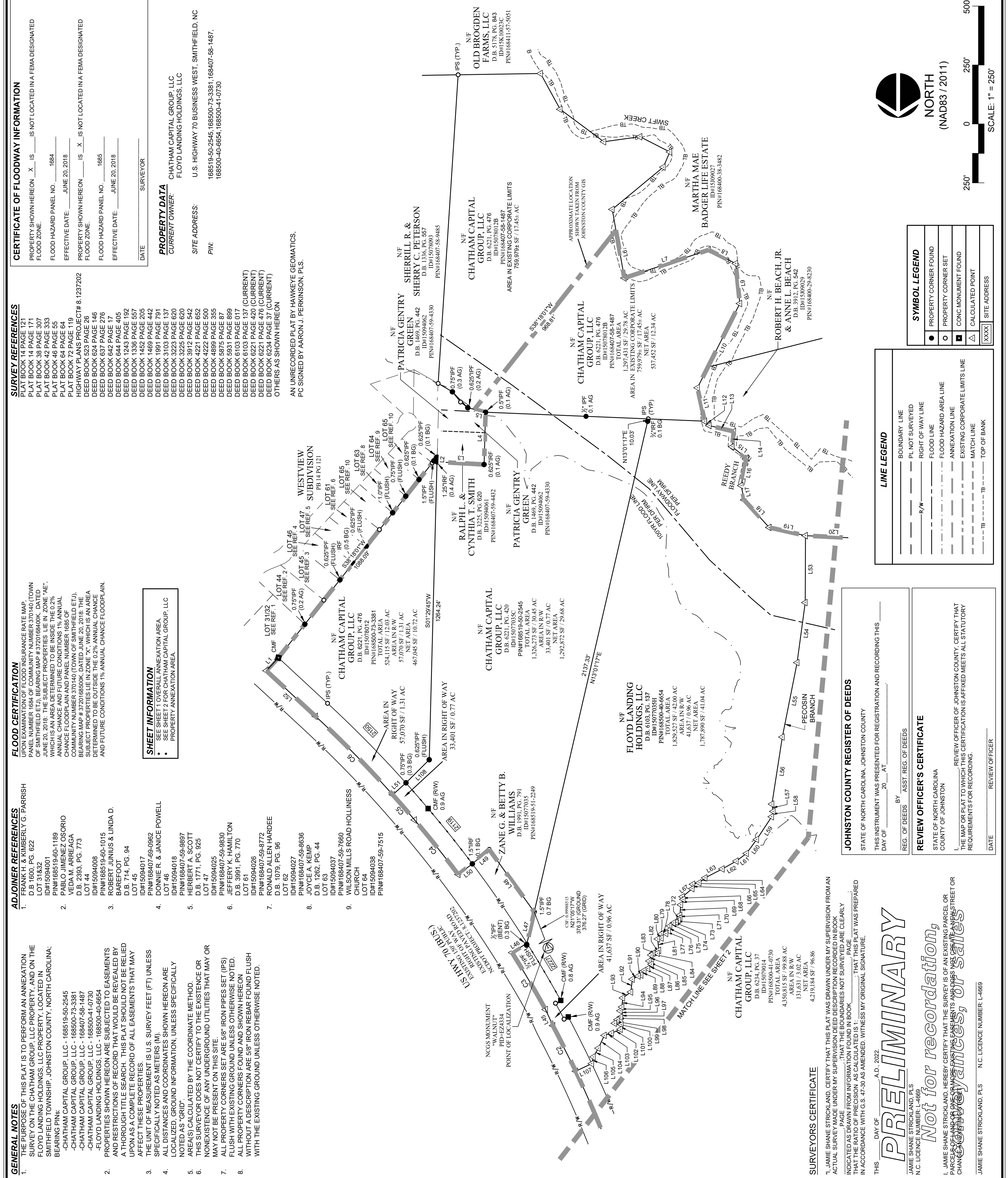


**CE GROUP**  
307 GLENWOOD AVE. 220  
RALEIGH, NC 27603  
PHONE: 919-367-8790  
FAX: 919-233-0032  
www.cegroupinc.com  
License # C-1739

SMITHFIELD TOWNSHIP - COUNTY OF JOHNSTON - NORTH CAROLINA  
OF CHATHAM CAPITAL GROUP, LLC PROPERTY, AND  
FLOYD LANDING HOLDINGS, LLC PROPERTY  
U.S. HIGHWAY 70 BUSINESS  
CONTIGUOUS ANNEXATION PLAT

Date:	Date
Scale:	1" = 250'
Drawn:	HKS
Checked:	JSS
Project No.:	127-343
Computer Dwg. Name:	127-343_FLOYDLANDING_ANNEXATION

Sheet No: **3** Of 3  
SCALE: 1" = 250'



**LINE LEGEND**

- BOUNDARY LINE
- PL NOT SURVEYED
- RIGHT OF WAY LINE
- FLOOD LINE
- FLOOD HAZARD AREA LINE
- ANNEXATION LINE
- EXISTING CORPORATE LIMITS LINE
- MATCH LINE
- TOP OF BANK

**SYMBOL LEGEND**

- PROPERTY CORNER FOUND
- PROPERTY CORNER SET
- CONC MONUMENT FOUND
- CALCULATED POINT
- SITE ADDRESS

**JOHNSTON COUNTY REGISTER OF DEEDS**  
STATE OF NORTH CAROLINA, JOHNSTON COUNTY  
THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_ AT \_\_\_\_\_  
REG. OF DEEDS BY ASST. REG. OF DEEDS

**REVIEW OFFICER'S CERTIFICATE**  
STATE OF NORTH CAROLINA  
COUNTY OF JOHNSTON  
I, \_\_\_\_\_ REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

**SURVEYORS CERTIFICATE**  
JAMIE SHANE STRICKLAND, PLS  
N.C. LICENSE NUMBER: L-4689  
THIS DAY OF \_\_\_\_\_ A.D. 2022  
I, JAMIE SHANE STRICKLAND, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED DESCRIPTION RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_. THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS CALULATED IS 1: \_\_\_\_\_ PAGE \_\_\_\_\_. THAT THE RATIO OF PRECISION AS CALULATED IS 1: \_\_\_\_\_. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE.

**PRELIMINARY**  
Not for recordation,  
Changes of boundaries, easements and other matters may occur after the date of recording.

JAMIE SHANE STRICKLAND, PLS N.C. LICENSE NUMBER: L-4689

# 2100 Block of US 70 Highway Business West Smithfield

**File Number:**  
ANX-22-01

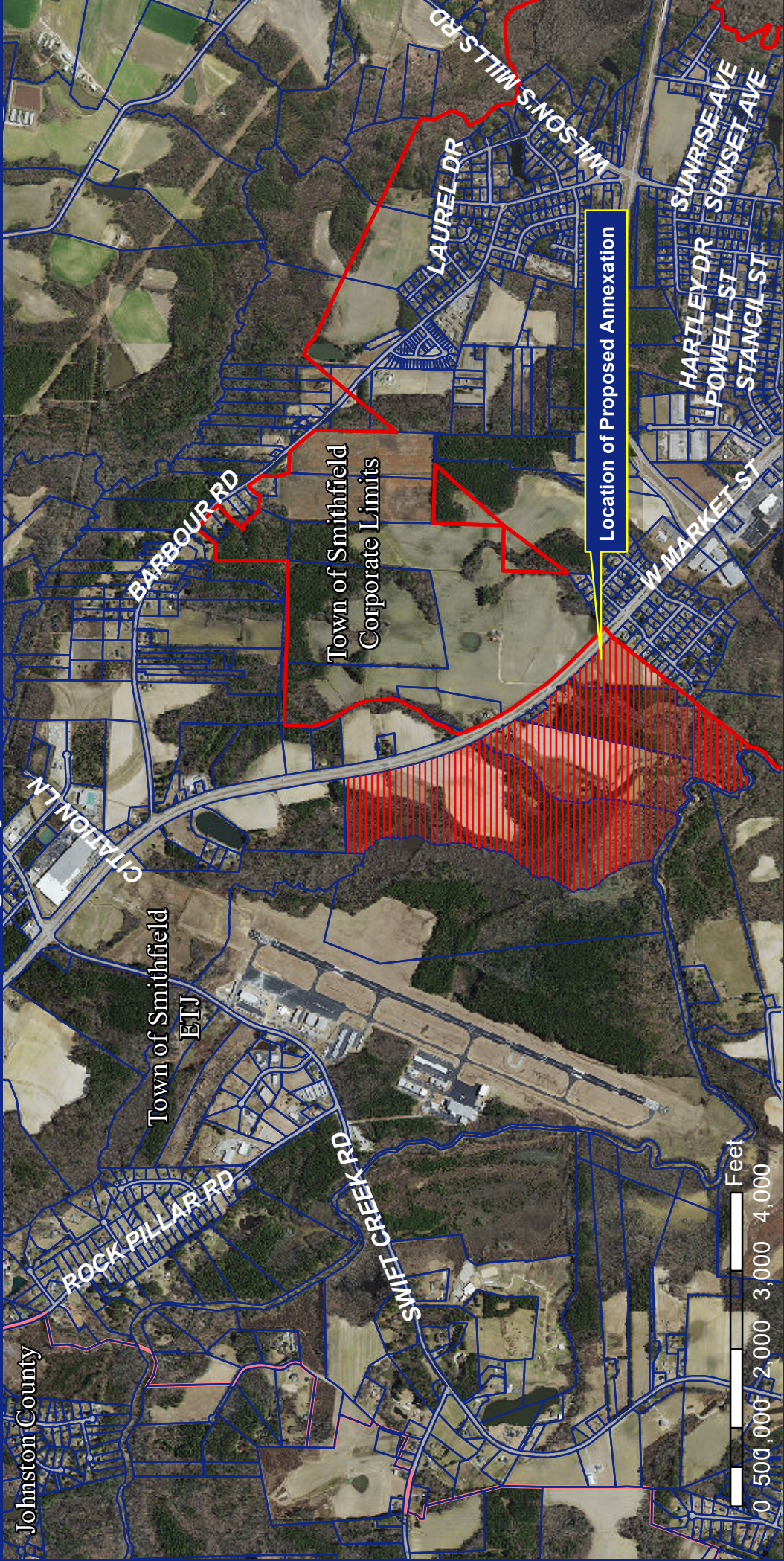
**Project Name:**  
Floyd Landing  
Annexation

**Location:**  
US Hwy 70 Buisness  
West Smithfield

**Tax ID#:**  
15079014, 15077035H  
15077035C, 15078012  
15078012B

**Owner:**  
FL Smithfield, LLC

**Applicant:**  
FL Holdings, LLC



**TOWN OF SMITHFIELD  
North Carolina**

**ORDINANCE NO. 508 TO EXTEND THE  
CORPORATE LIMITS OF THE TOWN OF SMITHFIELD**

**WHEREAS**, the Town Council has been petitioned under NCGS 160A-31 to annex the area described below;  
and

**WHEREAS**, the Town Council has by Resolution No. 699 (08-2022) directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of annexation was held in the Smithfield Town Hall Council Chamber located at 350 East Market Street, Smithfield, North Carolina at approximately 7:00 pm on August 2, 2022, after due notice by the Johnstonian News on July 20, 2022.

**WHEREAS**, the Town Council finds that the petition meets the requirements of NCGS 160A-31.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield that:

Section 1. By virtue of the authority granted by NCGS 160A-31, the following described territory is hereby annexed and made part of the Town of Smithfield as of August 2, 2022:

LYING AND BEING IN SMITHFIELD TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA

COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS “WALNUT” A NORTH CAROLINA GEODETIC MONUMENT(PID: EZ4334) AND HAVING NC GRID COORDINATES OF NORTHING: 651,816.45’ & EASTING: 2,185,065.71’; THENCE S 21° 05' 17" E A GRID DISTANCE OF 376.27' TO A POINT; SAID POINT BEING A 1.5” IRON PIPE FOUND(IPF), A COMMON CORNER WITH ZANE & BETTY WILLIAMS, & JOYCE GOURLEY & JANICE ROSE HAVING NC GRID COORDINATES OF NORTHING: 651,464.86’ & EASTING: 2,185,201.29’; SAID POINT HEREBY KNOW AS *THE POINT OF BEGINNING*.

THENCE FROM THE SAID *POINT OF BEGINNING* ALONG AND WITH THE WILLIAMS BOUNDARY

S 35°47'07" E, 327.08 FEET TO AN IRON PIPE SET (IPS); THENCE N 49°15'35" E, 94.12 FEET TO A 1.5" IRON REBAR FOUND (IRF), SAID POINT LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE N 53°04'39" E, 75.00 FEET TO A POINT IN THE CENTER OF SAID HIGHWAY. THENCE FOLLOWING THE CENTER OF US HIGHWAY 70 BUSINESS WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 38°40'02" E 296.25 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 40°56'53" E 141.85 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,862.60 FEET WITH A CHORD BEARING AND DISTANCE OF S 44°32'01" E 466.76 FEET TO A POINT; THENCE S 47°12'33" E, 284.76 FEET TO A POINT; THENCE S 42°47'27" W, 75.00 FEET TO A CONCRETE MONUMENT FOUND (CMF), SAID POINT LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS AND BEING A COMMON CORNER WITH WESTVIEW SUBDIVISION; THENCE ALONG THE COMMON BOUNDARY OF SAID SUBDIVISION AND WITH THE EXISTING TOWN OF SMITHFIELD CORPORATE LIMITS, S 38°18'01" W, 1,088.09 FEET TO A 5/8" IRON PIPE FOUND (IPF); THENCE

N 02°34'50" E, 22.81 FEET TO A 1.25" IRF; THENCE N 86°49'41" W, 200.10 FEET TO A 5/8" IPF; THENCE S 01°38'14" W, 221.96 FEET TO A 1/2" IPF; THENCE S 75°50'13" E, 48.70 FEET TO A POINT; THENCE

S 38°18'01" W, 968.81 FEET TO A POINT, SAID POINT BEING ALONG THE BANK OF SWIFT CREEK; THENCE WITH AND ALONG THE BANK OF SWIFT CREEK THE FOLLOWING EIGHT (8) CALLS: N 10°01'17" W, 205.94 FEET TO A POINT; THENCE S 71°33'39" W, 376.93 FEET TO A POINT; THENCE N 63°18'08" W, 128.63 FEET TO A POINT; THENCE N 5°53'33" W, 170.61 FEET TO A POINT; THENCE N 26°41'21" E, 400.03 FEET TO A POINT; THENCE N 12°11'48" W, 145.10 FEET TO A POINT; THENCE N 45°55'32" W, 26.62 FEET TO A POINT; THENCE N 76°31'16" W, 107.13 FEET TO A POINT SAID POINT BEING AT THE INTERSECTION OF REEDY CREEK; THENCE WITH THE CENTER OF REEDY BRANCH THE FOLLOWING THIRTY (30) CALLS: THENCE N 06°11'12" E, 65.37 FEET TO A POINT; THENCE N 51°35'53" W, 77.67 FEET TO A POINT; THENCE N 10°54'16" E, 118.52 FEET TO A POINT; THENCE N 11°43'49" W, 62.24 FEET TO A POINT; THENCE N 42°16'54" W, 158.00 FEET TO A POINT; THENCE N 77°16'54" W, 158.00 FEET TO A POINT; THENCE N 87°12'06" W, 236.00 FEET TO A POINT; THENCE N 70°02'06" W, 112.00 FEET TO A POINT; THENCE N 57°42'06" W, 201.00 FEET TO A POINT; THENCE N 66°37'06" W, 375.00 FEET TO A POINT; THENCE N 29°02'06" W, 117.00 FEET TO A POINT; THENCE N 46°02'06" W, 307.00 FEET TO A POINT; THENCE N 07°07'54" E, 244.00 FEET TO A POINT; THENCE N 26°32'54" E, 425.00 FEET TO A POINT; THENCE N 03°28'15" W, 145.00 FEET TO A POINT; THENCE N 60°31'45" E, 125.00 FEET TO A POINT; THENCE N 0°06'45" E, 53.00 FEET TO A POINT; THENCE N 44°56'45" E, 269.00 FEET TO A POINT; THENCE N 23°21'45" E, 169.00 FEET TO A POINT; THENCE N 13°01'31" W, 99.85 FEET TO A POINT; THENCE N 19°21'45" E, 134.99 FEET TO A POINT; THENCE N 4°32'49" E, 155.18 FEET TO A POINT; THENCE N 43°46'45" E, 136.00 FEET TO A POINT; THENCE S 88°01'45" W, 53.00 FEET TO A POINT; THENCE N 22°31'30" E, 55.00 FEET TO A POINT; THENCE N 12°31'45" E, 100.00 FEET TO A POINT; THENCE N 28°13'04" E, 383.54 FEET TO A POINT; THENCE N 42°43'15" W, 258.00 FEET TO A POINT; THENCE S 86°31'45" W, 52.00 FEET TO A POINT; THENCE N 02°01'45" E, 883.00 FEET TO AN IPS ON THE BANK OF A SWAMP, BEING A COMMON CORNER WITH KIMBERLY JOHNSON. THENCE ALONG THE JOHNSON BOUNDARY N 86°31'45" E, 884.03 FEET TO A 5/8" IRF SAID POINT BEING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE N 80°12'47" E, 75.00 FEET TO A POINT IN THE CENTER OF SAID HIGHWAY; THENCE WITH THE CENTERLINE OF US HIGHWAY 70 BUSINESS S 09°47'13" E, 416.23 FEET TO A POINT. THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,912.34 FEET WITH A CHORD BEARING AND DISTANCE OF S 17°32'43" E 1324.68 FEET TO A POINT; THENCE CONTINUING WITH ANOTHER CURVE TO THE LEFT HAVING A RADIUS OF 4,956.92 FEET WITH A CHORD BEARING AND DISTANCE OF S 26°39'16" E 216.01 FEET TO A POINT; THENCE S 24°24'00" E, 74.92 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD

BEARING AND DISTANCE OF S 30°31'31" E 280.69 FEET TO A POINT; THENCE S 57°49'17" W, 75.00 FEET TO A ½" IPF LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE S 13°01'17" W, 136.32 FEET TO THE **POINT AND PLACE OF BEGINNING**, HAVING AN AREA OF 8,567,296 SQUARE FEET OR, 196.678 ACRES MORE OR LESS.

Section 2. Upon and after August 2, 2022, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Smithfield and shall be entitled to the same privileges and benefits as other parts of the Town of Smithfield. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10

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

Adopted this the 2<sup>nd</sup> day of August, 2022

---

M. Andy Moore, Mayor

ATTEST

---

Shannan L. Parrish, Town Clerk

APPROVED AS TO FORM:

---

Robert Spence, Jr., Town Attorney





# Request for Town Council Action

**Public  
Hearing :** CZ-22-03  
Date: 08/02/2022

---

**Subject:** Blue Line Aviation- Conditional Zoning Map Amendment  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

---

## Issue Statement

Blue Line Aviation is requesting a conditional rezoning of 14.43 -acres of land from R-20A to PUD-CZ with a master plan for a planned development consisting of a mix of uses: residential dormitory, classroom/office, hotel and flex industrial/office.

## Financial Impact

If constructed, the development might contribute to the Town's tax base. An annexation petition has been submitted.

## Action Needed

The Town Council is respectfully requested to hold a public hearing to review the conditional rezoning request and to decide whether to approve, approve with conditions, or deny the rezoning.

## Recommendation

Planning Staff recommend approval of CZ-22-03 with 12 conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan AS TO BE AMENDED BY THIS REZONING and that the request is reasonable and in the public interest.

Approved: Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Consistency Statement
3. Application
4. Master Plan - Separate Attachment
5. Transportation Memo
6. Adjacent Property Owners Listing & Certification
7. Zoning Map
8. Planning Board Minutes
9. Legal Advertisement



# Staff Report

**REQUEST:**

Blue Line Aviation, LLC is requesting a Planned Unit Development (PUD) conditional rezoning of 14.282-acres of land from R-20A to PUD CZ with a mixed-use master planned development consisting of 5 lot subdivision.

**PROPERTY LOCATION:**

West side of Swift Creek Road approximately 650 feet north of its intersection with Airport Industrial Drive.

**APPLICATION DATA:**

Applicant:	Blue Line Aviation, LLC
Legal Representative	Morningstar Law Group, LLC
Project Engineer	Kimley-Horne
Project Name:	Blue Line Aviation
Parcel ID	15J08015B
Property Owners	Blue Line Aviation, LLC
Acreage	14.34
Present Zoning:	R-20A
Proposed Zoning:	PUD CZ
Existing Use:	Clear cut / woodlands
Proposed Use:	Mix of uses
Fire District:	Wilson's Mills
School Impacts:	none
Parks and Recreation:	Fee in lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke
New roads:	2,200 linear feet
Public R/W:	1.92 ac.
Development Density:	N/A

**ADJACENT ZONING AND LAND USES:**

(see attached map)

	Zoning	Existing Land Uses
<b>North</b>	R-20A	Rural Residential/Agricultural.
<b>South</b>	LI	Light Industrial Business Park
<b>East</b>	R-20A	Rural Residential/Agricultural.
<b>West</b>	R-20A	Rural Residential/Agricultural.

**EXISTING CONDITIONS/ENVIRONMENTAL:**

The property was recently cleared of trees. The front 1/2 acre to 1 acre has been graded and a gravel parking lot was installed. In the center of the site is the remnants of a former gravel



storage yard. There have been no permits for any development on the site and none of the paving/impervious was approved.

## **MASTER PLAN/ANALYSIS:**

- **Comprehensive Land Use Plan.** The proposed development is not supported by the Town's Comprehensive Growth Management Plan. The Comprehensive Plan guides the site for industrial and employment sectors and not for hospitality, office and non-government educational uses. Approval of the rezoning would be considered an amendment to the Comprehensive Plan.
- **Voluntary Annexation.** The developer has submitted a voluntary annexation petition with the development of the site. If accepted, the annexed land will be a satellite to the primary corporate limits.
- **Development Phasing.** The project is phasing plan is broken up into phase 1 and future phases, with a total of four potential phases. Phase 1 includes a parking lot for the BlueLine facility on the airport property and a 28-room dormitory/classroom structure (expandable for additional 24 rooms) and associated parking.
- **Proposed PUD District Design and Dimensional Standards.** The developer has proposed PUD District Design and Dimensional Standards that include a list of permitted uses. With a PUD, the uses on the master plan are the permitted uses. Accessory uses are typically those associated with the uses on the master plan and are regulated by the UDO. The listed land uses are not shown on the PUD Masterplan and are not permitted:
  - Recreational uses, there are no outdoor recreation areas shown on the plan. Only indoor recreation or entertainment within a flex industrial building or a fitness center in an office building or a flex industrial building or hotel building are permitted.
  - Manufacturing and Industrial uses – the master plan does not show a contractor building with outdoor storage. Outdoor storage is not permitted if not shown on the master plan.
  - Retail Sales and Services – Food trucks are an accessory use regulated by Article 7, Section 7.25.
  - Wholesale sales and Warehousing – Outdoor sales, service or storage areas as a principal use are not shown on the master plan and therefore are not permitted uses.
  - Accessory Uses (Article 6)– Accessory uses are also subject to the supplementary standards in Article 7 of the UDO.
  - Nonpermitted Uses – outdoor storage should be listed as a non-permitted use.
- **Site Access and Traffic.** The access to the development will be off of Swift Creek Road. A traffic impact study was prepared and reviewed by NCDOT and will require left turn lane into the development and ADA accessible crosswalks tying the development into the airport property. Given the dangerous conditions that include hills, curves and poor visibility, staff recommends flashing lights or other safety equipment be installed, as

permitted by NCDOT, to ensure public safety is achieved. NCDOT required turn lanes are not shown on the master plan.

- **Streets and Right-of-Way.**

- The 27' wide b/b streets within a 50' right-of-way is proposed. The Town's standard right-of-way width is 60' wide (UDO Section 10.110.9) but a 50' wide right-of-way can be approved by the Town Council. The 50' public right-of-way may be appropriate given the narrowness of the development site. Wider right-of-way may restrict the ability to develop the site.
- Lateral connections to the adjacent vacant parcel are appropriate and meet the UDO requirements.
- Throughout the development, minimum building setbacks from the public right-of-way are substantially reduced.
- The future building in phase 1 and the future 2-story office/classroom are shown to have a 15' setback from the proposed right-of-way.
- The first driveway off of Swift Creek Road should be moved further back from Swift Creek Road for safety and to allow stacking when traffic exits the development.
- Sidewalks are shown on the north side of the proposed street.
- A five-foot sidewalk is required along Swift Creek Road.

- **Fire Access.**

- The Fire Marshal indicated that the proposed aviation school and dormitories will be required to provide fire lanes adjacent to the buildings. These fire lanes are not currently shown on the plan.
- A fire department access road is also required on the rear side of the proposed building. If partial access is permitted, relocation of the dumpsters may be required.
- The proposed aviation school and dormitories will be required to meet all other fire codes to fire to include sprinklers, remote fire department connections, RPZ, and fire hydrant assemblies prior to site plan approval and issuance of building permits.

- **Building Setbacks.**

- The future building in phase 1 and the future 2-story office/classroom are shown to have a 15' setback from the proposed right-of-way.
- The dorm facility in phase 1 is shown to have a 26' rear setback
- The future hotel in the future phase is shown to have a 28' rear setback
- The setback from Swift Creek Road is 50', not 30' as shown on the plan.

- **Utilities.** The proposed development is not possible without public sewer and water. The Town will serve this property with water and sewer by a master meter onto the County sewer. Duke Energy will serve the development with electricity.

- **Landscaping and Buffering.**
  - The Master Plan shows trees in the street yard and parking islands and identifies the street and buffer yards. There are no details on shrub plantings.
  - The buffer yard for the flex industrial/office should have a Type C planting, not a Type A.
  - The rear loading area of the flex industrial/office should be screened from the residentially zoned property to the north with an opaque fence, wall or solid vegetated buffer.
  - Foundation plantings and interior parking lot island shrubs are not shown.
- **Parking.** The master plan shows 138 parking stalls in phase 1 and 154 in future phases. Based on the all the uses and building areas there is a total parking deficit of approximately 57 spaces. The site is not well suited to shared parking so when each use is considered on its own, there is inadequate parking for the uses and building areas shown:
  - In phase 1, there are 52 dorm units and 2 beds per unit. If each student has their own vehicle, 104 parking spaces are need. The master plan shows 138 parking spaces between the two parking lots. That leaves an excess of roughly 34 spaces as overflow for the Blueline facility on the airport property.
  - The future 2 story office/classroom building is shown to have roughly 25,200 sq. ft of floor area which would require 101 parking spaces (4 parking spaces per 1000 sq. ft.) The property is deficient roughly 60 parking stalls. If the office and classrooms are for the guests in phase 1, the reduction in parking maybe appropriate.
  - The future 3-story hotel is described as having +/- 120 rooms. The parking requirement would therefore be +/- 125 parking stalls (1 per room employees). The master plan shows approximately 50 parking stalls. The property is deficient approximately 75 parking stalls.
  - The flex industrial property requires 1 parking stall per employee for industrial, but 4 spaces/1000 sq. ft. for office. The Master Plan shows 65 parking spaces which may be in excess of what is needed depending on how the building is used.
- **Stormwater Management.** The developer has shown 2 conceptual stormwater ponds located on the southern property line and adjacent to the Airport Industrial Park.
- **Trash and Recycling.** The master plan shows locations for trash and recycling enclosures.
- **Subdivision Signs.** The PUD Masterplan shows locations for ground mounted identification signs in phase 1, but none in phase 2 meeting the UDO standards. The ground mounted sign at the entrance by Swift Creek Road is identified as tenant and development signage. Typically, hotels seek taller and additional signage. The detail for the signs is shown on Sheet PD9.0 is compliant with the UDO requirements for a single site ground mounted sign, but appears insignificantly small for tenant and development

signage, especially for the hotel. With a PUD, a developer will often seek a PUD sign master plan that specifically meets the specific needs of the development and tenant mix.

- **Property Owner’s Association.** An POA will be required to own and maintain the stormwater facilities and any property held in common. The POA declarations need to be submitted for review by the Town Attorney prior to final plat.
- **Architectural Standards.** No architectural standards are proposed. An illustration of the proposed phase 1 dormitory facility has been provided showing a prefabricated modular structure with façade details added at the entrances and elsewhere to provide visual interest. There are no details on the structures or palate of materials to be used on the future buildings.

**PUD CONDITIONAL ZONING:**

- The UDO lacks specific PUD standards except for PUD Streets found in UDO Section 10.110.19. This standard addresses pedestrian and vehicular connectivity. In the absence of specific standards, staff has evaluated the mixed-use development based on the overall mix of uses and the dimensional regulations typically associated with those uses. For instance, institutional uses found in the O/I district have setbacks that different than those found in commercial uses found in the B-3 zoning district. Industrial standards are again slightly different.
- **Deviations from UDO.** Because there are no specific PUD standards, there are no specific deviations requested from the UDO, however there are clearly several standards shown that should be considered:

Standard	UDO Typical	Proposed
Front Yard Setbacks	<ul style="list-style-type: none"> <li>• O/I = 25’</li> <li>• B-3 =35’</li> <li>• LI = 50’</li> </ul>	<ul style="list-style-type: none"> <li>• Institutional-15’</li> <li>• Hotel – 30’</li> <li>• Industrial flex – 30’</li> </ul>
Parking Requirements	<ul style="list-style-type: none"> <li>• Office uses 4/1000</li> <li>• Hotel 1/guest = 120</li> </ul>	<ul style="list-style-type: none"> <li>• 3/1000 (still a deficit of parking unless used by phase 1 guests)</li> <li>• Hotel provided +/-49</li> </ul>
Architectural Standards	None required, but typically provided with Conditional Zoning	None provided
Right-of-way/Street	Transportation Plan Street Typology recommends a 34’ b/b in 60’ right-of-way.	27’ b/b street in 50’ right-of-way.
Sidewalk	5’ sidewalk on Swift Creek Road	None provided.

- **Proposed Standards Exceeding UDO Requirements.**
  - None identified.

## **CONSISTENCY STATEMENT (Staff Opinion):**

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

- **Consistency with the Comprehensive Growth Management Plan** – *the development is not consistent with the comprehensive plan. If approved, the Council should acknowledge that the comprehensive plan is hereby amended guiding the property for Mixed Use development.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO conditional zoning provisions that allows a good faith negotiation of development standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses.*

## **STAFF RECOMMENDATION:**

Planning Staff recommends approval of CZ-22-03 with the following 12 conditions:

1. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail – drawing 0315 and that the detail be provided on future construction drawings.
2. That the landscape plan be provided meeting the minimum requirements of the UDO Part III.
3. A 5' wide public sidewalk shall be provided along the Swift Creek right-of-way.
4. The POA declarations need to be submitted for review by the Town Attorney prior to final plat.
5. That architectural standards be drafted and included in the POA declarations.
6. That an POA be responsible for the ownership and maintenance of all common amenities.
7. The driveway closest to Swift Creek Road be moved further to the west.
8. That the following uses be prohibited:
  - a. Outdoor recreation
  - b. Outdoor storage
  - c. Food trucks except as an accessory use subject to the supplementary standards found in Article 7 of the UDO.
  - d. Outdoor sales, service or storage areas.

9. That flashing lights or other safety equipment be installed, as permitted by NCDOT, to ensure public safety is achieved at the crosswalk on Swift Creek Road along with all other NCDOT required improvements.
10. That the minimum parking requirements of the UDO be maintained for the future hotel lot.
11. That the minimum parking requirements of the UDO be maintained for the Future 2 Story Office/Classroom lot unless a shared parking agreement is recorded between the 1 Story Private School and Related Dorm Facilities lot.
12. That fire lane and access issues be addressed to the satisfaction of the Fire Marshal.

**PLANNING BOARD RECOMMENDATION:**

The Planning Board, at its July 14, 2022 meeting unanimously voted to recommend denial of CZ-22-03 Blue Line Aviation.

**RECOMMENDED MOTION:**

“Move to approve the zoning map amendment, CZ-22-03, with the 12 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended and other adopted plans, and that the amendment is reasonable and in the public interest.”

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
CZ-22-03**

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

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

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

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

That the Town Council recommendation regarding text amendment CZ-22-03 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

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

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

That the final recommendation regarding zoning map amendment CZ-22-03 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



**Town of Smithfield  
Planning Department**

350 E. Market St Smithfield, NC 27577  
Smithfield-NC.com 919-934-2116

**CONDITIONAL ZONING APPLICATION**

Development Name **Blue Line Aviation**

Proposed Use **Aviation School and Other Uses**

Project location or address **Swift Creek Road (see PIN# below for specific parcel)**

Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:

PIN#	168509-05-2529	TAX ID#	15J08015B
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Project type?  Single Family  Townhouse  Multi-Family  Non-Residential  PUD/Mixed Use

**PROPERTY OWNER INFORMATION**

Name **Blue Line Aviation, LLC**

Address **3149B SWIFT CREEK RD SMITHFIELD, NC 27577-6900**

Phone <b>(919)-578-3724</b>	Email <b>info@blueline-usa.com</b>
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**OWNER/DEVELOPER INFORMATION**

Company Name <b>Blue Line Aviation, LLC</b>	Contact Name <b>Trey Walters</b>
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Address **3149B SWIFT CREEK RD SMITHFIELD, NC 27577-6900**

Phone <b>(919)-578-3724</b>	Email <b>trey@bluelineaviationllc.com</b>
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**CONSULTANT/ENGINEERING FIRM**

Company Name <b>Morningstar Law Group</b>	Contact Name <b>Patrick Byker</b>
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Address **700 West Main Street 2nd Floor Durham, North Carolina 27701**

Phone <b>(919) 590-0384</b>	Email <b>pbyker@morningstarlawgroup.com</b>
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**ZONING INFORMATION**

Existing Zoning District <b>R-20A</b>	Proposed Zoning District <b>PUD-CZ</b>
---------------------------------------	--

If more than one district, provide the acreage of each:

Overlay district? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Inside City Limits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**ENVIRONMENTAL QUALITY DATA INFORMATION**

Existing Impervious Surface acres/sf <b>1.03 AC</b>	Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Impervious Surface acres/sf <b>10.82 AC Maximum (75%)</b>	Neuse River Buffer <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Watershed Protection Area <b>N/A</b>	Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FEMA Map Panel <b>3720168500K &amp; 3720167500K</b>	Base Flood Elevation

**SITE DATA**


Total # of single-family lots <b>N/A</b>	Total densities per zoning district <b>N/A</b>
Total # of townhouse lots <b>N/A</b>	Acreage in active open space <b>N/A</b>
Total # of all lots <b>N/A</b>	Acreage in passive open space <b>1.01 AC Minimum (7%)</b>
Linear feet of new roadways <b>2,100 LF Maximum (Private)</b>	Linear feet of new sewer mains <b>2,100 LF Maximum</b>
Linear feet of new water mains <b>2,100 LF Maximum</b>	Linear feet of new sidewalks <b>2,100 LF Maximum + Building Connections</b>
Proposed sewer allocation <b>6,000 gpd (phase 1)</b>	Linear feet in new trails <b>N/A</b>

**SIGNATURE BLOCK (Applicable to all developments)**

In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.

I hereby designate Patrick Byker to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.

Signature 	Date <b>3/29/22</b>
Signature	Date

**APPLICATION FEES**

Conditional Zoning (4 paper copies & **1 Digital copy of all documents on USB flash drive**) \$400.00 + \$10 per acre  
*Application Date* *Application Number* *Application Fee*

OWNER AUTHORIZATION

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

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

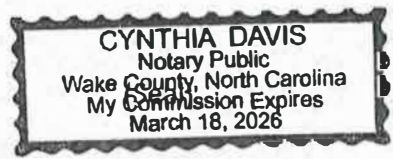
Signature of Owner [Handwritten Signature] Printed Name of Owner Charles Walters

North Carolina  
(State)  
Wake  
(County)

I, Cynthia Davis, a Notary Public in and for said County and State, do hereby certify that Charles Walters personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 29 day of March 20 22.

Notary Public: Cynthia Davis  
(Printed Name)  
[Handwritten Signature]  
(Signature)



County of Commission: Wake  
Commission Expires: 3/18/26

## MEMORANDUM

To: Stephen Wensman, AICP, RLA  
Town of Smithfield – Planning Director

From: Kevin Dean, P.E., Kimley-Horn and Associates

Date: March 24, 2022

Subject: **Blue Line Aviation Rezoning – Smithfield, NC – Transportation Memorandum**



Kimley-Horn has prepared an evaluation of the potential trip generation impacts associated with the proposed rezoning for Blue Line Aviation generally northwest of the intersection of Swift Creek Road at Airport Industrial Drive in Smithfield, North Carolina. It is our understanding that development of the parcel, should the rezoning be approved, will occur in multiple phases due to constraints related to sewer capacity.

As currently envisioned, Phase 1 of the development is expected to include student housing associated with the Aviation School as well as a paved surface parking lot to serve overflow parking from operations at the Johnston County Regional Airport on the opposite side of Swift Creek Road. Future development on the parcel will accommodate additional student housing and office/classroom space associated with the Aviation School. Other future uses have yet to be determined, but for purposes of this analysis were assumed to include a hotel and industrial/flex space.

## Trip Generation

### Phase 1

Trip generation for the student housing in Phase 1 was determined using data from the 11<sup>th</sup> Edition of the *ITE Trip Generation Manual*. While ITE does not provide trip generation data for standalone dormitories, it was determined that the "Off-Campus Student Apartment – Low Rise (Adjacent to Campus)" category (land use code 225) would provide the most appropriate and conservative estimate of trip generation for that use. Phase 1 trip generation calculations are summarized below in [Table 1](#).

Land Use Code	Land Use	Intensity	Daily	AM Peak		PM Peak	
			Total	In	Out	In	Out
225	Off-Campus Student Apartments (Low-Rise, Adjacent to Campus)	52 students	342	6	10	12	11

As shown in Table 1, the 52-bedroom student housing in Phase 1 is anticipated to generate 342 trips on a typical weekday, with 16 trips during the AM peak hour and 23 trips during the PM peak hour.

To determine the total traffic volume expected to be using the site driveway in Phase 1, trips were also estimated for the surface parking lot. It was assumed that the peak hour trips to/from the proposed overflow parking surface lot would be equivalent to 2/3 of the 75 employees at Blue Line Aviation, with daily trips estimated to be 5x the total PM peak hour volume. Though those trips are not explicitly generated by development associated with this rezoning, the anticipated trips to/from the overflow parking lot were added to the dormitory trips to estimate total driveway volumes at build-out of Phase 1 as shown in [Table 2](#).

Land Use Code	Land Use	Intensity	Daily	AM Peak		PM Peak	
			Total	In	Out	In	Out
Total Net New External Trips – Phase 1			342	6	10	12	11
-	Aviation School/Overflow Parking	75 employees	250	40	10	10	40
<b>Total Driveway Volumes – Phase 1</b>			<b>592</b>	<b>46</b>	<b>20</b>	<b>22</b>	<b>51</b>

**Potential Full Build-out**

As noted, development on this parcel is constrained to only those uses proposed in Phase 1 due to sewer capacity limitations. However, trip generation calculations were performed for uses that may be constructed in future phases of development for information purposes only. While it is expected that future phases will accommodate housing for approximately 48 additional students and office/classroom space associated with the Aviation School, the nature of other uses is unknown at this time. For purposes of this analysis, they were assumed to include 50,000 square feet (SF) of light industrial space and a 120-room hotel. No trips were generated for the office/classroom space as it will be used by the students already on-site. Full build-out trip generation calculations are summarized below in Table 3.

Land Use Code	Land Use	Intensity	Daily	AM Peak		PM Peak	
			Total	In	Out	In	Out
110	General Light Industrial	50,000 SF	238	33	5	3	21
225	Off-Campus Student Apartments (Low-Rise, Adjacent to Campus)	100 students	558	9	15	19	19
310	Hotel	120 rooms	878	30	23	31	30
<b>Total Net New External Trips – Full Build</b>			<b>1,674</b>	<b>72</b>	<b>43</b>	<b>53</b>	<b>70</b>
-	Aviation School/Overflow Parking	75 employees	250	40	10	10	40
<b>Total Driveway Volumes – Full Build-out</b>			<b>1,924</b>	<b>112</b>	<b>53</b>	<b>63</b>	<b>110</b>

Full Build-out of the project, based on what is depicted in the current rezoning submittal, is anticipated to generate approximately 1,674 trips on a typical weekday with 115 trips during the AM peak hour and 123 trips during the PM peak hour. As with Phase 1, trips to/from the overflow parking lot were added to the projected trip generation to estimate the total driveway volumes at Full Build-out.

Should you have any questions or comments, please do not hesitate to contact me at (919) 678-4185 or [kevin.dean@kimley-horn.com](mailto:kevin.dean@kimley-horn.com).

**Blue Line Rezoning**

**Table 1 - Trip Generation - Phase 1**

Land Use	Intensity	Daily		AM Peak Hour			PM Peak Hour		
		Total		Total	In	Out	Total	In	Out
225 Off-Campus Student Apartment (Adjacent to Campus)	52 bedrooms	342		16	6	10	23	12	11
<b>Total Net New External Trips - Phase 1</b>		<b>342</b>		<b>16</b>	<b>6</b>	<b>10</b>	<b>23</b>	<b>12</b>	<b>11</b>
- Aviation School/Overflow Parking	75 employees	250		50	40	10	50	10	40
<b>Total Driveway Volumes</b>		<b>592</b>		<b>66</b>	<b>46</b>	<b>20</b>	<b>73</b>	<b>22</b>	<b>51</b>

<sup>1</sup> The student housing associated with this project is proposed to be located on-site. As ITE does not provide a land use code for that use, LUC 252 (off-campus student apartment) was used to present a very conservative analysis.

<sup>1</sup> Site trips associated with the overflow parking lot in each peak hour were assumed to be equivalent to 2/3 of the number of employees (75). Daily trips associated with the lot trip generation was estimated at 5x the total PM peak hour.

**Blue Line Rezoning**

**Table 2 - Trip Generation - Potential Build-out**

Land Use	Intensity	Daily		AM Peak Hour		PM Peak Hour		
		Total		Total	In	Total	In	Out
110 General Light Industrial	50,000 s.f.	238	33	38	33	24	3	21
225 Off-Campus Student Apartment (Adjacent to Campus)	100 bedrooms	558	9	24	9	38	19	19
310 Hotel	120 rooms	878	30	53	30	61	31	30
<b>Total Net New External Trips - Potential Build-out</b>		<b>1,674</b>	<b>72</b>	<b>115</b>	<b>72</b>	<b>123</b>	<b>53</b>	<b>70</b>
- Aviation School/Overflow Parking	75 employees	250	40	50	40	50	10	40
<b>Total Driveway Volumes</b>		<b>1,924</b>	<b>112</b>	<b>165</b>	<b>112</b>	<b>173</b>	<b>63</b>	<b>110</b>

<sup>1</sup> The student housing associated with this project is proposed to be located on-site. As ITE does not provide a land use code for that use, LUC 252 (off-campus student apartment) was used to present a very conservative analysis.

<sup>1</sup> For the technical school it was assumed that 10 staff instructors would arrive in the AM peak and depart in the PM peak to be conservative, and daily trip generation was estimated at 5x the total PM peak hour.

Adjacent Property Owners of  
CZ-22-03

TAG	MAPSHEET	NAME2	ADDRESS2	CITY	ZIPCODE
15J08015A	168509-05-3846	BYRDS WHOLESale INC	3777 US HIGHWAY 70 BUS W	CLAYTON	27520-0000
15J08013C	167500-95-4746	BREEN, MICHELLE	62 SUNSET POINTE DRIVE	CLAYTON	27520-0000
15J08013	167500-96-4244	CAROLINE CUSTOM HOMES LLC	476 SHOTWELL RD STE 102-122	CLAYTON	27520-3505
15J08017G	168500-04-8796	STEPHENS, RONNIE J.	128 AIRPORT INDUSTRIAL DR	CLAYTON	27520-4305
15J08013A	167500-96-4150	PROFFITT, MICHAEL Z	116 SUNSET POINTE DR	CLAYTON	27520-4344
15J08017A	167500-95-7398	EMG PROPERTIES LLC	120 ROCK PILLAR RD	CLAYTON	27520-6305
15J08014C	168500-14-1603	CREECH, NANCY S	769 LITTLE CREEK CHURCH RD	CLAYTON	27520-6871
15J08017I	168509-05-4180	MASSENGILL RENTAL PROP, LLC	181 GRILL RD	CLAYTON	27520-7032
15J08017H	168500-04-6994	CMC REAL ESTATE HOLDINGS, LLC	PO BOX 1833	CLAYTON	27528-1833
15J08013B	167500-95-4953	LAW, WALTER LEE-MITCHELL III	918 COPPERLINE DR	GARNER	27529-5946
15J08015B	168509-05-2529	BLUE LINE AVIATION, LLC	3149B SWIFT CREEK RD	SMITHFIELD	27577-6900
15079017D	168500-12-1015	JOHNSTON COUNTY AIRPORT AUTH	3146 SWIFT CREEK RD	SMITHFIELD	27577-9803
15J08017J	168509-05-3202	DCB BLDG, LLC	9541 INDUSTRY DR	RALEIGH	27603-8143
15J08017K	168509-05-1257	DCB BLDG, LLC	9541 INDUSTRY DR	RALEIGH	27603-8143



**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, CZ-22-03, were notified by First Class Mail on 7-20-22.

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

20th day of July, 2022

Notary Public Signature

Notary Public Name

My Commission expires on January 15, 2023  
(Seal)





# 3100 Block of Swift Creek Road

**File Number:**  
CZ-22-03

**Consultant:**  
Morning Star Law Group

**Location:**  
Swift Creek Road

**Tax ID#**  
15J08015B

**Existing Zoning:**  
R-20A

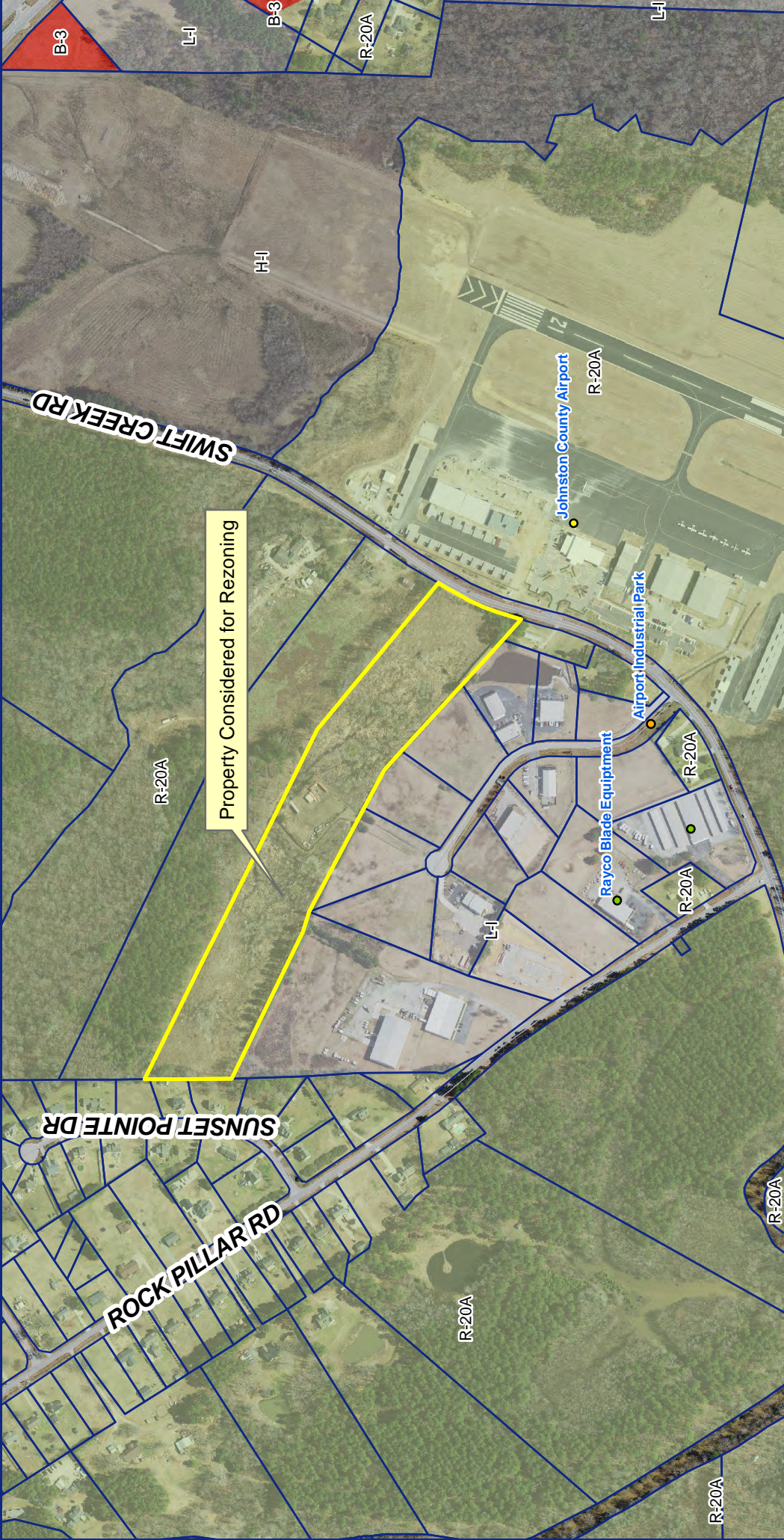
**Proposed Zoning:**  
CZ-PUD

**Project Name:**  
Blue Line Aviation

**Developer:**  
Blue Line Aviation



Map created by Mark E. Helmer, AICP  
Senior Planner, GIS Specialist on 5/24/2022



**Draft  
Town of Smithfield  
Planning Board Minutes  
Thursday, July 14th, 2022  
Town Hall Council Chambers  
6:00 PM**

Members Present:

Chairman Stephen Upton  
Vice-Chairman Mark Lane  
Debbie Howard  
Doris Wallace  
Alisa Bizzell

Members Absent:

Ashley Spain

Staff Present:

Mark Helmer, Senior Planner  
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

**CALL TO ORDER**

**APPROVAL OF MINUTES FOR May 5th, 2022**

Mark Lane made a motion to approve the minutes, seconded by Alisa Bizzell. Unanimously approved.

**NEW BUSINESS**

**CZ-22-03 Blue Line Aviation:** The applicant is requesting rezoning of a 14.43-acre tract of land from an R-20A (Residential) zoning district to a PUD (Conditional Zoning) district. The property considered for approval is located on the west side of Swift Creek Road approximately 650 feet north of its intersection with Airport Industrial Drive and further identified as Johnston County Tax ID# 15J08015B.

Mark Helmer stated that Blue Line Aviation is requesting a conditional rezoning of 14.43 acres of land from R-20A to PUD-CZ with a master plan for a planned development consisting of a mix of uses: residential dormitory, classroom/office, hotel and flex industrial/office. The property is located at the west side of Swift Creek Road approximately 650 feet north of its intersection with Airport Industrial Drive. The property was recently cleared of trees. The front ½ acre to 1 acre has been graded and a gravel parking lot was installed. In the center of the site is the remnants of a former gravel storage yard. There have been no permits for any development on the site and none of the paving/impervious was approved. The developer has submitted a voluntary annexation petition with the development of the site. If accepted, the annexed land will be a satellite to the primary corporate limits. The developer has proposed a phasing plan, it has been broken up into phase 1 and future phases giving it a total of 4 potential phases. Phase 1 includes a parking lot for Blue Line facility on the airport property and a 28-room dormitory/classroom structure, expandable for additional 24 rooms and associated parking.

The developer has proposed PUD District Design and Dimensional Standards that include a list

of permitted uses. With a PUD, the uses on the master plan are the permitted uses. Accessory uses are typically those associated with the uses on the master plan and are regulated by the UDO. The listed land uses are not shown on the PUD Masterplan and are not permitted:

- **Recreational uses**, there are no outdoor recreation areas shown on the plan. Only indoor recreation or entertainment within a flex industrial building or a fitness center in an office building or a flex industrial building or hotel building are permitted.
- **Manufacturing and Industrial uses** – the master plan does not show a contractor building with outdoor storage. Outdoor storage is not permitted if not shown on the master plan.
- **Retail Sales and Services** – Food trucks are an accessory use regulated by Article 7, Section 7.25.
- **Wholesale sales and Warehousing** – Outdoor sales, service or storage areas as a principal use are not shown on the master plan and therefore are not permitted uses.
- **Accessory Uses (Article 6)**– Accessory uses are also subject to the supplementary standards in Article 7 of the UDO.
- **Nonpermitted Uses** – outdoor storage should be listed as a non-permitted use.

The access to the development will be off of Swift Creek Road. A traffic impact study was prepared and reviewed by NCDOT and will require left turn lane into the development and ADA accessible crosswalks tying the development into the airport property. Given the dangerous conditions that include hills, curves and poor visibility, staff recommends flashing lights or other safety equipment be installed, as permitted by NCDOT, to ensure public safety is achieved. NCDOT required turn lanes are not shown on the master plan.

### **Streets and Right-of-Way**

- The project proposes 27' wide b/b streets within a 50' right-of-way. The Town's standard right-of-way width is 60' wide (UDO Section 10.110.9) but a 50' wide right-of-way can be approved by the Town Council. The 50' public right-of-way may be appropriate given the narrowness of the development site. Wider right-of-way may restrict the ability to develop the site.
- Lateral connections to the adjacent vacant parcel are appropriate and meet the UDO requirements.
- Throughout the development, minimum building setbacks from the public right-of-way are substantially reduced.  
Future building in phase 1 and the future 2-story office/classroom are shown to have a 15' setback from the proposed right-of-way.
- The first driveway off of Swift Creek Road should be moved further back from Swift Creek Road for safety and to allow stacking when traffic exits the development.
- Sidewalks are shown on the north side of the proposed street.
- A five-foot sidewalk is required along Swift Creek Road.

### **Building Setbacks**

- The future building in phase 1 and the future 2-story office/classroom are shown to have a 15' setback from the proposed right-of-way.
- The dorm facility in phase 1 is shown to have a 26' rear setback

- The future hotel in the future phase is shown to have a 28' rear setback
- The setback from Swift Creek Road is 50', not 30' as shown on the plan.

Mark Lane asked what setback does the UDO require?

Mark Helmer said because it's a PUD it is its own district. Therefore, it doesn't have setbacks so all we can do is compare to like districts based on the uses.

**Landscaping and Buffering**

- The Master Plan shows trees in the street yard and parking islands and identifies the street and buffer yards. There are no details on shrub plantings.
- The buffer yard for the flex industrial/office should have a Type C planting, not a Type A.
- The rear loading area of the flex industrial/office should be screened from the residentially zoned property to the north with an opaque fence, wall or solid vegetated buffer.
- Foundation plantings and interior parking lot island shrubs are not shown.

**PUD CONDITIONAL ZONING**

The UDO lacks specific PUD standards except for PUD Streets found in UDO Section 10.110.19. These standard addresses pedestrian and vehicular connectivity. In the absence of specific standards, staff has evaluated the mixed-use development based on the overall mix of uses and the dimensional regulations typically associated with those uses. For instance, institutional uses found in the O/I district have setbacks that different than those found in commercial uses found in the B-3 zoning district. Industrial standards are again slightly different.

**Deviations from UDO.** Because there are no specific PUD standards, there are no specific deviations requested from the UDO, however there are clearly several standards shown that should be considered:

Standard	UDO Typical	Proposed
Front Yard Setbacks	O/I = 25' B-3 = 35' LI = 50'	<ul style="list-style-type: none"> <li>• Institutional-15'</li> <li>• Hotel – 30'</li> <li>• Industrial flex – 30'</li> </ul>
Parking Requirements	<ul style="list-style-type: none"> <li>• Office uses 4/1000</li> <li>• Hotel 1/guest = 120</li> </ul>	<ul style="list-style-type: none"> <li>a. 3/1000 (still a deficit of parking unless used by phase 1 guests)</li> <li>b. Hotel provided +/-49</li> </ul>
Architectural Standards	None required, but typically provided with Conditional Zoning	None provided

Right-of-way/Street	Transportation Plan Street Typology recommends a 34' b/b in 60' right-of-way.	27' b/b street in 50' right-of- way.
Sidewalk	5' sidewalk on Swift Creek Road	

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

- **Consistency with the Comprehensive Growth Management Plan** – *the development is not consistent with the comprehensive plan. If approved, the Council should acknowledge that the comprehensive plan is hereby amended guiding the property for Mixed Use development.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO conditional zoning provisions that allows a good faith negotiation of development standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses.*

**Parking** The master plan shows 138 parking stalls in phase 1 and 154 in future phases. Based on all the uses and building areas there is a total parking deficit of approximately 57 spaces. The site is not well suited to shared parking so when each use is considered on its own, there is inadequate parking for the uses and building areas shown:

- In phase 1, there are 52 dorm units and 2 beds per unit. If each student has their own vehicle, 104 parking spaces are need. The master plan shows 138 parking spaces between the two parking lots. That leaves an excess of roughly 34 spaces as overflow for the Blueline facility on the airport property.
- The future 2 story office/classroom building is shown to have roughly 25,200 sq. ft of floor area which would require 101 parking spaces (4 parking spaces per 1000 sq. ft.) The property is deficient roughly 60 parking stalls. If the office and classrooms are for the guests in phase 1, the reduction in parking maybe appropriate.
- The future 3-story hotel is described as having +/- 120 rooms. The parking requirement would therefore be +/- 125 parking stalls (1 per room employees). The master plan shows approximately 50 parking stalls. The property is deficient approximately 75 parking stalls.
- The flex industrial property requires 1 parking stall per employee for industrial, but 4 spaces/1000 sq. ft. for office. The Master Plan shows 65 parking spaces which may be in excess of what is needed depending on how the building is used.

Mark Lane asked if Phase 1 was in compliance?

Mark Helmer said Phase 1 is technically in compliance, however the project wouldn't be able to go forward to Phase 2 without counting the excess parking in Phase 1.

Mark Lane asked if anyone else was using the parking space in Phase 1?

Mark Helmer said he didn't know, that would be a question for the applicant.

Mark Lane asked if the applicant would be constructing sidewalks on Swift Creek Road?

Mark Helmer said, the applicant has proposed sidewalks on one side of the proposed street and staff has recommended that sidewalks be constructed on Swift Creek Road.

Mark Lane asked if the Fire Marshall says the streets are adequate for emergency vehicles.

Mark Helmer said the fire marshal is generally fine with the Town of Smithfield standards in this case for access, however he has identified access around the educational/dormitory building. He wants full access around that building and fire lanes as well.

Mark Lane asked if this plan met the Comprehensive Growth Management Plan?

Mark Helmer said currently the Comprehensive Growth Management Plan calls for this property to be used for industrial purposes not commercial/office uses.

Mark Lane asked if any changes can be made to this plan if Town Council approves it?

Mark Helmer said no substantial changes could be made. Minor tweaks between the master plan and the preliminary plan.

Mark Lane asked if there would be enough sewer capacity with the proposed hotel?

Mark Helmer said the project will tie into a metered line within Swift Creek Rd. There is a certain amount of capacity for phase 1, however the other 3 phases would have to wait until additional capacity was achieved.

Debbie Howard asked if the driveway permit mentioned in the attorneys' letter was addressed to Blue Line on behalf of NCDOT?

Mark Helmer said the applicant said they have an approved by NCDOT temporary construction driveway permit but also stated that it would be unusual for NCDOT to issue such permits without site plan approval issued by the Town of Smithfield.

Debbie Howard asked why it wasn't added to the conditions that a fire access road be required?

Mark Helmer said the condition is placed on the project at this time and that fire lanes will be required on upcoming revisions. The applicant was consulted by the Smithfield Fire Department well in advance of this meeting.

Patrick Byker of 700 W. Main Street Durham, NC 27701 spoke on behalf of Morningstar Law Group. He is representing the applicant, Blue Line Aviation. He thanked Planning Staff for their guidance and they are fine with the 12 conditions they proposed. Blue Line prides itself on being a first-class aviation school to train future pilots.

Adam Walters, President of Blue Line stated their company was founded approximately 10 years ago by a former Raleigh law enforcement officer. At Blue Line we train the next

generation of aviators. They are on track to train about 120 students this year, and plan to increase that number to 200 next year. They look forward to this opportunity to grow in Johnston County and they appreciate the boards cooperation.

Patrick Byker stated that Blue Line operates Low and Slow Smokehouse at the airport. They had a parking problem. Between the employees and customers there was simply not enough parking onsite. They were careful when choosing parking across the street to not go below the erosion control area. The school facility is the first phase of the project. They are limited on this phase by the sewer capacity but after meeting with Town Manager, Michael Scott they were able to secure 6,000 gallons per day for phase 1. They can't build anything beyond phase 1 in the foreseeable future until the sewer plant has been constructed. There is a desperate need for more pilots. He hopes the board will consider the need for this training school.

Debbie Howard addressed the parking issue and asked where employees are allowed to park now?

Patrick Byker said they use their own property for employee parking.

Debbie Howard asked if Blue Line had a contract with the Johnston County Airport to stay long term and see this project through?

Patrick Byker said yes there is a contract between the two, Blue Line plans to be in for the long haul.

Emma Gemmel of 207 Hancock Street asked what the benefits or incentives as a town would be for approving this project?

Mark Helmer said a benefit would be having a flight school locally and if annexed in, their sewer rates would be in town rates. There would be tap fees associated to hook onto the system.

Emma Gemmel asked what the risks of this expansion would be to the Town?

Mark Helmer said there are managed risks associated with flying as well as living near an airport. The risk is not as great as one may think.

Emma Gemmel asked why this training school wasn't constructed on the airport property?

Mark Helmer said the Blue Line Aviation's fixed base of operation was approved by the Town of Smithfield and included classrooms, hangars, offices, and a restaurant with ample parking for all proposed uses. They are now requesting to expand their operation off-site to include dormitories.

Emma Gemmel asked what would happen if all phases weren't constructed?

Patrick Byker said then it would just be a training school and associated parking.

Mike Proffitt of 116 Sunset Pointe Drive Clayton. His property backs up to the west side of the airport property. When he purchased his home in 2014 there were a lot of woods, therefore he expected growth to take place eventually. He says the flights coming from that airport now have increased significantly. He believes the training school and expansion would be great for many but they should take into consideration the residents that live next to it. He has planes that go overhead that are definitely below 500 feet. He has to deal with noises from drilling therefore his house vibrates. When the lot was cleared out the trees were burnt and the ash from the fire came down on his house, cars, shed and camper. This proposed project is a huge tax base for the town and county but as a resident he thinks it's not a good idea. He doesn't agree that Blue Line should be allowed to deviate from the plan. He said the parking lot mentioned earlier for employees has 40 to 50 vehicles parked in it each day. The students walk across the street which is a hazard. Currently they aren't in compliance but that's being overlooked. A few years back I built a 12'x15' shed and I wasn't allowed to deviate from that plan. He's all for growth but he doesn't agree with everything that comes along with a project of this size. The noise, the traffic and the lights it brings are a huge disturbance.

Bob Hugel of 700 Olivia Way Selma came forward. He thanked the Planning Board for all of their questions. He is a pilot and flies from Johnston County Airport. He's there almost every weekend. There are rules for flights and sometimes they are not followed. He encouraged any resident present to report any deviations from rules to the airport. No pilots want to cause problems for the community they want to be a good steward.

Pam Lampe of 415 N. Second Street came forward. She thanked Blue Line for their work in training so many students. She asked Mark Helmer if the property was currently zoned R-20?

Mark Helmer said yes.

Pam Lampe said so the applicant wants to build on this property because of the flight school. She asked Mark Helmer if a project such as this would be allowed in an R-20 zoning district?

Mark Helmer said no.

Pam Lampe said this appears to be a very sophisticated operation and the owners of this company bought this and knowing it was in an R-20 zoning district. They hoped when the time came, they could have that changed. She asked Mark Helmer if we could say no to that if it was something we didn't want done?

Mark Helmer said yes.

Pam Lampe said the property was zoned the way it is for a reason and she doesn't understand why we would deviate from that. She said they have been using property for parking and that isn't allowed but nothing has been done to enforce it. She asked Mark Helmer why it has been allowed?

Mark Helmer said they did notify the owners of the violation. Both pieces of property were cited for illegal parking. They also had an illegal sign. They stopped parking on one lot and removed the illegal sign.



Pam Lampe asked Mark Helmer if the applicant was aware of the \$11/gallon fee they would be required to pay for the 6,000 gallons of sewer capacity?

Mark Helmer said yes, all development fees are public record.

Pam Lampe said we made the zoning what it is with purpose and she doesn't know why we would deviate from that.

Mark Lane asked Mark Helmer if we as a board are voting on this as a planned unit?

Mark Helmer said yes, we are looking at the conditional zoning request for this which is PUD CZ. The approval criteria for that would be to find that the project is compliant with the Comprehensive Land Use Plan, meets all requirements of the UDO and is compatible with surrounding land uses.

Mark Lane made a motion to deny CZ-22-03 based on inadequate parking, pedestrian safety concerns, fire safety concerns and inconsistency with the comprehensive land use plan. Seconded by Stephen Upton. A show of hands indicated that CZ-22-03 was unanimously recommended for denial by all members.

**OLD BUSINESS:** None

**Adjournment**

Being no further business, Doris Wallace made a motion seconded by Mark Lane to adjourn the meeting. Unanimously approved.

Respectfully Submitted,



Julie Edmonds  
Administrative Support Specialist



## PLANNING DEPARTMENT

Mark E. Helmer, AICP, Senior Planner

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### **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, August 2, 2022 in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

**CZ-22-03 Blueline Aviation:** The applicant is requesting rezoning of a 14.43 acre tract of land from an R-20A (Residential) zoning district to a PUD (Conditional Zoning) district. The property considered for approval is located on the west side of Swift Creek Road approximately 650 feet north of its intersection with Airport Industrial Drive and further identified as Johnston County Tax ID# 15J08015B.

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](http://www.smithfield-nc.com).

Run Legal ad in the News & Observer on July 20 and  
Run Legal ad in the Johnstonian on July 27, 2022.

# Consent

## Agenda Items



The Smithfield Town Council met in regular session on Tuesday, July 12, 2022 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  
Sloan 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  
Jeremy Daughtry, Assistant Fire Chief  
Lawrence Davis, Public Works Director  
Tim Kerigan, Human Resources/PIO  
Shannan Parrish, Town Clerk  
R. Keith Powell, Chief of Police  
Greg Siler, Finance Director  
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

Michael Brown, Fire Chief  
Gary Johnson, Parks & Rec Director

**CALL TO ORDER**

Mayor Pro-Tem Dunn called the meeting to order at 7:00pm.

**INVOCATION**

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

**APPROVAL OF AGENDA:**

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

Add the following item to the Consent Agenda:

Consideration and request for approval to purchase 4 patrol vehicles from Performance Automotive

Add a Closed Session pursuant to NCGS 143-318.11 (a) (3) & (5)

Unanimously approved.

**PRESENTATIONS:**

**1. Administering Oath of Office to new Police Officers Jenyssa Louise Cooper**

Mayor Moore administered the Oath of Office to new Police Officer Jenyssa Louise Cooper and welcomed her to the Town of Smithfield.

**2. Recognition of Community Garden Volunteers**

Mayor Moore recognized students from Clayton High School for building a bench for the 5<sup>th</sup> Street Community Garden.

**3. Capital Area Metropolitan Planning Organization – Southeast Area Study Update**

Shelby Powell, Deputy Director of the Capital Area Metropolitan Planning Organization, provided an update to the Council on the Southeast Area Study.

**PUBLIC HEARING: None**

**CITIZEN'S COMMENTS: None**

**CONSENT AGENDA:**

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

1. The following minutes were approved:
  - May 16, 2022 – Budget Session
  - May 31, 2022 – Organizational Meeting
  - June 7, 2022 – Regular Meeting
  - June 7, 2022 – Closed Session
  - June 27, 2022 – Budget Session
2. Special Event: Youth Jubilee & Community Fellowship - TrueVine Apostolic Ministries was granted approval to hold a community event at 720 Second Avenue on July 16, 2022 from 12:00 pm until 4:00 pm. This request included the use of amplified sound and the closure of Second Avenue to West Street.
3. Special Event: PBS Rottle Rooster Tour – The Partnership for Children of Johnston County was granted approval to hold a Children’s event at Smith Collins Park on July 23, 2033 from 10:00 am until 1:00 pm.
4. Special Event: Fox Chalk – The Smithfield Selma High School Robotics Team gained approval to hold a fundraiser at Third and Market Street on September 10, 2022 from 10:00 am until 5:00 pm. This request included the use of amplified sound and the closure of South Third Street.
5. Bid was awarded to Vision, NC in the amount of \$ 57,600 locations and assessment of the Town’s fire hydrants, east of the Neuse River and incorporate this assessment into the Town’s official Service Map

6. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Facility Maintenance Specialist	PW – General Services	10-60-5500-5100-0200	\$14.73/hr. (\$30,638.40/yr.)
IT Specialist	General Government	Shared	\$19.80/hr. (\$41,184.00/yr.)
Meter Reader	PU – Electric	31-72-7230-5100-0200	\$14.25/hr. (\$29,640.00/yr.)
P/T Fire Inspector	Fire	10-20-5300-5100-0210	\$35.00/hr.
P/T Fitness Instructor (2)	P&R- Aquatics	10-60-6220-5100-0230	\$15.00/hr.
P/T SRAC Pool Staff (6)	P&R- Aquatics	10-60-6220-5100-0220	\$8.00/hr.
P/T SRAC General Staff	P&R- Aquatics	10-60-6220-5100-0220	\$8.00/hr.
P/T SRAC General Staff (3)	P&R- Aquatics	10-60-6220-5100-0220	\$9.00/hr.
P/T SYCC General Staff	P&R – SYCC	10-60-6240-5100-0210	\$10.00/hr.

**Current Vacancies**

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-72-7230-5100-0200
Facility Maintenance Specialist	PW	10-30-5600-5100-0200
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200
Police Officer I/II – Patrol (4 positions)	Police	10-20-5100-5100-0200
Police Records Specialist	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Water Plant Superintendent	PU – Water Plant	30-71-7200-5100-0200

7. Bid was awarded to Performance Automotive in the amount of \$138,944 for the purchase of 4 2022 Ford Explorers for the Patrol Division of the Police Department.

**Business Items:**

1. **Annexation Request – Floyd Landing Holding, LLC (ANX-22-01): The property owner has submitted a request for voluntarily contiguous annexation of 96.82 acres into the Town of Smithfield and adoption of Resolution No. 701 (10-2022) setting the date of the public hearing.**

Planning Director Stephen Wensman addressed the Council on a request by Floyd Landing Holding, LLC to annex 96.82 acres into the Town of Smithfield. Mr. Wensman explained this was the second step in the annexation process. Mr. Wensman explained the Clerk had certified the petition. Adoption of Resolution No. 701 (10-2022) was needed to set the date for the public hearing.

Councilman Scott made a motion, seconded by Councilman Wood, to adopt Resolution No. 701 (10-2022) setting the date for the public hearing for August 2, 2022 regarding the voluntary contiguous annexation petition. Unanimously approved.

**TOWN OF SMITHFIELD  
RESOLUTION NO. 701 (10-2022)  
FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION  
PURSUANT TO G.S. 160A-31**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council has by Resolution No. 699 (08-2022) directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made.

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

Section 1: A public hearing on the question of annexation of the area described herein will be held in the Council Chambers of the Town Hall located at 350 East Market Street, Smithfield North Carolina at 7:00 pm on August 2, 2022.

Section 2: The area proposed for annexation is described as follows:

ANNEXATION LAND DESCRIPTIONS PROPERTY

PIN #'S 168500-41-0730, 168500-40-6654, 168519-50-2545, 168500-73-3381

A PORTION OF 168407-58-1487

LYING AND BEING IN SMITHFIELD TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA COMMENCING AT A POINT, SAID POINT BEING PUBLISHED IN THE NATIONAL GEODETIC SURVEY AS "WALNUT" A NORTH CAROLINA GEODETIC MONUMENT(PID: EZ4334) AND HAVING NC GRID COORDINATES OF NORTHING: 651,816.45' & EASTING: 2,185,065.71'; THENCE S 21° 05' 17" E A GRID DISTANCE OF 376.27' TO A POINT; SAID POINT BEING A 1.5" IRON PIPE FOUND(IPF), A COMMON CORNER WITH ZANE & BETTY WILLIAMS, & JOYCE GOURLEY & JANICE ROSE HAVING NC GRID COORDINATES OF NORTHING: 651,464.86' & EASTING: 2,185,201.29'; SAID POINT HEREBY KNOW AS **THE POINT OF BEGINNING**.

THENCE FROM THE SAID **POINT OF BEGINNING** ALONG AND WITH THE WILLIAMS BOUNDARY

S 35°47'07" E, 327.08 FEET TO AN IRON PIPE SET (IPS); THENCE N 49°15'35" E,

94.12 FEET TO A 1.5" IRON REBAR FOUND (IRF), SAID POINT LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE N 53°04'39" E, 75.00 FEET TO A POINT IN THE CENTER OF SAID HIGHWAY. THENCE FOLLOWING THE CENTER OF US HIGHWAY 70 BUSINESS WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 38°40'02" E 296.25 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 40°56'53" E 141.85 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,862.60 FEET WITH A CHORD BEARING AND DISTANCE OF S 44°32'01" E 466.76 FEET TO A POINT; THENCE S 47°12'33" E, 284.76 FEET TO A POINT; THENCE S 42°47'27" W, 75.00 FEET TO A CONCRETE MONUMENT FOUND (CMF), SAID POINT LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS AND BEING A COMMON CORNER WITH WESTVIEW SUBDIVISION; THENCE ALONG THE COMMON BOUNDARY OF SAID SUBDIVISION AND WITH THE EXISTING TOWN OF SMITHFIELD CORPORATE LIMITS, S 38°18'01" W, 1,088.09 FEET TO A 5/8" IRON PIPE FOUND (IPF); THENCE N 02°34'50" E, 22.81 FEET TO A 1.25" IRF; THENCE N 86°49'41" W, 200.10 FEET TO A 5/8" IPF; THENCE S 01°38'14" W, 221.96 FEET TO A 1/2" IPF; THENCE S 75°50'13" E, 48.70 FEET TO A POINT; THENCE S 38°18'01" W, 968.81 FEET TO A POINT, SAID POINT BEING ALONG THE BANK OF SWIFT CREEK; THENCE WITH AND ALONG THE BANK OF SWIFT CREEK THE FOLLOWING EIGHT (8) CALLS: N 10°01'17" W, 205.94 FEET TO A POINT; THENCE S 71°33'39" W, 376.93 FEET TO A POINT; THENCE N 63°18'08" W, 128.63 FEET TO A POINT; THENCE N 5°53'33" W, 170.61 FEET TO A POINT; THENCE N 26°41'21" E, 400.03 FEET TO A POINT; THENCE N 12°11'48" W, 145.10 FEET TO A POINT; THENCE N 45°55'32" W, 26.62 FEET TO A POINT; THENCE N 76°31'16" W, 107.13 FEET TO A POINT SAID POINT BEING AT THE INTERSECTION OF REEDY CREEK; THENCE WITH THE CENTER OF REEDY BRANCH THE FOLLOWING THIRTY (30) CALLS: THENCE N 06°11'12" E, 65.37 FEET TO A POINT; THENCE N 51°35'53" W, 77.67 FEET TO A POINT; THENCE N 10°54'16" E, 118.52 FEET TO A POINT; THENCE N 11°43'49" W, 62.24 FEET TO A POINT; THENCE N 42°16'54" W, 158.00 FEET TO A POINT; THENCE N 77°16'54" W, 158.00 FEET TO A POINT; THENCE N 87°12'06" W, 236.00 FEET TO A POINT; THENCE N 70°02'06" W, 112.00 FEET TO A POINT; THENCE N 57°42'06" W, 201.00 FEET TO A POINT; THENCE N 66°37'06" W, 375.00 FEET TO A POINT; THENCE N 29°02'06" W, 117.00 FEET TO A POINT; THENCE N 46°02'06" W, 307.00 FEET TO A POINT; THENCE N 07°07'54" E, 244.00 FEET TO A POINT; THENCE N 26°32'54" E, 425.00 FEET TO A POINT; THENCE N 03°28'15" W, 145.00 FEET TO A POINT; THENCE N 60°31'45" E, 125.00 FEET TO A POINT; THENCE N 0°06'45" E, 53.00 FEET TO A POINT; THENCE N 44°56'45" E, 269.00 FEET TO A POINT; THENCE N 23°21'45" E, 169.00 FEET TO A POINT; THENCE N 13°01'31" W, 99.85 FEET TO A POINT; THENCE N 19°21'45" E, 134.99 FEET TO A POINT; THENCE N 4°32'49" E, 155.18 FEET TO A POINT; THENCE N 43°46'45" E, 136.00 FEET TO A POINT; THENCE S 88°01'45" W, 53.00 FEET TO A POINT; THENCE N 22°31'30" E, 55.00 FEET TO A POINT; THENCE N 12°31'45" E, 100.00 FEET TO A POINT; THENCE N 28°13'04" E, 383.54 FEET TO A POINT; THENCE N 42°43'15" W, 258.00 FEET TO A POINT; THENCE S 86°31'45" W, 52.00 FEET TO A POINT; THENCE N 02°01'45" E, 883.00 FEET TO AN IPS ON THE BANK OF A SWAMP, BEING A COMMON CORNER WITH KIMBERLY JOHNSON. THENCE ALONG THE JOHNSON BOUNDARY N 86°31'45" E, 884.03 FEET TO A 5/8" IRF SAID POINT BEING ON THE WESTERN MARGIN OF US



HIGHWAY 70 BUSINESS; THENCE N 80°12'47" E, 75.00 FEET TO A POINT IN THE CENTER OF SAID HIGHWAY; THENCE WITH THE CENTERLINE OF US HIGHWAY 70 BUSINESS S 09°47'13" E, 416.23 FEET TO A POINT. THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,912.34 FEET WITH A CHORD BEARING AND DISTANCE OF S 17°32'43" E 1324.68 FEET TO A POINT; THENCE CONTINUING WITH ANOTHER CURVE TO THE LEFT HAVING A RADIUS OF 4,956.92 FEET WITH A CHORD BEARING AND DISTANCE OF S 26°39'16" E 216.01 FEET TO A POINT; THENCE S 24°24'00" E, 74.92 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 4,864.29 FEET WITH A CHORD BEARING AND DISTANCE OF S 30°31'31" E 280.69 FEET TO A POINT; THENCE S 57°49'17" W, 75.00 FEET TO A ½" IPF LYING ON THE WESTERN MARGIN OF US HIGHWAY 70 BUSINESS; THENCE S 13°01'17" W, 136.32 FEET TO THE **POINT AND PLACE OF BEGINNING**, HAVING AN AREA OF 8,567,296 SQUARE FEET OR, 196.678 ACRES MORE OR LESS.

Section 3: Notice of the public hearing shall be published once in the Johnstonian News, a newspaper having general circulation in the Town of Smithfield, at least ten (10) days prior to the date of the public hearing.

**2. Consideration and request for approval of the NCDOT Betterment of \$12,000 for upgraded traffic light poles for the I-95/Exit 95 Interchange and Bridge Reconstruction Project**

Town Manager Michael Scott explained the bridge at Exit 95 would be replaced and the exit reconfigured. NCDOT has asked if the Town would like the traffic poles to be grey or black to match the existing traffic poles on Highway 70 in this area. To have black poles, the Town would have to pay a betterment of \$12,000.

Mayor Pro-Tem Dunn questioned who would maintain the poles. The Town Manager responded that NCDOT would be responsible for maintaining the poles.

Councilman Barbour questioned if there was any cost to the Town for the sidewalks in this area. The Town Manager responded the Town initially set aside funds for sidewalks, but NCDOT has now included funds for sidewalks.

Councilman Scott made a motion, seconded by Councilman Barbour, to approve the NCDOT betterment for upgraded light poles for I-95/Exit 95 interchange and bridge reconstruction project. Unanimously approved.

**3. Consideration and request for approval to repair street intersections on South Second Street and Stevens Street and South First Street and Stevens Street at a cost of \$18,000**

Public Works Director Lawrence Davis addressed the Council on a request to repair two intersections. Mr. Davis explained there was damage to the valley gutters and drainage in these intersection. These intersections need to be repaired so there was no further damage to the road. Mr. Davis further explained that bids were received from JP Edwards and Denton Construction. JP Edwards was the low bidder at \$8,832 per street.

Councilman Scott questioned if a stormwater fee would help with these types of repairs. The Town Manager responded in the affirmative.

Councilman Wood made a motion, seconded by Councilman Barbour, to award the bid to JP Edwards in the amount of \$8,832 for each of the intersections in need of repair. Unanimously approved.

**Councilmembers Comments:**

- Councilman Scott expressed his appreciation to DSDC and Town Staff for a successful Independence Day Celebration.
- Mayor Moore also expressed his appreciation to everyone involved in the Independence Day Celebration. He informed the public of the Disabled American Veteran’s Expo on July 30<sup>th</sup>.

**Town Manager’s Report:**

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

- A 16-inch water line broke over the weekend on Hospital Road. The repair is underway but could cause some discolored water in that area.
- National Night Out is scheduled for August 2nd to begin at 6:00 pm at JCC. This conflicts with the August Council Meeting, however, since this is National Event, we are limited by that date.
- The Street resurfacing Contract should begin in July or early August.
- During the month of May the SRAC had over 15,000 visits to the indoor swimming pool.
- Fun in The Park; SYCC & Smith Collins Park, 7/16 at 10:00 am
- PBS Rootle Roadster Tour at SYCC on 7/23 at 10:00 am

**Closed Session: Pursuant to NCGS 143-318.11 (a) (3) & (5)**

Councilman Wood made a motion, seconded by Councilman Rabil, to enter into Close Session pursuant to the aforementioned statute. Unanimously approved at 7:44 pm.

**Reconvene in Open Session**

Councilman Rabil made a motion, seconded by Councilman Barbour, to reconvene in open session. Unanimously approved at 8:54pm.

No action was taken by the Council following the Closed Session

**Adjourn**

Having no further business, Councilman Barbour made a motion, seconded by Councilman Stevens, to adjourn the meeting. The meeting adjourned at approximately 8:55.

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M. Andy Moore, Mayor

ATTEST:

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Shannan L. Parrish, Town Clerk



# Request for Town Council Action

**Consent  
Agenda  
Item:** Application  
for  
Temporary  
Use Permit  
**Date:** 08/02/2022

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**Subject:** Purpose & Power Apostolic Ministries  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Consent Agenda Item

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## Issue Statement

Purpose & Power Apostolic Ministries would like to hold a back-to-school community and youth explosion.

## Financial Impact

N/A

**Action Needed** Council approval of 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**

---

Purpose & Power Apostolic Ministries would like to hold a back-to-school community and youth explosion on August 20<sup>th</sup>, 2022 at Smith-Collins Park. This event would start at 10:00 am and end at 3:00 pm. Amplified sound will be used during that same time. (6) event trash cans have been requested by public works. This family fun day will be filled with food, music, outdoor activities and ministry.



# Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the event by emailing Julie Edmonds at [julie.edmonds@smithfield-nc.com](mailto: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.

### 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 (Contact Smithfield Fire Department 919-934-2468)

### 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) \_\_\_\_\_

Community & Youth Back to School Explosion Name of Event	Smith-Collins Park Location of Event/Use (exact street address)
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Purpose to Power Apostolic Ministries

### APPLICANT:

Name Marlon Lee

Address \_\_\_\_\_

Phone number (919) 631-6544

Email address \_\_\_\_\_

Event date Aug. 20

Event start time 10 - 3

Event set up time 9

Sound Amplification Type \_\_\_\_\_

Sound Amplification Time 10am-3pm

### PROPERTY OWNER:

Name Town of Smithfield

Address 350 E. Market St.

Phone number (919) 934-2116

Email address \_\_\_\_\_

Will alcohol be sold or served? Y or (N)

Event end time 3:00 pm

Event cleanup time 4:00 pm

Will food or goods be sold? Y or N

# Food Trucks (if applicable \_\_\_\_\_) (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, 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)? —

If any town streets require closure, please list all street names. —

Are event trash cans needed?  Y or N How many? 6

Please provide a detailed description of the proposed temporary use or special event:  
Back to School Community + Youth  
Explosion

**Temporary Use Submittal Checklist:**

- 1. Completed Temporary Use Permit application
- 2. Other documentations deemed necessary by the administrator
- 3. Application fee - \$100
- 4. Site plan, if required by the administrator

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

Payment Received By: \_\_\_\_\_

Date: \_\_\_\_\_

**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.

<u>Marlon Kee</u>	<u>Marlon R</u>	<u>7/18/2022</u>
Applicant's Name (Print)	Signature	Date

Planning Director Signature: <u>[Signature]</u>	Date: <u>7/12/22</u>
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*Stephen / Julie  
We have booked this  
on our calendar and it  
is ok.*

You Are Invited and Welcomed

June 29, 2022

Purpose and Power Outreach Ministry will be Gathering in the Park for

**Community & Youth Back 2 School Explosion**

**August 20, 2022 10am- 3pm**

It will be a family-fun day filled with food, music, outdoor activities and ministry.

We would like to meet the needs of our students and the community. It is important that we fulfill the needs our Smithfield-Selma by assisting to enhance their learning potential this school year!

Our goal is to assist 250 families!

***What you can do NOW to assist?*    DONATE    DONATE    DONATE**

- Toiletries Bags (tissue, sanitizer, deodorant, feminine hygiene, dental items)
- School Supplies (notebooks, paper, pens, pencils, sharpeners, scissors, crayons)
- Food (hamburgers, hotdogs, buns, chips, drinks, water, condiments)
- Hair Products (combs, brushes, colognes, perfumes)
- Books/Games/ Toys (kites)
- Diapers (all sizes, and wipes)
- Door Prizes (gas cards, gift cards)
- Bouncy House

***Cleaning out Your Closet?***

We will accept new & gently, used clothes, jackets and shoes for the entire family as well as household items and books.

Please call us, we would schedule to pick up donations

We Thank You in Advance for Your Generous Support

*Jene Marie  
919-756-9688*

***"Behold, how good and how pleasant it is for brethren to dwell together in unity!"***

***Psalms 133:1***







# Request for Town Council Action

**Consent  
Agenda  
Item:** Application  
for  
Temporary  
Use Permit  
**Date:** 7/20/2022

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**Subject:** Bulldog Harley-Davidson  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Consent Agenda Item

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## Issue Statement

Bulldog Harley-Davidson is requesting to hold an End of Summer Bash at 1043 Outlet Center Drive on August 27, 2022.

## Financial Impact

N/A

**Action Needed** Council approval of 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
3. Map of the Event
4. Food Truck Information
5. Beer Truck Insurance Information



# Staff Report

**Consent  
Agenda  
Item:** **Application  
for  
Temporary  
Use Permit**

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Bulldog Harley-Davidson would like to hold an End of Summer Bash at their business located at 1043 Outlet Center Drive. This event would take place on August 27, 2022 between 10:00 am and 4:00 pm. Amplified sound will be used between 11:00 am-4:00 pm. Live music is scheduled by Puddle of Mud beginning at 1:00 pm. This event is expected to draw a very large crowd. There will be vendors, food truck, beer, a bike show and more. No Town property will be used and no trash cans have been requested. The applicant has hired NC Special Police & Security out of Fayetteville to provide a police presence as well as 4 Smithfield Police Officers for traffic control on the outside of the event.



# Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the event by emailing Julie Edmonds at [julie.edmonds@smithfield-nc.com](mailto: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.

### TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event \_\_\_\_\_
  - Over 100 people in attendance
  - Live Band or Amplified Sound Band
  - 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 (Contact Smithfield Fire Department 919-934-2468)

### 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) \_\_\_\_\_

<b>End of Summer Bash</b> <small>Name of Event</small>	<b>1043 Outlet Center Dr</b> <small>Location of Event/Use (exact street address)</small>
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### APPLICANT:

Name Carson Baker

Address 1043 Outlet Center Dr

Phone number 919-938-1592

Email address carson@bulldogharleydavidson.com

Event date 8/27/22

Event start time 10AM

Event set up time 9AM

Sound Amplification Type Band

Sound Amplification Time 11AM

### PROPERTY OWNER:

Name Carson Baker

Address 1043 Outlet Center Dr

Phone number 910-734-8509

Email address carson@bulldogharleydavidson.com

Will alcohol be sold or served?  Y or N

Event end time 4PM

Event cleanup time 5PM

Will food or goods be sold?  Y or N

# Food Trucks (if applicable) 2 (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, 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: NC Special Police  
(If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? No

If any town streets require closure, please list all street names. No

Are event trash cans needed? Y or N How many? NO

**Please provide a detailed description of the proposed temporary use or special event:**

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**Temporary Use Submittal Checklist:**

- 1. Completed Temporary Use Permit application
- 2. Other documentations deemed necessary by the administrator
- 3. Application fee - \$100
- 4. Site plan, if required by the administrator

Method of Payment: Cash \_\_\_\_\_ Check# \_\_\_\_\_ Credit Card  \_\_\_\_\_ Amount \$ 100

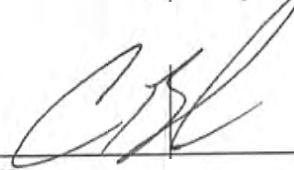
Payment Received By: \_\_\_\_\_

Date: \_\_\_\_\_

**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.

Carson Baker  
Applicant's Name (Print)

  
Signature

7/19/22  
Date

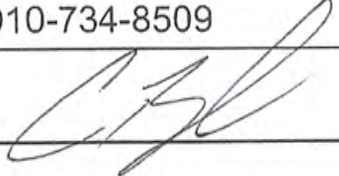
Planning Director Signature: 

Date: 7/20/22

**OWNERS AUTHORIZATION**

I hereby give CONSENT to Bulldog Harley Davidson (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) Carson Baker  
Address 1043 Outlet Center Dr Zip 27577  
Phone number 910-734-8509 Email carson@bulldogharleydavidson.com  
Signature:  Date: 7/19/22

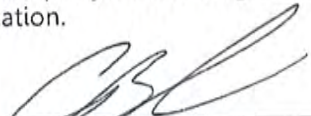
**OWNER'S CONSENT FORM**

Name of Event: End of Summer Bash Submittal Date: 7/19/22

**OWNERS AUTHORIZATION**

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

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

  
Signature of Owner Carson Baker 7/19/22  
Print Name Date

Valvoline Instant Oil Change

Bulldog Harley-Davidson  
Harley-Davidson dealer

1035

**Ice cream/Beer/Hot Dog**

**Food Trucks**

**Non-food vendors**

**Non-food vendors**

**Stage**

Planet Center Dr

Google

# Food Establishment Inspection Report

Score: 97

Establishment Name: SKULLIES STREET Q

Establishment ID: 6096030092

Location Address: 1216 PARKWAY DR

Inspection  Re-Inspection

City: GOLDSBORO

State: NC

Date: 08 / 24 / 2021 Status Code: A

Zip: 27534

County: 96 Wayne

Time In: 01 : 00 <sup>am</sup>/<sub>pm</sub> Time Out: 02 : 00 <sup>am</sup>/<sub>pm</sub>

Total Time: 1 hr 0 minutes

Permittee: CATHERINE LONG

Category #: II

Telephone: (919) 394-3978

Wastewater System:  Municipal/Community  On-Site System

FDA Establishment Type: \_\_\_\_\_

No. of Risk Factor/Intervention Violations: 1

Water Supply:  Municipal/Community  On-Site Supply

No. of Repeat Risk Factor/Intervention Violations: \_\_\_\_\_

Foodborne Illness Risk Factors and Public Health Interventions								
Risk factors: Contributing factors that increase the chance of developing foodborne illness.								
Public Health Interventions: Control measures to prevent foodborne illness or injury.								
IN	OUT	N/A	N/O	Compliance Status	OUT	CDI	R	VR
<b>Supervision .2652</b>								
1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PIC Present; Demonstration-Certification by accredited program and perform duties	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Employee Health .2652</b>								
2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Management, employees knowledge; responsibilities & reporting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper use of reporting, restriction & exclusion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Good Hygienic Practices .2652, .2653</b>								
4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper eating, tasting, drinking, or tobacco use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No discharge from eyes, nose or mouth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Preventing Contamination by Hands .2652, .2653, .2655, .2656</b>								
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hands clean & properly washed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No bare hand contact with RTE foods or pre-approved alternate procedure properly followed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Handwashing sinks supplied & accessible	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Approved Source .2653, .2655</b>								
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food obtained from approved source	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Food received at proper temperature	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food in good condition, safe & unadulterated	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Required records available: shellstock tags, parasite destruction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Protection from Contamination .2653, .2654</b>								
13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food separated & protected	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food-contact surfaces: cleaned & sanitized	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper disposition of returned, previously served, reconditioned, & unsafe food	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Potentially Hazardous Food Time/Temperature .2653</b>								
16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cooking time & temperatures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper reheating procedures for hot holding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cooling time & temperatures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper hot holding temperatures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cold holding temperatures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proper date marking & disposition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Time as a public health control: procedures & records	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Consumer Advisory .2653</b>								
23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Consumer advisory provided for raw or undercooked foods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Highly Susceptible Populations .2653</b>								
24	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pasteurized foods used; prohibited foods not offered	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Chemical .2653, .2657</b>								
25	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Food additives: approved & properly used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toxic substances properly identified stored, & used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Conformance with Approved Procedures .2653, .2654, .2658</b>								
27	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compliance with variance, specialized process, reduced oxygen packing criteria or HACCP plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Good Retail Practices								
Good Retail Practices: Preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.								
IN	OUT	N/A	N/O	Compliance Status	OUT	CDI	R	VR
<b>Safe Food and Water .2653, .2655, .2658</b>								
28	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pasteurized eggs used where required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water and ice from approved source	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Variance obtained for specialized processing methods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Food Temperature Control .2653, .2654</b>								
31	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Proper cooling methods used; adequate equipment for temperature control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plant food properly cooked for hot holding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved thawing methods used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Thermometers provided & accurate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Food Identification .2653</b>								
35	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Food properly labeled: original container	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Prevention of Food Contamination .2652, .2653, .2654, .2656, .2657</b>								
36	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Insects & rodents not present; no unauthorized animals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Contamination prevented during food preparation, storage & display	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
38	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Personal cleanliness	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wiping cloths: properly used & stored	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Washing fruits & vegetables	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Proper Use of Utensils .2653, .2654</b>								
41	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In-use utensils: properly stored	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
42	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utensils, equipment & linens: properly stored, dried & handled	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Single-use & single-service articles: properly stored & used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
44	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gloves used properly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Utensils and Equipment .2653, .2654, .2663</b>								
45	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Equipment, food & non-food contact surfaces approved, cleanable, properly designed, constructed, & used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
46	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Warewashing facilities: installed, maintained, & used; test strips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
47	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Non-food contact surfaces clean	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Physical Facilities .2654, .2655, .2656</b>								
48	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hot & cold water available; adequate pressure	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
49	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing installed; proper backflow devices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sewage & waste water properly disposed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet facilities: properly constructed, supplied & cleaned	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Garbage & refuse properly disposed; facilities maintained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Physical facilities installed, maintained & clean	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
54	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Meets ventilation & lighting requirements; designated areas used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Total Deductions:</b>					<b>3</b>			



# Comment Addendum to Food Establishment Inspection Report

Establishment Name: SKULLIES STREET Q  
 Location Address: 1216 PARKWAY DR  
 City: GOLDSBORO State: NC  
 County: 96 Wayne Zip: 27534  
 Wastewater System:  Municipal/Community  On-Site System  
 Water Supply:  Municipal/Community  On-Site System  
 Permittee: CATHERINE LONG  
 Telephone: (919) 394-3978

Establishment ID: 6096030092  
 Inspection  Re-Inspection Date: 08/24/2021  
 Comment Addendum Attached?  Status Code: A  
 Water sample taken?  Yes  No Category #: II  
 Email 1: tarheels197555@gmail.com  
 Email 2:  
 Email 3:

## Temperature Observations

**Cold Holding Temperature is now 41 Degrees or less**

Item	Location	Temp	Item	Location	Temp	Item	Location	Temp
cheese	grill	140						
pimento	prep cooler	40						
pico	prep cooler	37						
mac n cheese	prep cooler	40						
lettuce	prep cooler	39						
brisket	reach-in cooler	40						

## Observations and Corrective Actions

Violations cited in this report must be corrected within the time frames below, or as stated in sections 8-405.11 of the food code.

- 1 2-102.12 Certified Food Protection Manager - C No certified food protection manager on duty. A certified food protection manager must be present during operation. ✓ Spell
  
- 41 3-304.12 In-Use Utensils, Between-Use Storage - C Lids for containers of food in the prep cooler stored in the 2-compartment sink, during the luch rush. Utensils and equipment must be stored on a clean dry surface. Store the lids in a clean container inside the reach-in cooler instead, to prevent cross contamination.
  
- 46 4-302.14 Sanitizing Solutions, Testing Devices - PF No QUAT sanitizer test strips. Test strips must be available and accessible during operation to verify sanitizer soltion concentration.

Lock Text



Person in Charge (Print & Sign): \_\_\_\_\_  
First Last

Regulatory Authority (Print & Sign): Jennifer Clymer  
First Last

\_\_\_\_\_  
  
 \_\_\_\_\_

REHS ID: 2947 - Clymer, Jennifer

Verification Required Date:      /      /     

REHS Contact Phone Number: ( 919 ) 731 - 1174



North Carolina Department of Health & Human Services • Division of Public Health • Environmental Health Section • Food Protection Program  
 DHHS is an equal opportunity employer.







# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/22/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> The Assured Group 4355 J Cobb Pkwy SE Ste 506  Atlanta GA 30339-3811	<b>CONTACT NAME:</b> J. David Hancock <b>PHONE (A/C, No. Ext):</b> 404-867-8503 <b>E-MAIL ADDRESS:</b> david@assuredgroupins.com	<b>FAX (A/C, No):</b> 678-272-0497	
	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Scottsdale Insurance Company <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>		<b>NAIC #</b> 41297
<b>INSURED</b> Tier 1 Management, LLC 421 Chicago Dr  Fayetteville NC 28306			

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: Liquor Liability				01/22/2021	01/22/2022	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
							Liquor Liability	\$ \$1M / \$2M
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
A	Business Contents & Equip Special-RC-\$1,000 ded				01/22/2021	01/22/2022	BPP @ BI / EE @	\$475,000 \$50,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Location 001-Building 001- BPP @ \$75,000 - (124 Hay St., Fayetteville, NC 28301)  
 Location 002-Building 001- BPP @ \$400,000- (421 Chicago Dr., Fayetteville, NC 28306)

LCA Bank Corporation of its affiliates, Lease Corporation of America and/or Its Assigns is listed as additional insured and Loss Payee in reference to the property located at 421 Chicago Dr, Fayetteville, NC 28301.  
 Equipment description: New Canning Line/Brewing Machine.

**CERTIFICATE HOLDER****CANCELLATION**

LCA Bank Corporation of its affiliates Lease Corporation of American and/or it Assigns 3150 Livernois Rd. Suite 300 Troy MI 48063	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b>  <b>AUTHORIZED REPRESENTATIVE</b> <i>J. David Hancock</i>
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# Request for Town Council Action

Consent  
Agenda  
Item:

**GHSP  
Traffic  
Grant**

Date: 08/02/2022

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**Subject:** GHSP Traffic Grant  
**Department:** Police Department  
**Presented by:** Chief of Police - R. Keith Powell  
**Presentation:** Consent Agenda Item

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## Issue Statement

The police department has been awarded the GHSP's FY 2021 grant, which Council had already approved the agency to apply for the grant in March of 2020. The agency is requesting to apply for the Third Year Grant for the Traffic Team.

## Financial Impact

Grant would pay 85% first year, 70% second year and 50 % third year. Third Year Grant (\$140,566 Total) Federal Portion (\$70,283) / Town's Portion (\$70,283).

## Action Needed

It is requested that the Town Council to allow the agency to apply for the Third Year of the Traffic Grant in order to keep the traffic team in operation.

## Recommendation

It is requested that the Town Council to allow the agency to apply for the Third-Year part of the GHSP traffic grant in order to continue with the traffic team and adopt Resolution No. 702 (11-2022).

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 702 (11-2022)
3. NCGHSP Agreement Conditions



# Staff Report

**Consent** **GHSP**  
**Agenda** **Traffic**  
**Item:** **Grant**

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The Third-Year grant will cover 50 percent of personnel expenses for the traffic team. The match amounts for the grant are 15% for year 1, 30% for year 2 and 50% for year 3. Equipment purchases are all included in year one and not spread over the 3-year period.

It is estimated the year one grant would be \$225,708.00. The match for the Town in the first year would be \$33,856.00. In year 2, the grant amount would be \$124,708, with the town's match being \$37,412. Year 3 would be like year 2 in the grant amount, but the match would increase to \$70,283. Following year three of the grant, all equipment becomes the property of the town and the town is under no obligation to continue the program. The number of officers hired under the grant could then be decreased through attrition, should the Council choose to do so.

In summary, the Town would receive assets and police officer time, roughly equal to \$470,000 at a three-year total cost to the Town of about \$131,463. The Police Department is requesting to be allowed to reapply for this grant and continue with the Traffic Safety Team.

North Carolina Governor's Highway Safety Program  
**LOCAL GOVERNMENTAL RESOLUTION**

Resolution  
No. 702 (11-2022)

WHEREAS, the Smithfield Police Department (herein called the "Agency")  
(The Applicant Agency)  
has completed an application contract for traffic safety funding; and that Town of Smithfield Town Council  
(The Governing Body of the Agency)  
\_\_\_\_\_ (herein called the "Governing Body") has thoroughly considered the problem identified and has reviewed the project as described in the contract;

THEREFORE, NOW BE IT RESOLVED BY THE Town of Smithfield Town Council IN OPEN  
(Governing Body)  
MEETING ASSEMBLED IN THE CITY OF Smithfield, NORTH CAROLINA,  
THIS 2 DAY OF August, 2022, AS FOLLOWS:

1. That the project referenced above is in the best interest of the Governing Body and the general public; and
2. That Michael L. Scott, Town Manager is authorized to file, on behalf of the Governing  
(Name and Title of Representative)  
Body, an application contract in the form prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$ 70,283.00 to be made to the Governing Body to assist in defraying  
(Federal Dollar Request)  
the cost of the project described in the contract application; and
3. That the Governing Body has formally appropriated the cash contribution of \$ 70,283.00 as  
(Local Cash Appropriation)  
required by the project contract; and
4. That the Project Director designated in the application contract shall furnish or make arrangement for other appropriate persons to furnish such information, data, documents and reports as required by the contract, if approved, or as may be required by the Governor's Highway Safety Program; and
5. That certified copies of this resolution be included as part of the contract referenced above; and
6. That this resolution shall take effect immediately upon its adoption.

DONE AND ORDERED in open meeting by \_\_\_\_\_  
(Chairperson/Mayor)

ATTESTED BY \_\_\_\_\_  
(Clerk)

SEAL

DATE \_\_\_\_\_

**North Carolina Governor's Highway Safety Program  
Agreement of Conditions**

This Agreement is made by and between the North Carolina Department of Transportation, hereinafter referred to as the "Department", to include the Governor's Highway Safety Program, hereinafter referred to as "GHSP"; and the applicant agency, for itself, its assignees and successors in interest, hereinafter referred to as the "Agency". During the performance of this contract, and by signing this contract, the Agency agrees as follows:

**A. Federal Provisions**

1. **Equal Opportunity/Nondiscrimination.** The Agency will agree to comply with all Federal statutes and implementing regulations relating to nondiscrimination concerning race, color, sex, religion, national origin, handicaps, and age. These include but are not limited to:
  - (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252);
  - (b) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601)
  - (c) Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686);
  - (d) Non-Discrimination in Federally-assisted programs of the United States Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (49 CFR Part 21), hereinafter referred to as "USDOT", as amended;
  - (e) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended, and 49 CFR Part 27; and
  - (f) The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.);
  - (g) The Civil Rights Restoration Act of 1987, (Pub. L. 100-209);
  - (h) Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189) and 49 CFR parts 37 and 38;
  - (i) Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
  - (j) Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency
2. **Drug Free Workplace.** The Agency agrees to comply with the provisions cited in the Drug-Free Workplace Act of 1988 (41 U.S.C. 8103).
3. **Federal Grant Requirements and Contracts.** The Agency shall comply with the following statutes and implementing regulations as applicable:
  - (a) Highway Safety Act of 1966 (23 U.S.C. Chapter 4 -), as amended;
  - (b) Sec. 1906, Pub. L.109-59, as amended by Sec. 4011, Pub. L. 114-94;
  - (c) Uniform Procedures for State Highway Safety Grant Programs (23 CFR part 1300);
  - (d) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 1201);
  - (e) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) and all other relevant Federal regulations covering the Highway Safety Program;
  - (f) NHTSA Highway Safety Grant Funding Guidance, as revised, July 2015 ([www.nhtsa.gov](http://www.nhtsa.gov)) and additions or amendments thereto.
4. **Political Activity (Hatch Act)** The Agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
5. **Lobbying.**
  - (a) **Certification Regarding Federal Lobbying.** The undersigned certifies, to the best of his or her knowledge and belief, that:
    - (i) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (ii) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (iii) The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure

- (b) **Restriction on State Lobbying.** None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

#### 6. Audits.

- (a) **Audit Required.** Non-Federal entities that expend \$750,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of 2 CFR, Subpart F, §200.500. Guidance on determining Federal awards expended is provided in 2 CFR, Subpart F, §200.502.
- (b) **Single Audit.** Non-Federal entities that expend \$750,000 or more in a year in Federal awards shall have a single audit conducted in accordance with 2 CFR, Subpart F, §200.501, except when they elect to have a program-specific audit conducted in accordance with 2 CFR, Subpart F, §200.501, paragraph (c).
- (c) **Non-Governmental Entities.** Non-governmental entities (not-for-profit and for-profit entities) must adhere to North Carolina General Statute 143C-6.22 and 09 NCAC Subchapter 03M.

#### 7. Instructions for Lower Tier Certification.

- (a) By signing and submitting this proposal, the prospective lower tier participant (the Agency) is providing the certification set out below and agrees to comply with the requirements of 2 CFR Parts 180 and 1200.
- (b) The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- (c) The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (d) The terms covered transaction, civil judgement, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR Part 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- (e) The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred,

suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

- (f) The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR Parts 180 and 1200.
  - (g) A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
  - (h) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
  - (i) Except for transactions authorized under paragraph 7(e) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies including suspension or debarment.
  - (j) **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions.**
    - (i) The prospective lower tier participant (the Agency) certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any Federal department or agency.
    - (ii) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participants shall attach an explanation to this contract proposal.
8. **Buy America Act.** The Agency and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.
  9. **Prohibition On Using Grant Funds To Check For Helmet Usage.** The Agency and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.
  10. **Conditions for State, Local and Indian Tribal Governments.** State, local and Indian tribal government Agencies shall adhere to the standards established by 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments and additions or amendments thereto, for principles for determining costs applicable to grants and contracts with state, local and Indian tribal governments.
  11. **Conditions for Institutions of Higher Education.** If the Agency is an institution of higher education, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2 CFR 220 Cost Principles for Educational Institutions for determining costs applicable to grants and contracts with educational institutions.



12. **Conditions for Non-Profit Organizations.** If the Agency is a non-profit organization, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations and 2 CFR Part 230 Cost Principles for Non-Profit Organizations for determining costs applicable to grants and contracts with non-profit organizations.
13. **Conditions for Hospitals.** If the Agency is a hospital, it shall adhere to the standards established by 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.

## B. General Provisions

1. **Contract Changes.** This document contains the entire agreement of the parties. No other contract, either oral or implied, shall supercede this Agreement. Any proposed changes in this contract that would result in any change in the nature, scope, character, or amount of funding provided for in this contract, shall require a written addendum to this contract on a form provided by the Department.
2. **Subcontracts Under This Contract.** The Agency shall not assign any portion of the work to be performed under this contract, or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this contract without the prior written concurrence of the Department. Any subcontract under this contract must include all required and applicable clauses and provisions of this contract. Subcontracting does not relieve the Agency of any of the duties and responsibilities of this agreement. The subcontractor must comply with standards contained in this agreement and provide information that is needed by the Agency to comply with these standards. The Agency must submit any proposed contracts for subcontracted services to the Governor's Highway Safety Program for final approval no less than 30 days prior to acceptance.
3. **Solicitation for Subcontracts, Including Procurements of Materials and Equipment.** In all solicitations, either by competitive bidding or negotiation, made by the Agency for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Agency of the Agency's obligations under this contract. Additionally, Agencies making purchases or entering into contracts as provided for by this contract must adhere to the policies and procedures of 2 CFR Part 200 and North Carolina General Statute 143-128.4. Historically underutilized business defined; statewide uniform certification as it pertains to Historically Underutilized Businesses.
4. **Incorporation of Provisions in Subcontracts.** The Agency shall include the provisions of section A-1 through A-13 of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the regulations, or directives issued pursuant thereto. The Agency shall take such action with respect to any subcontract or procurement as the Department, the State of North Carolina, hereinafter referred to as the "State", the National Highway Traffic Safety Administration, hereinafter referred to as "NHTSA", or the Federal Highway Administration, hereinafter referred to as "FHWA", may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event the Agency becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Agency may request the Department or the State to enter into such litigation to protect the interests of the Department or the State. In addition, the Agency may request the NHTSA or FHWA to enter into such litigation to protect the interests of the United States.
5. **Outsourcing.** All work shall be performed in the United States of America. No work will be allowed to be outsourced outside the United States of America.
6. **Property and Equipment.**
  - (a) **Maintenance and Inventory.** The Agency shall maintain and inventory all property and equipment purchased under this contract.
  - (b) **Utilization.** The property and equipment purchased under this contract must be utilized by the Agency for the sole purpose of furthering the traffic safety efforts of the Agency for the entire useful life of the property or equipment.
  - (c) **Title Interest.** The Department and NHTSA retain title interest in all property and equipment purchased under this contract. In the event that the Agency fails or refuses to comply with the provisions of this Agreement or terminates this contract, the Department, at its discretion, may take either of the following actions:
    - (i) Require the Agency to purchase the property or equipment at fair market value or other mutually agreed to amount; or

- (ii) Require the Agency to transfer the property or equipment and title of said property or equipment, if any, to the Department or to another Agency, as directed by the Department.
- (d) **Non-expendable Property.** Non-expendable property is defined as property or equipment having a value of \$5000 or more with a life expectancy of more than one year. Non-expendable property purchased under this contract cannot be sold, traded, or disposed of in any manner without the expressed written permission of the Department.
7. **Educational or Other Materials.** If allowed, any educational or other materials developed using funds from this contract must be reviewed and approved by the GHSP prior to their production or purchase. The cost of these materials is generally limited to a maximum of \$5.00 per item. The purchase of promotional items and memorabilia are not an allowable cost.
8. **Review of Reports and Publications.** Any reports, papers, publications, or other items developed using funds from this contract must be reviewed and approved by the GHSP prior to their release.
9. **Reimbursement.**
- (a) **General.** Payments are made on a reimbursement basis. There is no schedule of advance payments. Only actual allowable costs are eligible for reimbursement. Claims for reimbursement must be made a minimum of quarterly and no more than once a month via the Grants Management System. Claims for reimbursement not made within the three month threshold are subject to denial. The itemized invoice shall be supported by documentation of costs as prescribed by the Department. Reimbursements will not be processed if other required reports are incomplete or have not been submitted. Failure to submit complete reports by the required deadline may result in denial of reimbursement.
- (b) **Approval.** The Governor's Highway Safety Program and the Department's Fiscal Section shall approve the itemized invoice prior to payment.
- (c) **Unapproved Costs.** Any rejected or unaccepted costs shall be borne by the Agency. The Agency agrees that in the event the Department determines that, due to Federal or State regulations that grant funds must be refunded, the Agency will reimburse the Department a sum of money equal to the amount of Federal and State participation in the rejected costs.
- (d) **Final Claims for Reimbursement.** Final claims for reimbursement must be received by the GHSP within 30 days following the close of the approved contract period. Project funds not claimed by this date are subject to reversion.
- (e) **Expending Funds Under This Contract.** Under no circumstances will reimbursement be made for costs incurred prior to the contract effective date or after the contract ending date.
10. **Project Costs.** It is understood and agreed that the work conducted pursuant to this contract shall be done on an actual cost basis by the Agency. The amount of reimbursement from the Department shall not exceed the estimated funds budgeted in the approved contract. The Agency shall initiate and prosecute to completion all actions necessary to enable the Agency to provide its share of the project costs at or prior to the conclusion of the project.
11. **Program Income.** The Agency shall account for program income related to projects financed in whole or in part with federal funds in accordance with 2 CFR 200.307. Program income earned during the contract period shall be retained by the Agency and deducted from the federal funds committed to the project by the GHSP unless approved in advance by the Federal awarding agency as an addition to the project. Program income must be accounted for separately and the records made available for audit purposes.
12. **Project Directors.** The Project Director, as specified on the signature page of this Agreement, must be an employee of the Agency or the Agency's governing body. Any exception to this provision must have the expressed written approval of GHSP.
13. **Reports Required.**
- (a) **Quarterly Progress Reports.** Unless otherwise directed, the Agency must submit Quarterly Progress Reports to the GHSP, on forms provided by the Department, which reflect the status of project implementation and attainment of stated goals. Each progress report shall describe the project status by quarter and shall be submitted to GHSP no later than fifteen (15) days after the end of each quarter. If the Agency fails to submit a Quarterly Progress Report or submits an incomplete Quarterly Progress Report, the Agency will be subject to having claims for reimbursement withheld. Once a Quarterly Progress Report that substantiates adequate progress is received, cost reimbursement requests may be processed or denied at the discretion of GHSP.
- (b) **Final Accomplishments Report.** A Final Accomplishments Report must be submitted to the GHSP within fifteen (15) days of completion of the project, on forms provided by the Department, unless otherwise directed. If the Agency fails to submit a Final Accomplishments Report or submits an

incomplete Final Accomplishments Report, the Agency will be subject to having claims for reimbursement withheld. Once a Final Accomplishments Report that substantiates adequate progress is received, claims for reimbursement may be processed or denied at the discretion of GHSP.

- (c) **Audit Reports.** Audit reports required in Section A-6 above shall be provided to the Department within thirty (30) days of completion of the audit.
- 14. Out-of-State Travel.**
- (a) **General.** All out-of-state travel funded under this contract must have prior written approval by the Governor's Highway Safety Program.
- (b) **Requests.** Requests for approval must be submitted to the GHSP, on forms provided by the Department, no less than thirty (30) days prior to the intended departure date of travel.
- (c) **Agency Travel Policy Required.** For Agencies other than state agencies, out-of-state travel requests must include a copy of the Agency's travel policy, to include allowances for lodging, meals, and other travel-related expenses. For state agencies, maximum allowable subsistence is limited to the prevailing per diem rates as established by the North Carolina General Assembly.
- (d) **Agenda Required.** Out-of-state travel requests must include a copy of the agenda for the travel requested.
- 15. Conditions for Law Enforcement.** In addition to the other conditions provided for in this Agreement, grants to law enforcement agencies are subject to the following:
- (a) **Certifications Required.**
- (i) **In-car Camera or Video System.** For any in-car camera or video system purchased under this contract, it is required that the operator of that equipment has successfully completed Standardized Field Sobriety Testing training (SFST). A copy of this certificate must be filed with GHSP prior to reimbursement of in-car camera or video systems.
- (ii) **Radar.** For any radar equipment purchased under this contract, it is required that the operator of that equipment has successfully completed Radar Certification Training. A copy of this certificate must be filed with GHSP prior to reimbursement of radar equipment.
- (iii) **Alcohol Screening Devices.** For any preliminary alcohol screening devices purchased under this contract, it is required that the operator of that equipment has successfully completed the Alcohol Screening Test Device training offered by the Forensic Test for Alcohol Branch.
- (b) **Report Required - Monthly Enforcement Data Report.** In addition to the reports mentioned above, law enforcement agencies engaging in enforcement activities must submit a Monthly Enforcement Data Report on the form provided by the Department no later than fifteen (15) days after the end of each month. If the Agency fails to submit a Monthly Enforcement Data Report or submits an incomplete Monthly Enforcement Data Report, the Agency will be subject to having cost reimbursement requests withheld. Once a Monthly Enforcement Data Report that substantiates adequate progress is received, cost reimbursement requests will be processed. The agency head must sign the form. However, the agency head may assign a designee to sign the form by providing written signature authority to the GHSP.
- 16. Conditions for Local Governmental Agencies.**
- (a) **Resolution Required.** If the Agency is a local governmental entity, a resolution from the governing body of the Agency is required on a form provided by the Department.
- (b) **Resolution Content.** The resolution must contain a commitment from the governing body to provide the local funds as indicated in this contract. Additionally, the resolution is required even if the funding is one hundred percent from federal sources, as it serves as recognition by the governing body of federal funding for purposes of Section A-6 above.
- 17. Seat Belt Policy and Use.** Agency must adopt and enforce a seat belt use policy required for all seating positions unless exempted by state law.
- 18. Text Messaging Policy.** Agency must adopt and enforce a policy banning text messaging while driving unless exempted by state law.
- 19. Prohibited Interests.** No member, officer, or employee of the Agency during his or her tenure, and for at least one (1) year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof or therefrom.
- 20. Continued Federal and State Funding.**
- (a) **Federal Funding.** The Agency agrees and understands that continuation of this project with Federal funds is contingent upon Federal funds being appropriated by the United States Congress specifically for that purpose. The Agency further agrees and understands that in the event funds originally

appropriated by Congress for these grants are subsequently reduced by further acts of Congress, funding to the Agency may be proportionately reduced.

- (b) **State Funding.** The Agency agrees and understands that continuation of this project with funds from the State of North Carolina is contingent upon State funds being appropriated by the General Assembly specifically for that purpose. The Agency also agrees that any state funds received under this contract are subject to the same terms and conditions stated in this Agreement.

**21. Performance.** All grants provided by the Governor's Highway Safety Program are performance-based and, as such, require that continual progress be made toward the reduction of the number and severity of traffic crashes. Any agency, whose performance is deemed unsatisfactory by the GHSP, shall be subject to the sanctions as provided for in this contract. Additionally, unsatisfactory performance shall be cause for the Department to reduce or deny future funding.

**22. Resolution of Disputes.** Any dispute concerning a question of fact in connection with the work not disposed of by contract by and between the Agency and the Department, or otherwise arising between the parties to this contract, shall be referred to the Secretary of the North Carolina Department of Transportation and the authorized official of the Agency for a negotiated settlement. In any dispute concerning a question of fact in connection with the project where such negotiated settlement cannot be resolved in a timely fashion, the final decision regarding such dispute shall be made by the Secretary of the North Carolina Department of Transportation, with the concurrence of the Federal funding agency, and shall be final and conclusive for all parties.

**23. Department Held Harmless.**

(a) **For State Agencies.** Subject to the limitations of the North Carolina Tort Claims Act, the Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

(b) **For Agencies Other Than State Agencies.** The Agency shall be responsible for its own negligence and holds harmless the Department, its officers, employees, or agents, from all claims and liability due to its negligent acts, or the negligent acts of its subcontractors, agents, or employees in connection with their services under this contract.

**24. Records Access and Retention.** The Agency shall provide all information and reports required by the regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Department, the State, NHTSA, or FHWA, as appropriate, to be pertinent to ascertain compliance with such regulations, orders and instructions. Furthermore, the Agency shall maintain such materials during the contract period, and for five (5) years from the date of final payment from the Department or until all audit exceptions have been resolved, for such inspection and audit. Where any information required of the Agency is in the exclusive possession of another who fails or refuses to furnish this information, the Agency shall so certify to the Department, State, NHTSA, or FHWA, as appropriate, and shall set forth what efforts it has made to obtain the information. Pursuant to N.C.G.S. §147-64.7, the Department, the State Auditor, appropriate federal officials, and their respective authorized employees or agents are authorized to examine all books, records, and accounts of the Agency insofar as they relate to transactions with any department, board, officer, commission, institution, or other agency of the State of North Carolina pursuant to the performance of this Agreement or to costs charged to this Agreement.

**25. Sanctions for Non-Compliance.** The applicant Agency agrees that if it fails or refuses to comply with any provisions and assurances in this contract, the Department may take any or all of the following actions:

- (a) Cancel, terminate, or suspend this contract in whole or in part;
- (b) Withhold reimbursement to the Agency until satisfactory compliance has been attained by the Agency;
- (c) Refrain from extending any further funding to the Agency under this contract with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the Agency;
- (d) Refer the case to the United States Department of Justice for appropriate legal proceedings.

**26. Cancellation, Termination, or Suspension of Contract.**

- (a) **By the Department.** For noncompliance with any of the said rules, regulations, orders or conditions, due to management deficiencies or criminal activity this contract may be immediately canceled, terminated, or suspended in whole or in part by the Department. For noncompliance not indicative of management deficiencies or criminal activity the Department shall give sixty (60) days written notice

to take corrective action. If the Agency has not taken the appropriate corrective action after sixty (60) days the Department may cancel, terminate, or suspend this contract in whole or in part.

- (b) **By mutual consent.** The Agency or the Department may terminate this contract by providing sixty (60) days advanced written notice to the other party.
- (c) **Unexpended funds.** Any unexpended funds remaining after cancelation or termination will revert to the Department.

**27. Completion Date.** Unless otherwise authorized in writing by the Department, the Agency shall commence, carry on, and complete the project as described in the approved Highway Safety Project Contract by September 30 of the Federal fiscal year for which it was approved.

**28. E-Verify requirements.** If this contract is subject to NCGS 143-133.3, the contractor and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NC General Statutes.

**29. Certification of Eligibility Under the Iran Divestment Act.** Pursuant to G.S. 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to G.S. 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. The Iran Divestment Act of 2015, G.S. 147-55 et seq. requires that each Agency, prior to contracting with the State certify, and the undersigned Agency Authorizing Official on behalf of the Agency does hereby certify, to the following:

- (a) that the Agency is not now and was not at the time of the execution of the Contract dated below identified on the Final Divestment List of entities that the State Treasurer has determined engages in investment activities in Iran;
- (b) that the Agency shall not utilize on any contract with the State agency any subcontractor that is identified on the Final Divestment List; and
- (c) that the undersigned Agency Authorizing Official is authorized by the Agency to make this Certification.

**30. Agency Fiscal Year.** The end date for the Agency's fiscal year is 6/30/2023.

**31. Signature.** By signing below, the Agency agrees to adhere to the terms and conditions of this Agreement.

AGENCY PROJECT DIRECTOR		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER
AGENCY AUTHORIZING OFFICIAL		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER
AGENCY OFFICIAL AUTHORIZED TO RECEIVE FUNDS		
NAME	TITLE	ADDRESS
SIGNATURE	DATE	TELEPHONE NUMBER





# Request for Town Council Action

<b>Consent Agenda Item:</b>	Accept State Funds
<b>Date:</b>	08/02/2022

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**Subject:** Accept State ARP Grant Funds  
**Department:** General Government & Water/Sewer  
**Presented by:** Town Manager Michael Scott  
**Presentation:** Consent Agenda Item

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## Issue Statement

During the FY 2022 State budget process, the State Legislature awarded Directed American Rescue Plan Grants to the Town of Smithfield in the amount of \$3,000,000. The Council must formally accept these funds from the State by approving the attached resolution.

## Financial Impact

\$3,000,000 in revenue.

## Action Needed

Approve Resolution No.703 (12-2022) accepting the State Funds designated for Smithfield.

## Recommendation

Approve Resolution No. No.703 (12-2022)

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 703 (12-2022)



# Staff Report

**Consent  
Agenda  
Item:**

State ARP  
Directed  
Grants

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The State of North Carolina awarded the Town of Smithfield \$3,000,000 in directed grants for the following projects:

- Increase Capacity of Pump Station #11 and build Outfall Line East of I-95.
- Increase Capacity of Pump Station #1
- Build Force Main Sewer Line in North Smithfield

Attached is a resolution formally accepting these funds.



**TOWN OF SMITHFIELD  
RESOLUTION NO. 703 (12-2022)  
BY GOVERNING BODY OF RECIPIENT**

**WHEREAS**, the Town of Smithfield has received an earmark for the American Rescue Plan (ARP) funded from the State Fiscal Recovery Fund established in S.L. 2021-180 to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

**WHEREAS**, the North Carolina Department of Environmental Quality has offered American Rescue Plan (ARP) funding in the amount of \$3,000,000 to perform work detailed in the submitted application, and

**WHEREAS**, the Town of Smithfield intends to perform said project in accordance with the agreed scope of work,

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

That The Town of Smithfield does hereby accept the American Rescue Plan Grant offer of \$3,000,000

That the Town of Smithfield does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Town Manager, Michael L. Scott, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 2<sup>nd</sup> day of August, 2022 at Smithfield, North Carolina.

\_\_\_\_\_  
M. Andy Moore, Mayor

\_\_\_\_\_  
Date





# Request for Town Council Action

**Consent**   **EDA Grant**  
**Agenda**   **Admin**  
**Item:**   **Contract**  
**Date:**   **08/02/2022**

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**Subject:** EDA Grant Administration Contract  
**Department:** General Government  
**Presented by:** Town Manager – Michael Scott  
**Presentation:** Consent Agenda Item

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## Issue Statement

The Economic Development Administration (EDA) has awarded a grant of \$3.8 million, with the Town match being about \$1.1 million. Staff is recommending awarding a contract to Skip Green and Associates to administer the grant over the next ten years.

## Financial Impact

\$38,000, due as specified within the contract, between contract approval and construction completion.

## Action Needed

To approve the contract

## Recommendation

Approve contract

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Grant Award
3. Contract



# Staff Report

**Consent  
Agenda  
Item**   **EDA Grant  
Admin  
Contract**

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During Fiscal Year, 2022, the Town Council approved submitting a grant application to the Economic Development Administration (EDA) for a sewer outfall line and pump station upgrade in West Smithfield. The grant totaled \$3,795,880 which included a Town match amount of \$1,095,880. The grant was awarded in June of 2022 and accepted by resolution by the Council later that some month.

Skip Green and Associates were the author of the grant framework and has worked with Town Staff through a recent kick-off meeting with EDA personnel. The Town requires a company to administrate the grant and complete all the necessary paperwork for execution, construction and reimbursement of the nearly \$3.8 million. The construction is expected to be completed in 2026 with final reports submitted to EDA in 2032.

Staff is requesting the Town contract with Skip Green and Associates to administer the EDA Grant and complete final economic reports through 2032. The cost of the contract is \$38,000. A copy of the contract is attached.

These expenses will be paid through the "contracted services" line of the Water/Sewer Distribution budget, as EDA monies in this grant are not budgeted for administrative purposes.

GRANT     COOPERATIVE AGREEMENT

**FINANCIAL ASSISTANCE AWARD**

FEDERAL AWARD ID NUMBER  
**04-79-07713**

RECIPIENT NAME  
**Town of Smithfield**

PERIOD OF PERFORMANCE  
**52 months after date of EDA approval**

STREET ADDRESS  
**350 East Market Street**

FEDERAL SHARE OF COST  
\$ **2,700,000**

CITY, STATE, ZIP CODE  
**Smithfield, North Carolina 27577**

RECIPIENT SHARE OF COST  
\$ **1,095,880**

AUTHORITY  
**Public Works and Economic Development Act of 1965, as amended**

TOTAL ESTIMATED COST  
\$ **3,795,880**

CFDA NO. AND NAME  
**11.307 Economic Adjustment Project**

PROJECT TITLE  
**Sewer Improvements**

This Award Document (Form CD-450) signed by the Grants Officer constitutes an obligation of Federal funding. By signing this Form CD-450, the Recipient agrees to comply with the Award provisions checked below and attached. Upon acceptance by the Recipient, the Form CD-450 must be signed by an authorized representative of the Recipient and returned to the Grants Officer. If not signed and returned without modification by the Recipient within 30 days of receipt, the Grants Officer may unilaterally withdraw this Award offer and de-obligate the funds.

- DEPARTMENT OF COMMERCE FINANCIAL ASSISTANCE STANDARD TERMS AND CONDITIONS
- R & D AWARD
- FEDERAL-WIDE RESEARCH TERMS AND CONDITIONS, AS ADOPTED BY THE DEPT. OF COMMERCE
- SPECIFIC AWARD CONDITIONS (See attached Exhibit "A")
- LINE ITEM BUDGET (See Attachment 1)
- 2 CFR PART 200, UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS, AS ADOPTED PURSUANT TO 2 CFR § 1327.101
- 48 CFR PART 31, CONTRACT COST PRINCIPLES AND PROCEDURES
- MULTI-YEAR AWARD. PLEASE SEE THE MULTI-YEAR SPECIFIC AWARD CONDITION.
- OTHER(S): EDA Standard Terms and Conditions for Construction Projects, dated March 22, 2021

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SIGNATURE OF DEPARTMENT OF COMMERCE GRANTS OFFICER  
**H. Philip Paradice, Jr., Director, Atlanta Regional Office**    **H. Philip Paradice, Jr.** Digitally signed by H. Philip Paradice, Jr  
Date: 2022.06.07 15:05:31 -04'00'

PRINTED NAME, PRINTED TITLE, AND SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL  
**Michael Scott, Town Manager, Town of Smithfield**

SKIP GREEN AND ASSOCIATES, INC.  
PROFESSIONAL SERVICES AGREEMENT

AGREEMENT

This Agreement made and entered into this \_\_\_th day of July, 2022 by and between Skip Green and Associates, Inc. hereinafter referred to as "Contractor" and the Town of Smithfield, hereinafter referred to as the "Client" to provide services as related to the Client's Economic Development Administration (EDA), U.S. Department of Commerce, Public Investment 04-79-07713, Sewer Improvements Project.

WITNESSETH:

THAT WHEREAS, the Contractor is engaged in the principal business of providing administrative, planning and grant services to Private entities, individuals and special purpose units of government; and

WHEREAS, the Client has received an EDA, U.S. Department of Commerce grant to make improvements to Town of Smithfield's wastewater transmission facilities; and

WHEREAS, the Client desires to utilize the Contractor to provide administrative services in connection with this grant; and

NOW, THEREFORE in consideration of the mutual promises and agreement to each other hereinafter set forth, Contractor and Client agree as follows:

SECTION ONE:  
SCOPE AND TERM OF EMPLOYMENT

The Contractor will provide services to the Client as contained in "Exhibit A" which is attached to this agreement and made a part hereof.

SECTION TWO:  
COMPENSATION OF CONTRACTOR

For and in consideration of the services, which may be provided under this Agreement, the Client hereby agrees to compensate the Contractor a lump sum fee of \$38,000 for EDA grant application preparation and administrative services. Administration payments will be due and payable as outlined in "Exhibit B" which is attached to this agreement and made a part hereof.

SECTION THREE:  
MODIFICATION OF CONTRACT

No waiver or modification of this Agreement or of any covenant, condition, or limitation herein contained shall be valid unless in writing and duly executed by Contractor and Client and no evidence of any waiver or modification shall be offered or received in evidence of any proceeding, arbitration, or litigation between the parties hereto arising out of or affecting this Agreement or the rights or obligations of the parties hereunder, unless such waiver or modification is in writing, duly executed as aforesaid, and the parties further agree that the provisions of this section may not be waived except as herein set forth.

SECTION FOUR:  
LEGAL REMEDIES/TERMINATION

If through any cause, Contractor or Client fails to fulfill in a timely and proper manner the obligations under this contract, Contractor and Client shall thereupon have the right to terminate this contract by giving fifteen (15) days written notice to the other party of such termination and by specifying the cause of termination and the effective date thereof. In any event, all finished or unfinished deliverable items prepared by the Contractor under this contract shall entitle the Contractor to receive just and equitable compensation for work completed and deliverable. Payment shall be for accrued fees for services and expenses incurred remaining unpaid at the time of termination. It is further agreed that any breach or evasion of any of the terms of this contract by either party will authorize recourse to injunction and/or specific performance as well as to all other legal or equitable remedies to which such injured party may be entitled hereunder.

SECTION FIVE:  
IMPOSSIBILITY OF PERFORMANCE

Neither the Contractor or Client shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations by an act of war, hostile foreign action, nuclear explosion, riot, strikes, boycott, civil insurrection, earthquake, hurricane, tornado or other catastrophic natural event or act of God.

SECTION SIX:  
SEVERABILITY

All agreements and covenants contained herein are severable, and in the event any of them, with the exception of those contained in Section One and Three hereof, shall be held to be invalid by any competent court of law, this contract shall be interpreted as if such invalid agreements or covenants were not contained herein.

SECTION SEVEN:

## CHOICE OF LAW

It is the intention of the Contractor and Client that this Agreement and the performance hereunder and all suits and special proceedings hereunder be construed in accordance with and under and pursuant to the federal laws and to the laws of North Carolina and that in any action, special proceeding or other proceeding that may be brought arising out of, in connection with, or by reason of this Agreement, the federal laws or the laws of the State of North Carolina shall be applicable and shall govern to the exclusion of any other forum, without regard to the jurisdiction in which any action or special proceeding may be instituted.

## SECTION EIGHT: CONFLICT OF INTEREST

No member, officer, or employee of the recipient, or its agents, no members of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her tenure or for one year thereafter, shall have any financial interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under this Agreement. Immediate family members of said members, officers, employees, and officials are similarly barred from having any financial interest in the program. The recipient shall incorporate, or cause to be incorporated, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this section.

## SECTION NINE: ADDITIONAL SERVICES

This contract may be modified as set forth in "SECTION THREE" to enable additional services to be performed. Additional services are those resulting from (1) the Contractor being asked to perform duties beyond those contained in the original scope of work and (2) the Contractor having to spend additional time to complete activities due to circumstances beyond the Contractor's control. The Contractor's lump sum does not include compensation for providing additional services.

a. The Contractor shall provide additional services, as requested in writing by the Client and accepted by the Contractor, at an hourly rate of \$90.00.

b. In the event that the project completion is anticipated to fall behind schedule due to circumstances beyond the control of the Contractor, the Contractor shall request additional compensation from the Client at hourly and per diem rates contained in the Contractor's proposal to provide administrative services, which by attachment is a part of this Agreement.



SECTION TEN:  
EDA CONTRACT SIGNATURE PAGE

This Agreement now therefore executed as each party hereunto sets their hand and seal as of the date first mentioned above.

CONTRACTOR:

CLIENT:

**Skip Green and Associates, Inc.**

**Town of Smithfield**

\_\_\_\_\_  
Jesse W. Green, Jr., President

\_\_\_\_\_

\_\_\_\_\_ Date

\_\_\_\_\_ Date

**EXHIBIT A**

**PROFESSIONAL MANAGEMENT SCOPE OF SERVICES**

Skip Green and Associates, Inc. scope of services will include the following services:

A. Project Management

1. Develop a recordkeeping and filing system consistent with program guidelines.
2. Maintenance of filing system.
3. Provide general advice and technical assistance to Town personnel on implementation of project and regulatory matters.
4. Assist in the procurement of professional consulting engineering/architectural services through the request for proposal process, if applicable, and as required by the EDA regulations.
5. Furnish Town with necessary forms and procedures required for implementation of project.
6. Assist the Town in meeting special condition requirements that may be stipulated in the contract between the Town and EDA.
7. Prepare and submit to EDA documentation necessary for amending the any contract.
8. Conduct re-assessment of environmental clearance for any program amendments.
9. Prepare and submit quarterly, semi-annual financial, and close-out reports.
10. Ensure that activities/documentation meet EDA requirements for applicable project management checklists.
11. Provide guidance to the Town regarding acquisition of property, if applicable.

B. Financial Management

1. Assist the Town in submitting the required ACH Form to EDA.
2. Ensure the adoption of a Project Budget Ordinance.
3. Prepare all EDA Outlay Request for Reimbursement, worksheets, with support documentation for Town review, approval and signature, then transmit to EDA at 25%; 50%; 75%; 90% and at Project Close-out.
4. Review invoices received for payment and file back-up documentation.
5. Provide general advice and technical assistance to Town personnel on implementation of project and regulatory matters.

C. Construction Management

1. Ensure Engineer/Architect's design scope is consistent with approved EDA project scope.
2. Provide the Engineer/Architect all required EDA contract provisions to be included with bid documents, including applicable Davis Bacon wage rates.
3. Coordinate the development of plans and specifications; permitting; meeting EDA Special Conditions to enable bidding to proceed; bidding; contract award; and issuance of notice-to-proceed with Engineer/Architect/Town and obtain documentation to submit to EDA to show project compliance with EDA checklists/contracting procedures.
4. Provide EDA project management guidance at Pre-construction conference and submit Pre-construction conference notes to EDA.
5. Take photos of EDA sign and submit to EDA.
6. Process and submit change orders to EDA.
7. Serve as the Project "Labor Standard Officer:
  - a. Request wage rates from US Department of Labor.
  - b. Submit any reports of additional classification and rates to US DOL and transmit to EDA.
  - c. Review weekly payrolls, including compliance follow-ups.
  - d. Conduct employee interviews.

D. Audit / Closeout Procedures

1. Prepare the Final Acceptance Report for appropriate signatures to submit to the EDA.
2. Assist Town in resolving any monitoring and audit findings.
3. Assist Town in resolving any third-party claims.
4. Provide auditor with EDA audit guidelines.

EXHIBIT B

**COMPENSATION**

**Economic Development Administration, U.S. Department of Commerce, Economic Adjustment Project.**

Application Preparation

Lump sum payment of                      \$8,000  
Subject to application approval

Project Administration

Lump sum payment of                      \$30,000

Project schedule: Project begins: 06/07/2022  
Project ends: 06/07/2026

15% of the lump sum payment (\$4,500) will be paid as 47 equal payments (\$93) and a 48th payment of \$129 for general project administration.

80% of the lump sum payment (\$24,000) will be paid based on the percentage of construction that has been completed. The percentage will be based on the total work completed to date divided by the approved construction contract amount.

5% of the lump sum payment (\$1,500) will be paid after the submittal of EDA close-out documents and the Town's receipt of the final EDA payment.

Any unpaid amounts up to the lump sum will be paid upon the Town's receipt of the final EDA payment.

The lump sum amount includes all contractor costs associated with project administration including travel, supplies, copying, mailing, etc.



# Request for Town Council Action

<b>Consent Agenda Item:</b>	Purchase of Trash Truck
<b>Date:</b>	08/02/2022

**Subject:** Purchase of 2023 International HV607 Trash Truck  
**Department:** Public Works Sanitation Division  
**Presented by:** Public Works Director - Lawrence Davis  
**Presentation:** Consent Agenda Item

### Issue Statement

The Public Works Department is proposing the purchase of a 2023 International trash truck from Carolina Environmental Systems in the amount of \$227,987.00

### Financial Impact

If approved by Council, the purchase of the new trash truck would call for an additional \$10,987.00 added to Fiscal 22-23 budget approved by the council.

### Action Needed

Council approved \$217,000. for the FY 22-23. Due to inflation, an additional \$10,987.00 is needed to cover the total cost. Award the contract to Carolina Environmental System for purchase of trash truck, totaling \$227,987.00, with the additional funds provided by ARPA Fund revenue.

### Recommendation

Staff recommends awarding the purchase contract to the lowest bidder Carolina Environmental in the amount of \$227,987.00. Approving the additional amount of \$10,987.00 due to inflation of the truck.

Approved:  Town Manager  Town Attorney

### Attachments:

1. Staff Report
2. Quotes



# Staff Report

**Consent  
Agenda  
Item:**

Purchase of  
Trash Truck

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The Town Council approved \$217,000 in ARPA Funds in the Public Works Sanitation capital line to purchase a new sanitation truck. The Public Works department received proposals from three (3) companies and are as follows.

- |                                   |              |
|-----------------------------------|--------------|
| 1. Carolina Environmental Systems | \$227,987.00 |
| 2. Joe Johnson Equipment          | \$239,828.26 |
| 3. Amick Equipment                | \$243,260.97 |

It is the recommendation of the Public Works department to purchase the 2023 International (25CY) trash truck from Carolina Environmental Systems for the amount of \$227,987.00 with the additional \$10,987 also coming from ARPA Funds.

**Carolina Environmental Systems, Inc.**  
**306 Pineview Drive, Kernersville, NC 27284**  
**2701 White Horse Road, Greenville, SC 29611**  
**500 Lee Industrial Blvd, Austell, Ga 30168**  
**Phone: 800-239-7796**  
**336-904-0952**

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QUOTE

June 13, 2022  
Town of Smithfield  
231 Hospital Rd  
Smithfield, NC 27577  
Attention: Mr. Lawrence Davis

Dear Lawrence,

CES appreciates the opportunity to quote you the following:

One (1) Heil DuraPack 5000 25 cubic yard heavy duty compaction rear loading refuse body- complete with all standard specifications and with the following optional equipment:

- Direct Mount Hot Shift PTO with overspeed control and gear pump
- Single LED hopper light
- LED body side back assist lights
- Dual front LED strobes
- Multi-Function LED strobe/turn lamps
- Dual rear driver signal buzzers
- Factory dual cart tipper hydraulics with two (2) Diamondback Model 500 cart tippers
- Heavy duty hopper package
- 5 gallon Igloo cooler with underbody brackets
- Broom and shovel rack
- 18" x 18" x 36" toolbox
- Mudflaps ahead of rear tandem
- 3<sup>rd</sup> Eye rear vision camera system

All as per the above and mounted on one (1) 2023 International HV607 cab/chassis complete as per the enclosed specification

**Heil/Sourcewell Contract 091219-THC Sales Price: \$227,987**

**Budgetary Sales Figure for 2023: \$250,000**

Optional Extended Chassis Warranty:

For a five (5) year 150,000 mile Cummins engine, engine aftertreatment & Allison transmission warranty please add \$4,400

FOB: Your yard

Delivery: Approximate delivery for 2<sup>nd</sup> or 3<sup>rd</sup> quarter 2023, subject to prior sale

## INTERNATIONAL®

**Prepared For:**  
Carolina Environmental Systems  
Maxwell Taylor  
2750 NC-66  
Kernersville, NC 27284-  
(864)832 - 9264  
Reference ID: N/A

**Presented By:**  
LILLEY INTERNATIONAL  
Nick Timper  
1526 S BOUNT ST.  
RALEIGH NC 276032508  
919-832-5871

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.

### Model Profile 2023 HV607 SBA (HV607)

<b>AXLE CONFIG:</b>	6X4
<b>APPLICATION:</b>	Rear Loader
<b>MISSION:</b>	Requested GVWR: 62000. Calc. GVWR: 54780. Calc. GCWR: 80000 Calc. Start / Grade Ability: 20.91% / 2.12% @ 55 MPH Calc. Geared Speed: 67.1 MPH
<b>DIMENSION:</b>	Wheelbase: 224.00, CA: 156.90, Axle to Frame: 96.00
<b>ENGINE, DIESEL:</b>	{Cummins L9 350} EPA 2021, 350HP @ 2200 RPM, 1050 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 350 Peak HP (Max)
<b>TRANSMISSION, AUTOMATIC:</b>	{Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 62,000-lb GVW Max, Refuse/Mixer Omit Item (Clutch & Control)
<b>CLUTCH:</b>	{Meritor MFS-16-143A} Wide Track, I-Beam Type, 16,000-lb Capacity
<b>AXLE, FRONT NON-DRIVING:</b>	{Meritor MT-40-14X-4DFR} Single Reduction, 40,000-lb Capacity, .433"(11mm) Wall Housing
<b>AXLE, REAR, TANDEM:</b>	Thickness, R Wheel Ends Gear Ratio: 6.14
<b>CAB:</b>	Conventional, Day Cab
<b>TIRE, FRONT:</b>	(2) 12R22.5 Load Range H HSR2 (CONTINENTAL), 483 rev/mile, 75 MPH, All-Position
<b>TIRE, REAR:</b>	(8) 11R22.5 Load Range G HDL2 (CONTINENTAL), 493 rev/mile, 75 MPH, Drive
<b>SUSPENSION, REAR, TANDEM:</b>	{Hendrickson RT-463} Walking Beam, 46,000-lb Capacity, 54" Axle Spacing, Multileaf Springs, with Bronze Center Bushings
<b>FRAME REINFORCEMENT:</b>	Full Outer C-Channel, Heat Treated Alloy Steel (120,000 PSI Yield), 10.813" x 3.892" x 0.312" (274.6mm x 98.8mm x 7.9mm), 480.0" (12192mm) OAL
<b>PAINT:</b>	Cab schematic 100WL Location 1: 9219, Winter White (Std) Chassis schematic N/A



## **INTERNATIONAL®**

### Vehicle Specifications 2023 HV607 SBA (HV607)

#### Description

Base Chassis, Model HV607 SBA with 224.00 Wheelbase, 156.90 CA, and 96.00 Axle to Frame.

TOW HOOK, FRONT (2) Frame Mounted

AXLE CONFIGURATION {Navistar} 6x4

#### Notes

: Pricing may change if axle configuration is changed.

FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.125" x 3.580" x 0.312" (257.2mm x 90.9mm x 8.0mm); 480.0" (12192) Maximum OAL

FRAME REINFORCEMENT Full Outer C-Channel, Heat Treated Alloy Steel (120,000 PSI Yield), 10.813" x 3.892" x 0.312" (274.6mm x 98.8mm x 7.9mm), 480.0" (12192mm) OAL

BUMPER, FRONT Contoured, Steel, Chrome Plated

FRAME, SPECIAL EFFECTS Dimple on Left and Right Top Flange of Frame Rail to Reference Rear Axle Centerline

BUMPER EXTENSION, FRONT 4.0"

WHEELBASE RANGE 221" (560cm) Through and Including 262" (665cm)

BRACKET, CAB MOUNT Heavy Duty

AXLE, FRONT NON-DRIVING {Meritor MFS-16-143A} Wide Track, I-Beam Type, 16,000-lb Capacity

SUSPENSION, FRONT, SPRING Parabolic Taper Leaf, Shackle Type, 16,000-lb Capacity, with Shock Absorbers

BRAKE SYSTEM, AIR Dual System for Straight Truck Applications

#### Includes

: BRAKE LINES Color and Size Coded Nylon

: DRAIN VALVE Twist-Type

: GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster

: PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel

: PARKING BRAKE VALVE For Truck

: QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4

: SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6

DRAIN VALVE {Berg} with Pull Chain, for Air Tank

AIR BRAKE ABS {Bendix AntiLock Brake System} 4-Channel (4 Sensor/4 Modulator) Full Vehicle Wheel Control System

AIR DRYER {Bendix AD-9} with Heater

BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 Sqn Spring Brake

BRAKE CHAMBERS, FRONT AXLE {Bendix} 24 Sqn

SLACK ADJUSTERS, FRONT {Haldex} Automatic

SLACK ADJUSTERS, REAR {Haldex} Automatic

AIR COMPRESSOR {Cummins} 18.7 CFM

AIR DRYER LOCATION Mounted Inside Left Rail, Back of Cab

AIR TANK LOCATION (2) Mounted Under Battery Box, Outside Right Rail, Under Cab

DUST SHIELDS, FRONT BRAKE for Air Cam Brakes

DUST SHIELDS, REAR BRAKE for Air Cam Brakes

BRAKES, REAR {Meritor 16.5X8.625 Q-PLUS CAST} Air S-Cam Type, Cast Spider, Fabricated Shoe, Double Anchor Pin, Size 16.5" X 8.625", 23,000-lb Capacity per Axle

**INTERNATIONAL®****Vehicle Specifications**  
**2023 HV607 SBA (HV607)****Description**

BRAKES, FRONT {Meritor 16.5X6 Q-PLUS CAST} Air S-Cam Type, Cast Splder, Fabricated Shoe, Double Anchor Pin, Size 16.5" X 6", 20,000-lb Capacity

PARK BRAKE CHAMBERS, ADDITIONAL (2) Spring Brake Type

STEERING COLUMN Tilling and Telescoping

STEERING WHEEL 4-Spoke; 18" Dia., Black Leather Wrapped

STEERING GEAR (2) {Sheppard M100/M80} Dual Power

DRIVELINE SYSTEM {Dana Spicer} 1710 Main Driveline with 1710 Interaxle Shaft, for 6x4

EXHAUST SYSTEM Horizontal Aftertreatment System, Frame Mounted Under Right Rail Back of Cab, Includes Single Short Horizontal Tail Pipe

ENGINE EXHAUST BRAKE for Cummins ISB/B6.7/ISL/L9 Engine with Variable Vane Turbo Charger

ELECTRICAL SYSTEM 12-Volt, Standard Equipment

**Includes**

: DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab

: HAZARD SWITCH Push On/Push Off, Located on Instrument Panel to Right of Steering Wheel

: HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever

: PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light

: STARTER SWITCH Electric, Key Operated

: STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector

: TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature

: WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever

: WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted

: WIRING, CHASSIS Color Coded and Continuously Numbered

CIGAR LIGHTER Includes Ash Cup

POWER SOURCE Cigar Type Receptacle without Plug and Cord

ALTERNATOR {Leece-Neville AV1160P2013} Brush Type, 12 Volt, 160 Amp Capacity, Pad Mount, with Remote Sense

BODY BUILDER WIRING Rear of Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/Turn

BATTERY SYSTEM {Fleetrite} Maintenance-Free, (2) 12-Volt 1900CCA Total, Top Threaded Stud

BATTERY DISCONNECT SWITCH {Cole-Hersee 75920-06} 300 Amp, Disconnects Charging Circuits, Locks with Padlock, Battery Box Mounted

SPEAKERS (2) 6.5" Dual Cone Mounted in Doors

ANTENNA Shark Fin, Roof Mounted

RADIO AM/FM/WB/Clock/Bluetooth/USB Input/Auxillary Input

BATTERY BOX Steel, with Plastic Cover, 30" Wide, 2-4 Battery Capacity, Mounted Right Side Under Cab

HORN, ELECTRIC Disc Style

WIRING, FEEDER DATA TERMINAL Cab Wiring for "Feeder Data Terminal" FDT System; Includes Extra 9-Pin Diagnostic Connector Located Behind the Instrument Panel

CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade

TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights

STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt, Less Thermal Over-Crank Protection

INDICATOR, LOW COOLANT LEVEL with Audible Alarm

## **INTERNATIONAL®**

### Vehicle Specifications 2023 HV607 SBA (HV607)

#### Description

CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses

TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender

HORN, AIR Single Trumpet, Black, with Lanyard Pull Cord

HEADLIGHTS Halogen

FENDER EXTENSIONS Omit

LOGOS EXTERIOR Model Badges

LOGOS EXTERIOR, ENGINE Badges

GRILLE Chrome

FRONT END Tilting, Fiberglass, with Three Piece Construction, Sloped Front

PAINT SCHEMATIC, PT-1 Single Color, Design 100

#### Includes

: PAINT SCHEMATIC ID LETTERS "WL"

PAINT TYPE Base Coat/Clear Coat, 1-2 Tone

COMMUNICATIONS MODULE Telematics Device with Over the Air Programming; Includes Five Year Data Plan and International 360

DUAL DRIVE Customer Intends to Convert to In-Cab Dual Drive Positions

MUD FLAPS, FRONT WHEELS (2) Rubber, Mounted on Fender Extension, for Tire Size 425/445

CLUTCH Omit Item (Clutch & Control)

ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection

BLOCK HEATER, ENGINE 120V/1000W, for Cummins ISB/B6.7/ISL/L9 Engines

#### Includes

: BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door

ENGINE, DIESEL {Cummins L9 350} EPA 2021, 350HP @ 2200 RPM, 1050 lb-ft Torque @ 1200 RPM, 2200 RPM Governed Speed, 350 Peak HP (Max)

FAN DRIVE {Horton Drivemaster} Two-Speed Type, Direct Drive, with Residual Torque Device for Disengaged Fan Speed

#### Includes

: FAN Nylon

RADIATOR Aluminum, 2-Row, Cross Flow, Over Under System, 1045 SqIn Louvered, with 373 SqIn Charge Air Cooler, Includes In-Tank Oil Cooler

#### Includes

: DEAERATION SYSTEM with Surge Tank

: HOSE CLAMPS, RADIATOR HOSES Gates Shrink Band Type; Thermoplastic Coolant Hose Clamps

: RADIATOR HOSES Premium, Rubber

AIR CLEANER with Service Protection Element

EMISSION, CALENDAR YEAR {Cummins L9} EPA, OBD and GHG Certified for Calendar Year 2022

THROTTLE, HAND CONTROL Engine Speed Control; Electronic, Stationary, Variable Speed; Mounted on Steering Wheel

ENGINE CONTROL, REMOTE MOUNTED No Provision for Remote Mounted Engine Control

CARB IDLE COMPLIANCE Federal, Does Not Comply with California Clean Air Idle Regulations

CARB EMISSION WARR COMPLIANCE Federal, Does Not Comply with CARB Emission Warranty

## **INTERNATIONAL®**

### Vehicle Specifications 2023 HV607 SBA (HV607)

#### Description

TRANSMISSION, AUTOMATIC {Allison 3000 RDS} 5th Generation Controls, Close Ratio, 6-Speed with Double Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, with 62,000-lb GVW Max, Refuse/Mixer

TRANSMISSION SHIFT CONTROL {Allison} Push-Button, for Allison 3000 & 4000 Series Transmission

TRANSMISSION OIL Synthetic; 29 thru 42 Pints

ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS), Front Loaders, Rear Loaders, Recycling/Packer Trucks, Package Number 142

NEUTRAL AT STOP Allison Transmission Shifts to Neutral When Service Brake is Depressed and Vehicle is at Stop; Remains in Neutral Until Service Brake is Released

SHIFT CONTROL PARAMETERS {Allison} 3000 or 4000 Series Transmissions, Performance Programming

PTO LOCATION Customer Intends to Install PTO at Left Side of Transmission

AXLE, REAR, TANDEM {Meritor MT-40-14X-4DFR} Single Reduction, 40,000-lb Capacity, .433"(11mm) Wall Housing Thickness, R Wheel Ends . Gear Ratio: 6.14

SUSPENSION, REAR, TANDEM {Hendrickson RT-463} Walking Beam, 46,000-lb Capacity, 54" Axle Spacing, Multileaf Springs, with Bronze Center Bushings

TRANSVERSE TORQUE RODS {Clevite} Standard, Transverse Rod Only

FUEL/WATER SEPARATOR {Racor 400 Series} with Primer Pump, Includes Water-in-Fuel Sensor, Mounted on Engine

FUEL TANK Top Draw, Non-Polished Aluminum, D-Style, 19" Tank Depth, 70 US Gal (265L), Mounted Left Side, Under Cab

DEF TANK 7 US Gal (26L) Capacity, Frame Mounted Outside Left Rail, Under Cab

CAB Conventional, Day Cab

AIR CONDITIONER with Integral Heater and Defroster

GAUGE CLUSTER Base Level; English with English Electronic Speedometer

#### Includes

: GAUGE CLUSTER DISPLAY: Base Level (3" Monochromatic Display), Premium Level (5" LCD Color Display); Odometer, Voltmeter, Diagnostic Messages, Gear Indicator, Trip Odometer, Total Engine Hours, Trip Hours, MPG, Distance to Empty/Refill for

: GAUGE CLUSTER Speedometer, Tachometer, Engine Coolant Temp, Fuel Gauge, DEF Gauge, Oil Pressure Gauge, Primary and Secondary Air Pressure

: WARNING SYSTEM Low Fuel, Low DEF, Low Oil Pressure, High Engine Coolant Temp, Low Battery Voltage (Visual and Audible), Low Air Pressure (Primary and Secondary)

IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster

SEAT, DRIVER {National 2000} Air Suspension, High Back with Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, with 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust

SEAT, TWO-MAN PASSENGER {National} Mid Back, Fixed Back, Vinyl, with Under Seat Storage

MIRRORS (2) C-Loop, Power Adjust, Heated, Black Heads and Arms, 7.5" x 14" Flat Glass, Includes 7.5" x 7" Convex Mirrors, for 102" Load Width

#### Notes

: Mirror Dimensions are Rounded to the Nearest 0.5"

SEAT BELT All Orange; 1 to 3

CONTROLS, CENTER PANEL Includes Ignition Switch, Headlights and Power Mirror Controls Located in Center Panel

CAB INTERIOR TRIM Classic, for Day Cab

#### Includes

: CONSOLE, OVERHEAD Molded Plastic with Dual Storage Pockets, Retainer Nets and CB Radio Pocket; Located Above Driver and Passenger

**INTERNATIONAL®****Vehicle Specifications**  
**2023 HV607 SBA (HV607)****Description**

: DOME LIGHT, CAB Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Overhead Console, Center Mounted

: SUN VISOR (2) Padded Vinyl; 2 Moveable (Front-to-Side) Primary Visors, Driver Side with Toll Ticket Strap

ARM REST, RIGHT, DRIVER SEAT

CAB SOUND INSULATION Includes Dash Insulator and Engine Cover Insulator

WINDOW, POWER (2) and Power Door Locks, Left and Right Doors, Includes Express Down Feature

FRESH AIR FILTER Attached to Air Intake Cover on Cowl Tray in Front of Windshield Under Hood

CAB REAR SUSPENSION Air Bag Type

CAB, INTERIOR TRIM, CLOSEOUT Under IP, Driver Side

INSTRUMENT PANEL Flat Panel

ACCESS, CAB Steel, Driver & Passenger Sides, Two Steps per Door, for use with Day Cab and Extended Cab

WHEELS, FRONT (Accuride 41730) DISC; 22.5x9.00 Rims, Standard Polish Aluminum, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs

WHEELS, REAR (Maxlon 90541) DUAL DISC; 22.5x8.25 Rims, Painted Steel, 2-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs

PAINT IDENTITY, REAR WHEELS Disc Rear Wheels; with Vendor Applied White Powder Coat Paint

BDY INTG, PTO ACCOMMODATION for (3) Latched Rocker Switches, (1) PTO Switch, (2) Generic Switches to Control (3) 30 amp relays, with Programmable Interlocks, for Body Builder Hook up in the Engine Compartment Left Side, Recommended for Automatic Transmissions

(8) TIRE, REAR 11R22.5 Load Range G HDL2 (CONTINENTAL), 493 rev/mile, 75 MPH, Drive

(2) TIRE, FRONT 12R22.5 Load Range H HSR2 (CONTINENTAL), 483 rev/mile, 75 MPH, All-Position

**Services Section:**

WARRANTY Standard for HV507, HV50B, HV607 Models, Effective with Vehicles Built July 1, 2017 or Later, CTS-2025A

**Body/Allied Equipment****Description**

CURRENT SURCHARGES ADDED. PRICE IS NOT GUARENTEED DUE TO MORE POSSIBLE SURCHARGES LATER ON DUE TO SUPPLY CHAIN ISSUES AND VENDOR PRICE INCREASES.

**Goods Purchased****Description**



**Joe Johnson  
Equipment**

*Subsidiary of Federal Signal Corporation*

704-289-6488



[jjei.com](http://jjei.com)



[info@jjei.com](mailto:info@jjei.com)



4519 Old Charlotte Hwy. Monroe NC 28110



July 7, 2022

Quote #: 0522014-R2

Town of Smithfield  
231 Hospital Rd  
Smithfield, NC 27577

**Re: Labrie LEACH 2R-III Heavy Duty Residential**

**Attn: Lawrence Davis**

We would like to take this opportunity to thank you for your interest in Joe Johnson Equipment (JJE) and Labrie's industry-leading line of innovative refuse equipment.

JJE is pleased to present the following quotation to provide one (1) Labrie LEACH 2R-III mounted on a new Freightliner Chassis.

We appreciate the opportunity to assist with this equipment requirement and ask that you not hesitate to contact us should additional information be required.

Respectfully Submitted,

**Doug Boice**  
Regional Sales Manager  
**Joe Johnson Equipment**  
Cell: (980)239-8055  
[dboice@jjeusa.com](mailto:dboice@jjeusa.com)



**Joe Johnson  
Equipment**

*Subsidiary of Federal Signal Corporation*

704-289-6488



jjei.com



info@jjei.com



4519 Old Charlotte Hwy. Monroe NC 28110



QUOTATION

To supply and deliver one (1) Labrie LEACH 2R-III mounted on a new Freightliner Chassis, equipped as described below:

**Body:**

- Labrie Leach 2R-III 25CY
- Chromium Overlay Slide Shoes and Guides Upgrade
- Load Sill 5" Below Chassis Frame
- Dual Cart Tippers
- Single Vane Pump
- Auto-Neutral on brake pedal
- Side Door Interlock
- Back up lights: Qty 2 additional on mid-body rubrails LED Type
- Lights: Multi-Function Strobe Lights
- Work Light: Hopper Flush Mount LED QTY 1
- Broom & Shovel Holders-Both Sides Tailgate - Broom and Plastic Shovel Included
- Centralized Grease System - Packer & Carrier Panels
- Fire Extinguisher - 20 lbs
- Full Center bearings on Packer Plate
- Rubber Anti Sail Mud Guards Front Rear Axle
- Side Door Ladder - with Grab Handle
- Tailgate Hinges Ground Level Grease Points
- Body: 1 Color Urethane
- Cans and tippers, adjustable load sill without side protection. Center Single tipper position.

**Purchase Price ..... \$239,828.26**

**Terms & Conditions**

**\*Strictly Subject to Availability and Prior Sale\***

**\*Subject to revision based on events beyond our control due to wildly fluctuating material prices\***

Pricing in USD, taxes and fees to be paid at time of tag & title if applicable

Price Includes PDI, delivery and training

FOB: Smithfield, NC

Payment Terms: Due upon receipt

Purchase order required

Delivery: To be confirmed at time of order

Quotation valid for 7 days

U005269

**Clean Air. Clean Water. Clean Streets.**



For NCSA Contract Purchases:  
 Please send P.O. to Amick & NCSA including:  
 Contract #, Spec #, Contact Info, & Fed. Tax ID #  
 NCSA: kmitman@ncsheriffs.net  
[LINK: NCSA Terms & Conditions](#)

CONTRACT #  
 22-06-0426  
 SPECIFICATION #  
 4434

END USER: SMITHFIELD, TOWN OF  
 LAWRENCE DAVIS  
 BODY INSTALL LOCATION: NEW WAY TRUCKS - IA, 101 STATE ST., SCRANTON, IA 51462

Description	Contract Price
-------------	----------------

MODEL: **NEW WAY COBRA MAGNUM**  
 BODY SIZE: **25 YARDS**  
 BODY PAINT: **WHITE**  
 BODY WARRANTY: **NEW WAY: 1 YR BODY & HYDRAULIC, 2 YR CYLINDER**

**STANDARD EQUIPMENT INCLUDED**

- HIGH COMPACTION REAR LOADER
- 3.55 YD HOPPER CAPACITY
- ALL LED LIGHTING PACKAGE, INCLUDING REVERSE AND LICENSE PLATE LIGHT.
- SAFETY SHUT DOWN E-STOP - CURBSIDE
- DRIVER ALERT BUZZER - CURBSIDE
- BODY ACCESS DOOR 30"X30"
- SAFETY INTERLOCK - PTO KILL SWITCH ON BODY ACCESS DOOR
- WEATHERPROOF ELECTRICAL JUNCTION BOX.
- FIRE EXTINGUISHER - 10LBS
- TRIANGLE SAFETY KIT
- REAR VIEW CAMERA - 5.6" COLOR MONITOR - SAFETY VISION
- BODY FLOOR 7GA 100K
- HOPPER FLOOR AND BACK 1/4" 100K
- TAILGATE LOWER SIDES 1/4" 100K
- SLIDE PANEL 7GA, 100K
- SWEEP PANEL 1/4" 100K
- EJECTION PANEL FACE 10GA 50K
- BODY SIDE PANELS 10GA. 80K
- SLIDE CYLINDERS 5" BORE
- SWEEP CYLINDERS: 4.5" BORE
- INDUCTION HARDENED SWEEP & SLIDE RODS
- FRAME MOUNTED HYDRAULIC TANK - FULLY ACCESSORIZED
- ZINC CLEAR COATED HYDRAULIC TUBES
- QUICK DISCONNECT PRESSURE PORT AT FRONT VALVE
- FACTORY MOUNTED BODIES ARE PRIMED & PAINTED WITH IMRON ELITE AUTOMOTIVE PAINT & HEAT CURED
- STANDARD FACTORY WARRANTY: 2YR CYLINDER / 1YR BODY / 1YR HYDRAULIC

**OPTIONAL UPGRADES AND ACCESSORIES INCLUDED**

- HOPPER LINER & BACK: 10 GA 80K
- 2 EXTRA VALVE SECTIONS FOR CART TIPPER INSTALLATION
- STREET SIDE LINKAGE TO OPERATE TIPPER VALVE SECTION
- ADD HYDRAULIC TUBING
- ACCESS DOOR STEPS (LADDER W/ HANDLES)
- PAINTED WHITE
- LED MID BODY BACKUP LIGHTS
- LED WORK LIGHTS: (2) MOUNTED UPPER TAILGATE SHINING IN HOPPER
- INTEGRATED STROBE LIGHTS: (2) MOUNTED UPPER TAILGATE
- INTEGRATED STROBE LIGHTS: (2) MOUNTED LOWER TAILGATE
- INTEGRATED STROBE: (2) FRONT BULKHEAD
- REAR VIEW CAMERA WITH 7" MONITOR
- COMPLETE MOUNT
- HOT SHIFT PTO PACK-ON-THE-GO
- REMOTE GREASE ZERK: TAILGATE & UPPER CYLINDER HINGE PIN
- SAFETY SHUTDOWN BOTH SIDES
- DRIVER ALERT BOTH SIDES
- NYLON SLEEVES ON HOSES
- GUARDS TO PROTECT ROOF HOSES



IN-CAB CONTROLS FOR TAILGATE & EJECT  
HYDRAULIC FILTER CONDITION INDICATOR LIGHT IN CAB

LOCAL OPTIONS INCLUDED

DUAL BARKER TIPPERS  
UPGRADE TO 27K ROTARY  
MODEL HB27-5539  
INSTALL DUAL BARKER TIPPERS

DEALER SERVICES INCLUDED

FREIGHT TO AMICK EQUIPMENT  
BODY PDI  
AECI MOBILE ON-SITE WARRANTY PKG., 12 MO.  
ON-SITE TRAINING - PROVIDED BY REQUEST

DELIVERY OPTION INCLUDED:

AECI DELIVERS TO CHASSIS DEALER FOR PDI.

Subtotal:	\$	107,300.41
Contract Discount - Options / Accessories:	\$	(1,077.44)
Subtotal:	\$	106,222.97

Chassis Description

MODEL: 2023 PETERBILT 567  
GVWR: 66000 LBS  
ENG & TRAN: PACCAR PX-9 / ALLISON 3000 RDS A/T  
PAINT: WHITE  
COMMENTS: SEE CHASSIS SPECIFICATIONS FOR COMPLETE DETAILS.  
NCSA Spec # Sourced Good - Non-Contract Chassis

Chassis Subtotal: \$ 137,038.00

Unit Subtotal: \$ 243,260.97

Tax - Motor Vehicle (SC IMF / NC HUT): AECI will not collect

Quantity: 1

Non-Refundable Deposit Required: N/A

Balance Due Upon Delivery: \$ 243,260.97

QUOTED BY: Matt Garon

DATE: 7/8/2022

EXPIRES: 8/8/2022

ORDER CONFIRMATION

SIGNATURE

DATE

Signature indicates customer's commitment to purchase equipment per specifications, pricing & terms above.

ADDITIONAL OPTIONS: Prices shown in "additional options available" section are not included in the "Total" price and do not include taxes.

TAXES: Unless itemized above, prices do not include local, state or federal taxes.

MOTOR VEHICLE TAXES: AECI no longer collects SC "IMF" or NC "Highway Use Tax". Either the chassis dealer or the DMV will collect motor vehicle tax/fees when registering vehicle.

PAYMENT TERMS: Payment is due PRIOR to delivery. When ample credit has been extended to customer, payment is due within 30 Days of invoice.

TITLEWORK / MCO: Allow 5-10 business days after receipt of payment to process Title or Manufacturer's Certificate of Origin (MCO).

QUOTE EXPIRATION: Pricing is honored for 30 days from date quoted, barring extenuating circumstances such as, but not limited to, volatile markets, factory price increases, etc. AECI makes every effort to give as much notice as possible in such instances.

DELIVERY ESTIMATES: ETA's are based on production schedules at the time of quote and are subject to changes in truck or body production schedules as well other factors such as transportation delays, etc.

WEIGHT RESTRICTIONS: Operating overweight equipment can result in fines, damage to equipment or injury to operators. AECI makes every effort to quote equipment meeting local, state & federal weight regulations. Nevertheless, it is up to the end user to familiarize themselves with all applicable weight laws and avoid exceeding legal weight limits, regardless of truck's GVWR.

CHASSIS DEALERS: Please ensure chassis specs meet body manufacturer's minimum requirements, which are supplied upon request. Deviations may result in additional charges, for which the truck dealer will be responsible.

CHASSIS DEALER PAYMENT TERMS: Payment term begins when truck is delivered to customer or truck dealer for PDI, whichever is first. Payments received later than 15 DAYS are subject to penalty of 5% APR, calculated on a daily basis. ANY EXCEPTIONS must be agreed to writing prior to order.

COOPERATIVE PURCHASING CONTRACTS: Cooperative purchasing contract such as NCSA, Sourcewell, etc. are a tool which satisfies the competitive bidding requirements for some municipalities. Amick Equipment (or its Body Manufacturer) are approved vendors on several contracts, authorized to offer awarded equipment according to each contract's terms and conditions. If a contract award included both body and chassis, then that contract clearly satisfies the bidding requirements for both body and chassis. Some of Amick's contracts were awarded for the body portion only. Upon request, Amick may offer a compatible chassis from another qualified contract holder or may offer a non-contract option.. Unless explicitly stated, customers shall





# Request for Town Council Action

**Consent** **Advisory**  
**Agenda** **Board**  
**Item:** **Appointments**

Date: 08/02/2022

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

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## Issue Statement

The Town Council is asked to consider new appointments to the Appearance Commission and the Planning Board

## Financial Impact

Members the Planning Board are paid \$50 a month. These are budgeted in the Planning Department's annual budget.

## Action Needed

The Town Council is asked to consider and approve the following appointments: Lana Choe to the Appearance Commission and Wiley Narron and Bryan Stanley to the Planning Board.

## Recommendation

Staff recommends approval of these appointments.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Lana (Michelle) Choe – Board Application
3. Wiley Narron – Board Application
4. Bryan Stanley – Board Application



# Staff Report

Consent  
Agenda  
Item

Advisory  
Board  
Appointments

---

## **Board Reappointment**

Lana (Michelle) Choe has submitted an application for consideration to be appointed to a first term on the Appearance Commission.

Wiley Narron has submitted an application for consideration to be appointed to a first term on the Planning Board as an In-Town member.

Bryan Stanley has submitted an application for consideration to be appointed to a first term on the Planning Board as an In-Town member.

## **Current Board vacancies are as follows:**

- Appearance Commission – 2 positions
- Historic Properties Commission – 5 positions
- Parks and Recreation Advisory Commission – 1 position and 2 High School representative positions
- Planning Board – 1 In-Town position and 1 In-Town Alternate position



Town of Smithfield
Board, Commission, or Committee
Application

Name: Choe Lana [Michelle] Herman

Home Address: 1117 S. First St, Smithfield, NC

Business Name & Address:

Telephone Numbers: 828-726-7102 (Home) mtaylor9010@gmail.com (Email)

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

Form with checkboxes for various boards: Appearance Commission, Board of Adjustment In Town Resident, Board of Adjustment ETJ Member, Historic Properties Commission, Library Board of Directors, Parks/Recreation Advisory Commission, Planning Board In-Town Resident, Planning Board ETJ Resident, Other.

Interests & Skills: Gardening, yard work - We live and work within the town of Smithfield and enjoy seeing the improvements

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

Recent Job Experiences: (Retired) Wilson County Dept of Social Services; (Current) Johnston County Clerk of Court - Deputy Clerk

Civic or Service Organization Experience: Caldwell County Board - American Red Cross (1990's); I volunteered several years with the Ham + Yam Festival serving with the Smithfield Police Department's booth.

Town Boards previously served on and year(s) served: N/A

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

Why are you interested in serving on this Board/Commission/Committee? We live and work within the town of Smithfield. I enjoy seeing the improvements and growth.

**Affirmation of Eligibility:**

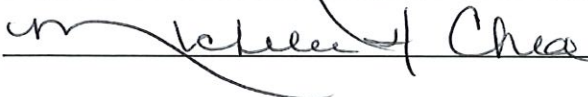
Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

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: Lana Michelle Herman Choe

Signature: 

Date: 6-15-2022

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](mailto: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**

**From:** [noreply@smithfield-nc.com](mailto:noreply@smithfield-nc.com)  
**To:** [Shannan Parrish](#)  
**Date:** Wednesday, June 22, 2022 4:31:30 PM

---

**Name (Last, First, Middle Initial):**

Wiley L. Narron

**Home Address:**

409 N 5th St, Smithfield, NC 27577

**Business Name & Address:**

N/A

**Home Telephone:**

9196317810

**Mobile Telephone:**

9196317810

**Email:**

wnarron@gmail.com

**Board which you are submitting an application:**

Planning Board (In-Town Resident)

**Interests and Skills:**

I own a couple of properties in Smithfield and have an interest in taking care of the town. When I'm not working I'm either doing repairs on my property or working on my family farm taking care of cows or farm equipment.

**Recent Job Experiences:**

I've worked at Grifols for 3 years. Before that I worked as an admin at a university and also an English teacher for foreign language students.

**Civic or Service Organization Experience:**

N/A

**Previous Town Board Experience:**

N/A

**Current Board/Committee Service:**

N/A

**Why are you interested in serving on this Board/Commission/Committee?**

I have lived in Smithfield my whole life. I own property in Smithfield and the rest of my family is the same. I have a vested interest in this town and it's future and want to make sure it is taken care of so that I can see it grow into a place I can continue to live.

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

NO

If "YES" to above question, please explain in the box below:

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?

NO

If "YES" to above question, please explain in the box below:

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.

Wiley Narron





Town of Smithfield
Board, Commission, or Committee
Application

Name: Stanley Bryan
(Last) (First) (MI)

Home Address: 608 River Birch Ct, Smithfield, NC 27577

Business Name & Address: HHHunt 1401 Sunday Dr, Raleigh, NC 27607

Telephone Numbers: (Home) 9192357533 (Mobile) bstanley722@hotmail.com (Email)

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

Form with checkboxes for: Appearance Commission, Board of Adjustment In Town Resident, Board of Adjustment ETJ Member, Historic Properties Commission, Library Board of Directors, Parks/Recreation Advisory Commission, Planning Board In-Town Resident, Planning Board ETJ Resident, and Other.

Interests & Skills: Development, Homebuilding, General Contractor

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

Recent Job Experiences: HHHunt, Director of Construction 11/2017-present, Dan Ryan Builders Area Construction Manager 8/13-10/17, Town of Garner Senior Building Official

Civic or Service Organization Experience: none

Town Boards previously served on and year(s) served: none

Please list any other Boards/Commissions/Committees on which you currently serve: Technical Review Committee, City of Havelock

Why are you interested in serving on this Board/Commission/Committee? To use my professional experience to help shape the future of Smithfield

1

**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: Bryan Stanley

Signature: Bryan Stanley

Digitally signed by Bryan Stanley  
Date: 2022.07.12 13:13:52 -0400

Date: \_\_\_\_\_

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](mailto: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 Manger or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician (2 positions)	PU – Electric	31-72-7230-5100-0200
Police Officer I/II – Patrol (5 positions)	Police	10-20-5100-5100-0200
P/T Collections Assistant	PU – Electric	31-72-7230-5100-0200
Public Works Administrative Assistant	PW – Streets	10-30-5600-5100-0200
Sanitation Equipment Operator (2 positions)	PW – Sanitation	10-40-5800-5100-0200
Utility Line Mechanic (3 positions)	PU – Water/Sewer	30-71-7220-5100-0200
Water Plant Superintendent	PU – Water Plant	30-71-7200-5100-0200

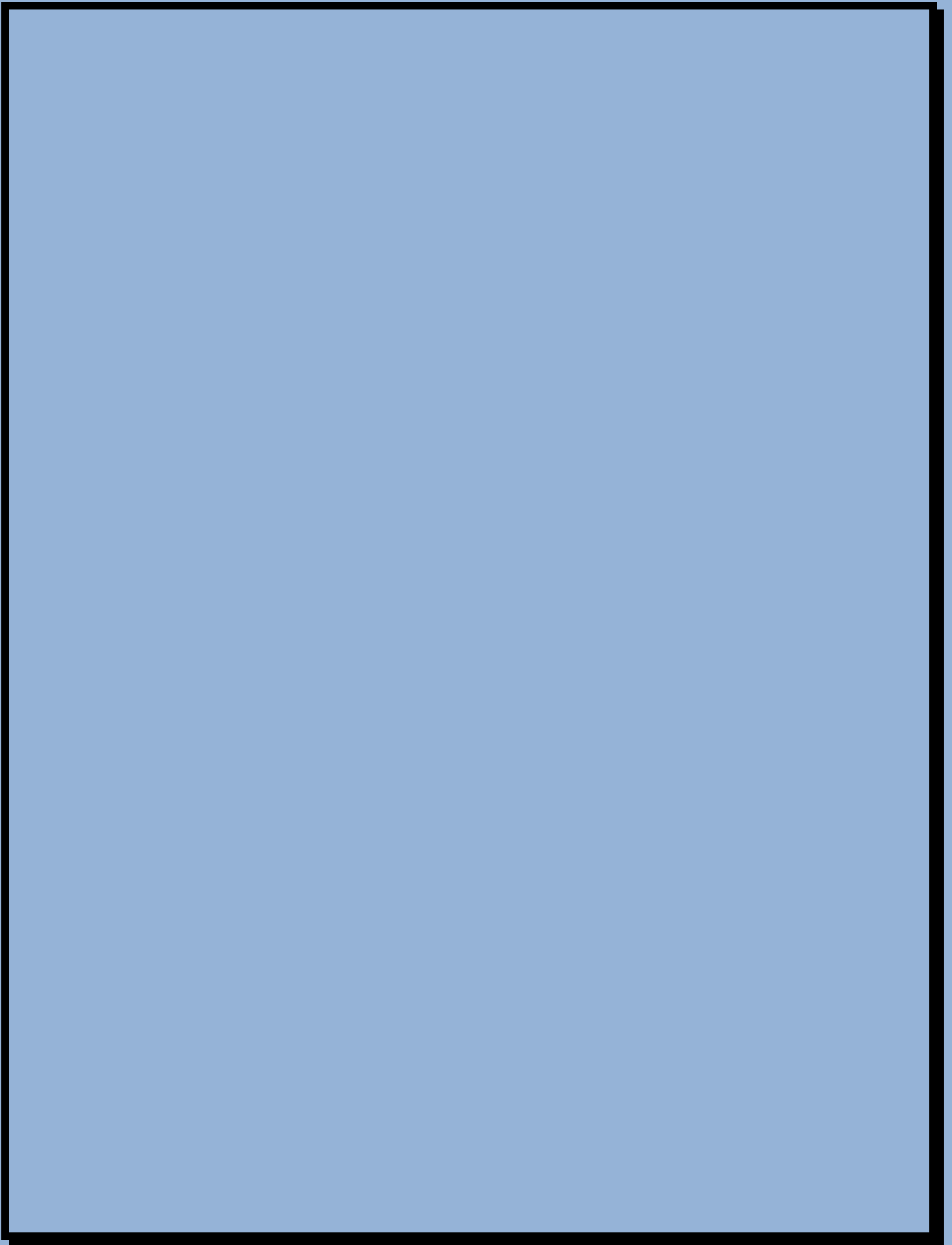
## **Action Requested**

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2021-2022 and GY 2022-2023 Budgets.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Facility Maintenance Specialist	PW – General Services	10-60-5500-5100-0200	\$14.73/hr. (\$30,638.40/yr.)
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200	\$19.57/hr.
P/T Temp Admin Assistant	General Government	10-10-4100-5100-0220	\$15.00/hr.
Public Records Specialist	Police	10-20-5100-5100-0200	\$16.83/hr. (\$35,006.40/yr.)



# Business Items





# Request for Town Council Action

**Business Item:** ANX-22-02  
**Date:** 08/02/2022

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

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## Issue Statement

Blue Line Aviation, LLC, has submitted a petition for a voluntarily satellite annexation of 14.43 acres to the Town of Smithfield.

## Financial Impact

The annexation will add to the Town's tax base and will require the town to provide town services.

## Action Needed

The Town Council is asked adopt Resolution No. 704 (13-2022) directing the Town Clerk to investigate the sufficiency of the satellite annexation petition.

## Recommendation

Adopt Resolution No. 703 (13-2022)

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Annexation Petition
3. Annexation Survey & Property Description
4. Resolution No. 703 (13-2022)



# Staff Report

Business ANX-  
Item 22-02

The Town of Smithfield received a petition from Blue Line Aviation, LLC for a voluntarily satellite annexation of 14.43 acres to the Town of Smithfield, located on Swift Creek Road across from the Johnston County Regional Airport with the PID#168509-05-2529.

The applicant is proposing a PUD Mixed Use development that would utilize town water and sewer.

## **ANNEXATION PROCEDURE:**

Per NCGS 160A-58.2, the first step in the annexation process is to have the Council 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

<p>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:</p>			
<input checked="" type="checkbox"/>	<p><b>Electronic Word document of the written metes and bounds</b> must be e-mailed to:  <a href="mailto:Stephen.Wensman@smithfield-nc.com">Stephen.Wensman@smithfield-nc.com</a> or <a href="mailto:Mark.Helmer@smithfield-nc.com">Mark.Helmer@smithfield-nc.com</a>.</p>		
<input checked="" type="checkbox"/>	<p><b>Boundary Survey to be recorded upon approval or an existing recorded plat</b> showing the above written metes and bounds description of the property to be annexed. This document must be submitted electronically in .pdf format.</p>		
<input checked="" type="checkbox"/>	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"> <p><b>Copy of Approved Preliminary Site Plan or Final Site Plan</b> showing Town Permit number (Z-__-__, etc.) or</p> </td> <td style="width: 50%;"> <p><b>Copy of Subdivision Plat</b> submitted for lot recording approval with Town file number (S-__-__, etc.)</p> </td> </tr> </table>	<p><b>Copy of Approved Preliminary Site Plan or Final Site Plan</b> showing Town Permit number (Z-__-__, etc.) or</p>	<p><b>Copy of Subdivision Plat</b> submitted for lot recording approval with Town file number (S-__-__, etc.)</p>
<p><b>Copy of Approved Preliminary Site Plan or Final Site Plan</b> showing Town Permit number (Z-__-__, etc.) or</p>	<p><b>Copy of Subdivision Plat</b> submitted for lot recording approval with Town file number (S-__-__, etc.)</p>		
<input checked="" type="checkbox"/>	<p><b>Projected Market Value of Development</b> at build-out (land and improvements).</p>		
<input checked="" type="checkbox"/>	<p><b>General Annexation Area Data:</b> 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.</p>		
<input checked="" type="checkbox"/>	<p><b>This application form</b> completed, <u>dated and signed</u> by the property owner(s) and attested <b>submitted by the deadlines.</b></p>		
<p><b>Required, but often missing information. Please make sure to include the following:</b></p>			
<input checked="" type="checkbox"/>	<p><b>Correct Parcel Identification Number(s) (PIN).</b> Call Johnston County Geographic Information Services at 919-989-5153, if there is any question about the parcel identifier. <b>This is very important.</b> Please indicate if the property being requested for annexation is only a portion of an existing parcel.</p>		
<input checked="" type="checkbox"/>	<p><b>Owner's Signatures and Date of Signatures.</b> See page 3 of this application. All real property owners must sign the application, and the <u>date of signature MUST be filled in!</u></p>		
<input checked="" type="checkbox"/>	<p><b>Corporate Seal</b> for property owned by a corporation.</p>		
<input checked="" type="checkbox"/>	<p><a href="#">Rezoning Application</a>, if the property is currently outside Town of Smithfield.</p>		

# 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**  
BLUE LINE AVIATION - Johnston County Expansion

**Street Address**  
SWIFT CREEK RD (SEE PIN # Below for specific parcel)

<b>Town of Smithfield Subdivision approval #</b> (S-_____ - _____) or	<b>Building Permit Transaction #</b> _____ or	<b>Site Plan approval # for multi-family</b> (SP-_____ - _____)
--	--	--

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

P.I.N. 168509-05-2529	P.I.N.	P.I.N.
--------------------------	--------	--------

P.I.N.	P.I.N.	P.I.N.
--------	--------	--------

<b>Acreage of Annexation Site</b> 14.43	<b>Linear Feet of Public Streets within Annexation Boundaries</b> 0 (private)
--	--

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

**Number of proposed dwelling units**  
0

<b>Type of Units:</b> <small>Private school and related facilities</small>	Single Family <u>N/A</u>	Townhouse <u>N/A</u>	Condo <u>N/A</u>	Apartment <u>N/A</u>
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**Building Square Footage of Non-Residential Space**  
Phase 1 = +/-40,000 sf; Future Phases = +/-90,000 sf; Total = 130,000 sf

**Specific proposed use (office, retail, warehouse, school, etc.)**  
Private school and related facilities

**Projected market value at build-out (land and improvements) \$**  
\$1,164,000.00

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

**Name**  
Morningstar Law Group

**Address**  
700 West Main Street 2nd Floor Durham, North Carolina 27701

<b>Phone</b> 919-590-0384	<b>Fax #</b> 919-882-8890	<b>Email</b> pbyker@morningstarlawgroup.com
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# 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:

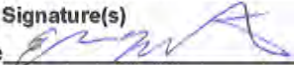
<input type="checkbox"/>	<b>Contiguous</b> to the present corporate limits of the Town Of Smithfield, North Carolina, or
<input checked="" type="checkbox"/>	<b>Not Contiguous</b> to the municipal limits of the Town of Smithfield, North Carolina, not closer to the limits of any other municipality and 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) <input type="checkbox"/> <input type="checkbox"/>

**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.

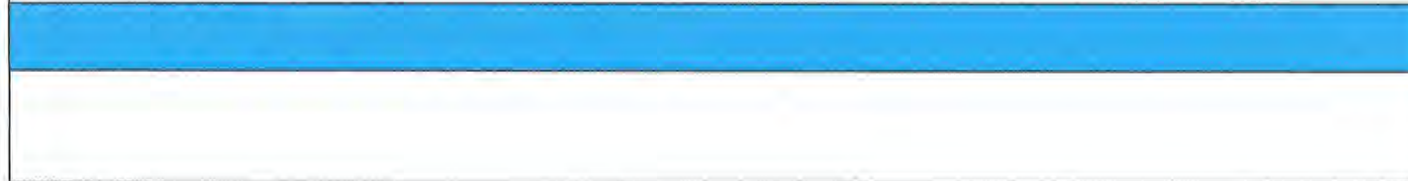
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the owners of the property described in Section C.

<p><b>Owner's Signature(s)</b></p> <p>Signature <u></u> Date <u>3/29/22</u></p> <p>Signature _____ Date _____</p> <p>Signature _____ Date _____</p> <p>Signature _____ Date _____</p> <p><b>Print owner name(s) and information</b></p> <p>Name <u>Blue Line Aviation, LLC</u> Phone <u>919-578-3713</u></p> <p>Address <u>31498 Swift Creek Road, Smithfield, NC 27577</u></p> <p><u>3149-B</u> Name <u>CEW</u> Phone _____</p> <p>Address _____</p> <p>Name _____ Phone _____</p> <p>Address _____</p> <p>Name _____ Phone _____</p> <p>Address _____</p>	<p><b>Corporate Seal</b></p>
--	------------------------------

**Above signature(s) attested by**

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

**Signature of Town Clerk** \_\_\_\_\_







## 3149B SWIFT CREEK ROAD DESCRIPTION

A PARCEL OF LAND NOW OR PREVIOUSLY OWNED BY BLUE LINE AVIATION, LLC (DB 6090 PG 571) LOCATED IN THE TOWN OF SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIPE ON THE WESTERLY LINE OF SWIFT CREEK ROAD (SR #1501; 60 FOOT PUBLIC RIGHT OF WAY); SAID POINT BEING THE SOUTHERN MOST CORNER OF SAID LANDS OWNED BY BLUE LINE AVIATION, LLC;

THENCE N 49-13-59 W A DISTANCE OF 100.89 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY RONNIE STEPHENS (DB 5194 PG 694);

THENCE N 48-51-54 W ON THE NORTHEASTERLY LINE OF SAID STEPHENS LANDS, A DISTANCE OF 226.82 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY CMC REAL ESTATE (DB 5778 PG 880);

THENCE N 48-53-11 W ON THE NORTHEASTERLY LINE OF SAID CMC REAL ESTATE, A DISTANCE OF 338.42 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY MESSENGILL RENTAL (DB 6072 PG 711);

THENCE N 48-50-31 W ON THE NORTHEASTLY LINE OF SAID MASSENGILL RENTAL, A DISTANCE OF 96.51 FEET TO AN IRON BAR;

THENCE N 63-19-20 W ON THE NORTHERLY LINE OF SAID MASSENGILL RENTAL, AND DCB BLDG, LLC (DB 5894 PG 278) A DISTANCE OF 602.90 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY EMG PROPERTIES, LLC (DB 4542 PG 471);

THENCE N 63-18-15 W ON THE NORTHERLY LINE OF SAID EMG PROPERTIES LLC, A DISTANCE OF 695.95 FEET TO AN IRON PIPE ON THE EAST LINE OF SUNSET POINTE SUBDIVISION;

THENCE N 0-17-51 W ON THE EAST LINE OF SUNSET POINTE SUBDIVISION A DISTANCE OF 325.01 FEET TO AN IRON BAR AT THE INTERSECTION WITH THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OWNED BY BYRDS WHOLESALE INC (DB 1185 PG 278);

THENCE S 63-42-56 E A ON THE SOUTHERLY LINE OF SAID BYRDS WHOLESALE INC, A DISTANCE OF 1446.13 FEET TO AN IRON BAR;

THENCE S 50-21-23 E CONTINUING ON THE SOUTHERLY LINE OF SAID BYRDS WHOLESALE INC, A DISTANCE OF 740.40 FEET TO THE WEST LINE OF SWIFT CREEK ROAD;

THENCE ON THE WEST LINE OF SWIFT CREEK ROAD THE FOLLOWING 4 CALLS:

- (1) S 32-34-33 W A DISTANCE OF 40.76 FEET TO AN IRON BAR;
- (2) S 28-33-01 W A DISTANCE OF 66.55 FEET TO AN IRON BAR;
- (3) S 24-04-37 W A DISTANCE OF 61.71 FEET TO AN IRON BAR;
- (4) S 18-59-20 W A DISTANCE OF 156.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 628,567 SQUARE FEET, OR 14.43 ACRES MORE OR LESS.

**TOWN OF SMITHFIELD  
RESOLUTION No. 704 (13-2022)  
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 August 2, 2022 by the Smithfield Town Council; and

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

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

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

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

Adopted this the 2<sup>nd</sup> day of August, 2022

---

M. Andy Moore, Mayor

ATTEST:

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Shannan L. Parrish, Town Clerk



# Request for Town Council Action

**Business** **Circle**  
**Agenda** **Drive**  
**Item:** **Closure**  
**Date:** 08/02/2022

---

**Subject:** Resolution of Intent to Permanent Close Circle Drive  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Business Item

---

## Issue Statement

Walter Sanders Funeral and Cremation Services LLC request the closure of Circle Drive.

## Financial Impact

None

## Action Needed

To adopt resolution of intent to permanently close public right-of-way.

## Recommendation

Staff recommends the Council adopt the Resolution of Intent, Resolution No. 705 (14-2022) to permanently close the Circle Drive and to schedule and advertise for a public hearing for the closure.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 705 (14-2022) Intent to Permanently Close Circle Drive.
3. Closure Petition
4. Recombination Plat



# Staff Report

<b>Business Agenda Item:</b>	<b>Circle Drive Closure</b>
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## **Petition Description:**

Walter Sanders Funeral and Cremation Services LLC request the closure of Circle Drive.

## **Analysis:**

Circle Drive is a 20' wide nonconforming paved street located between S. Brightleaf Boulevard and S. Seventh Street. Walter Sanders Funeral and Cremation Services LLC owns all the property on both sides of Circle Drive. All properties have street frontage on adjacent streets except one residential property owned by the funeral home. With the recombination plat, the single-family property will have street frontage. The street closure will facilitate future redevelopment of the overall block (none currently proposed).

The Town has existing utilities in the right-of-way and if closed, a 20-foot-wide utility easement will be needed and is shown on the attached plat.

All the abutting property owners have signed the petition.



**TOWN OF SMITHFIELD  
RESOLUTION NO.705 (14-2024)  
DECLARING THE INTENT OF THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD TO CONSIDER  
CLOSING CIRCLE DRIVE LOCATED BETWEEN SOUTH BRIGHTLEAF BOULEVARD  
AND SOUTH SEVENTH STREET**

WHEREAS, G.S. 160A-299 authorizes the Town Council to close streets and public alleys; and

WHEREAS, the Town Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of Circle Drive located between South Brightleaf Boulevard and South Seventh Street;

NOW, THEREFORE, BE IT RESOLVED by the Town of Smithfield that:

- 1) A meeting will be held at 7 p. m. on the September 6, 2022 in the Town Hall Council Chambers located at 350 East Market Street, Smithfield, North Carolina to consider a resolution closing Circle Drive located between South Brightleaf Boulevard and South Seventh Street.
- 2) The Town Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in the Johnstonian News.
- 3) The Town Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.
- 4) The Town Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Upon motion duly made by Councilmember \_\_\_\_\_, and duly seconded by Councilmember \_\_\_\_\_, the above Resolution was duly adopted by the Town Council at the meeting held on the 2<sup>nd</sup> day of August, 2022 in the Council Chambers of the Smithfield Town Hall.

Upon call for a vote, the following Councilmembers voted in the affirmative:

And the following Councilmembers voted in the negative:

This the 2<sup>nd</sup> day of August, 2022, at \_\_\_ o'clock p.m.

\_\_\_\_\_  
M. Andy Moore, Mayor

ATTEST:

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk

NORTH CAROLINA  
JOHNSTON COUNTY

I hereby certify that the foregoing is a true and accurate copy of a resolution duly adopted by the Town Council of the Town of Smithfield, North Carolina, at a meeting held August 2, 2022 at 7 o'clock p.m. at the Town Hall in the Town of Smithfield.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official corporate seal of said Town of Smithfield to be affixed, this the 3<sup>rd</sup> day of August, 2022

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk

NORTH CAROLINA  
JOHNSTON COUNTY

I, \_\_\_\_\_, a Notary Public, do hereby certify that Shannan L. Parrish, Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand and notarial seal this \_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

My Commission Expires: \_\_\_\_\_



PETITION FOR STREET OR ALLEY CLOSURE

We, the property owners abutting the alley or street located at (please describe) Circle Drive  
located between S. Bright Leaf Blvd. + 7th St.

hereby petition the Town of Smithfield to remove from dedication the right-of-way for the above-mentioned alley or street.

NAME	ADDRESS	PHONE	SIGNATURE
Walter Sanders Funeral & Cremation Services, LLC	302 S. Bright Leaf Blvd. Smithfield, NC 27577 (919) 934-6661		Frank Meachem Sanders Sanders Meachem

Meachem - Sanders Investments, LLC	442 S. Bright Leaf Blvd. Smithfield, NC 27577 (919) 201-8233		Frank Meachem Sanders Sanders Meachem
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3. Meachem-Sanders Investments, LLC	305 S. 7th Street Smithfield, NC 27577		Frank Meachem Sanders Sanders Meachem
-------------------------------------	---	--	--

RETURN TO: Town of Smithfield  
Attn: Town Clerk  
Smithfield Town Hall  
350 East Market Street  
Smithfield, NC 27520



## STREETS AND ALLEYS PROCEDURE FOR PERMANENT CLOSING

<u>PROCEDURE:</u>	<u>RESPONSIBILITY:</u>
1. Submission of request to Town must include:	
a. Letter of request (petition) signed by 100% of property owners abutting the street or alley.	Property Owners
b. Copy of recorded plat showing original layout or dedication of street or alley.	Property Owners
c. Registered land surveyors plat of recent survey of Portions of street to be closed on legal sized drawing, suitable for recording and the metes and bounds description.	Property Owners
d. Non-refundable application fee of \$300.00.	Property Owners
2. Review and recommendations to Town Manager by legal, planning and public works.	Town Staff
3. Recommendation to Town Council.	Town Council
4. Adopt Resolution of Intent.	Town Council
5. Public Notice	Town Clerk
a. Newspaper (one per week, four consecutive weeks).	Town Clerk
b. Posted notices (two signs on street).	Town Staff
c. Mail copy of Resolution of Intent to all adjoining property owners by Registered or Certified mail.	Town Staff
6. Public Hearing	Town Council
7. Order of Closing	Town Council
8. Record Order of Closing	Town Attorney

**SURVEYOR'S DISCLAIMER.**  
 THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED, HOWEVER, THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION OBTAINED FROM ANY SOURCE OTHER THAN THE FIELD SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL EXAMINATION OF THE RECORDS OF THE TOWN OF SMITHFIELD AND HAS FOUND NO RECORDS THAT WOULD AFFECT THE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL EXAMINATION OF THE RECORDS OF THE TOWN OF SMITHFIELD AND HAS FOUND NO RECORDS THAT WOULD AFFECT THE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL EXAMINATION OF THE RECORDS OF THE TOWN OF SMITHFIELD AND HAS FOUND NO RECORDS THAT WOULD AFFECT THE SURVEY.

STATE OF NORTH CAROLINA, COUNTY OF \_\_\_\_\_  
 REVIEW OFFICER'S CERTIFICATE \_\_\_\_\_  
 DATE \_\_\_\_\_  
 REVIEW OFFICER \_\_\_\_\_  
 IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

**PRELIMINARY**  
 NOT FOR RECORDING,  
 SALES, OR CONVEYANCES  
 THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED, HOWEVER, THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION OBTAINED FROM ANY SOURCE OTHER THAN THE FIELD SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL EXAMINATION OF THE RECORDS OF THE TOWN OF SMITHFIELD AND HAS FOUND NO RECORDS THAT WOULD AFFECT THE SURVEY. THE SURVEYOR HAS CONDUCTED A VISUAL EXAMINATION OF THE RECORDS OF THE TOWN OF SMITHFIELD AND HAS FOUND NO RECORDS THAT WOULD AFFECT THE SURVEY.

REFERENCES:  
 DEED BOOK 5267, PAGE 173  
 DEED BOOK 5267, PAGE 170  
 DEED BOOK 5409, PAGE 77  
 PLAT BOOK 3, PAGE 43 (EAST END PARK)  
 PARCEL ID NUMBERS  
 15032007 150032011  
 15032010 150032009  
 15032014  
 15032013  
 15032012

J. JIMMY C. BARBOUR, PROFESSIONAL LAND SURVEYOR No. L-2855, CERTIFY THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION IN ACCORDANCE WITH G.S. 47-30.2 (F)(1).

JIMMY C. BARBOUR, PROFESSIONAL LAND SURVEYOR LICENSE NO. L-2855

- FH DASHED LINES
  - WM / WY WATER METER / WATER VALVE
  - EIP EXISTING IRON PIPE FOUND
  - EIS EXISTING IRON STAKE FOUND
  - ECM EXISTING CONCRETE MONUMENT FOUND
  - C/L CENTERLINE OF ROAD
  - EPK EXISTING PARKER-KALON NAIL FOUND
  - ERRS EXISTING RAILROAD SPIKE FOUND
  - NPS NO POINT SET IN CENTER LINE OF BRANCH
  - RBS REBAR SET WITH RED PLASTIC CAP
  - ECS EXISTING COTTON SPINDLE FOUND
  - EMV EXISTING MAGNETIC NAIL FOUND
  - MNS FIRE HYDRANT
  - ERB LINES NOT SURVEYED
  - PS WATER VALVE
  - N/F EXISTING IRON PIPE FOUND
  - PP/SP/AL EXISTING IRON STAKE FOUND
  - OHPL EXISTING POWER POLE / AREA LIGHT
  - CP OVERHEAD POWER LINE
  - R/W COMPUTED POINT FROM REFERENCED SOURCES
  - CNS CONCRETE NAIL SET
  - R/W RIGHT OF WAY
- BASED UPON GRAPHIC DETERMINATION, A PORTION OF THE SURVEYED PROPERTY INDICATED ON THIS PLAT DOES LIE IN THE FEMA/FIRM SPECIAL 100 YR. FLOOD HAZARD AREA. SEE COMMUNITY PANEL No. 3720168200 L dated 6-20-18.

JIMMY C. BARBOUR, PLS, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK \_\_\_\_\_, PAGE \_\_\_\_\_) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN \_\_\_\_\_ THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE GLOBAL POSITIONING ACCURACY (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT 1 CENTIMETER ACCURACY CLASSIFICATION (95% CONFIDENCE) USING RTK NETWORK; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

- MNS MAGNETIC NAIL SET
  - ERB EXISTING IRON REBAR
  - PS PAINT SPOT
  - N/F NOW OR FORMERLY
  - PP/SP/AL POWER POLE/SERVICE POLE/AREA LIGHT
  - OHPL OVERHEAD POWER LINE
  - CNS CONCRETE NAIL SET
  - R/W RIGHT OF WAY
- BASED UPON GRAPHIC DETERMINATION, A PORTION OF THE SURVEYED PROPERTY INDICATED ON THIS PLAT DOES LIE IN THE FEMA/FIRM SPECIAL 100 YR. FLOOD HAZARD AREA. SEE COMMUNITY PANEL No. 3720168200 L dated 6-20-18.

**JIMMY BARBOUR SURVEYING, PA**  
 JIMMY C. BARBOUR, PLS, GSI  
 C-3109  
 213 S. SECOND STREET  
 P. O. BOX 28  
 SMITHFIELD, N.C. 27577  
 919 989-6642 919-989-3013  
 Email: jimmy@jbsurveying.com

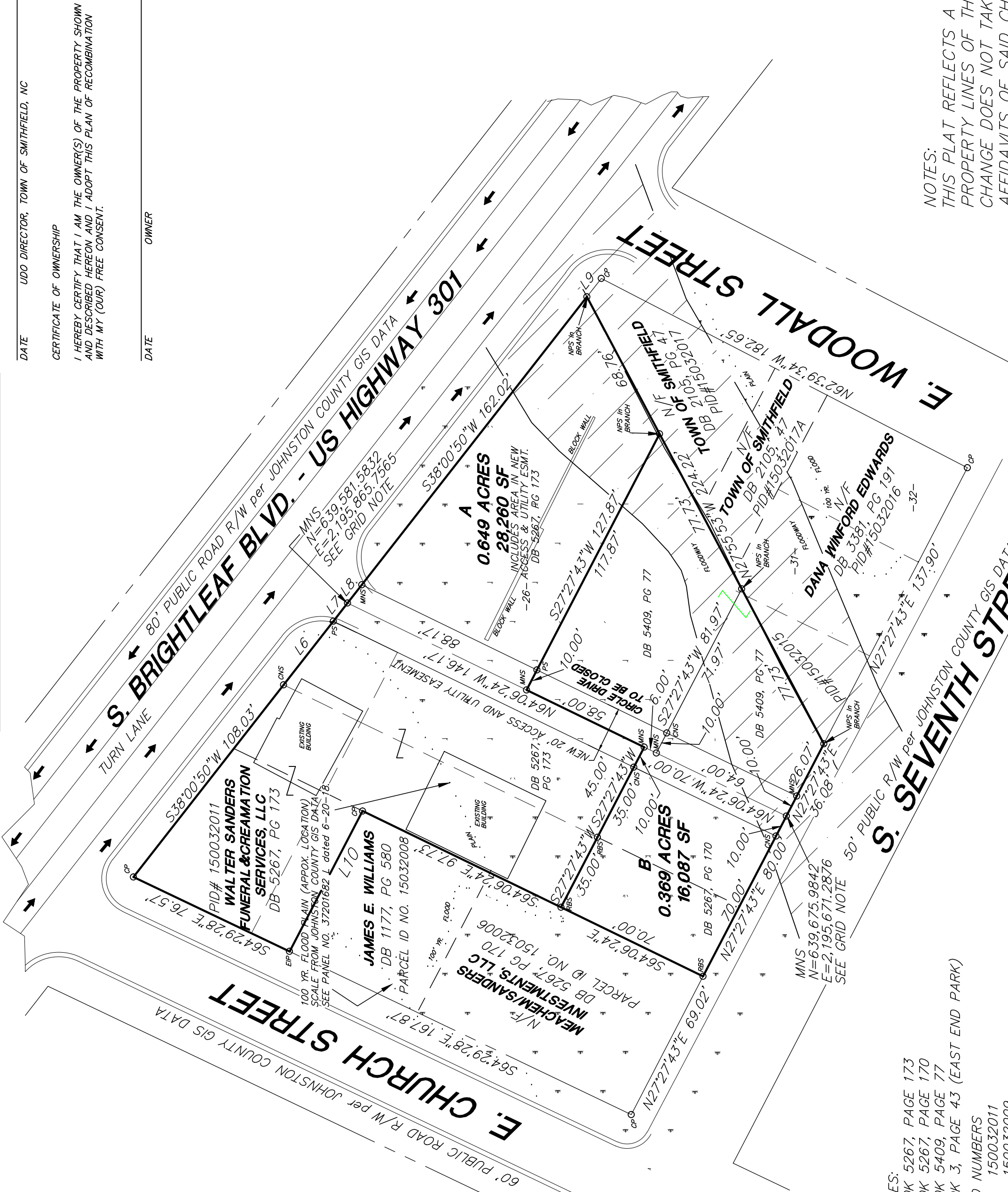
**WALTER SANDERS FUNERAL and CREMATION SERVICES, LLC, MEACHEM SANDERS INVESTMENT, LLC**  
 OWNER N/F WALTER SANDERS FUNERAL & CREMATION SERVICES, LLC and MEACHEM SANDERS INVESTMENT, LLC  
 TOWNSHIP SMITHFIELD COUNTY JOHNSTON STATE NC  
 SURVEYED BY J. SIMMONS DRAWN BY CINDA S LASSITER  
 DATE SURVEYED 1-20-2022 SCALE 1"=40' DRAWING NO. 21-353

**STREET CLOSURE AND RECOMBINATION MAP FOR:**

ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES. AREA BY COORDINATE METHOD.



NOTES:  
 THIS PLAT REFLECTS A PROPOSED CHANGE IN THE PROPERTY LINES OF THE TRACTS SHOWN HEREON, BUT THAT CHANGE DOES NOT TAKE EFFECT UNTIL THE DEEDS OR AFFIDAVITS OF SAID CHANGE ARE FILED WITH THE APPROPRIATE COUNTY REGISTER OF DEEDS.



CERTIFICATE OF EXEMPTION FROM SUBDIVISION ORDINANCE

THE COMBINATION OR RECOMBINATION OF PORTIONS OF PREVIOUSLY SURVEYED LANDS TO MAKE THE TRACTS SHOWN ON THIS PLAT IS NOT INCREASED AND THE RESULTANT LOTS ARE EQUAL TO OR EXCEED THE STANDARDS CONTAINED IN ARTICLE 27 OF THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT ORDINANCE.

PURSUANT TO NC GEN STATUTE 47-30(b) (1) NO APPROVAL IS REQUIRED BY THE TOWN OF SMITHFIELD.

DATE \_\_\_\_\_ UDD DIRECTOR, TOWN OF SMITHFIELD, NC

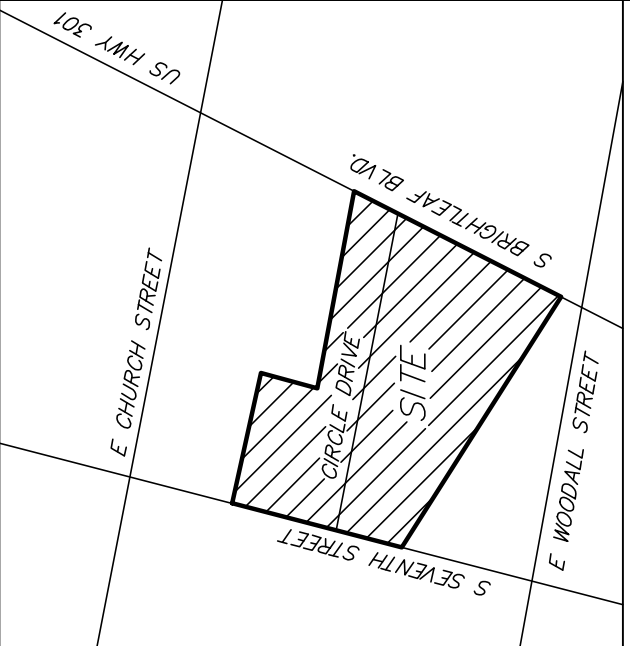
CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND I ADOPT THIS PLAN OF RECOMBINATION WITH MY (OUR) FREE CONSENT.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

**LINE TABLE**

LINE	BEARING	DISTANCE
L6	S38°00'50"W	35.78'
L7	S38°00'50"W	10.23'
L8	S38°00'50"W	10.23'
L9	S38°00'50"W	10.34'
L10	N27°32'53"E	70.15'



**VICINITY MAP - NO SCALE**





# Request for Town Council Action

**Business  
Agenda  
Item:** Fire  
Ordinances  
**Date:** 08/02/2022

---

**Subject:** Amend Article III / Fire Prevention Code

**Department:** Fire Department

**Presented by:** Fire Chief – Michael Brown

**Presentation:** Business Item

---

## Issue Statement

This is a request to amend Article III of the Fire Prevention Code in the Towns Ordinances which is currently listed as (Reserved) & Chapter 11, Section 11-25 (Recurring false fire and burglar alarms).

## Financial Impact

None

## Action Needed

To approve the proposed Fire Prevention Code for the Smithfield Code of Ordinances in Chapter 7 (Fire Prevention and Protection) and Chapter 11, Section 11-25 (Recurring false fire and burglar alarms).

## Recommendation

Staff recommends adoption of Ordinance 509

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Ordinance 509



# Staff Report

**Business  
Agenda  
Item:** **Fire  
Ordinances**

---

In an effort to enforce and protect business/property owners and their patrons with Life Safety Fire Inspections and Code Enforcement. The Smithfield Fire Department is seeking approval to adopt the proposed Fire Prevention Code in the current Smithfield Code of Ordinances.

Currently, Article III (Fire Prevention Code) Section 7-61 is reserved. This adoption will list the changes approved by the NC Department of Insurance, Office of the State Fire Marshal (NC OSFM). Furthermore, this adoption would follow the International Code Council's recommendations that have been adopted by the (NC OSFM).

Approval of Section 11-25 (Recurring false fire and burglar alarms) is requested to be reflected in the proposed fee schedule. This will allow the Smithfield Fire Department to charge fines in excess of 3 false alarms.

The addition of language to the Administrative Code is denoted in red. All removal of language to the Code is denoted with strikethroughs.



**TOWN OF SMITHFIELD  
North Carolina**

**ORDINANCE # 509**

**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD CODE OF ORDINANCES  
CHAPTER 7- FIRE PREVENTION AND PROTECTION, ARTICLE III. FIRE PREVENTION  
CODE AND CHAPTER 11 – OFFENSES AND MISCELLANIOUS PROVISIONS, SECTION  
11-25 RECURRING FALSE FIRE AND BURGLAR ALARMS**

**WHEREAS**, Chapter 7, Article III of the Town of Smithfield’s Code of Ordinances outlines the regulations concerning the Fire Code in the Town; and

**WHEREAS**, Chapter 11, Section 11-25 of the Town of Smithfield’s Code of Ordinance outlines the regulations concerning reoccurring false fire alarms in the Town; and

**WHEREAS**, Fire Chief Michael Brown is requesting the Ordinance be amended to add Section 7-61 through 7-62.10 to Chapter 7, Article III.

**WHEREAS**, Fire Chief Michael Brown is further requesting the Ordinance be amended to update and add text to Chapter 11, Section 11-25

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield that Chapter 7- Fire Prevention and Protection, Article III: Fire Prevention Code and Chapter 11 – Offences and Miscellaneous Provision, Section 11-25: Reoccurring False Fire and Burglar Alarms are amended as follows:

**Chapter 7. Fire Prevention and Protection Article III. Fire Prevention Code**

**Sec. 7-61. – Adoption of the Fire Prevention Code.**

The codes, as adopted by the North Carolina Building Code Council, are hereby enforced by the Town of Smithfield for the purpose of providing technical and regulatory standards to buildings within the town limits not to exclude its extraterritorial jurisdiction and other sites proposed for annexation or development. These codes shall apply to the construction, alteration, repair, equipment, use, and occupancy, location maintenance, of every building, structure, appurtenances connected or attached to such buildings or structures except in one- or two-family dwellings.

The North Carolina State Building Code: Administrative Code and Policies is purposed to provide for the administration and enforcement of the North Carolina State Building Codes as adopted by the Building Code Council and enforced by State and local Code Enforcement Officials. The code is intended to provide for the administrative aspects of each of the technical codes which are herein referred to as “service systems.”

State law references: Adoption of the technical codes by reference, General Statute 160A-76(b); State Building Code, General Statute 143-138.

**Sec 7-62.1 – Appendices.**

The Appendices prescribed in the current edition of the North Carolina Fire Prevention Code shall be adopted and enforced by the Town of Smithfield in accordance with Section 101.2.1 of the fire code.

Sec 7-62.2 – Amendments to the code.

Amendments to the North Carolina Fire Prevention Code shall be effective in the Town of Smithfield as determined by the Building Code Council.

Sec 7-62.3 – Fire Prevention Code and its Amendments.

An official copy of the codes adopted in this article, and official copies of amendments thereto, shall be kept on file and available for public inspection at the Office of the Fire Marshal for the Smithfield Fire Department or in the office of the Town Clerk.

Sec 7-62.4 – Appeals and Interpretations.

Appeals: Where an applicant has determined that a result or decision provided is questionable, the applicant may file an appeal in accordance to NC GS 160D-1127.

GS 160D-1127. Unless otherwise provided by law, appeals from any order, decision, or determination by a member of a local inspection department pertaining to the State Building Code or other State building laws shall be taken to the Commissioner of Insurance or the Commissioner's designee or other official specified in G.S. 143-139 by filing a written notice with the Commissioner and with the inspection department within a period of 10 days after the order, decision, or determination. Further appeals may be taken to the State Building Code Council or to the courts as provided by law. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

Interpretations: The Fire code officials of the Smithfield Fire Department under the direction of the Fire Marshal generally handle the interpretations or technical inquiries of the proposed projects and inspections.

Formal appeals and interpretations can also be made in writing to the North Carolina Department of Insurance at [www.ncdoi.gov](http://www.ncdoi.gov).

Sec 7-62.5 – Permits of the NC Fire Code.

As administratively adopted from the North Carolina Fire Prevention Code, mandatory and operational permits including optional permits adopted by the Town Council, shall be enforced by the Town of Smithfield Fire Department. The optional permits adopted by the Town Council include Open Burning and Hazardous Materials. The provisions thereof shall be controlling within the town limits and the extraterritorial jurisdiction.

Sec 7-62.6 – Inspections for Fire/Life Safety Purposes.

As directed in the North Carolina State Building Code: Administrative Code and Policies and the North Carolina Fire Prevention Code, Town of Smithfield Fire Department's designated Fire Code Officials shall conduct routine, maintenance, special, and/or emergency inspection of any building or structure of any business or organization within the town limits and the extraterritorial jurisdiction.

The results of the inspection shall be provided to the business occupant, owner, property owner, and/or their designee in writing or electronically. If necessary, the results may also be sent certified mail to any of the business or building representatives listed above.

Sec 7-62.7 – Inspections Permits, Invoices, and Fees.

The Smithfield Fire Department Fire Code Official or their designee shall issue the business or property representative an inspection permit which serves as an invoice for payment of the inspection(s) conducted on the premises. The fee(s) listed on the Inspection Permit shall be set according to the current fee schedule adopted by the Town of Smithfield.

Sec 7-62.7 – Inspection made upon complaint.

Whenever any person shall make a complaint to the Town of Smithfield Fire Department that identifies any fire or life safety hazard or condition within a building or structure, it shall be the duty of the Fire Chief, Fire Marshal, or their designee to conduct an inspection within a reasonable amount of time. Hazardous conditions discovered shall be the responsibility of the property owner or their designee and shall be abated in a timely manner at the approval of the Fire Department representative conducting the inspection. A plan of abatement may be required to be submitted in writing to the Fire Chief or Fire Marshal.

Sec 7-62.8 – Key Boxes.

The provisions regarding key boxes shall apply to any new commercial occupancies where access to or within a structure or an area is restricted due to secured openings or where immediate access is necessary for life-saving or firefighting purposes. Buildings or areas meeting these conditions shall be required to install an approved key box(es) as directed by the Fire Code Official. The installation shall be in an approved location and shall contain keys to gain necessary access as required by the Fire Code Official.

The following access conditions shall meet the requirements for key box(es) installation:

1. A building that is protected by a Fire Alarm System where any signal is transmitted to a monitoring station that dispatches the fire department.
2. A building that is protected by a Fire Sprinkler System where either a signal is transmitted to a monitoring station that dispatches the fire department or where activation of the fire sprinkler system for the containment of an active fire shall be investigated by the fire department in order to minimize further loss of property.
3. A building protected by any other Fire Protection System that upon activation shall require attention and resources provided by the Fire Department.
4. Any new construction especially where access to the building or facility is limited by any circumstance.
5. Any other condition of a property or building, the Fire Chief, Fire Marshal, or their designee determine that access is needed to minimize the risk of life or property damage.

Sec 7-62.9 – Fire Hydrants, Fire Lanes, and Parking.

*Fire hydrants* installed on the streets in the town limits and extraterritorial jurisdiction are for the purposes of providing water supply for fire protection and maintenance of the water distribution system. Under no circumstance shall any hydrant be blocked, tampered with, or altered in any way without prior approval of the Town of Smithfield Fire Department and Water utility department.

- (1) Fire hydrant design and installation shall be permitted, installed, tested, and approved by the Fire Chief, Fire Marshal, or their designee in accordance to the Town of Smithfield Specification Manual.
- (2) It shall be unlawful to park any vehicle in a manner that blocks or within 3 feet clearance of a fire hydrant. Curb markings may be marked accordingly in any direction at the discretion of the Fire Chief, Fire Marshal, or their designee.
- (3) It shall be unlawful for posts, fences, vehicles, growth, trash, storage, buildings and other materials or objects to be placed or kept near fire hydrants, fire department inlet connections, or fire protection control valves, in a manner that would prevent such equipment or fire hydrants from being immediately accessible. The fire department shall not be deterred from gaining immediate access to fire protection equipment or fire hydrants during routine maintenance and emergency operations.
- (4) Thus, a three-foot clearance around shall be maintained around the circumference of fire hydrants unless otherwise approved or required by the fire code official.

*Fire Lanes* provide identification of required access to buildings and fire protection equipment for the positioning and operation of fire apparatus during emergency operations. All approved fire lanes shall remain clear at all times from vehicles, trailers, tents, vendors, merchandise, etc. unless prior approval is given by the Fire Chief, Fire Marshal, or their designee.

- (1) Fire lanes shall be designated at all locations within the authority and jurisdiction of the town or its extraterritorial jurisdictions in accordance with the North Carolina Fire Code and as approved by the fire code official.
- (2) Fire lanes installed shall conform to the requirements of North Carolina Fire Code and shall be approved by the fire code official prior to installation. Fire lanes shall be installed in accordance with the Town of Smithfield Specification Manual.
- (3) Vehicles found parked or left unattended in the approved and marked fire lanes shall be subject to being issued a parking citation. Parking Citations may be issued by the Fire Chief, Fire Marshal, or their designee to include members aboard fire apparatus. Citations shall be issued in accordance to the approved Town of Smithfield Fee Schedule.

#### Sec 7-62.10 – False Alarms.

The Smithfield Fire Department Office of the Fire Marshal shall maintain a comprehensive false alarm citation program that monitors the response of the fire department to fire alarms at establishments located within the town limits and its extraterritorial jurisdiction. Based on the disposition of the response to the alarm, the establishment will be accessed appropriately in accordance to *Chapter 11 Section 11-25 Recurring false or nuisance fire and burglar alarms*. The service of the citation for recurring false or nuisance alarm activations shall be made upon the owner, occupant, or other person responsible for the conditions, either by direct in-person delivery, electronic mail with delivery confirmation, or by sending a copy of the citation by first class U.S. Mail, certified and return receipt requested, to the owner's last known address. It shall be the responsibility of the owner to ensure that the fees assessed in the citation are paid to the Town of Smithfield.

### **Chapter 11 – Offences and Miscellaneous Provision, Section 11-25: Reoccurring False Fire and Burglar Alarms**

*Purpose and scope.* The purpose of this section is to encourage both commercial and residential alarm users to assume increased responsibility for maintaining the mechanical reliability, ensure the proper use of alarm systems are being incorporated and the proper use of alarm systems, and to prevent unnecessary police and fire emergency response to false alarms, and thereby to protect the emergency response capabilities of the town from misuse. or nuisance alarms. The enforcement of the provisions of this section enhances safety measures initiated by the police and fire departments, minimizes the response risk of emergency personnel, and preserve the emergency response capabilities of the town from misuse.

By definition a *nuisance alarm* is the activation of any alarm system caused by mechanical failure, malfunction, improper installation, lack of proper maintenance or for any reason for which emergency personnel are unable to determine the apparent cause of the alarm.

- (1) ~~Each establishment in the town be allowed a total of three (3) free false fire alarms per fiscal year (July 1 to June 30). In the event, there is a fourth false fire alarm for an establishment within a fiscal year, a civil citation will be issued in the amount of one hundred dollars (\$100.00); for the fifth, a citation in the amount of one hundred twenty-five dollars (\$125.00) will be issued and for the sixth, an amount of one hundred fifty dollars (\$150.00) will be issued. For each false fire alarm thereafter within a fiscal year, the civil citation will apply in twenty five dollar increments.~~
- (2) ~~For those private residences that are equipped with burglar alarm systems, five (5) free burglar alarms will be allowed in the town per fiscal year. For the sixth false burglar alarm within a fiscal year, a civil citation in the amount of twenty five dollars (\$25.00) will be issued and for each false burglar alarm thereafter within a fiscal year, the civil citation will apply in twenty five dollar increments.~~
- (3) ~~For commercial businesses that are equipped with burglar alarm systems, five (5) free burglar alarms will be allowed in the town within a fiscal year. For the sixth false burglar alarm, a civil citation in the amount of twenty five dollars (\$25.00) will be issued and for each false burglar alarm thereafter within a fiscal year, the civil citation will apply in twenty five dollar increments.~~

#### Sec. 11-25.1—Fire Alarms.

- (1) Each establishment in the Town of Smithfield and its extraterritorial jurisdiction shall be allowed a total of three false fire alarms per fiscal year (July 1 to June 30). In the event additional alarms occur for the establishment within the same fiscal year, a civil citation shall be issued. The amount of the citation shall be determined based on the respective number of activation(s) that have occurred according to the approved fee schedule adopted by the Town of Smithfield.
- (2) The issuance of a civil citation and the maintenance of citations shall be regulated by the fire department in accordance to the adopted fee schedule. The said citations also hold the business and property owner both responsible and accountable for the maintenance of the minimum code requirements for fire protection systems within the building.

#### Sec. 11-25.2—Burglar Alarms.

- (1) For those private residences that are equipped with burglar alarm systems, five (5) free burglar alarms will be allowed in the town per fiscal year. For the sixth false burglar alarm within a fiscal year, a civil citation in the amount of twenty-five dollars (\$25.00) will be issued and for each false burglar alarm thereafter within a fiscal year, the civil citation will apply in twenty-five-dollar increments.

(2) For commercial businesses that are equipped with burglar alarm systems, five (5) free burglar alarms will be allowed in the town within a fiscal year. For the sixth false burglar alarm, a civil citation in the amount of twenty-five dollars (\$25.00) will be issued and for each false burglar alarm thereafter within a fiscal year, the civil citation will apply in twenty-five-dollar increments.

Adopted by motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, and approved on a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.

The is the \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
M. Andy Moore, Mayor

ATTEST

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert Spence, Jr., Town Attorney



# Request for Town Council Action

**Business  
Agenda  
Item:** Ordinance  
Amendment  
**Date:** 08/02/2022

---

**Subject:** Amend Chapter 10 of the Code of Ordinance

**Department:** Police Department

**Presented by:** Chief of Police – R. Keith Powell

**Presentation:** Business Item

---

## Issue Statement

This is a request to amend Chapter 10, Article IV, Section 10-170 of the Administrative Code of Ordinances

## Financial Impact

None

## Action Needed

To approve the requested changes to the Administrative Code of Ordinances

## Recommendation

Staff recommends adoption of Ordinance 510

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Ordinance 510



# Staff Report

**Business  
Agenda  
Item:** **Ordinance  
Amendment**

---

In order to update the fees charged for parking violations, the Administrative Code of Ordinances must be updated. With the adoption of Ordinance 510, the referencing of fees will be removed from the Code and will be referenced and included in the adopted Fee Schedule. Future fee amendments will be completed by amending and adopting a new fee schedule.



**TOWN OF SMITHFIELD  
North Carolina**

**ORDINANCE # 510**

**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD CODE OF ORDINANCES  
CHAPTER 10- MOTOR VEHICLES AND TRAFFIC, ARTICLE IV. STOPPING, STANDING  
AND PARKING, SECTION 10-170 PENALTIES**

**WHEREAS**, Chapter 10, Article IV, Section 10-70 of the Town of Smithfield’s Code of Ordinances outlines penalties for parking violation; and

**WHEREAS**, Chief of Police R. Keith Powell is requesting the Ordinance be amended to update parking violation fees; and

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield that Chapter 10 – Motor Vehicles and traffic, Article IV. Stopping, Standing and Parking, Section 10-170 Penalties is amended as follows:

**Chapter 10 – Motor Vehicles and Traffic, Article IV. Stopping, Standing and Parking**

**Sec. 10-170 Penalties**

- (a) *Generally.* Violations of this article shall subject the offender to the civil penalties hereinafter enumerated. Pursuant to General Statutes section 160A-175, all criminal penalties for these violations as set out in General Statutes section 14-4 are hereby removed. Civil penalties may be recovered by the Town in a civil action in the nature of debt or may be collected in such other amounts as prescribed herein within the prescribed time following the issuance of notice or citation for the violation.
- (b) *Notice to be affixed.* Whenever a member of the police department of the town or other person charged by ordinance or charter with the enforcement of the provisions of this chapter regulating the stopping, standing and parking of vehicles shall find that any of those provisions are being, or have been, violated by the owner or operator of any vehicle, such officer or person shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to the vehicle a parking violation notice or citation in such form as the finance director may direct.
- (c) *Notice contents.* Such stopping, standing and parking violation notice or citation shall, among other things:
  - (1) State upon its face the amount of the penalty for the specific violation if the penalty is paid within forty-eight (48) hours from and after the violation.
  - (2) Notify the offender that a failure to pay the penalty within the prescribed time shall subject the offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in the amount of fifty dollars (\$50.00).
  - (3) Further provide that the offender may answer the town parking citation by mailing the citation and the stated penalty to P.O. Box 761, Smithfield, North Carolina, 27577, or

may pay the amount at the cashier's window ~~on the first floor of the Municipal Building, 116 S. 4th Street~~ at 350 East Market Street, and that upon payment, the case or claim and right of action by the city will be deemed compromised and settled.

- (4) That the penalty must be either paid or the failure must be cleared with the supervisor, violations division, at the municipal building, within forty-eight (48) hours of the issuance of the citation.

The notice shall further state that if the parking violation citation is not cleared within forty-eight (48) hours, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon the parking violation citation, the word "cleared" shall mean either payment, arrangement for payment to be made, or a prima facie showing that the parking citation was received as a result of a mistake, inadvertence or excusable neglect.

- (d) *Settlement of claim.* The supervisor of the violations division is authorized to accept payments in full and final settlement of the claim or claims, right or rights of action which the city may have to enforce such penalty by civil action in the nature of debt. Acceptance of a penalty shall be deemed a full and final release of any and all claims, or right arising out of the contended violations.
- (e) *Amounts.* ~~The following~~ Penalties shall be imposed for violations in those cases in which payment is made within the prescribed forty-eight-hour period ~~based on the Council approved Fee Schedule~~

- (1) ~~Stopping, standing or parking in specific places, designated in this article, to wit:~~

~~a. Obstructing traffic~~

~~b. On a sidewalk~~

~~c. Within an intersection~~

~~d. Double stopping, standing or parking~~

~~e. Stopping, standing or parking in front of a fire hydrant or within a fire hydrant zone or in a designated fire lane~~

~~f. Blocking, or parking within five (5) feet on either side of a private road or driveway~~

~~g. Blocking or otherwise obstructing ingress to, egress from, or passage through city-owned, off street parking areas for the general public ..... \$ 5.00~~

~~(2) Parking in a "No parking zone" ..... 5.00~~

~~(3) Stopping, standing or parking in a "No stopping or standing zone" ..... 5.00~~

~~(4) Unauthorized parking in municipal building parking areas ..... 5.00~~

~~(5) Unauthorized truck parking ..... 5.00~~

~~(6) Unauthorized parking in loading zones ..... 5.00~~

~~(7) Parking, standing or stopping in a "Bus Zone" ..... 5.00~~

~~(8) All other parking, standing or stopping violations ..... 4.00~~

~~(9) Unauthorized parking in a handicapped zone ..... 25.00~~

- (f) ~~Additional penalty. A penalty of twenty five dollars (\$25.00), in addition to the one imposed for payment within forty eight (48) hours, shall apply in those cases in which the penalties prescribed in subsection (e) above have not been paid within the prescribed forty eight hour period and in which a civil action shall have been instituted.~~
- (g) *Penalties, to general fund.* All penalties paid to the violations division or as may be recovered in a civil action in the nature of debt as herein provided shall be paid into the general fund of the town at such time and under such regulations as may be prescribed by the town clerk and finance director.

Adopted by motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, and approved on a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ against.

The is the \_\_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
M. Andy Moore, Mayor

ATTEST

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert Spence, Jr., Town Attorney





# Request for Town Council Action

**Business Agenda Item:** Amendments to the Fee Schedule  
**Date:** 08/02/2022

---

**Subject:** Amendments to the Fee Schedule  
**Department:** Police Department & Fire Department  
**Presented by:** Chief of Police – R. Keith Powell & Fire Chief Michael Brown  
**Presentation:** Business Item

---

## Issue Statement

This is a request to amend Police and Fire Departments Fees

## Financial Impact

None

## Action Needed

To approve the requested changes to the Fee Schedule

## Recommendation

Staff recommends adoption of the revised Fee Schedule

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Proposed Changes to the Fee Schedule



# Staff Report

**Business Amendments  
Agenda to the Fee  
Item: Schedule**

---

During the budget process, there was some discussion regarding the Police Department Fees for Parking Violations. The Police Chief has reviewed the information and is recommending increasing most of the parking violation fees.

Also during the budget process, the Fire Department proposed changes to its fees, but those were inadvertently left out of the Draft Fee Schedule.

Staff is recommending the Council consider adopting the proposed changes to the FY 2022-2023 Fee Schedule

**TOWN OF SMITHFIELD**  
**FY 2022-2023**  
**DEPARTMENTAL FEE SCHEDULE**

Proposed Amendments to the Fire Department and Police Department Fees

**Fire Department Fees**

**Fire Inspections (all occupancies per building/structure/tenant space not adjoined or separated)**

Less than 50,000 sq. Ft .....	\$50.00
50,000 - 100,000 sq. Ft. ....	\$100.00
<del>More than 100,000 sq. Ft</del> 100,001-250,000 sq Ft .....	\$200.00
More than 250,000 sq Ft. ....	\$300.00
First Re-Inspection.....	No Charge
Each subsequent Re-inspection.....	\$50.00 ea. <del>\$25.00 ea.</del>

**Special Permits**

Special Events.....	\$100.00
<del>Underground</del> Flammable/Combustible Liquid Storage Tank Installation / Removal (per Tank) .....	\$100.00 <del>\$75.00</del>
Fireworks Sales.....	\$75.00
Fireworks Public Display (permit & stand-by).....	\$150.00
Temporary Tent or Air Supported Structure permit .....	\$100.00 <del>\$75.00</del>
Carnival or Circus Permit and Inspection .....	\$100.00
Hazardous Materials .....	\$200.00
Fumigation & Insecticidal Fogging Facility .....	\$100.00

**Note:** Non-Profit organizations are exempt from Fire Department Fees if the proper documentation confirming non-profit status is provided to the inspector.

**Citations**

Fire Lane Citation .....	\$25.00
Fire Code Citation.....	\$50.00
Overcrowding/In Excess of Posted Occupancy Load.....	\$100.00
False Alarm Citation.....First, Second, & Third Activation.....	\$0.00
Fourth Activation.....	\$150.00
Fifth Activation.....	\$200.00
Sixth Activation.....	\$250.00
Each Subsequent Activation.....	Additional amount increase of \$50.00

**Police Department**

**Parking Violations**

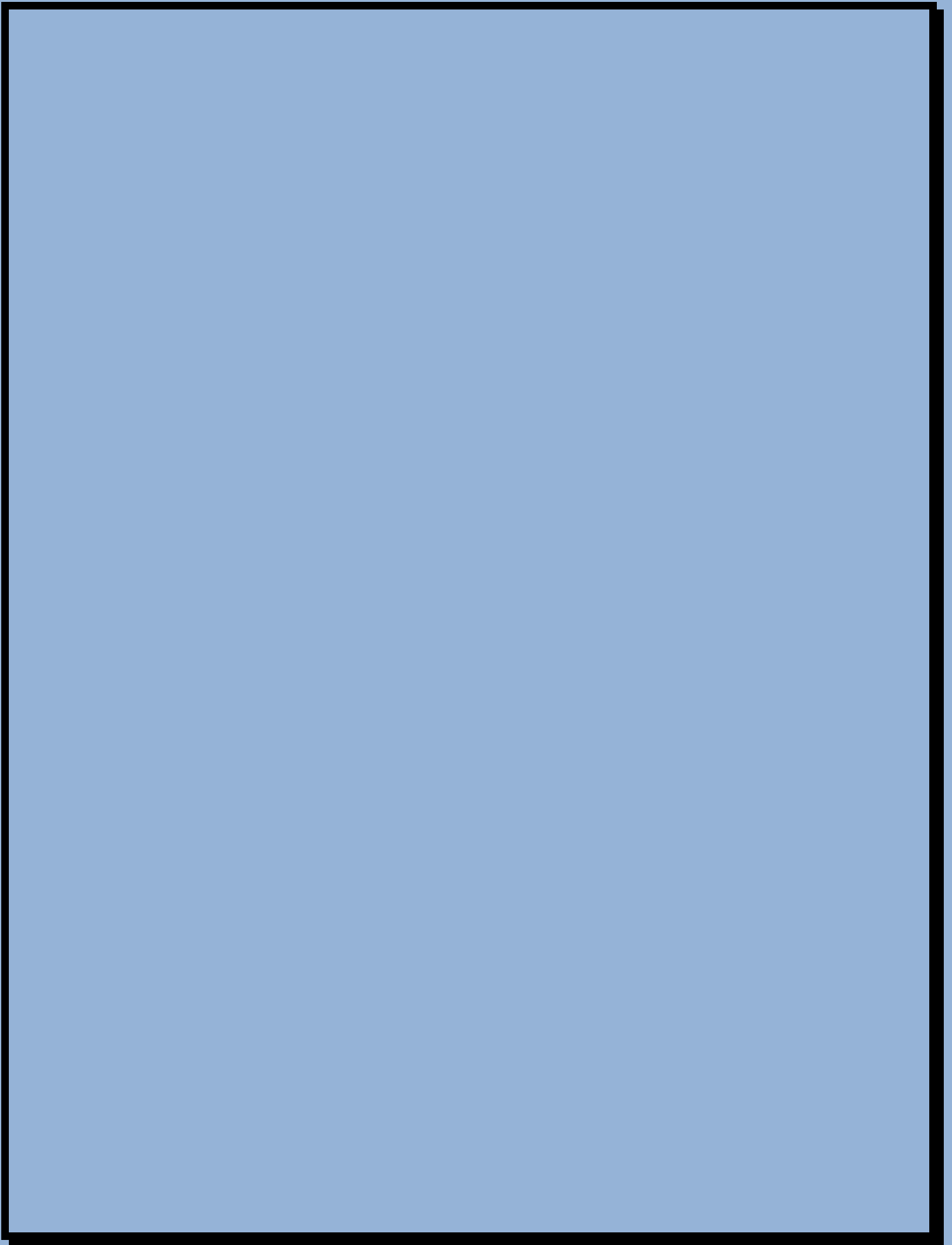
Exceeding Time Limit.....	\$25.00 <del>\$10.00</del>
Wrong Side of Street.....	\$25.00 <del>\$10.00</del>
Fire Lane (also included in Fire Dept. Fees) .....	\$50.00 <del>\$25.00</del>
Too Close to Corner .....	\$25.00 <del>\$10.00</del>
Across Parking Line .....	\$25.00 <del>\$10.00</del>
On Crosswalk .....	\$25.00 <del>\$10.00</del>

Abandon on Street.....	\$25.00
Over 12" from curb.....	<del>\$25.00</del> \$10.00
Double Parking.....	<del>\$25.00</del> \$10.00
Loading Zone .....	<del>\$25.00</del> \$10.00
Fire Hydrant .....	<del>\$50.00</del> \$25.00
Driveway .....	<del>\$25.00</del> \$10.00
Traffic Lane.....	<del>\$25.00</del> \$10.00
On Sidewalk .....	<del>\$25.00</del> \$10.00
Blocking Intersection .....	<del>\$25.00</del> \$10.00
No Parking Area.....	<del>\$25.00</del> \$10.00
Handicapped Zone.....	<del>\$75.00</del> \$50.00
All Other Parking Violations.....	<del>\$25.00</del> \$10.00

**Parking Fines unpaid within 48 hours are penalized an additional \$50.00**



# Financial Report



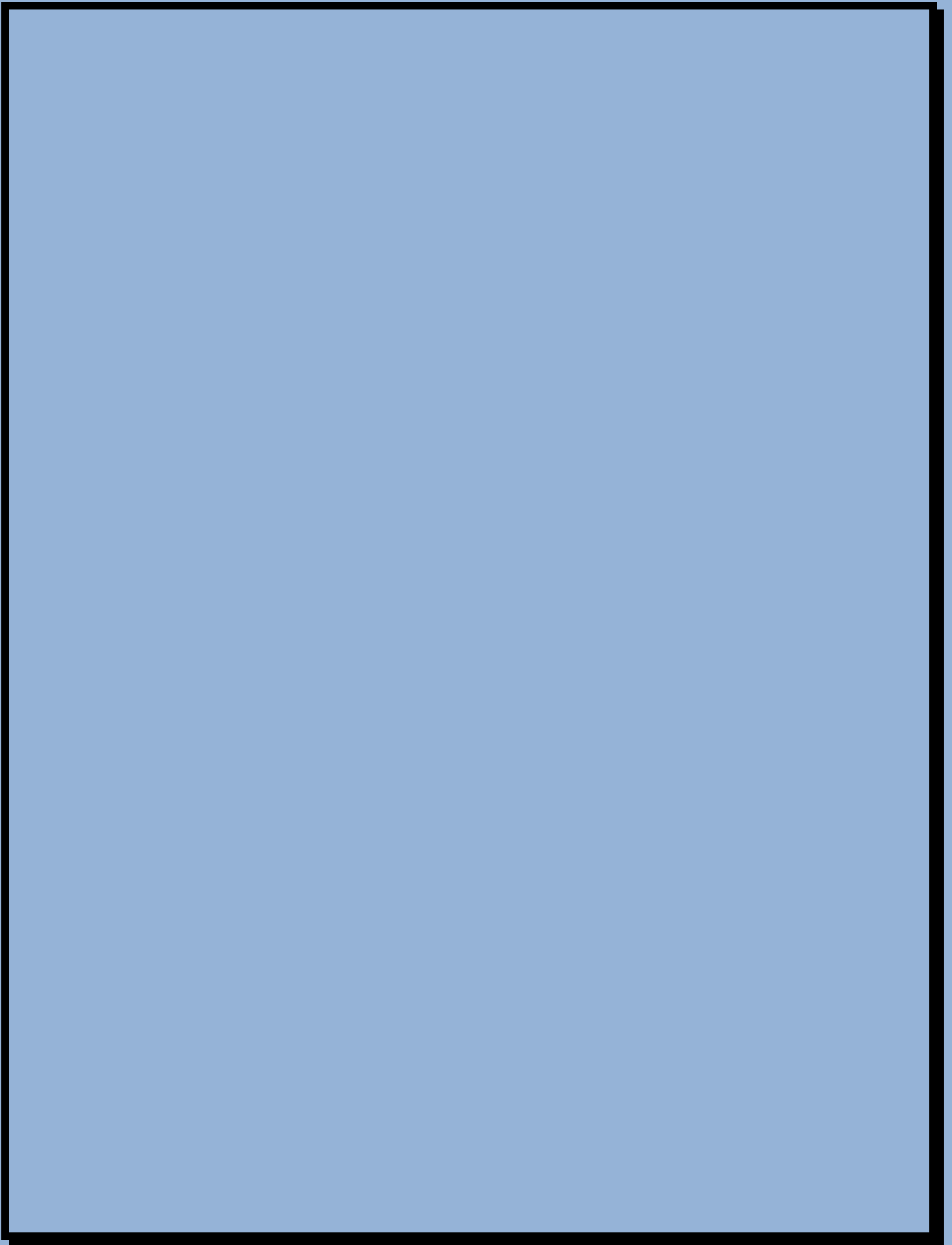
## NOTICE

Financial Summaries and Charts for year-end (June 30, 2022) are not included in this month's report. Unlike the other eleven months in the year, expenses and revenues received after June 30<sup>th</sup>, but for the prior fiscal year are continually applied back to the month of June.

Therefore, the year-end numbers at June 30, 2022, are reported in the annual audit report.



# Department Reports





**FINANCE DEPARTMENTAL REPORT FOR JUNE, 2022**

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

Daily Collections/Property Taxes/Other.....	\$2,675,590
Franchise Tax.....	262,085
Sales & Use Tax.....	322,104
Powel Bill.....	0
<b>Total Revenue</b>	<b>\$3,259,779</b>

Expenditures: General, Water, and Electric.....\$4,395,813

**FINANCE:**

- Compiled and submitted monthly retirement report on 6/30/2022
- Issued 37 purchase orders
- Processed 638 vendor invoices for payment and issued 356 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 6/10 and 6/24/2022
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$9,496
- Processed 6 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$23,861.60 (EMS: \$5,022.75; SRAC: \$3,995.71; Utility: \$14,843.14; and Other: \$0)
- Penn Credit - Bad Debt Collections received in June \$0; Total Collections to Date \$20,228.86
- Invoiced 2 grave opening for a total of \$1,400.
- Invoiced Johnston Community College for Police Security
- Earned \$1,647.26 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$10,103 in credit/debit card fees, but received \$5944 (31-72-3550-3520-0002) in convenience fees (Reporting month billed, not month paid)

**FINANCE DIRECTOR**

- Attended Department Head Meetings on June 6 and 27, 2022
- Met with Lee Carter of NCCMT to review deposit relationship and discuss interest rates forecast
- Attended annual Powell Bill training on June 7, 2022
- Attended Council meeting on June 7, 2022
- Met with J.B. George and Peggy Scott on J.B. George Endowment
- Attended budget meetings with Council on June 27, 2022
- Reconciled May's bank statement for Central Depository Account week of June 20, 2022
- Set up NCIDs for Mark Helmer (Planning) and Ashley Waters (Finance) as now required to report Powell Bill data
- Paid off aquatic center loans with First Citizens Bank on June 23, 2022
- Prepared excel sheets of FY23 Budget for system upload once approved by Council



# Planning Department Development Report

Monday, July 25, 2022

**Project Name: NC Heart and Vascular Addition**  
 Request: 4,000 sq ft addition  
 Location 910 Berkshire Road  
 Tax ID#: 15004199H PIN#: 260413-04-9166  
 Project Status In First Review  
 Notes: landscape plan submitted on 7/20/2022

Site Plan 2022-06	
Submittal Date:	7/6/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

**Project Name: Wake Med**  
 Request: 2.5 foot variance to 15' side yard building setback  
 Location 928 North Brightleaf Boulevard  
 Tax ID#: 15007006 PIN#: 260413-13-5325  
 Project Status Scheduled for Public Hearing  
 Notes: 2.5 foot variance to side yard setback

BOA 2022-03	
Submittal Date:	7/1/2022
Planning Board Review:	
Board of Adjustment Review:	7/28/2022
Town Council Hearing Date:	
Approval Date:	

**Project Name: Home2 Suites**  
 Request: 70 foot tall free standing hotel  
 Location 180 Towne Centre Place  
 Tax ID#: 15L11001I PIN#: 260305-09-7050  
 Project Status In First Review  
 Notes: structure over 40 feet requires a special use permit as per the UDO

Special Use 2022-02	
Submittal Date:	6/1/2022
Planning Board Review:	8/4/2022
Board of Adjustment Review:	
Town Council Hearing Date:	9/6/2022
Approval Date:	

**Project Name: Brogden Industrial**  
 Request: 265,000 sq ft warehouse  
 Location 934 Brogden Road  
 Tax ID#: 15K11012C PIN#: 169310-35-5200  
 Project Status First Review Complete  
 Notes: Staff Review and approval

Site Plan 2022-05	
Submittal Date:	5/18/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	



Project Name: **Blueline Aviation**  
 Request: 5 lot - mixed use PUD  
 Location 3149 Swift Creek Road  
 Tax ID#: 15J08015B PIN#: 168509-05-2529  
 Project Status First Review Complete  
 Notes: Planning Board recommends denial

<b>Conditional Zoning 2022-03</b>	
Submittal Date:	5/6/2022
Planning Board Review:	7/14/2022
Board of Adjustment Review:	
Town Council Hearing Date:	8/9/2022
Approval Date:	

Project Name: **Whitley Townes**  
 Request: 70 lot Townhouse Subdivision  
 Location West Market Street  
 Tax ID#: 15084001 PIN#: 169409-06-6525  
 Project Status Approved  
 Notes: Construction drawing in staff review

<b>Subdivision 2022-03</b>	
Submittal Date:	4/1/2022
Planning Board Review:	5/5/2022
Board of Adjustment Review:	
Town Council Hearing Date:	6/7/2022
Approval Date:	

Project Name: **Airport Industrial Park lot 7**  
 Request: Contractor Office with outdoor storage yard  
 Location 9541 Industrial Drive  
 Tax ID#: 15J08017K PIN#: 168509-05-1257  
 Project Status Approved  
 Notes: Under Construction

<b>Site Plan 2022-03</b>	
Submittal Date:	3/25/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Take 5 Oil Change**  
 Request: Retail oil change service center  
 Location 1307 North Brightleaf Boulevard  
 Tax ID#: 14074019 PIN#: 260411-55-6272  
 Project Status In Second Review  
 Notes: Staff review of retail oil change service center

<b>Site Plan 2022-02</b>	
Submittal Date:	3/11/2022
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Floyd's Landing**  
 Request: 598 residential units on 698 acres  
 Location 2001 US Hwy 70 We  
 Tax ID#: 15078012 PIN#: 168500-73-3381  
 Project Status **Approved**  
 Notes: Construction drawing in staff review

<b>Subdivision 2022-02</b>	
Submittal Date:	3/4/2022
Planning Board Review:	4/7/2022
Board of Adjustment Review:	
Town Council Hearing Date:	5/2/2022
Approval Date:	

Project Name: **Franklin Towns**  
 Request: Preliminary Sub'd for 134 townhouses on 15.9 acers  
 Location Wilson's Mills Road  
 Tax ID#: 15083049E PIN#: 169406-29-7604  
 Project Status **Approved**  
 Notes: Construction drawings approved

<b>Subdivision 2022-01</b>	
Submittal Date:	1/7/2022
Planning Board Review:	2/4/2022
Board of Adjustment Review:	
Town Council Hearing Date:	3/1/2022
Approval Date:	

Project Name: **Advancetech**  
 Request: 98,280 sq ft manufacturing facility / warehouse  
 Location 3900 West US 70 Business Highway  
 Tax ID#: 17J08001D PIN#: 168618-20-5729  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2021-19</b>	
Submittal Date:	10/4/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **The Insurance Shoppe**  
 Request: 4,900 sq ft free standing office  
 Location 131 Kellie Drive  
 Tax ID#: 14075021S PIN#: 260405-09-8296  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2021-18</b>	
Submittal Date:	10/1/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **ALA Johnston Charter School**  
 Request: Site plan approval  
 Location West US 70 Highway  
 Tax ID#: 17J08004 PIN#: 168505-19-8748  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 20121-18</b>
Submittal Date: 9/17/2021
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **JNX Corporate Hangers**  
 Request: Parking and stormwater improvements  
 Location 3146 Swift Creek Road  
 Tax ID#: 15079017D PIN#: 168500-12-1015  
 Project Status **Approved**  
 Notes: Staff approved on 5/23/2022

<b>Site Plan 2021-17</b>
Submittal Date: 9/17/2021
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **Britt Street Triplexes**  
 Request: 6 lot division  
 Location Britt Street  
 Tax ID#: 15L11006 PIN#: 169409-06-1658  
 Project Status **Approved**  
 Notes: Under Construction

<b>Subdivision 2021-04</b>
Submittal Date: 9/3/2021
Planning Board Review: 10/7/2021
Board of Adjustment Review:
Town Council Hearing Date: 11/2/2021
Approval Date:

Project Name: **Smithfied PD expansion**  
 Request: Addition to existing facility  
 Location 110 South Fifth Street  
 Tax ID#: 15025048 PIN#: 169419-50-2949  
 Project Status **Approved**  
 Notes: Under Construction

<b>Conditional Zoning 2021-05</b>
Submittal Date: 9/3/2021
Planning Board Review: 10/7/2021
Board of Adjustment Review:
Town Council Hearing Date: 11/9/2021
Approval Date:

Project Name: **Marin Woods Subdivision**  
 Request: 143 units on 31.56 Ac.  
 Location NC210 Highway  
 Tax ID#: 15077008 PIN#: 168400-74-4498  
 Project Status **Second Review Complete**  
 Notes: Construction drawings approved on 7/25/2022

<b>Subdivision 2021</b>	
Submittal Date:	7/2/2021
Planning Board Review:	8/5/2021
Board of Adjustment Review:	
Town Council Hearing Date:	9/7/2021
Approval Date:	

Project Name: **Project XD**  
 Request: 629,215 square foot warehouse  
 Location 2110 US70 East Highway  
 Tax ID#: 15078011 PIN#: 168500-63-4559  
 Project Status **Approved**  
 Notes: Final Inspection on 5/20/2022

<b>Site Plan 2021-07</b>	
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 **Approved**  
 Notes: Under Construction

<b>Site Plan 2021-08</b>	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Fuel Farm**  
 Request: All new fueling station with above ground tanks  
 Location 3149 Swift Creek Road  
 Tax ID#: 15079017D PIN#: 168500-12-1015  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2021-12</b>	
Submittal Date:	4/14/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/11/2021

Project Name: **Airport Industrial Park lot 13**  
 Request: Contractors Office with outdoor storage  
 Location 55 Airport Industri Drive  
 Tax ID#: 15J08017P PIN#: 168500-04-5363  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2021-05</b>	
Submittal Date:	4/6/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/5/2021

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

<b>Site Plan 2020-07</b>	
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

<b>Site Plan 2020-06</b>	
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

<b>Site Plan 2020-04</b>	
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: Jail Site Completed- Public Safety Center Under Construction

<b>Site Plan 2020-02</b>	
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 3-5**  
 Request: Residential Subdivision  
 Location Buffalo Road  
 Tax ID#: 14075013 PIN#: 169520-80-3415  
 Project Status **Approved**  
 Notes: Under Construction

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

Project Name: **East River Phase 6-7**  
 Request: Townhouse Development  
 Location Buffalo Road  
 Tax ID#: 14075013 PIN#: 169520-80-3415  
 Project Status **Approved**  
 Notes: Under Construction

<b>Subdivision 2018-01</b>	
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: completed C/O issued

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

Project Name: **Twin Creeks Phs 1**  
 Request: 28 Lot Subdivision  
 Location Gailee Road  
 Tax ID#: 15I09011B PIN#: 167300-56-5565  
 Project Status  
 Notes: Under Construction

<b>Subdivision 2019-01</b>	
Submittal Date:	4/5/2019
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Kamdon Ranch**  
 Request: 110 Lot Division  
 Location Swift Creek Road  
 Tax ID#: 15I08020 PIN#: 167400-55-9495  
 Project Status **Approved**  
 Notes: Phase 2 under construction

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

Project Name: **Smithdfield Landing**  
 Request: 5 lot residential subdivision  
 Location Front Street  
 Tax ID#: 15019017C PIN#: 169418-32-9491  
 Project Status **Approved**  
 Notes: SFD permits issued 7/18/2022

<b>Special Use 2006-04</b>	
Submittal Date:	
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/3/2008



**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 June 2022**

		Permit Fees	Permits Issued
Zoning	Land Use	\$1300.00	13
Site Plan	Minor Site Plan	\$300.00	9
Zoning	Sign	\$100.00	2
Report Period		\$1,700.00	24
Fiscal YTD Total:		\$17,230.00	279

SP22-000074	Site Plan	Minor Site Plan	Single Family Dwelling	2525 Buffalo Rd
Z22-000071	Zoning	Building	Tru Hotel sign package	167 S Equity Dr
SP22-000073	Site Plan	Minor Site Plan	Single Family Dwelling Addition	1950 Firetower Rd
Z22-000064	Zoning	Land Use	Amazon Fulfillment Center	2150 US Highway 70 Business
Z22-000065	Zoning	Land Use	Papa Johns	1104 N Brightleaf Blvd
SP22-000071	Site Plan	Minor Site Plan	Single Family Dwelling Addition	126 Strickland Dr
Z22-000066	Zoning	Land Use	CJ Hendrix & Co LLC Hair Salon	729 N Brightleaf Blvd
Z22-000067	Zoning	Land Use	The Mana Food Truck, LLC	527 S Brightleaf Blvd
Z22-000068	Zoning	Land Use	Ashay Counseling Agency, PLLC	415-B N Seventh St
Z22-000069	Zoning	Land Use	Island Food	728 N Brightleaf Blvd
SP22-000072	Site Plan	Minor Site Plan	Single Family Dwelling	411 Collier Street
Z22-000070	Zoning	Land Use	Ka'lisa Hair & Accessories/ Home	153 Tanageray Drive
Z22-000072	Zoning	Land Use	Brooks Brothers	1025 Outlet Center Dr
Z22-000073	Zoning	Land Use	Gunter Enterprises, Inc./DBA McDonald's	1209 Brightleaf Blvd
SP22-000075	Site Plan	Minor Site Plan	Single Family Dwelling	1105 Massey St
SP22-000076	Site Plan	Minor Site Plan	Single Family Dwelling	1107 Massey St
SP22-000077	Site Plan	Minor Site Plan	Single Family Dwelling	380 Quail Rd
SP22-000078	Site Plan	Minor Site Plan	Single Family Dwelling	400 Quail Rd
Z22-000074	Zoning	Land Use	Christy's Boutique	259-F Venture Dr
Z22-000075	Zoning	Sign	Christy's Boutique	259-F Venture Dr
Z22-000076	Zoning	Land Use	Law Offices of Brian Ray Knott	105 E Johnston St
Z22-000077	Zoning	Land Use	Master Tire Shop	1302 S Brightleaf Blvd
SP22-000079	Site Plan	Minor Site Plan	Shop & Go	134 W Market St
Z22-000079	Zoning	Land Use	Stop and Go	134 W Market St
Z22-000078	Zoning	Sign	Interstate Outdoor	834 Brogden Rd





**TOWN OF SMITHFIELD  
POLICE DEPARTMENT  
MONTHLY REPORT  
MONTH ENDING June 30, 2022**

**I. STATISTICAL SECTION**

Month Ending June 30, 2022	June2022	June 2021	Total 2022	Total 2021	YTD Difference
Calls for Service	1730	2046	11656	10642	1014
Incident Reports Completed	122	140	824	770	54
Cases Closed	118	10	589	583	6
Accident Reports	76	79	466	433	33
Arrest Reports	86	81	532	497	35
Burglaries Reported	6	8	38	44	-6
Drug Charges	13	27	123	143	-20
DWI Charges	7	5	46	40	6
Citations Issued	190	404	1514	1802	-288
Speeding	73	194	650	656	-6
No Operator License	24	83	336	404	-68
Registration Violations	17	38	170	248	-78

**II. PERSONNEL UPDATE**

The police department currently has Seven (7) vacant patrol officer positions. The agency has 2 officers in field training. Department currently has two officers on light duty due to medical reasons.

**III. MISCELLANEOUS**

Mandatory in-service training was continued in June, with most courses be completed on line. The department has assisted with the Juneteenth Parade. The department assisted the SRAC with the Three Little Pigs Triathlon.

## REPORTED UCR OFFENSES FOR THE MONTH OF JUNE 2022

PART I CRIMES	June	June	+/-	Percent	Year-To-Date		+/-	Percent
	2021	2022		Changed	2021	2022		Changed
MURDER	1	0	-1	-100%	1	0	-1	-100%
RAPE	0	0	0	N.C.	0	3	3	N.C.
ROBBERY	2	0	-2	-100%	4	1	-3	-75%
Commercial	2	0	-2	-100%	2	1	-1	-50%
Individual	0	0	0	N.C.	2	0	-2	-100%
ASSAULT	2	0	-2	-100%	19	32	13	68%
* VIOLENT *	5	0	-5	-100%	24	36	12	50%
BURGLARY	6	6	0	0%	39	36	-3	-8%
Residential	3	2	-1	-33%	22	19	-3	-14%
Non-Resident.	3	4	1	33%	17	17	0	0%
LARCENY	44	40	-4	-9%	197	232	35	18%
AUTO THEFT	7	4	-3	-43%	26	20	-6	-23%
ARSON	0	0	0	N.C.	2	1	-1	-50%
* PROPERTY *	57	50	-7	-12%	264	289	25	9%
PART I TOTAL:	62	50	-12	-19%	288	325	37	13%
PART II CRIMES								
Drug	22	12	-10	-45%	130	126	-4	-3%
Assault Simple	6	13	7	117%	49	52	3	6%
Forgery/Counterfeit	0	2	2	N.C.	10	6	-4	-40%
Fraud	4	7	3	75%	28	48	20	71%
Embezzlement	0	1	1	N.C.	5	4	-1	-20%
Stolen Property	2	1	-1	-50%	5	4	-1	-20%
Vandalism	6	8	2	33%	29	35	6	21%
Weapons	2	0	-2	-100%	5	3	-2	-40%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	1	1	0	0%	5	3	-2	-40%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	0	0	N.C.	1	2	1	100%
D. W. I.	4	5	1	25%	37	43	6	16%
Liquor Law Violation	3	0	-3	-100%	10	10	0	0%
Disorderly Conduct	0	1	1	N.C.	2	6	4	200%
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	13	19	6	46%	101	143	42	42%
PART II TOTAL:	63	70	7	11%	417	485	68	16%
GRAND TOTAL:	125	120	-5	-4%	705	810	105	15%

N.C. = Not Calculable



**I. Statistical Section**

	<b>June</b>
<b>Confirmed Structure Fires</b>	<b>5</b>
<b>EMS Responses</b>	<b>183</b>
<b>Misc./Other Calls</b>	<b>44</b>
<b>Mutual Aid Calls</b>	<b>10</b>
<b>TOTAL EMERGENCY RESPONSES</b>	<b>242</b>

	<b>June</b>	<b>YTD</b>
Fire Inspections	62	227
Public Fire Education Programs	1	11
# Of Children Educated	0	119
# Of Adults Educated	60	197
Plans Review Construction/Renovation Projects	15	79
Fire Department Permits reviewed / Issued	32	118
Business Preplans	2	33
<b>Fire Related Injuries &amp; Deaths</b>	0	0
# Of Civilian Deaths	0	0
# Of Civilian Injuries	0	0

**II. Major Revenues**

	<b>June</b>	<b>YTD</b>
<b>Inspections</b>	<b>\$800.00</b>	\$2275.00
<b>Fire Recovery USA</b>	<b>\$0.00</b>	\$2772.00

**Major Expenses for the Month:**

**III. Personnel Update:**

- Nothing to report

**IV. Narrative of monthly departmental activities:**

- Squad was in-service 8 of 22 days
- Training for the month included Fire Inspections and EMS Con-ed.
- Out of service Hydrants being addressed by Ted Credle. List has been provided.
- Rescue Truck Committee formed and working on specifications.

## **V. Upcoming Plans**

- Leadership classes are being held each month for all officers. Next meeting 7/25/2022 including a mandatory Staff meeting.
- Updated Fire Ordinances and fee schedule to be presented at August Council Meeting.
- Received another 48 detectors from the state. These will be distributed as needed.
- Have 3 scheduled classes with T.J. Deluca from the League of Municipalities. These classes will address social media and the First Amendment for Public Safety Responders. Classes will be held in August at the Smithfield Fire Dept. I will send dates out to all department heads and other agencies.
- Kool Kids Sprinkler July 21<sup>st</sup> at 19:00 at the North Smithfield Baptist Church.
- Formulating a plan to start painting town hydrants.
- Public Education at the Smith-Collins Park on 7/23/2022.



**Town of Smithfield  
Public Works Department  
June 30, 2022**



<u>74</u>	Total Work Orders completed by the Public Works Department
<u>10</u>	Burials, at \$700.00 each = <u>\$7,000.00</u>
<u>1</u>	Cremation Burial, \$400.00 each = <u>\$400.00</u>
<u>\$2,000.00</u>	Sunset Cemetery Lot Sales
<u>\$2,500.00</u>	Riverside Extension Cemetery Lot Sales
<u>460.03</u>	tons of household waste collected
<u>204.00</u>	tons of yard waste collected
<u>3.13</u>	tons of recycling collected
<u>0</u>	gallons of used motor oil were recycled
<u>0</u>	scrap tires were recycled

**Town of Smithfield**  
**Public Works Appearance Division**  
**Cemetery, Landscapes, and Grounds Maintenance**  
**Buildings, Facilities, and Sign Division**  
**Monthly Report**  
**June 30, 2022**



**I. Statistical Section**

- 11 Burials
- 0 Works Orders – Buildings & Facilities Division
- 13 Work Orders – Grounds Division
- 14 Work Orders – Sign Division

**II. Major Revenues**

Sunset Cemetery Lot Sales:	<u>\$2,000.00</u>
Riverside Ext Cemetery Lot Sales:	<u>\$2,500.00</u>
Grave Opening Fees:	<u>\$7,400.00</u>
Total Revenue:	<u>\$11,900.00</u>

**III. Major Expenses for the Month:**

None for the month

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Appearance Division safety meeting was on "Drug and Alcohol " with Jaime Pearce with Wellness Works.

**Appearance Commission June 2022 Monthly Report:**

Revisiting the mural situation for the Town.

Replanting flowers the welcome sign on &0 highway out by the Carolina Outlet Center.

Next Appearance Commission meeting will be on August 16 , 2022, at 5:00 pm in Town Hall.



**Town of Smithfield  
Public Works Drainage/Street Division  
Monthly Report  
June 30, 2022**



**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, 0 gator areas and 0 overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 6 Work Orders – 255lbs. of Cold Patch was used for 6 Potholes.

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

None

**IV. Personnel Update:**

No one for the month of June.

**V. Narrative of monthly departmental activities:**

The Public Works Department safety meeting on "Drug and alcohol".

**Town of Smithfield  
Public Works Department  
June 2022 Drainage Report**

Location: Powell St. Coats St, 307 Woodall St Fema Lot, Woodall St and BLB Fema Lot, Outlet Center Dr., 4th and Holt St.  
Starting Date: 6/2/2022  
Completion Date: 6/16/2022  
Description: Cut right of ways  
Man-hours: 11  
Equipment: 401 2 Scags trailer  
Materials: Hand Loupes

Location: 205 N. 7th St., S. 7th and Church 2116 Michael St., 108 Dail St., 215 Underwood Ave , 107 Heath Ave  
Starting Date: 6/17/2022  
Completion Date: 6/17/2022  
Description: pothole repairs  
Man-hours: .50  
Equipment: 401 412  
Materials: 3 1/2 bags of Perma Patch

Location: 818 East St.  
Starting Date: 6/28/2022  
Completion Date: 6/28/2022  
Description: Sinkhole  
Man-hours: 1  
Equipment: 412  
Materials: 2 -80lbs bags concrete, 1- bag PP

Location: South Smithfield Dirt Streets between Carolina Ave. and Crescent Street  
Starting Date: 6/28/2022  
Completion Date: 6/28/2022  
Description: Scrap dirt streets  
Man-hours: 3  
Equipment: 408, Bobcat Trailer  
Materials:

Location: Sarah Edwards - Downtown Development, Parks and Recreation  
Starting Date: 6/16/2022  
Completion Date: 6/18/2022  
Description: Events StEATery Event, 3 little pigs event held  
Man-hours: .50  
Equipment: 312  
Materials: 10) trash containers, 40 traffic cones and the 4 barricades

Location: 5th and Rose St., Longview, and Park Ave, Berkshire, Outlet Center Dr.  
Starting Date: 6/3/2022  
Completion Date: 6/16/2022  
Description: Cut Blind Corner, Limbs blocking view of stop sign, Broken limb in road  
Durham St. and Harris St., Harris St., 4th and Holt St.  
Man-hours: 2  
Equipment: 401  
Materials: Hand Loups

Location: Fifth St. Fema Lot, 307 Woodall St Fema Lot, Woodall St and BLB Fema  
Lot  
Starting Date: 6/6/2022  
Completion Date: 6/7/2022  
Description: Cut Lot, Fema lots  
Man-hours: 9  
Equipment: 401, 2 Scags 2 weed eaters, trailer  
Materials:

Location: Equity Dr.  
Starting Date: 6/17/2022  
Completion Date: 6/17/2022  
Description: Missing no Parking Sign  
Man-hours: .25  
Equipment: 412  
Materials: 1) no parking sign, 2 bolts, 2 nuts, 2 washers

**Town of Smithfield  
Public Works Fleet Maintenance Division  
Monthly Report  
June 30, 2022**



**I. Statistical Section**

- 4 Preventive Maintenances
- 0 North Carolina Inspections
- 23 Work Orders

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

None for the month

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department safety meeting was on "Drug and alcohol".

**Town of Smithfield**  
**Public Works Sanitation Division**  
**Monthly Report**  
**June 30, 2022**



**I. Statistical Section**

The Division collected from approximately 4,089 homes, 4 times during the month

- a. Sanitation forces completed 30 work orders
- b. Sanitation forces collected tons 460.03 of household waste
- c. Sanitation forces disposed of 102 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 20.87 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.13 tons of recyclable plastic
- h. Recycled 940 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 0 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 480 lbs. of aluminum cans for \$ 216.00
- c. Sold 1420 lbs. of shredder steel for \$ 60.35 to Omni Source

**III. Major Expenses for the Month:**

Spain Farms Nursery was paid \$3,366.00 for disposal of yard waste and debris.

**IV. Personnel Update:**

Zachery Creech was hired On 6/20/2022 as an FT Facility Maintenance Specialist 1.

**V. Narrative of monthly departmental activities:**

The department worked closely with Parks & Recreation providing traffic control devices and event containers for special event 3 Little Pigs held at the SRAC. Public Works also worked closely with Down Town Development providing traffic cones and cans for their 3<sup>rd</sup> Streatery event. The Public Works Department safety meeting was on "Alcohol and Drugs," on 6/15/2022.

Community Service Workers worked 0 hrs.



## MONTHLY REPORT FOR JUNE, 2022

PROGRAMS STATISTICS	June, 2022		June, 2021	
NUMBER OF PROGRAMS	14		11	
TOTAL ATHLETICS PARTICIPANTS	856		686	
TOTAL NON/ATHLETIC PARTICIPANTS	112		83	
NUMBER OF GAMES PLAYED	91		58	
TOTAL NUMBER OF PLAYERS (GAMES)	1633		1442	
NUMBER OF PRACTICES	22		34	
TOTAL NUMBER OF PLAYER(S) PRACTICES	381		887	
SARAH YARD COMMUNITY CENTER	127		186	
	June, 2022	21/22 FY YTD	June, 2021	20/21 FY YTD
PARKS RENTALS	36	605	52	380
USERS (PARKS RENTALS)	5784	23945	7475	19313
<b>TOTAL UNIQUE CONTACTS</b>	<b>8,766</b>		<b>10,573</b>	
	June, 2022	21/22 FY YTD	June, 2021	20/21 FY YTD
PARKS AND RECREATION REVENUES	\$ 5,685.00	\$ 74,314.00	\$ 2,033.00	\$ 25,956.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 100,439.00	\$ 794,169.00	\$ 62,113.00	\$ 667,515.00
PARKS AND RECREATION EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ 19,266.00	\$ 103,364.00	\$ 27,800.00	\$ 170,968.00
SYCC EXPENDITURES (OPERATIONS)	\$ 5,106.00	\$ 41,294.00	\$ 6,746.00	\$ 28,319.00
SYCC EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ -	\$ 8,500.00	\$ -	\$ 37,869.00

**HIGHLIGHTS**      HOSTED THE SJBA INVITATIONAL BASEBALL TOURNAMENT (36 TEAMS)  
                                  HOSTED MOVIE NIGHT IN THE PARK



## SRAC MONTHLY REPORT FOR JUNE, 2022

<b>PROGRAMS SATISTICS</b>	<b>June, 2022</b>		<b>June, 2021</b>	
NUMBER OF PROGRAMS	22		19	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	7184		6029	
	<b>June, 2022</b>	<b>21/22 FY YTD</b>	<b>June, 2021</b>	<b>20/21 FY YTD</b>
SRAC MEMBER VISITS	3406	23242	3318	23154
DAY PASSES	3121	14592	1685	2749
RENTALS (SRAC)	76	509	32	40
USERS (SRAC RENTALS)	2686	23107	4570	8516
<b>TOTAL UNIQUE CONTACTS</b>	<b>16,397</b>		<b>15,602</b>	
	<b>June, 2022</b>	<b>21/22 FY YTD</b>	<b>June, 2021</b>	<b>20/21 FY YTD</b>
<b>FINANCIAL STATISTICS</b>				
SRAC REVENUES	\$ 99,037.00	\$ 672,811.00	\$ 93,192.00	\$ 317,706.00
SRAC EXPENDITURES (OPERATIONS)	\$ 126,297.00	\$ 948,030.00	\$ 74,829.00	\$ 699,527.00
SRAC EXPENDITURES (CAPITAL)	\$ 16,026.00	\$ 31,752.00		
SRAC MEMBERSHIPS	2238		2192	
<b>HIGHLIGHTS</b>	<p>HOSTED THE 3 LITTLE PIGS TRIATHLON OVER 3000 SWIM LESSONS CONDUCTED</p>			







- **Statistical Section**

- Electric CP Demand 22,843 Kw relative to April's demand of 17,325 Kw.
- Electric System Reliability was 99.9999%, with one (1) recorded main line outage; relative to April's 99.9992%.
- Raw water treated on a daily average was 4.432 MG relative to 4.958 MG for April; with maximum demand of 5.882 MG relative to April's 5.258 MG.
- Total finished water to the system was 117.765 MG relative to April's 115.762 MG. Average daily for the month was 3.799 MG relative to April's 3.734 MG. Daily maximum was 4.974 MG (May 3<sup>rd</sup>) relative to April's 4.895 MG. Daily minimum was 1.637 MG (May 5<sup>th</sup>), relative to April's 2.765 MG.

- **Miscellaneous Revenues**

- Water sales were \$268,359 relative to April's \$261,659
- Sewer sales were \$453,617 relative to April's \$448,973
- Electrical sales were \$1,119,555 relative to April's sales of \$1,206,904
- Johnston County Water purchases were \$148,111 for 63.026 MG relative to April's \$167,040 for 71.081 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$968,725 relative to April's \$797,229.
- Johnston County sewer charge was \$165,713 for 44.208 MG relative to April's \$174,334 for 46.342 MG.

- **Personnel Changes –**

- James Tyndall was hired as Meter Reader and began work on May 16.
- Adam Blevin was hired as Meter Reader and began work on May 16.
- Xavier Sotelo was hired as Electric Line Technician and began work on May 9.
- Seth Vanderhoof was hired as Electric Line Technician and began work on May 16
- Adam Blevin resigned as Meter Reader and began work on May 17.



**Town of Smithfield  
Electric Department  
Monthly Report  
June, 2022**

**I. Statistical Section**

- Street Lights repaired –18
- Area Lights repaired -9
- Service calls – 60
- Underground Electric Locates -313
- Poles changed out/removed or installed -1
- Underground Services Installed -3

**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.

**V. Miscellaneous Activities:**

- The Electrical Dept. is still continuing to installing the infrastructure for East River Phase 3.
- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. is continuing to work on circuit audit lists.
- The Electrical Dept. helped the Street Dept. install Flags for Memorial Day and Fourth of July.
- The Electrical Dept. helped the Street Dept. with some tree trimming along Front St.



## WATER & SEWER

### June 2022 Monthly Report

● DISCONNECT WATER	0
● RECONNECT WATER	0
● TEST METER	3
● TEMPORARY METER SET	0
● DISCOLORED WATER CALLS	11
● LOW PRESSURE CALLS	4
● NEW/RENEW SERVICE INSTALLS	1
● LEAK DETECTION	12
● METER CHECKS	16
● METER REPAIRS	12
● WATER MAIN/SERVICE REPAIRS	4
● STREET CUTS	4
● REPLACE EXISTING METERS	1
● INSTALL NEW METERS	1
● FIRE HYDRANTS REPAIRED	4
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS	6
● CLEANOUTS INSTALLED	8
● INSPECTIONS	8
● CAMERA SEWER	2

- SEWER MAIN CLEANED 160 LF
- SERVICE LATERALS CLEANED 555 LF
- SERVICE CALLS 6
- LOCATES 190
  
- 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 JUNE

## PERSONNEL UPDATES

Jerry McDonald and Joseph DeLeon both resigned.

## UPCOMING PROJECTS FOR THE MONTH OF JULY



## **MONTHLY WATER LOSS REPORT**

**JUNE 2022**

**(6) - Meters with slow washer leaks**

**6" Line, 1/8" hole – 1 Day**

**2" Line, 1/8" hole – 1 Day**

**(2) Fire Hydrant slow drip**

**Smithfield Water Plant**  
Distribution Sampling Site Plan

**Hydrant Flushing**

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	06/28/22	3.2	15	7965	10	North Street	06/14/22	2.5	15	17820	40
Computer Drive	06/28/22	3.2	15	31860	10	West Street	06/14/22	2.5	15	78030	50
Castle Drive	06/28/22	3	15	7965	10	Regency Drive	06/14/22	2.5	15	63720	60
Parkway Drive	06/28/22	3.2	15	63720	40	Randers Court	06/14/22	1.5	15	15930	40
Garner Drive	06/28/22	3.4	15	63723	40	Noble Street	06/14/22	2	15	15930	40
Hwy 210 LIFT ST.	06/28/22	3	15	15930	40	Fieldale Dr#1(L)	06/14/22	2	15	63720	40
Skyland Drive	06/28/22	3.4	15	7965	10	Fieldale Dr#2(R)	06/14/22	2.5	15	63720	40
Bradford Street	06/28/22	3.2	15	15930	10	Heather Court	06/14/22	1.5	15	15930	40
Kellie Drive	06/28/22	3.4	15	7965	10	Reeding Place	06/14/22	1.5	15	15930	40
Edgewater	06/28/22	3	15	7965	10	East Street	06/14/22	2.5	15	63720	40
Edgecombe	06/28/22	2.8	15	15930	40	Smith Street	06/14/22	2	15	63720	40
Valley Wood	06/28/22	3	15	63720	40	Wellons Street	06/14/22	2	15	63720	40
Creek Wood	06/28/22	3.2	15	63720	40	Kay Drive	06/09/22	2.5	15	38985	15
White Oak Drive	06/28/22	3.2	15	7965	10	Huntington Place	06/09/22	1.5	15	38985	15
Brookwood Drive	06/28/22	3.4	15	22515	5	N. Lakeside Drive	06/09/22	1	15	9750	15
Runnymede Place	06/28/22	3	15	31860	10	Cypress Point	06/09/22	1	15	34890	12
Nottingham Place	06/28/22	3.4	15	38985	10	Quail Run	06/09/22	1	15	8715	12
Heritage Drive	06/28/22	3.2	15	38985	10	British Court	06/09/22	1	15	8715	12
Noble Plaza #1	06/28/22	3	15	9750	10	Tyler Street	06/09/22	1.5	15	78030	60
Noble Plaza #2	06/28/22	2.8	15	9750	10	Yelverton Road	06/09/22	2	15	63720	40
Pinecrest Street	06/28/22	3.2	15	19500	10	Ava Gardner	06/09/22	2.5	15	63720	40
S. Sussex Drive	06/28/22	3.4	15	31860	10	Waddell Drive	06/09/22	2.5	15	7965	10
Elm Drive	06/29/22	3	15	9750	10	Henly Place	06/09/22	2	15	8715	12
Coor Farm Supply	06/29/22					Birch Street	06/09/22	2	15	34890	12
Old Goldsboro Rd,	06/29/22	3.4	15	7965	10	Pine Street	06/09/22	2.5	15	38985	15
Hillcrest Drive	06/13/22	2	15	31860	10	Oak Drive	06/09/22	2.5	15	37695	14
Eason Street	06/13/22	2	15	38985	40	Cedar Drive	06/09/22	2	15	31860	10
Magnolia circle	06/13/22	2.5	15	78030	40	Aspen Drive	06/09/22	2	15	34890	12
Rainbow Drive	06/13/22	1.5	15	19500	60	Furlonge Street	06/09/22	2.5	15	34890	12
Rainbow Circle	06/13/22	2	15	19500	60	Golden Corral	06/09/22	2.5	15	40290	16
Moonbeam Circle	06/13/22	2	15	19500	60	Holland Drive	06/09/22	1.5	15	9750	15
Ray Drive	06/13/22	2.5	15	15930	60	Davis Street	06/09/22	2.5	15	34890	12
Will Drive	06/13/22	2	15	63720	40	Caroline Ave.	06/09/22	2	15	31860	10
Michael Lane	06/13/22	2	15	63720	40	Johnston Street	06/09/22	2	15	38985	15
Ward Street	06/13/22	1.5	15	15930	40	Ryans	06/09/22	2.5	90	9750	15

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