



Mayor

M. Andy Moore

Mayor Pro-Tem

Emery Ashley

Council Members

Marlon Lee

J. Perry Harris

Travis Scott

Roger A. Wood

John A. Dunn

Stephen Rabil

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, October 3, 2017

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 OCTOBER 3, 2017
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

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Presentations

- 1. Recognition of Police Officer Robert Stewart for obtaining the Advanced Law Enforcement Certification from the North Carolina Education and Training Standards Commission**
(Mayor – M. Andy Moore & Chief of Police R. Keith Powell) See attached information.....1
- 2. Proclamation – Honoring Manufacturing Day on October 6, 2017 in the Town of Smithfield**
(Mayor – M. Andy Moore) See attached information.....3
- 3. Resolution #612 (17-2017): Recognizing October 1-7,2017 as North Carolina Public Power Week in the Town of Smithfield**
(Mayor – M. Andy Moore) See attached information.....5

Public Hearings

- 1. Conditional Use Permit Request – Theron Lee McLamb (CUP-17-08):**
The applicant is requesting a Conditional Use Permit to construct and operate a recreation vehicle park designed to accommodate 148 RV spaces and 48 rental cabins on 30.15 acres of land located within a B-3 (Business) zoning district. The properties considered for approval are generally bound to the north by CSX Railway, south by Equity Park Subdivision, east by Magnolia Drive and west by Pine Acres Subdivision. The properties are further identified as Johnston County Tax ID# 15L11008K and 15O99002H
(Interim Planning Director – Steve Medlin) See attached information.....9

2. Special Use Permit Request – Atlantic Coast Pipeline (SUP-17-09): The applicant is requesting a special use permit to allow for a 42 acre temporary contractor storage yard on property located within an R-20A (Residential-Agricultural) zoning district. The property considered for approval is located the northwest side of Mallard Road approximately 600 feet northeast of its intersection with Old Mallard Road. The property is further identified as a portion of Johnston County Tax ID# 15K11019F.
(Interim Planning Director – Steve Medlin) See attached information.....45

3. Special Use Permit Request – Johnston Animal Hospital (SUP-17-10): The applicant is requesting a special use permit to allow for an animal hospital on property located within B-3 (Business) zoning district. The properties considered for approval are located on the southwest corner of North Brightleaf Boulevard and Pitchi Street. The properties are further identified as Johnston County Tax ID# 15005056, 15005037, 15005038, 15005037A.
(Interim Planning Director – Steve Medlin) See attached information.....63

4. Ordinance Text Amendments to the Unified Development Ordinance (UDO). The proposed amendments are to make modifications to bring the UDO into compliance with recent changes to the N.C. General Statutes and to make provision for the ability to increase impervious surface limitations and to utilize cluster subdivision standards in watershed protection areas.
(Interim Planning Director – Steve Medlin) See attached information.....83

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1. Approval of Minutes:
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ii. September 5, 207 – Closed Session (Under Separate Cover)

2. Bid Award to Southern Vac in the amount of \$222,500.00 to Purchase a Street Sweeper
(Public Works – Lenny Branch) See attached information.....119

3. Consideration and Approval to amend the Fee Schedule due to the recent increase of the Johnston County Wholesale Water Rate
(Public Utilities Director – Ted Credle) See attached information.....127

4. Consideration and Approval to enter into an Agreement with the Town of Selma for Sludge Processing
(Public Utilities Director – Ted Credle) See attached information.....161

5. Consideration and approval of various Budget Amendments
(Finance Director – Greg Siler) See attached information.....167

6. Advisory Board Appointment

- Catherine Webster has submitted an application for consideration to be reappointed to the Library Board of Trustees for a second term.
- Brenda Waddell has submitted an application for consideration to be appointed to the Parks and Recreation Advisory Commission for a first term.

(Town Clerk – Shannan Parrish) See attached information.....173

7. New Hire Report

(Human Resources Director/ PIO – Tim Kerigan) See attached information.....179

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1. Site Plan Approval – Tires and Wheels Service Shop (SP-17-09): The applicant is requesting preliminary site plan review and approval of a retail sales and service center with no outdoor storage on property located within a B-3 (Business) zoning district.

(Interim Planning Director – Steve Medlin) See attached information.....181

2. Consideration and approval to enter into an agreement with Aetna in the amount of \$2,988 to be the provider of an Employee Assistance Program for Town full-time and permanent part-time employees

(Human Resources Director/ PIO – Tim Kerigan) See attached information.....199

3. Discussion regarding surplus Fire Engine 3

(Fire Chief – John Blanton) See attached information.....203

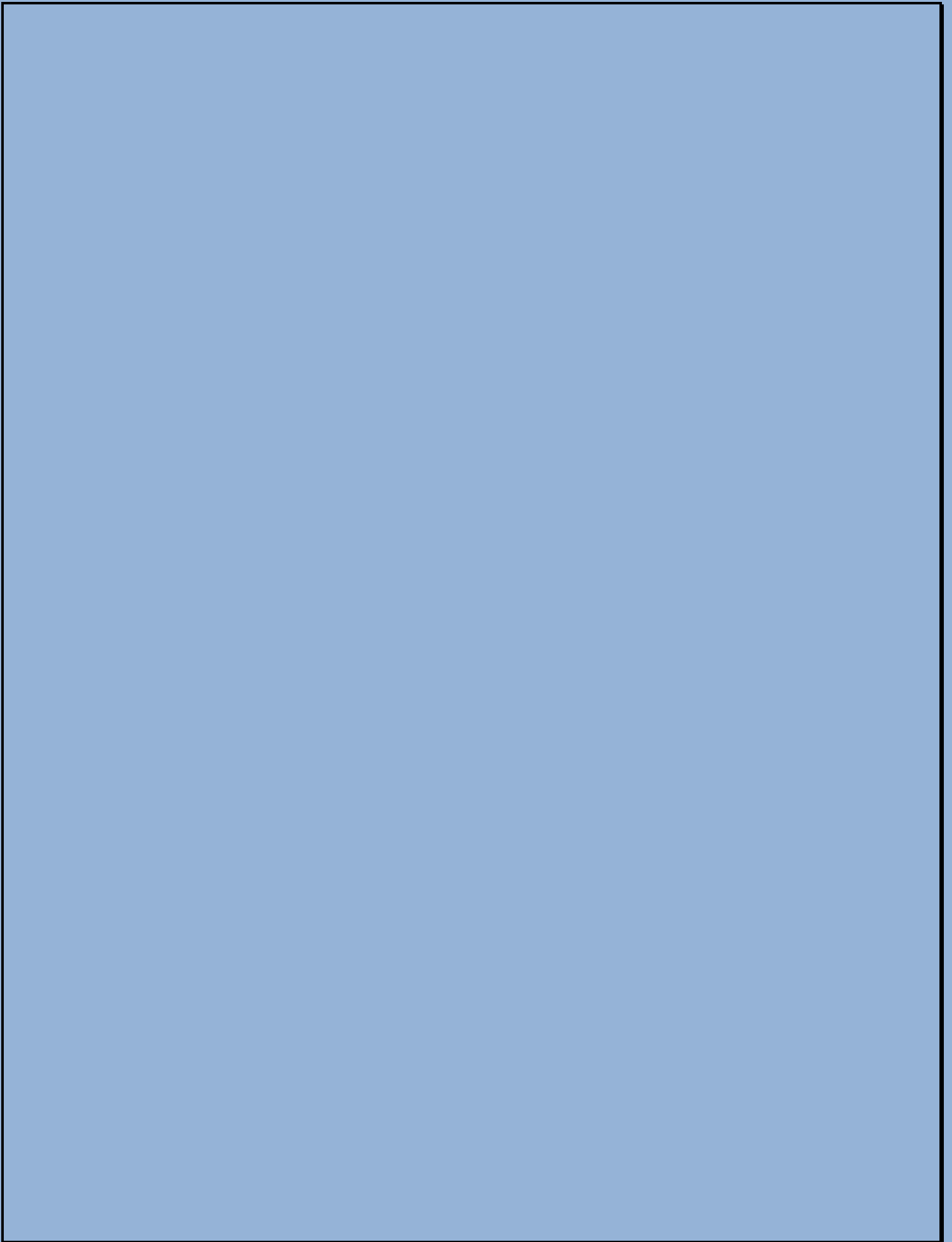
Councilmember’s Comments

Town Manager’s Report

- Financial Report (See attached information).....209
- Department Reports (See attached information).....213
- Manager’s Report (Will be provided at the meeting)

Adjourn

Presentations





Request for City Council Action

Presentation
Police Dept. Advance Certificate
Date: 10/03/2017

Subject: Advance Certificate Presentation
Department: Police Department
Presented by: Chief of Police R. K. Powell
Presentation: Yes

Issue Statement

Master Patrol Officer Robert Stewart has received his Advanced Law Enforcement Certificate from the North Carolina Education and Training and Standards Commission. Officer Stewart joins fifteen (15) other members of the Smithfield Police Department that have received this specific recognition. Officer Stewart has been with the department for 6 years. Officer Stewart has been a field training officer and works for C Squad on Patrol.

Financial Impact

None

Action Needed

Mayor Moore and Chief of Police R. K Powell to present Officer Stewart with his Advance Law Enforcement Certificate.

Recommendation

Mayor & Chief to present Officer Stewart with his Advance Law Enforcement Certificate.

Approved: City Manager City Attorney

Attachments:

1. Staff Report



Staff Report

**Business
Agenda
Item:** **Police
Dept.
Advance
Certificate**

Officer Stewart has received his Advanced Law Enforcement Certificate from the North Carolina Education and Training and Standards Commission. Officer Stewart joins fifteen (15) other members of the Smithfield Police Department that have received this specific recognition. Applications have to be submitted to Training and Standards then are approved by the Board of Commissioners. This certificate program allows dedicated officers to receive statewide recognition for education, professional training and on the job experience.

Officer Stewart holds a Bachelors Degree in Criminal Justice and Criminology from Mount Olive College. Officer Stewart with his four year degree needed an additional 24 training points (480 hours of training as well as 6 years of continuous law enforcement service) to obtain this certificate. Officer Stewart has been with the Smithfield Police Department for almost seven years. He has worked on patrol during his career and has served as a field training officer. Officer Stewart currently has been reassigned to the Smithfield Middle School as a School Resource Officer. Please join me at this time in congratulating Officer Stewart on his achievement.

PROCLAMATION

Proclaiming October 6, 2017 as Manufacturing Day in the Town of Smithfield

WHEREAS, Manufacturing Day is a celebration of modern manufacturing meant to inspire the next generation of manufacturers; and

WHEREAS, Manufacturing Day officially occurs on the first Friday in October. This year we celebrate it on October 6, 2017; and

WHEREAS, Manufacturers boost the Town's economic growth, provide jobs for skilled workers and link innovation in other sectors; and

WHEREAS, Manufacturers contribute to the economic health of the Town of Smithfield and raise awareness of skilled career opportunities in the manufacturing industries; and

WHEREAS, According to the National Association of Manufacturers, approximately 460,000 North Carolinians are employed by this industry, and in 2016 North Carolina's manufacturing industry generated \$98.3 billion, comprising 20.85% of North Carolina's economy; and

WHEREAS, AAF Flanders of 2121 Wal Pat Road, Smithfield will represent and celebrate Smithfield's manufacturing viability and successes with a limited factory open house on October 6, 2017 at 9:30am; and

WHEREAS, the Town of Smithfield appreciates the contributions made by manufacturers in our community.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim October 6, 2017, to be

Manufacturing Day

in the Town of Smithfield, North Carolina



M. Andy Moore, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this Third day of October in the year of our Lord Two Thousand Seventeen.



Request for City Council Action

Presentation **Public
Power
Week
Resolution**
Date: 10/03/2017

Subject: Public Power Week Resolution
Department: Public Utilities
Presented by: Ted Credle
Presentation: No

Issue Statement

The Town of Smithfield is urged to recognize October 1 – 7 as North Carolina Public Power Week.

Financial Impact

There will be no impact to the budget.

Action Needed

Approve the resolution and proclaim the week of October 1 – 7 as North Carolina Public Power Week in Smithfield.

Recommendation

Staff recommends approval of the attached resolution

Approved: City Manager City Attorney (not required)

Attachments:

1. Staff Report
2. Resolution 612 (17-2017)



Staff Report

**Presentation: Public
Power
Week
Resolution**

In keeping with recognizing the efforts of Town employees who work under difficult circumstances and in life-threatening situations, the Town Council is asked to approved the attached resolution, celebrating Public Power Week in North Carolina and across the US.

Town of Smithfield
Resolution #612 (17-2017)
Promoting NC Public Power During
Public Power Week, October 1-7, 2017

WHEREAS, public power is a crucial component in cities and towns across North Carolina, contributing to the overall health of communities by providing reliable electricity, excellent local service and prompt restoration;

WHEREAS, North Carolina's more than 70 public power cities and towns are among more than 2,000 across the country;

WHEREAS, many of North Carolina's public power cities and towns have been electric providers for more than 100 years;

WHEREAS, public power meets the electric needs of 40 million Americans, almost 15 percent of electricity consumers;

WHEREAS, North Carolina's public power utilities are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and,

WHEREAS, North Carolina's public power utilities are dependable institutions that provide excellent service and a commitment to community; now, therefore be it

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, that the week of October 1-7, 2017, is Public Power Week, a week to promote North Carolina's public power cities and towns for their contributions to their communities;

BE IT FURTHER RESOLVED,:

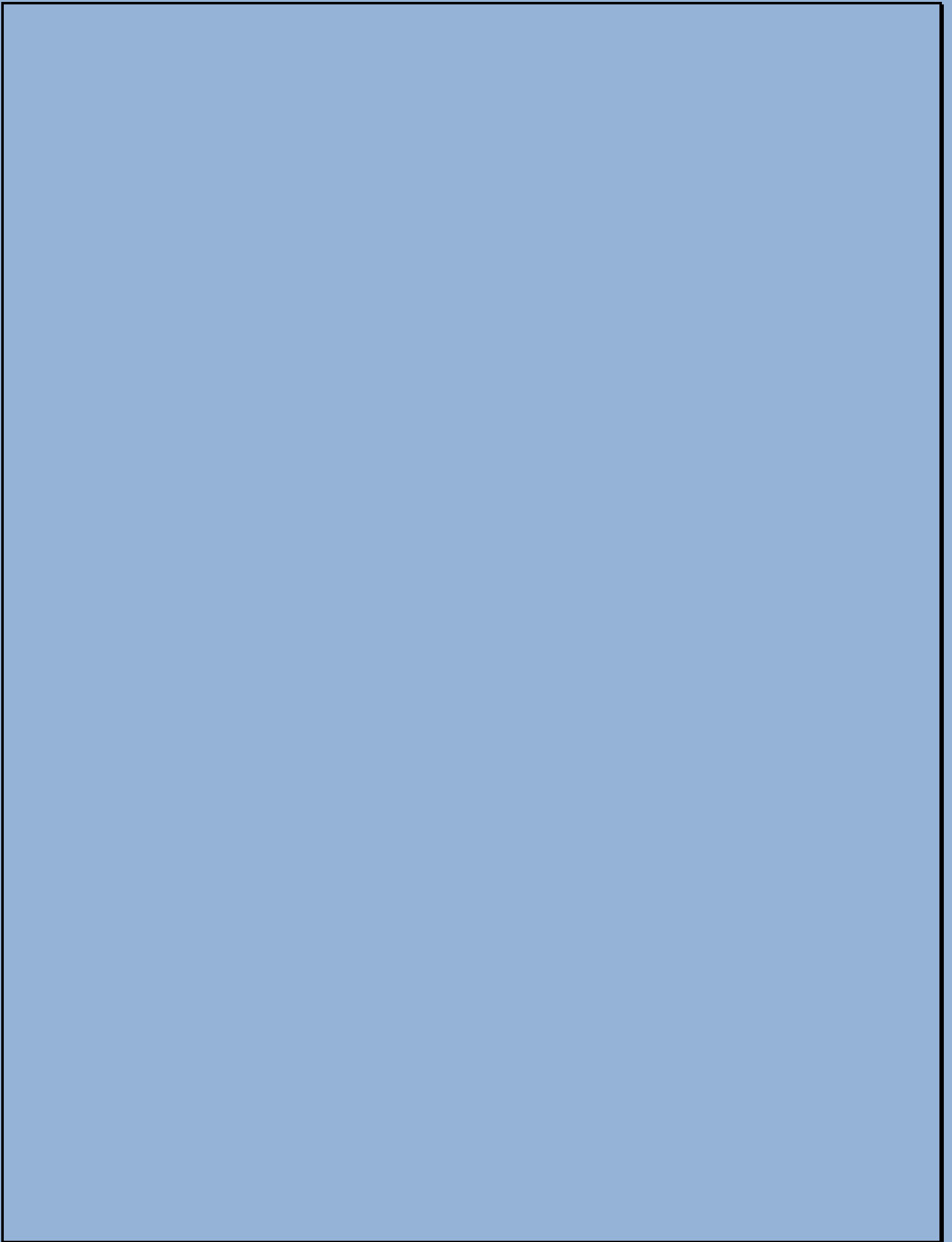
that NC Public Power communities join with all public power systems in the United States in this celebration of public power.

Adopted this day of October 3, 2017 in Smithfield, North Carolina.

M. Andy Moore, Mayor

Date

Public Hearings





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

STAFF REPORT

Application Number: CUP-17-08
Project Name: Smithfield KOA
TAX ID number: 15L11008K and 15O99002H
Town Limits/ETJ: City
Applicant: Theron Lee Mclamb
Owners: Theron Lee Mclamb
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: The properties considered for approval are generally bounded to the north by CSX Railway, south by Equity Park Subdivision, east by Magnolia Drive and west by the Pine Acres Subdivision. The properties are further identified as Johnston County Tax ID# 15L11008K and 15O99002H.

REQUEST: The applicant is requesting a conditional use permit to construct and operate a recreational vehicle park that will accommodate 148 recreational vehicle (RV) spaces and 48 rental cabins on 33.32 acres of land located within a B-3 (Business Highway Entrance) zoning district.

SITE DATA:

Acreage: 33.32 acres
Present Zoning: B-3 (**Note:** The project application is being processed under the former UDO standards pursuant to State Law as the application was received prior to the adoption of the new UDO on August 2, 2017).
Proposed Zoning: N/A
Existing Use / Previous: Vacant

Proposed Use: Recreational Vehicle Park

ENVIRONMENTAL: There are no delineated environmentally sensitive areas on the property including floodplains or designated wetlands.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	R-20A (Residential-Agricultural)
	Existing Use:	Single Family Dwellings
South:	Zoning:	B-3
	Existing Use:	Equity Park Subdivision
East:	Zoning:	B-3
	Existing Use:	Commercial Strip Center
West:	Zoning:	R-10 (Residential)
	Existing Use:	Pine Acres Subdivision, Single Family Dwellings

STAFF ANALYSIS AND COMMENTARY:

The proposed recreational vehicle park will be a 33.32 acre facility designed to accommodate 148 RV spaces and 48 rental cabins. The applicant has provided a sketch plan of the site showing improvements to the property to include a 50 buffer on the west property line and a 20 foot buffer on the north property line. No buffers are shown on the east and south property lines. No interior landscaping is shown on the plan.

Public utilities are available within the right-of-way of Magnolia Drive. The project as proposed will need an eight (8) inch sanitary sewer extension from Magnolia Drive to the interior of the site. This sewer line will require public dedication and will be maintained by the Town of Smithfield. Each individual RV and cabin site will be served by a six (6) inch sanitary sewer service line. An eight (8) inch water line will tie into the existing water main within the right-of-way of Magnolia Drive and drop down to a two (2) inch service line to serve each RV and cabin site.

- **Consistency with the Strategic Growth Plan**

A portion of the existing B-3 zoning district (Tax ID# 15O99002H) is not consistent with the Future Land Use Map of the Town of Smithfield Comprehensive Growth Management Plan which calls for Office and Institutional/High Density Residential land uses on the property adjacent to Pine Acres Subdivision. The Comprehensive Growth Management Plan was adopted on May 6, 2003 and the subject portion of the site was subsequently rezoned to B-3 by the Town Council on December 5, 2006. The action by the Town Council was a determination that the B-3 district, including all allowable uses, was an appropriate land use zoning classification and therefore should be considered consistent with the Comprehensive Growth Management Plan for the Town. The North Carolina General Statutes mandate that if a property is rezoned inconsistent with the adopted Comprehensive Plan then the Comprehensive Plan is considered to be amended based on the zoning decision. Therefore, the staff has determined that the application is consistent with the Comprehensive Growth Management Plan.

- **Consistency with the Unified Development Code**

A recreational vehicle park is a permitted uses within B-3 (Business) zoning district with a valid conditional use permit under the former UDO standards. The Town of Smithfield Unified Development Ordinance (UDO) does not provide specific minimum development standards for a recreational vehicle park. The project site is subject to all other general performance/zoning standards as defined in the UDO. Should the Conditional Use Permit be

approved the applicant will be required to submit a formal site plan application which must reflect all applicable standards and will need to be reviewed and approved by the Town Council.

- **Compatibility with Surrounding Land Uses**

A recreational vehicle park at this location could pose a compatibility issue with the adjacent single family dwelling subdivision to the west. However, the project plan provides a 50 foot buffer which exceeds the minimum 40 foot buffer requirement and should help to mitigate any adverse impacts.

- **Signs**

The use will be permitted one free standing ground sign not to exceed 6 feet in total height.

OTHER:

FIRE PROTECTION: The Town of Smithfield Fire Department will provide fire protection.

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: One access point provided from Magnolia Drive

WATER/SEWER PROVIDER: Town of Smithfield

ELECTRIC PROVIDER: Town of Smithfield

Planning Department Recommendations:

The Planning Department has determined that the application is consistent with applicable adopted plans, policies and ordinances and should the Town Board find that all Findings of Fact can be affirmatively made that the application be approved.

Planning Board Actions:

The Planning Board, at their meeting on August 3, 2017, recommended denial of the application.

Town Council Action Requested:

The Town Council is requested to review the application to allow for and 33.32 acre recreation vehicle park on a property located within a B-3 (Business) zoning district and make a decision in accordance with a finding of fact for a conditional use permit.

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

Application Number: CUP-17-08 **Name:** Smithfield KOA

Request: The applicant seeks a conditional use permit that will allow for the construction and operation of a recreation vehicle park designed to accommodate 148 RV spaces and 48 rental cabins. The property considered for approval is 30.15 acres in size and located within a B-3 (Business) zoning district.

The Smithfield Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

1. Finding One of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved for the following stated reasons: (Applicant fails to meet the criteria for approval.)

Finding Two of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, fails to meet all required specifications or fails to conform to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations in the following ways or for the following reasons:

3. Finding Three of Four:

Circle One

A. Approval:

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.

B. Denial: (If denied, must include facts supporting denial)

Based on the evidence and testimony presented it is the finding of the **Town Council** that the application, if approved, will substantially injure the value of adjoining or abutting property and/or will be detrimental to the use or development of adjacent properties or other neighborhood uses in the following ways or for the following reasons.

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

Motion to Approve: *Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant’s representative I move to recommend approval of Conditional Use Permit Application # CUP-17-08*

Motion to Deny: *Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to recommend denial of Conditional Use Permit Application # CUP-17-08 for the following stated reason:*

5. Record of Decision:

6. Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Conditional Use Permit Application Number CUP-17-08 is hereby:

_____ **approved upon acceptance and conformity with the following conditions; or,**

_____ **denied for the noted reasons.**

Decision made this _____ day of _____, 20__ while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

CUP-17-08



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

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Article 13, of the Town of Smithfield Unified Development Ordinance, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town Council to allow a Conditional Use. Conditional Uses are uses that may be appropriate in a particular district, but has the potential to create incompatibilities with adjacent uses.

Conditional Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: Smithfield KOA RV Resort Acreage of Property: 33.32
 Parcel ID Number: 15611008K, 15099002H Tax ID: 4706305, 4669236
 Deed Book: 3237 Deed Page(s): 0033
 Address: No site address assigned
 Location: At the end of Magnolia Drive off Venture Drive in I-95 Plaza

Existing Use: Vacant Proposed Use: RV Park and Cabins
 Existing Zoning District: B3
 Requested Zoning District: No Rezoning Required
 Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: CVP-17-08 Date Received: 6/2/17 Amount Paid: \$ 300

OWNER INFORMATION:

Name: Theron Lee Mclamb

Mailing Address: PO Box 105, Smithfield, NC 27577

Phone Number: 919-631-6000 **Fax:** 919-989-6876

Email Address: lee@mclambbev.com

APPLICANT INFORMATION:

Applicant: Theron Lee Mclamb

Mailing Address: PO Box 105, Smithfield, NC 27577

Phone Number: 919-631-6000 **Fax:** 919-989-6876

Contact Person: Michael Mclamb

Email Address: mlmclamb@msn.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- All required plans *(please see the plan requirements checklist).*
- A signed and sealed traffic impact analysis.
- Verification of wastewater allocation *(granted or requested).*
- Driveway permits *(Town of Smithfield or NCDOT encroachment with associated documentation).*
- Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The project consist of approximately 148 RV spaces and 48 cabins. A swimming pool, dog park, and camp store will be provided.

The Outlet Center commercial area is currently served by two RV Parks, one in Selma (RVvacation) and one in Four Oaks (Raleigh Oaks).

On most nights there is numerous RV's parked over night in the Walmart parking lot. This facility would provide a safe and secure location with recreation facilities in the Outlet Center commercial area for travelers in RV's to stay. This project would be an asset to the Town of Smithfield by attracting more shoppers to the area and increasing the tax revenue. This will be a family friendly facility. The initial operation will be associated with KOA and the facility will be constructed and operate in accordance with KOA standards.

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for a Conditional Use Permit to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

- 1. That the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved;

The public health, safety, and general welfare will be protected by providing and operating a family friendly facility that is fenced with controlled access. The site will provide buffers equal to or greater than those required by the Town's UDO thereby providing protection for the adjoining properties.

- 2. That the use meets all required conditions and specifications;

All required conditions and specifications of the Town of Smithfield will be met.

- 3. That the use will not adversely affect the use or any physical attribute of adjoining or abutting property, or that the use is a public necessity; and

The Pine Acres property on the southwest side of the property will be protected from being adversely affected by reserving a 50 foot wide vegetated buffer that is 10 feet wider than what is required by the ODO. A fence will also be constructed along a portion of the perimeter of the site to provide additional protection. One half the required buffer and a fence will be provided along the undeveloped land to the northwest.

- 4. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located. The conditional use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by GS 160A-382(b).

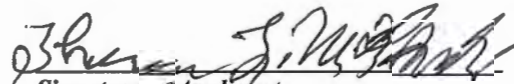
The majority of the project is located in an area shown as commercial in the Future Land Use Plan. The Future Land Use Plan designates the southern 10.7 acres as office and institutional/high density residential. The maximum density for multifamily per the UDO is 4,500 square feet per unit. The proposed density for the RV Park is 6,700 square feet per unit and is therefor less dense than the maximum UDO requirement for multifamily. The proposed project will be an asset to the existing Outlet Center commercial area.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Conditional Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Theron Lee McLamb

Print Name


Signature of Applicant

5-1-17
Date



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

OWNER'S CONSENT FORM

Name of Project: Smithfield KOA RV Resort Submittal Date: 6/2/2017

OWNERS AUTHORIZATION

I hereby give CONSENT to Michael McLamb & Dan Simmons (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.

Theron Lee McLamb Theron Lee McLamb 5-1-17
 Signature of Owner Print Name Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

Theron Lee McLamb Theron Lee McLamb 5-1-17
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: CV3-17-08 Date Received: 6/2/17 Parcel ID Number: 15611008K, 15099002H

DRAFT
Smithfield Planning Board Minutes
Thursday, August 10, 2017
6:00 P.M., Town Hall, Council Chambers

Members Present:

Chairman Stephen Upton
Vice-Chairman Daniel Sanders
Michael Taylor
Mark Lane
Eddie Foy
Ashley Spain

Members Absent:

Teresa Daughtry

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant
Mike Scott, Town Manager
Steve Medlin, Interim Planning Director

Staff Absent:

CALL TO ORDER

Mr. Upton asked the board if anyone had amendments to the agenda. There were none. Mr. Upton then gave a brief purpose of the Planning Board to the audience. He reminded everyone that the recommendation from the Planning Board would meet before Town Council on September 5th, 2017 at 7pm.

INTRODUCTION OF MICHAEL TAYLOR

Michael Taylor came forward and was sworn in as a Planning Board Member by Mr. Steve Upton.

APPROVAL OF MINUTES FROM July 13, 2017

Eddie Foy made a motion, seconded by Daniels Sanders to approve the minutes as written.
Unanimous.

APPROVAL TO OPEN THE PUBLIC HEARING

Ashley Spain made a motion, seconded by Mark Lane to open the Public Hearing.
Unanimous.

Public Hearings:

After all persons given testimony were duly sworn, Mr. Upton opened the public hearing.

CUP-17-08 Theron Lee McLamb:

Mr. Helmer stated the applicant is requesting a conditional use permit to construct and operate a recreational vehicle park that will accommodate 148 RV sites and 48 rental cabins on 30.15 acres of land located within a B-3 (Business) zoning district. The properties considered for

approval are generally bound to the north by CSX Railway, south by Equity Park Subdivision, east by Magnolia Drive and west by Pine Acres Subdivision. The properties are further identified as Johnston County Tax ID# 15L11008K and 15O99002H. Included in your packet is an area map highlighting the subject property. RV parks are a permitted use within the B-3 zoning district with a valid Conditional Use Permit. The Future Land Use Plan has identified this being reasonable for commercial development. There will be amenities located toward the entrance to include a swimming pool, retail sales, restroom facilities and a playground. There is one access point being proposed on Magnolia Drive. Six parking spaces will be available at the entrance, adjacent to the welcome center. There will be a 50 foot landscape buffer with fence on the western property line and along the northern property line. Utilities are located within the right-of-way of Magnolia Drive to include water, sewer and electric. The property will qualify for a freestanding sign. The applicant has submitted a preliminary site plan. The site has one way drive aisles for pull thru sites, around the perimeter there will be back in sites. There will be two areas within this site to accommodate small cabins, the northeast corner, as well as the southern portion of the plan. A dog park will be located toward the center of the property. The applicant has shown a utility plan that would tie into existing Town of Smithfield water, sewer and electric. There will be a sewer main extension into the property to include water and sewage.

Mr. Daniel Sanders asked if an RV park business is a new thing coming into a B-3/ residential zoning district.

Mark Helmer said RV parks are everywhere and each community has to decide what zoning districts they want these parks to be in. Some allow them in residential zoning districts and some like the Town of Smithfield allow them in commercial zoning districts.

Mr. Daniel Sanders asked if the NCDOT has said anything about this project.

Mr. Helmer said Magnolia Dr. which is the street the applicant is proposing to have access to, is maintained by the Town of Smithfield, so any driveway permitting would be done by the Town of Smithfield, not NCDOT.

Mr. Foy asked if there was going to be a detention pond.

Mr. Helmer said currently there isn't one planned.

Mr. Foy asked where the rain water would go.

Mr. Helmer said that question is best suited for the engineer.

Mr. Foy asked what kind of condition Magnolia Drive was in. Was it repaved when Venture Drive was repaved and is Magnolia Drive the only entrance to this proposed RV Park?

Mr. Helmer said no, Magnolia Drive wasn't part of the Venture Drive repaving project and Magnolia is the only entrance in the current plan.

Mr. Lane asked if there were setbacks on the cabins.

Mr. Helmer said yes and no, our current ordinance doesn't have standards for that but our current UDO does address a minimum of 20 feet from one cabin to another. It does appear the current plan does meet those standards.

Mr. Sanders asked if the water runoff was going to go into the Town of Smithfield drainage or go down beside the railroad.

Mr. Helmer stated that question would be best suited for the engineer.

Mr. Spain asked if the landscape buffer also included a fence.

Mr. Helmer stated yes a fence is shown on the plan.

Mr. Sanders asked if the fence and shrubbery would cut down on noise from running generators.

Mr. Helmer said each site would have electric hook-ups, so the need for a generator would be significantly reduced. The facility may have regulations against the use of generators as well.

Mr. Lane asked what kind of land was between the proposed RV Park and Pine Acres Subdivision.

Mr. Helmer said that area has existing vegetation and the first 50 feet could be used to satisfy the buffer requirements if the trees are in good condition.

Mr. Sanders asked if there were any wetlands in that area.

Mr. Helmer said he wasn't aware of any delineated wetlands. The Comprehensive Plan did show some land that was wet but it may be poorly draining soil. That question would be best suited for the applicant.

Dan Simmons came forward introduced himself and began by stating the size of the largest RV site would be about 2,950 sq. feet and 2550 sq. feet for the smallest. The UDO states the minimum is 2000 sq. feet so we have exceeded that. Each space will have water, electric, sewer, Wi-Fi and cable TV. This is to be a first class family oriented KOA park. There will be designated quiet times; no noise will be allowed or you will be made to leave. The area between Pine Acres and the proposed RV Park is immature pine trees. The plan is the leave them there and allow them to act as a buffer as well as add shrubs, a screened opaque fence that can't be seen through and a knock down gate which is required by Duke Energy. This allows them access to power lines and the Fire Department or EMS in case emergency. The knock down gate would be kept locked at all times. Storm water will not go through Pine Acres it will go where is naturally goes now. It is split in two directions, part goes to the railroad and part goes to the pond that John Shallcross built. We will look into expanding that pond or we

will install a new facility that meets the Town of Smithfield Storm Water Ordinance. Roads within the park will be chip-seal. Each site will have a fire-pit, picnic table and a grill. We have to meet KOA standards and they're very strict. We have to be competitive with what's around here. Mr. Simmons designed Raleigh Oaks in Four Oaks off Hwy 701. It is considered a 4-Star RV park. The RV Park they've proposed in Smithfield will provide a safe, fenced in family oriented place for people to stay. It will bring business to the area by shopping and dining. The RV today is either a 5th wheel or an enclosed motor home. You're talking about someone spending in excess of \$100,000. The people you're getting in are people that can afford to do that. The 48 cabins will be treated just like a motel room; occupants will pay motel tax on them when they rent them out. Some of these cabins have kitchens, some do not. Linens would be provided by the owner. Two commercial laundry areas will also be provided for the cabins.

Mr. Sanders asked if anyone had gotten approval from CSX to allow the rain water to run along the railroad.

Mr. Simmons said the rainwater is going there now. They can't stop from where water is going today. The Town of Smithfield Ordinance requires us to detain the first 2 inches of rainfall. The bulk of the site will go toward the pond and into the storm water drain system on Magnolia Drive into the pond the developers of I-95 plaza built. We are looking back at those calculations to see how much of this area was taken into account when that pond was built.

Mr. Foy asked if the 48 cabins would be used for long-term stays.

Mr. Simmons asked what you would consider long-term.

Mr. Foy said maybe a couple months. I don't want to see undesirable people take up in these cabins on a long-term basis and create trouble.

Mr. Simmons said you have people who travel and work in pipeline type work and would stay a couple months. They foresee people renting these cabins that would be respectful and follow the rules. This is not like renting a house, you don't give them 30 days, you put them out right then.

Mr. Upton asked if the amenities for the sites have paved driveways.

Mr. Simmons said yes they will have the chip seal.

Mr. Upton asked how traffic would be impacted.

Mr. Simmons said he didn't foresee a tremendous traffic impact. Your typical RV isn't near as heavy as these big trucks transporting stone that's been running up and down Venture Drive.

Mr. Upton asked if a traffic impact study had been done for this proposed RV Park.

Mr. Simmons said no, a traffic impact study hasn't been done. He also designed the KOA in New Bern. It is similar in size and similar in the amount of cabins to the one we're proposing here. They don't have a tremendous traffic problem, you have people in and out but it is staggered. If you look at the entrance, we can put 4 or 5 in there at one time waiting to get their assignment.

Mr. Upton asked is the RV Park would be managed and monitored by KOA.

Mr. Simmons said it has to meet KOA standards given to them to go by in operation and amenities.

Mr. Foy asked if the only entrance and exit would be located at Magnolia Drive.

Mr. Simmons said yes that is the only entrance and exit. You don't need more than one entrance, you need to control who is coming in and going out.

Mr. Sanders asked what would be underneath the RV's for long-term use.

Mr. Simmons said each RV would be sitting on the chip-seal pavement not dirt and stabilizers would be used to hold them in place.

Mr. Lane asked if the noise restrictions for the RV Park would stop at 11pm.

Mr. Simmons said yes it is proposed to be 11:00 pm but this is a conditional use permit. If the Town of Smithfield decides it needs to be 10:00 pm then we will comply.

Mr. Mike McLamb came forward and made a statement. He said obviously a lot of people are interested in this project. His job is two-fold, it is to inform people of what their goal is and get feedback. We want our project to be unharmed. Mr. McLamb was born and raised in Smithfield and owns a business in town as well. He said this project isn't being done by someone out of the area. If someone has a concern he wants to know it. Mr. McLamb is a local business owner; this project has his name on it, he is not entering into this lightly and he doesn't want any junk out there.

Mr. McLamb hired a consultant, David Goren to get some advice and insight on developing this RV Park. Mr. McLamb had a feasibility survey done and Mr. Goren stated the proposed RV Park would be a strong enhancement to the Smithfield community and would be a welcome addition to the development that is taking place around the Carolina Outlet Mall. The park will appeal to travelers along I-95 as a stopping point on a longer trip.

Mr. Upton asked what jurisdiction the Town of Smithfield has on the KOA's or the park since it is going to be developed here in town.

Mr. Helmer said once the site plan is approved and the permitting process begins there will be a team of inspectors who inspect the construction of the project to ensure it is being built to the

approved plan. After construction we have an enforcement program that will continue to monitor and maintain the property.

Mr. Lane asked Mr. McLamb where he was with the quiet zone with CSX.

Mr. McLamb said they haven't pursued that yet. The first step would be for the Town of Smithfield to submit a quiet zone application to CSX.

Mr. Foy asked what the plan would be for enforcing security inside the RV Park.

Mr. McLamb said they would have security patrolling inside park. One of the reasons he chose KOA is due to their policies and procedures. They have ongoing training; operate and oversee 500 RV Parks.

Stephanie Avery from 318 Pine Street came forward to express her concerns. Her first concern is the location of this RV Park. She said it is in a floodplain zone. If trees are cut down the rain water will present flooding problems. She is also concerned how this water run-off will impact the town's sewer system. Yes we want more businesses and income but think about the social and environmental impact you will have on the community.

Tony Nixon from 8 Cedar Drive came forward to express a few concerns he and his neighbors have. They aren't opposed to Mr. Mclamb developing his land; certainly as a land owner you have that right. They're opposed to the type of business that would be going in there without some kind of buffering such as office and industrial not just a 50 ft. buffer. They feel RV Parks could have a negative effect on water quality from spills of gasoline or diesel and even septic spillage into the water system. Pollution from the water run-off is another concern. Residents worry about their safety due to the increased traffic. They are concerned about the extra noise and traffic. An RV Park like this would destroy the tranquility that these residents currently enjoy. Ask yourselves how do we have ordinances against mobile homes in the city, yet have an RV Park next to an established neighborhood within the city limits. Would you want this in your backyard?

Mr. Foy asked Mr. Nixon how much of a buffer would be necessary in order for him to be in favor of this project.

Mr. Nixon said there isn't any amount of buffer that would be acceptable to have an RV Park beside their neighborhood.

Matthew Clancy from 320 Dogwood Street came forward to say he doesn't understand what the draw is to someone wanting to build an RV Park in a location such as this. He stated there were way too many RV sites proposed for a 30 acre parcel of land. He said nothing about this project would compel him to visit. He doesn't see it as a family oriented establishment. He sees this as an opportunity for someone to slide some affordable housing in not a campground.

Flora Grantham from 400 Dogwood Street came forward to speak. She said her house is at the end of that street and she'd be highly affected by this RV Park. She asked why a dog park was proposed but not a pond or recreation for humans. Ms. Grantham stated the leaves fall off the trees that are in the proposed 50 foot buffer and would not help keep out noise. Dogwood Street ends with a cul-de-sac, it is a place where people have built their houses, and it is not a commercial area. She stated the Planning Board agreed years ago to install a privacy fence from the Waffle House all the way down to the movie theatre and it isn't hasn't been put in. People still wander around and walk through each other's yard because those fences haven't been installed. She hears big rig trucks running their engines all night long while parked at the movie theatre. A 50 foot buffer will not keep noise out; those trucks are a perfect example. We do not want this near our neighborhood.

Oliver Johnson from 405 Ash Street spoke about his concerns. The size and intensity of the proposed RV Park would be detrimental to the Pine Acres community. Decreased property values, increased noise, increased crime and increased environmental issues are all reasons he doesn't want this park. Citizens and property owners have a right to quiet enjoyment of their properties. The additional noise, lights, traffic and safety and security issues associated with this RV Park would adversely impact that right.

Debbie Stanley of 404 Oak Street asked how traffic was impacted by the KOA RV Park in New Bern that Mr. Dan Simmons built. Is there a Carolina Outlet Center? Are there eateries or hotels surrounding this RV Park?

Mr. Simmons said one side of the RV Park is residential and the other is commercial. Restaurants are around this RV Park, it is not as intense as the Carolina Outlet Center.

Ms. Stephanie Avery asked if Mr. Simmons or Mr. McLamb planned to conduct a traffic impact study.

Mr. Simmons said right now there aren't plans to conduct a traffic impact analysis but the market study indicated that this area would accommodate the traffic and the flow that was coming in.

Mr. Foy said actually you did a market study based on the fact that so many people were coming and going and this would help you to decide if the area could support a KOA RV Park.

Mr. Simmons said yes that is correct.

Mr. Foy said the thing I am thinking about is there will only be one entrance and exit for the campground and in all fairness I am not sure how that traffic coming and going on that side will affect Pine Acres. That is why I asked so many questions about the water issue. That is the biggest issue I have. I can't tell you I am completely satisfied but if they have to meet DWQ standards then you might be able to get me there. I am still concerned about all this traffic coming in and out of this one location.

Mr. Simmons said Raleigh Oaks in Four Oaks off Hwy 701 has almost 200 locations in there plus all the cabins. It has one entrance in and out on Hwy 701 and it is a lot busier than Venture Drive.

Mr. Nixon stepped forward again saying you have to live there to know what's going on. The traffic pattern at the Outlet Center now is already confusing with the traffic circle. Add someone pulling an RV or boat behind them and that will pose more problems. On a daily basis people come into Pine Acres that have missed the entrance to the Outlet Center. Therefore you're going to be bringing RV's into the neighborhood just to turn around. Kobe Japanese Steak House has already been approved to be built on the corner of Dogwood and Hwy 70 Business that will already increase traffic at the subdivision entrance.

Mr. Lane said whether we agree or not, we have standards to go by. If we pass or deny this project, it doesn't mean we are personally for or against it.

Eddie Foy made a motion to close the public hearing for CUP-17-08 seconded by Daniel Sanders and move to the Finding of Fact for a conditional use permit.

The Smithfield Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact.

1. Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved. or is approved with the following stated conditions.

Mr. Sanders-**Denial** Applicant Failed to Address Storm water Issue for this project.

Mr. Lane: **Approval** with Conditions: Noise must stop at 10pm and a Traffic Impact Study done.

Mr. Foy: **Approval** with Conditions: Noise must stop at 10pm and a Traffic Impact Study done.

Mr. Spain: **Approval**

Mr. Taylor: **Approved**

2. Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.

Mr. Sanders- **Denial**: Applicant failed to address storm water and the sound problems that would arise.

Mr. Lane: **Approval**

Mr. Foy: **Approval**

Mr. Spain: **Approval**

Mr. Taylor: **Approval**

3. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.

Mr. Sanders: **Denial**- Will substantially injure the value of property.

Mr. Foy: **Denial**- Not enough evidence to satisfy him that property value wouldn't be injured.

Mr. Upton: **Denial**- Based on applicant failing to prove project wouldn't injure property values.

Mr. Taylor: **Denial**- Additional noise could potentially injure home values.

Mr. Lane: **Approval**

Mr. Spain: **Approval**

4. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.

Mr. Sanders: **Denial**- Proposed Park would adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties.

Mr. Foy: **Approved**

Mr. Upton: **Approved**

Mr. Taylor: **Approved**

Mr. Lane: **Approved**

Mr. Spain: **Approved**

Mr. Sanders made a motion for the denial of CUP-17-08, seconded by Mr. Foy.
4 to 3 vote to recommend denial.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Chairman Steve Upton stated CUP-17-08 has been recommended for denial by the Planning Board and will move to Town Council on September 5, 2017.

Old Business:

No Report

New Business:

Our next Planning Board Meeting is scheduled for September 7, 2017.

Daniel Sanders made a motion to adjourn, seconded by Eddie Foy.
Unanimous.

Submitted this 11th day of August, 2017.

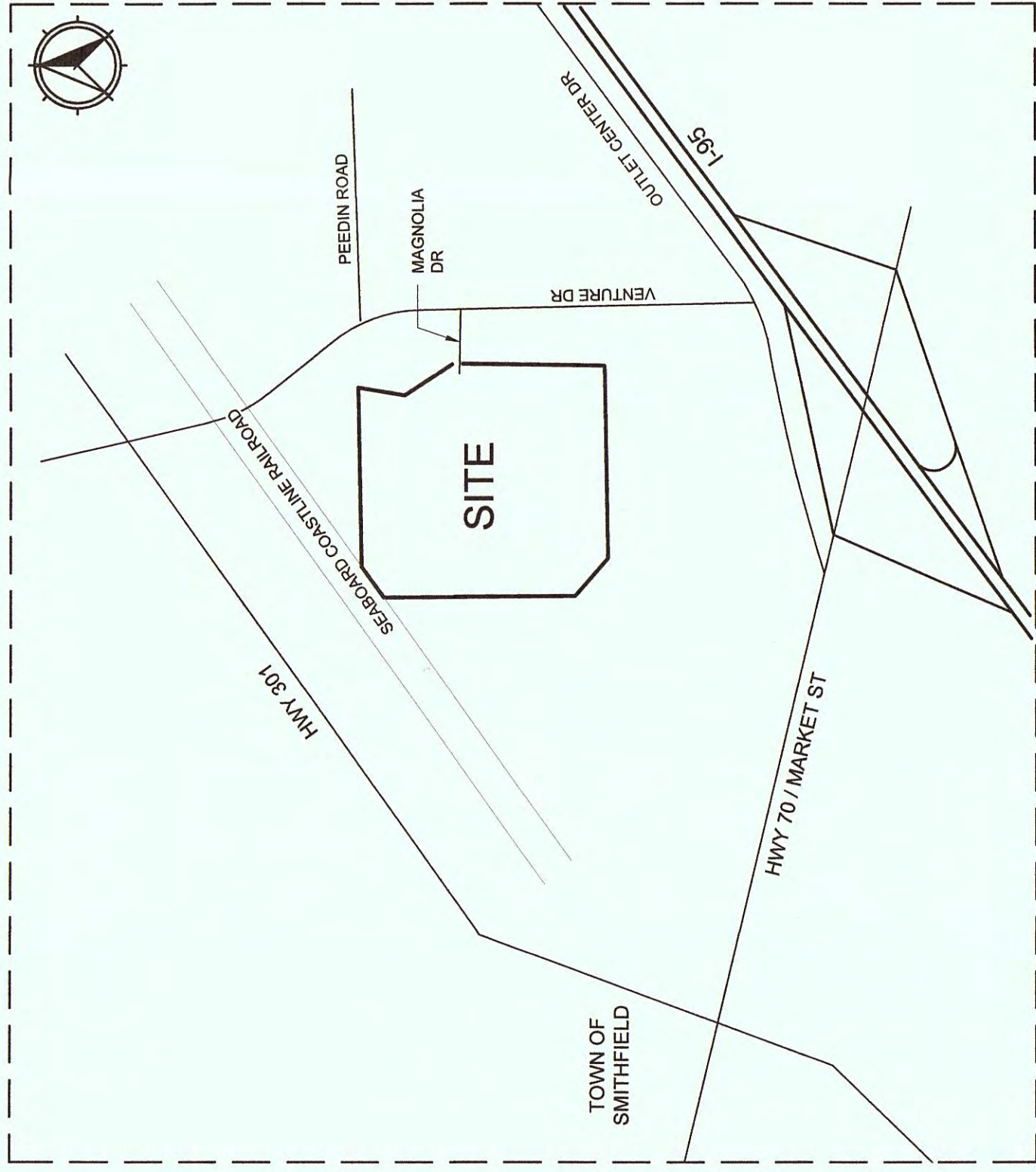
Julie Edmonds
Administrative Assistant
Planning Department

PRELIMINARY PLAN SMITHFIELD KOA RV RESORT

OWNER:
MCLAMB INVESTMENTS
P.O. BOX 105
SMITHFIELD, NC

CLIENT:
MCLAMB INVESTMENTS
P.O. BOX 105
SMITHFIELD, NC

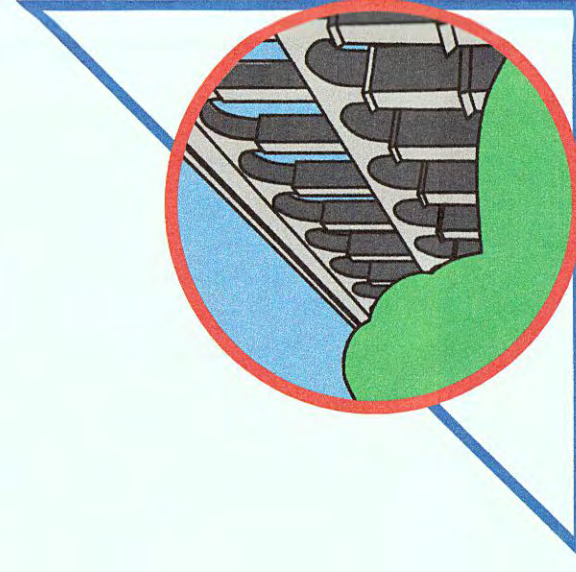
JUNE, 2017



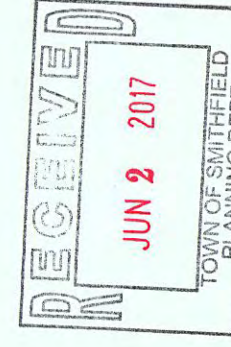
VICINITY MAP
NOT TO SCALE

DRAWING LIST	
COVER	1
OVERALL BOUNDARY DATA	2
PRELIMINARY SITE LAYOUT	3
PRELIMINARY UTILITY LAYOUT	4
DETAILS	5

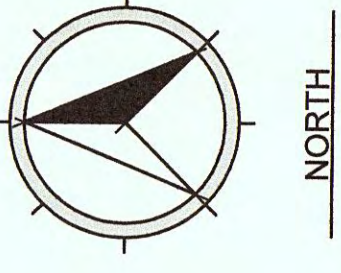
ISS. NO.	DESCRIPTION	DATE



**TRIANGLE
 CIVILWORKS**
 PROFESSIONAL ASSOCIATION
NCBELS NO. C-2603
 211 TYLER DRIVE
 SMITHFIELD, NC 27577
 919-209-9955



PRELIMINARY
 NOT RELEASED
 FOR CONSTRUCTION
 06/01/2017



SHEET NO. **2**
OF:

PRELIMINARY
NOT RELEASED
FOR CONSTRUCTION
06/01/2017

OVERALL BOUNDARY DATA

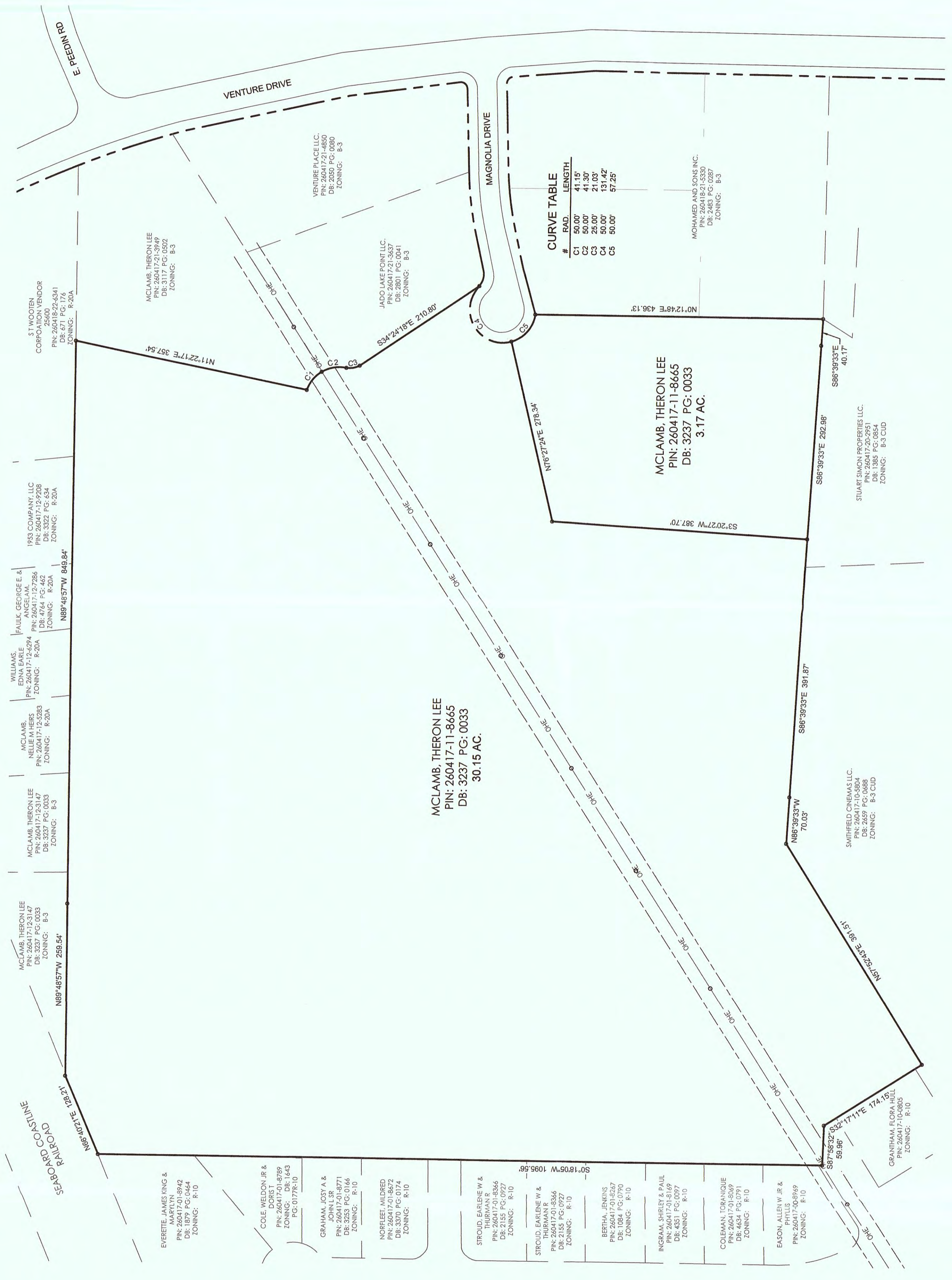


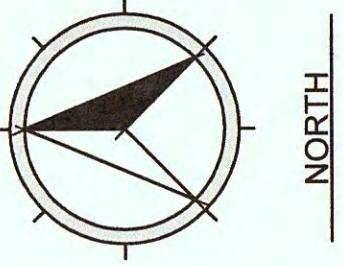
**PRELIMINARY PLAN
SMITHFIELD KOA RV RESORT**
SITE ADDRESS



DESIGNER:	PROJECT DATE:	DESIGNER:	PROJECT NO.:
DCS	JUNE 2017		
DRAWN:			
CHECKED:			
PROJ. ENG.:			

REV. NO.	DESCRIPTION





SHEET NO.

3

OF:

PRELIMINARY
NOT RELEASED
FOR CONSTRUCTION
06/01/2017

PRELIMINARY SITE LAYOUT



SITE DATA:

- PROPERTY OWNER: MCLAMB, THERON LEE
- NC PIN: 260417-11-8865
- DEED REFERENCE: DB 3237, PG 0033
- ZONING: B-3
- AREA IN TRACT TO BE DEVELOPED: 30.15 AC.
- AREA OF SUBDIVIDED TRACT: 3.17 AC.
- UTILITIES: TOWN OF SMITHFIELD
- POWER: DUKE PROGRESS

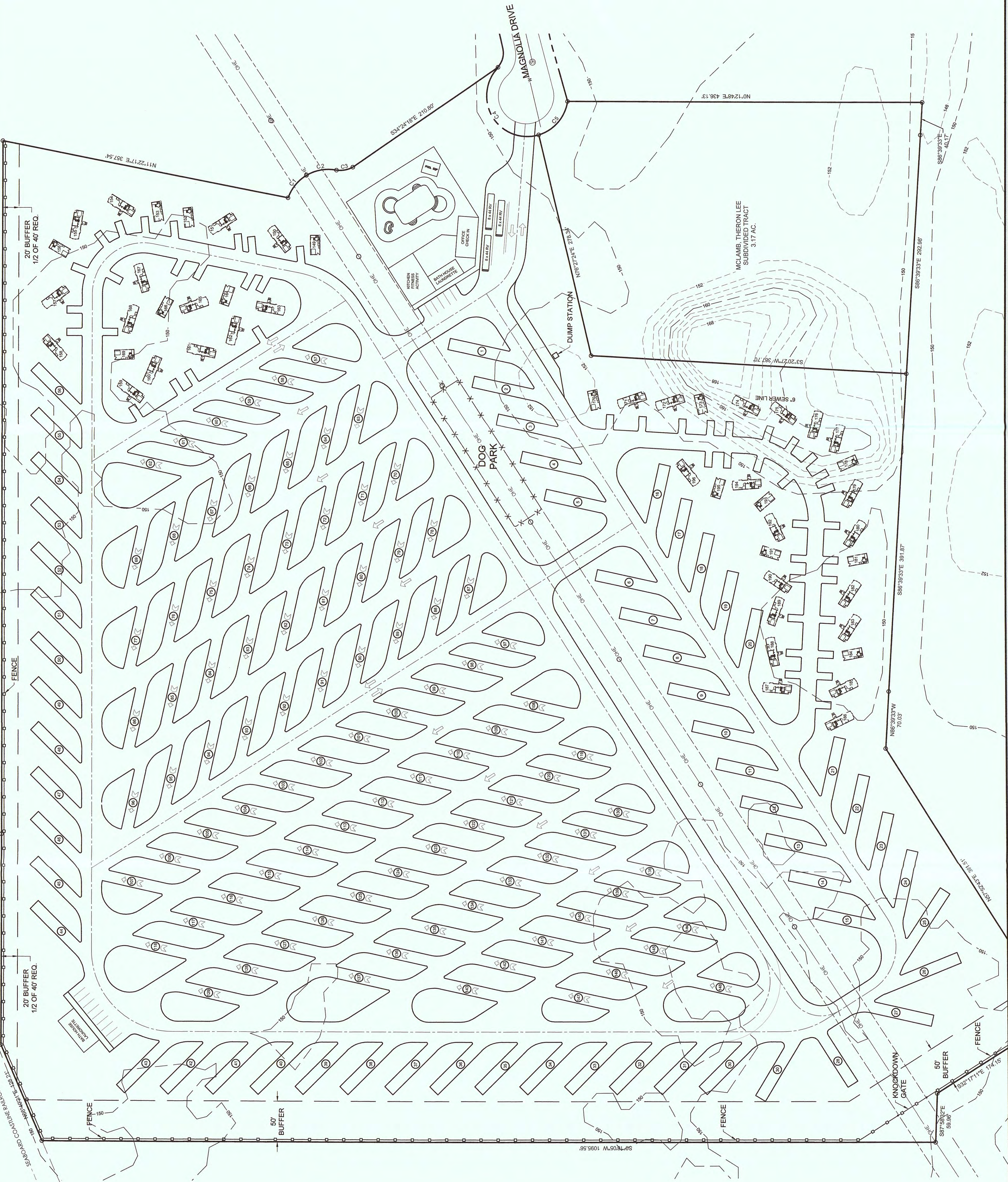
CURVE TABLE

#	RAJ.	LENGTH
C1	50.00'	41.15'
C2	50.00'	41.30'
C3	25.00'	11.37'
C4	50.00'	33.42'
C5	50.00'	57.25'

GENERAL NOTES:

1. PAVEMENT WITH CENTERLINES ARE 25' EP TO EP.
2. PAVED ALLEYS FOR PULL THROUGH LOTS ARE 20' EP TO EP.
3. RV STALLS ARE 14' EP TO EP.
4. REQUIRED LANDSCAPING IS BASED OF A 40' LANDSCAPE BUFFER. SEE SHEET 5 FOR DETAIL.

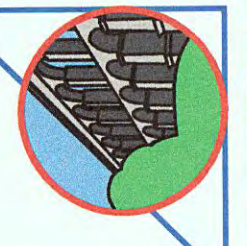
LOT TYPES	LOT TOTALS
BACK IN	56
PULL THROUGH	92
'A' CABIN	32
'B' CABIN	16
TOTAL	196



PRELIMINARY PLAN SMITHFIELD KOA RV RESORT

SITE ADDRESS

**TRIANGLE
CIVILWORKS**
PROFESSIONAL ASSOCIATION
100 W. GARDNER DRIVE
SMITHFIELD, NC 27577
919-269-9955

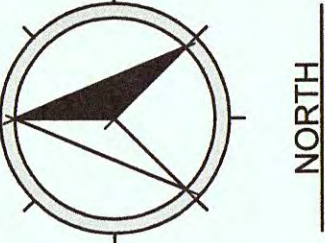


DESIGNED:	PROJECT NO.	DATE:
JUN 2017		

DESIGNED:	PROJECT NO.	DATE:
JUN 2017		

REVISIONS

NO.	DESCRIPTION	DATE



SHEET NO.

4

OF:

PRELIMINARY
NOT RELEASED
FOR CONSTRUCTION
06/01/2017

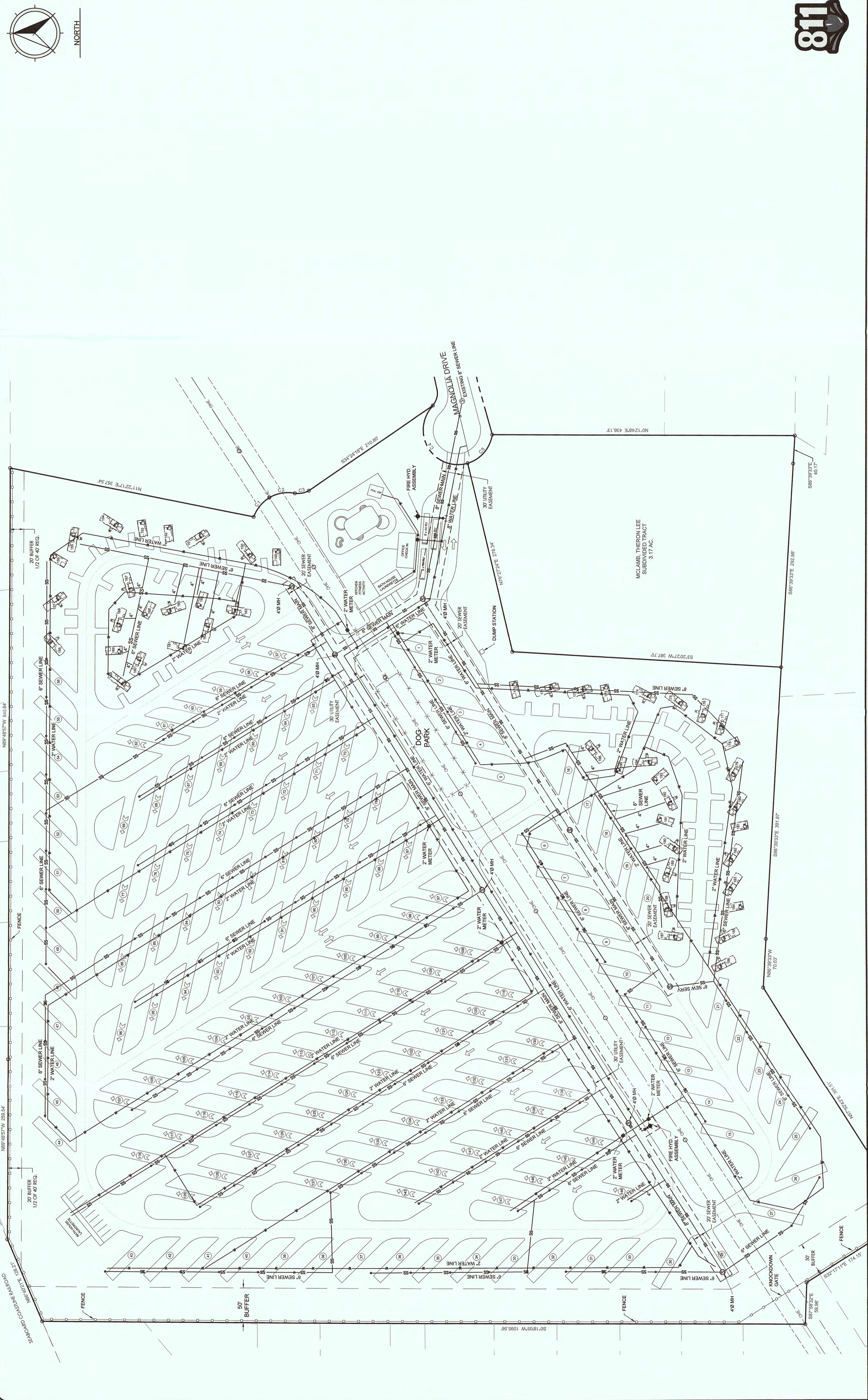
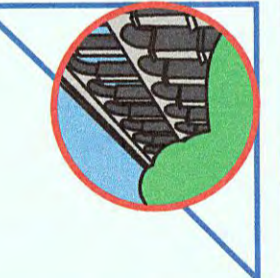
PRELIMINARY UTILITY LAYOUT



PRELIMINARY PLAN SMITHFIELD KOA RV RESORT

SITE ADDRESS

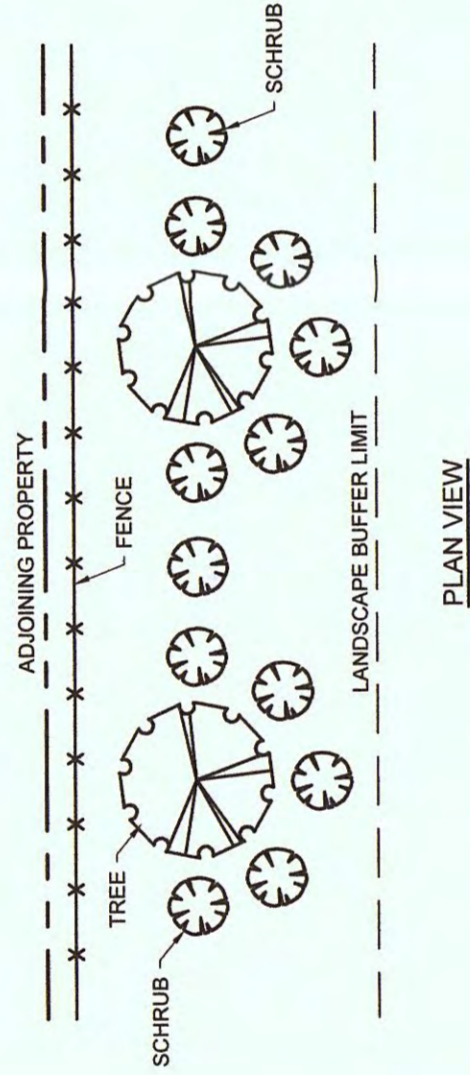
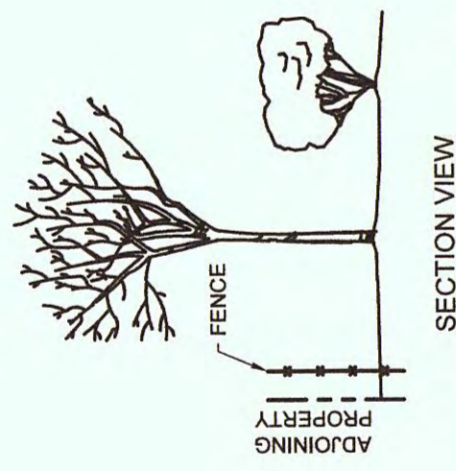
TRIANGLE
CIVILWORKS
PROFESSIONAL ASSOCIATION
NCBELS NO. C6685
SMITHFIELD, NC 27577
919-209-9855



LANDSCAPE PLANTING REQUIREMENTS

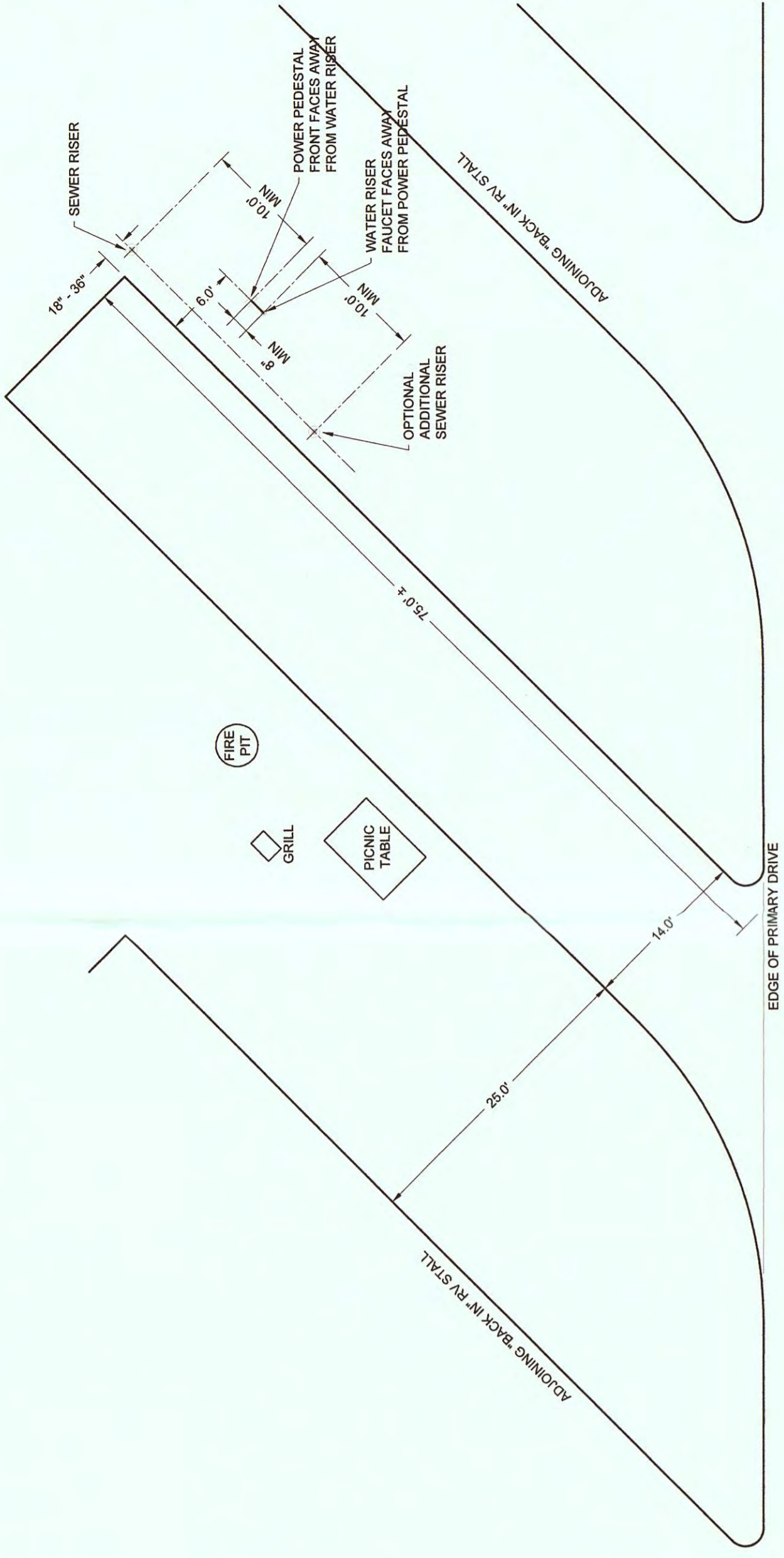
YARD	LENGTH	REQUIREMENT	No. REQUIRED
NORTH BUFFER (1/2 OF 40')	1,125'	2 TREES / 1000 SF 12 SHRUBS / 1000SF	45 270
WEST BUFFER (BASED ON REQ 40')	1,260'	2 TREES / 1000 SF 12 SHRUBS / 1000SF	101 605

NOTE: SEE LIST OF RECOMMENDED PLANT SPECIES CONTAINED IN THE JOHNSTON COUNTY LAND DEVELOPMENT DESIGN MANUAL, LATEST EDITION.



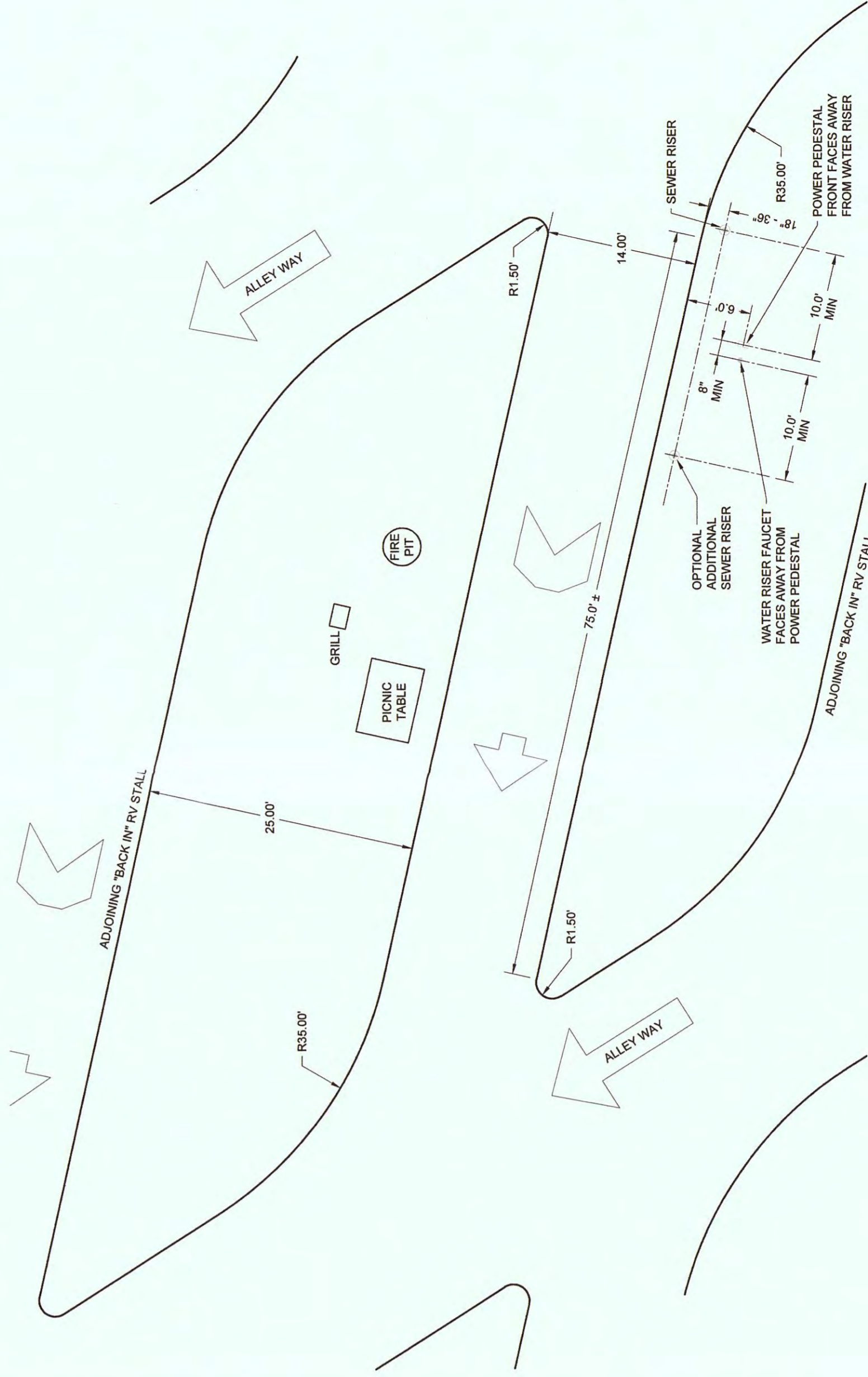
BUFFER LANDSCAPING DETAIL

NOT TO SCALE



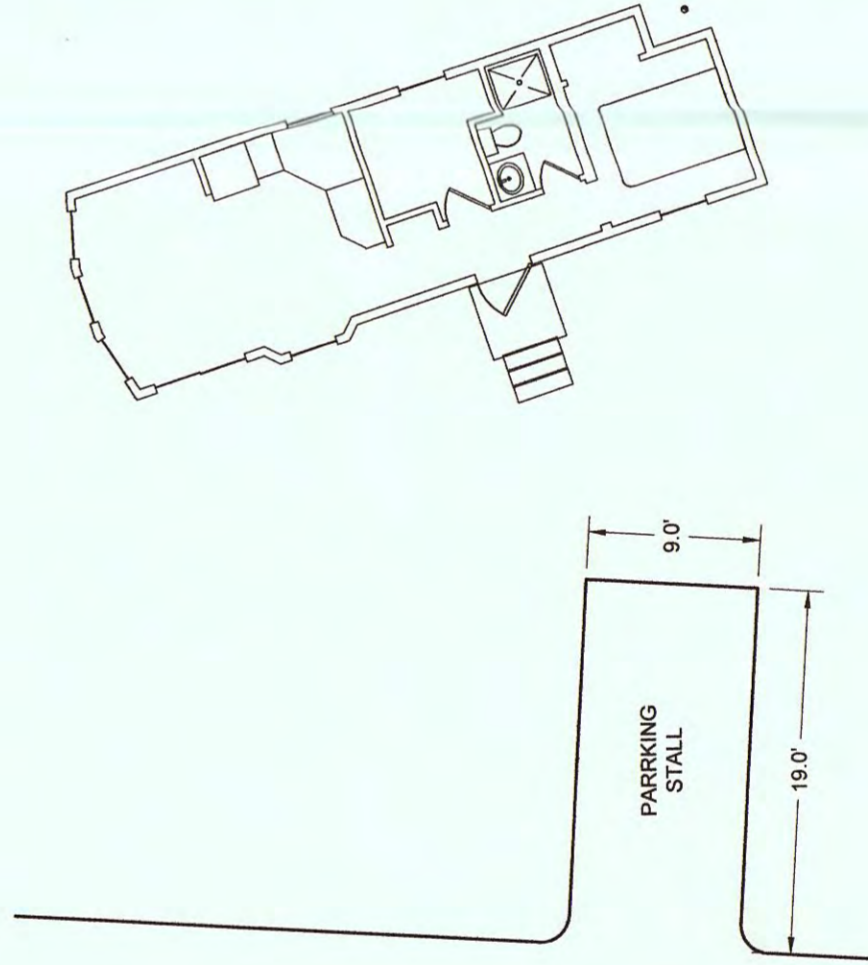
TYPICAL "BACK IN" RV STALL

SCALE: 1" = 10'



TYPICAL "PULL THROUGH" RV STALL

SCALE: 1" = 10'



TYPICAL CABIN LOT STALL

SCALE: 1" = 10'

DESIGNED:	DGS	PROJECT DATE:	JUNE 2017
DRAWN:	TAN	PROJECT NO.:	
CHECKED:	AJS	DWG FILE NAME:	5 DMBL.dwg
PROD. ENG.:	GEC	REV. NO.:	

REV. NO.	DESCRIPTIONS

TRIANGLE CIVILWORKS
 PROFESSIONAL ASSOCIATION
 LICENSE NO. C-26693
 2111 TULLER DRIVE
 SMITHFIELD, NC 27577
 919-209-8855

PRELIMINARY PLAN
SMITHFIELD KOA RV RESORT
 SITE ADDRESS

DETAILS

SCALE: AS NOTED

PRELIMINARY
 NOT RELEASED
 FOR CONSTRUCTION

06/01/2017

SHEET NO.

5

OF:



TAX ID#	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15008007	260413-12-9625	COMPANY	PO BOX 150	SMITHFIELD	NC	27577-0150
15008045U	260418-21-5330	MOHAMED AND SONS INC	P O BOX 1236	SMITHFIELD	NC	27577-0000
15008046P	260418-20-6807	PARTNERS EQUITY GROUP	P O BOX 1524	SMITHFIELD	NC	27577-0000
15008045G	260417-10-5804	SMITHFIELD CINEMAS LLC	PO BOX 1524	SMITHFIELD	NC	27577-0000
15004003	260417-12-5283	MCCLAMB, NELLIE M HEIRS	201 ELECTRA DR	CARY	NC	27513-5412
15007014	260413-02-8528	JOHNSTON COMMUNITY COLLEGE	P O BOX 2350	SMITHFIELD	NC	27577-2350
15008052	260417-00-8799	JACKSON, PEARLINA	334 DOGWOOD ST	SMITHFIELD	NC	27577-0000
15008055	260417-01-8789	COLE, WELDON JR	18 ASPEN CIRCLE	SMITHFIELD	NC	27577-0000
15008056	260417-01-8366	STROUD, EARLENE W	10 ASPEN DR	SMITHFIELD	NC	27577-5047
15008050	260417-00-8713	RICHARDSON, EJURA LEE	332 DOGWOOD STREET	SMITHFIELD	NC	27577-0000
15008008	260417-22-1477	MCLAMB, THERON LEE	111 MARIAH DR	FOUR OAKS	NC	27524-0000
15008010I	260417-01-6178	BLACKMON, EDWARD JR	7 ASPEN DR	SMITHFIELD	NC	27577-0000
15008010J	260417-01-6671	ATKINSON, AVA JOYCE	721 SECOND AVE	SMITHFIELD	NC	27577-0000
15008004	260413-12-6661	SMITHFIELD HOUSING AUTHORITY	801 S 5TH ST	SMITHFIELD	NC	27577-0000
15008011	260417-12-7286	IDEAL OIL CO INC	P O BOX 329	SMITHFIELD	NC	27577-0000
15008012	260417-12-6294	WILLIAMS, WASH EDWARD	46 E PEEDIN ROAD	SMITHFIELD	NC	27577-4737
15008016	260417-12-9208	1953 COMPANY LLC	PO BOX 150	SMITHFIELD	NC	27577-0150
15008018	260417-12-3147	MCLAMB, THERON LEE	111 MARIAH DR	FOUR OAKS	NC	27524-0000
15008010A	260417-01-6771	BYRDS WHOLESale INC	3777 HWY 70 BUS W	CLAYTON	NC	27520-0000
15008010H	260417-01-6572	ATKINSON, LAFAYETTE	48 SOUTH RD	WHITE PLAINS	NY	10603-2813
15008015	260417-12-4179	MCLAMB, THERON LEE	111 MARIAH DR	FOUR OAKS	NC	27524-0000
15K10153F	260417-01-8672	NORFLEET, MILDRED	14 ASPEN DRIVE	SMITHFIELD	NC	27577-0000
15K10153B	260417-01-6277	GATTA, JUANITA R	221 E EVANS RD	PRINCETON	NC	27569-7025
15K10153C	260417-01-6473	ATKINSON, LAFAYETTE	48 SOUTH RD	WHITE PLAINS	NY	10603-2813
15K10153D	260417-01-8942	EVERETTE, JAMES KING	20 ASPEN DRIVE	SMITHFIELD	NC	27577-0000
15K10153H	260417-00-8969	EASON, ALLEN W JR	2 ASPEN DR	SMITHFIELD	NC	27577-0000
15K10153K	260417-10-0805	GRANTHAM, FLORA HULL	400 DOGWOOD ST	SMITHFIELD	NC	27577-0000
15L11008X	260417-21-3637	JADO LAKE POINT LLC	640 S MURPHY RD	CLAYTON	NC	27527-0000

15099002H	260417-11-1631	MCLAMB, THERON LEE	111 MARIAH DR	FOUR OAKS	NC	27524-0000
15008054	260417-01-6860	MSJJ PROPERTIES LLC	1212 CHESNUT DR	SMITHFIELD	NC	27577-0000
15008045A	260417-00-9221	SMITHFIELD CROSSING LLC	105 CASHWELL DR	GOLDSBORO	NC	27534-7521
15L11008Y	260417-21-3949	MCLAMB, THERON LEE	111 MARIAH DR	FOUR OAKS	NC	27524-0000
15K10153E	260417-01-8771	GRAHAM, JOSY A	16 ASPEN DRIVE	SMITHFIELD	NC	27577-0000
15K10153G	260417-01-8267	JENKINS, BERTHA	8 ASPEN DR	SMITHFIELD	NC	27577-0000
15008057	260417-01-8169	INGRAM, SHIRLEY	6 ASPEN DR	SMITHFIELD	NC	27577-5047
15K10199E	260417-00-7628	LOWE, JAMES C	322 DOGWOOD STREET	SMITHFIELD	NC	27577-0000
15K10153A	260417-01-6073	COHEN, SHIRLEY O	3 ASPEN DR	SMITHFIELD	NC	27577
15004005	260418-22-6341	S T WOOTEN CORPORATION VENDOR 25600	PO BOX 2408	WILSON	NC	27893-0000
15L11008W	260417-21-4850	VENTURE PLACE LLC	PO BOX 105	SMITHFIELD	NC	27577-0000
15L11008K	260417-11-8665	MCLAMB, THERON LEE	111 MARIAH DR	FOUR OAKS	NC	27524-0000
15K10153I	260417-01-8069	COLEMAN, TORANIQUE	PO BOX 27892	RALEIGH	NC	27611-7892
15008003	260413-12-4545	SMITHFIELD HOUSING AUTHORITY	801 S 5TH ST	SMITHFIELD	NC	27577-0000
15008051	260417-01-8476	CHANCE, CHRISTINE LIFE ESTATE	12 ASPEN DR	SMITHFIELD	NC	27577-5047
15008053	260417-01-7818	IH2 PROPERTY TRS 2 LP	901 MAIN ST STE 4700	DALLAS	TX	75202-3733
15008045C	260417-20-2951	STUART SIMON PROPERTIES LLC	836 SOUTH THIRD ST	SMITHFIELD	NC	27577-0000
15008002	260413-12-1582	SMITHFIELD HOUSING AUTHORITY	801 S 5TH ST	SMITHFIELD	NC	27577-0000



PLANNING DEPARTMENT
Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, **CUP-17-08**, were notified by First Class Mail on **9-15-17**.

Mark E. Helmer
Signature
Johnston County, North Carolina

I, Melissa Rodriguez, 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

15 day of September, 2017
Melissa Rodriguez
Notary Public Signature
Melissa Rodriguez
Notary Public Name



My Commission expires on 12/19/2020



PLANNING DEPARTMENT

Mark E. Helmer, Senior Planner

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, October 3, 2017 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-17-08 Theron Lee McLamb: The applicant is requesting a Conditional Use Permit to construct and operate a recreation vehicle park designed to accommodate 148 RV spaces and 48 rental cabins on 30.15 acres of land located within a B-3 (Business) zoning district. The properties considered for approval are generally bound to the north by CSX Railway, south by Equity Park Subdivision, east by Magnolia Drive and west by Pine Acres Subdivision. The properties are further identified as Johnston County Tax ID# 15L11008K and 15O99002H.

SUP-17-09 Atlantic Coast Pipeline: The applicant is requesting a special use permit to allow for a 42 acre temporary contractor storage yard on property located within an R-20A (Residential-Agricultural) zoning district. The property considered for approval is located the northwest side of Mallard Road approximately 600 feet northeast of its intersection with Old Mallard Road. The property is further identified as a portion of Johnston County Tax ID# 15K11019F.

SUP-17-10 Johnston Animal Hospital: The applicant is requesting a special use permit to allow for an animal hospital on property located within B-3 (Business) zoning district. The properties considered for approval are located on the southwest corner of North Brightleaf Boulevard and Pitchi Street. The properties are further identified as Johnston County Tax ID# 15005056, 15005037, 15005038, 15005037A.

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

Run "Legal Ad" in the Smithfield Herald on 9/20/17 and 9/27/17



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

STAFF REPORT

Application Number: SUP-17-09
Project Name: Atlantic Coast Pipeline Temporary Contractor Yard
TAX ID number: 15K11019F
Town Limits/ETJ: ETJ
Applicant: Atlantic Coast Pipeline, LLC
Owners: Marshall Incorporated
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: Northwest side of Mallard Road approximately 600 feet northeast of its intersection with Old Mallard Road.

REQUEST: The applicant is requesting a special use permit to allow for a temporary contractor storage yard placed on a 42 acre tract of land located within an R-20A (Residential-Agricultural) zoning district.

SITE DATA:

Acreage: 42 acres
Present Zoning: R-20A (Residential - Agricultural)
Proposed Zoning: N/A
Existing Use / Previous: undeveloped / cleared farm land

Proposed Use: 29 Acre Temporary Contractor Yard

ENVIRONMENTAL: The property contains a regulated stream with a 50 foot riparian buffer. This stream drains into the neighboring pond to the east and then into Polecat Branch. Any encroachment into this buffer will require permitting by the North Carolina Department of Environmental Quality.

ADJACENT ZONING AND LAND USES:

North: **Zoning:** R-20A (Residential-Agricultural)
 Existing Use: Solar Farm and Woodlands

South: **Zoning:** R-20A (Residential-Agricultural)

Existing Use: Single Family Dwelling / Cleared Farm Land

East: Zoning: R-20A (Residential-Agricultural)
Existing Use: TW Welding & Cleared Farm Land

West: Zoning: R-20A (Residential-Agricultural)
Existing Use: Residential Subdivision

STAFF ANALYSIS AND COMMENTARY:

The proposed contractor yard will be used in support of the construction of the Atlantic Coast Pipeline. The applicant has submitted a site plan indicating approximately 29 acres of the 42 acre tract of land will be used for the proposed use. Approximately 13 acres will consist of impervious gravel surfaces to include the parking and work areas. The site is bisected by a jurisdictional stream and riparian buffer. The plan indicates that the existing vegetation within this buffer will remain and serve as a visual screen from the residential subdivision to the West. The plan indicates that no land uses and land disturbing activities are proposed between the riparian buffer and existing residential subdivision. All proposed land uses will exist between the riparian buffer to the west, Duke Progress Energy utility easement to the North and a 60 foot access easement on the west to serving the existing solar farm.

13 acres of topsoil will be removed and stockpiled in the northwest corner of the property. The area cleared of top soil will be graveled to provide 7.6 acres of parking and 5 (five) acres of general purpose work area. The northern most portion of the property is identified as equipment storage.

Given the temporary nature of the proposed use, the applicant is requesting to install a chain link fence with screening in lieu of a planted street yard on Mallard Road and the transition yard on the eastern property line. The project is requesting Johnston County water service and is proposing portable facilities.

Access to the site will be provided by 3 (three) proposed driveways to be approved and permitted by NCDOT. Above ground fuel tanks with secondary fuel containment is shown on the plan and detailed construction plans shall be reviewed and permitted by the Town of Smithfield Fire Department prior to construction. The site will contain temporary storage containers and are a permitted use by right. Temporary construction trailers are permitted in accordance with Section 7.13 Modular Office Units/Temporary Office Units which allows temporary office units by right in any district on construction sites only, for a time period of six (6) months, which may be extended for an additional six (6) months by reapplication to the UDO Administrator, with no additional fee. In accordance with Section 7.30 Temporary Uses. The Town Council shall consider the effects of the use on adjacent properties and shall set a time limit on the temporary use. A detailed site plan to include a storm water management plan shall be reviewed by the Planning Board and approved by Town Council under a separate site plan review process.

- **Consistency with the Strategic Growth Plan**

The proposed temporary contractor storage yard is not consistent with the recommendations of the Future Land Use Plan which calls for open space / low density residential land uses. However, temporary uses are permitted in all zoning districts with a special use permit.

- **Consistency with the Unified Development Code**

Temporary uses are permitted in all zoning districts with a valid special use permit. The applicant has submitted a sketch plan that shows the project can and will meet all applicable minimum development standards with the exception of a storm water management which will be reviewed by Town Council during the site plan review process.

- **Compatibility with Surrounding Land Uses**

A temporary contractor storage yard at this location should not pose a compatibility issue with surrounding land uses given that it will be located in a rural area and screened from view from the adjacent residential subdivision to the west and from Mallard Road.

- **Signs**

The project will qualify for 2 ground signs in accordance with Section 10.23.1 of the Town of Smithfield Unified Development Ordinance. A separate sign permit will be required.

OTHER:

FIRE PROTECTION: Smithfield Fire District
SCHOOL IMPACTS: NA
PARKS AND RECREATION: NA
ACCESS/STREETS: 3 proposed NCDOT approved driveways on Mallard Road
WATER/SEWER PROVIDER: Johnston County
ELECTRIC PROVIDER: Duke Progress Energy

Planning Department Recommendations:

The Planning Department has determined that the application is consistent with applicable adopted plans, policies and ordinances and should the Town Board find that all Findings of Fact can be affirmatively made that the application be approved.

Town Council Action Requested:

The Smithfield Town Council is requested to review the petition for a special use permit to allow for a 42 acre temporary contractor yard on property located with a R-20A (Residential-Agricultural) zoning district and make a decision in accordance with the Finding of Fact for a special use permit.

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

Application Number: SUP-17-09 **Name:** Atlantic Coast Pipeline

Request: Applicant seeks a SUP for a temporary use of contractor storage yard with outdoor storage on property located within an R-20A (Residential-Agricultural) zoning district.

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

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

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.
3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Special Use Permit Application # SUP-17-09*

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application # SUP-17-09 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-17-09 is hereby:

_____ approved upon acceptance and conformity with the following conditions; or,

_____ denied for the noted reasons.

Decision made this ___ day of _____, 20__ while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



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

SPECIAL USE PERMIT APPLICATION

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

Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans and one (1) digital copy of all required documents, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: ACP Contractor Yard SP09 Acreage of Property: 42.3
 Parcel ID Number: 15K 11019F Tax ID: 4709827
 Deed Book: 4788 Deed Page(s): 912-916
 Address: 1900 Mallard Road
 Location: 1,000 feet Northeast of Intersection of Mallard Road and Brogden Road

Existing Use: Agricultural Proposed Use: Public Utility Storage Yard
 Existing Zoning District: R-20A

Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: SOP-17-09 Date Submitted: 9/1/17 Date Received: 9/1/17 Amount Paid: \$300.00

OWNER INFORMATION:

Name: Marshall Incorporated
Mailing Address: 837 S. Brightleaf Blvd., Smithfield, NC 27577
Phone Number: (919) 934-6505 Fax: _____
Email Address: _____

APPLICANT INFORMATION:

Applicant: Atlantic Coast Pipeline, LLC
Mailing Address: 925 White Oaks Blvd., Bridgeport, WV 26330
Phone Number: (681) 842-3465 Fax: _____
Contact Person: Min So
Email Address: Min.P.So@dom.com

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The construction contractor will need off-right-of-way yards for office trailers, parking, and the storage of pipe and equipment. Pipe storage and contractor yards range in size, depending upon the amount of material and equipment to be stored or staged at each location. The yards are sited at various locations in the vicinity of the Project, within reasonable proximity to the proposed pipeline right-of-way and other work areas.

Atlantic has attempted to identify yards that have been previously disturbed and are compatible with the planned use of the yard (e.g., previously cleared and graded areas with access to power supplies for temporary construction trailers). Where yards are not located in previously disturbed areas, preferred sites are on level terrain to minimize grading or filling. Refer to Site Plan

HOURS OF OPERATION: Monday - Saturday 7:00am to 5:30pm, with the possibility of working Sunday and longer hours.

AVERAGE DAILY TRAFFIC: Refer to attached Supplement - Estimated Trip Generation Table

REQUIRED FINDING OF FACT

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

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
The primary use of the site is for temporary storage of materials and equipment for construction of the Atlantic Coast Pipeline along the I-95 corridor in Johnston and nearby counties.
The use will not materially endanger the public health, safety or general welfare.
- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.
It is the Applicant's affirmation that the proposed use will not adversely affect the use or any physical attribute of adjoining or abutting properties. A 6-ft chain link fence with screening is proposed along the NE and SE boundaries to mitigate visual impacts (see Site Plan). No fixed exterior lighting is planned.
- 3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
The proposed use is a non-conforming but Temporary use for up to two (2) calendar years (2019 and 2020) beginning January 1, 2019. The site will be returned to its pre-development condition.
- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
Refer to submitted site plan, stormwater plan, and erosion and sediment control plan for demonstration of access, facilities, parking and drainage provided. No utilities are required except electric power. Bottled potable water and portable toilets are planned. Commercial dumpster service is planned for solid wastes.
- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
The site entrances have been designed to satisfy all NCDOT street and driveway access requirements.
- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
The proposed use is a non-conforming but Temporary use for up to two (2) calendar years (2019 and 2020) beginning January 1, 2019. The site will be returned to its pre-development condition.
- 7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
Not applicable.
- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.
The proposed use is a non-conforming but Temporary use.

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Colin Olness
Print Name


Signature of Applicant

8/29/87
Date

OWNER'S CONSENT FORM

Name of Project: Atlantic Coast Pipeline Submittal Date: 9/1/17

OWNERS AUTHORIZATION

I hereby give CONSENT to Atlantic Coast Pipeline (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.

Julian F. Marshall Julian F. Marshall 8-28-2017
Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

Julian F. Marshall Julian F. Marshall 8-28-2017
Signature of Owner/Applicant *Print Name* *Date*

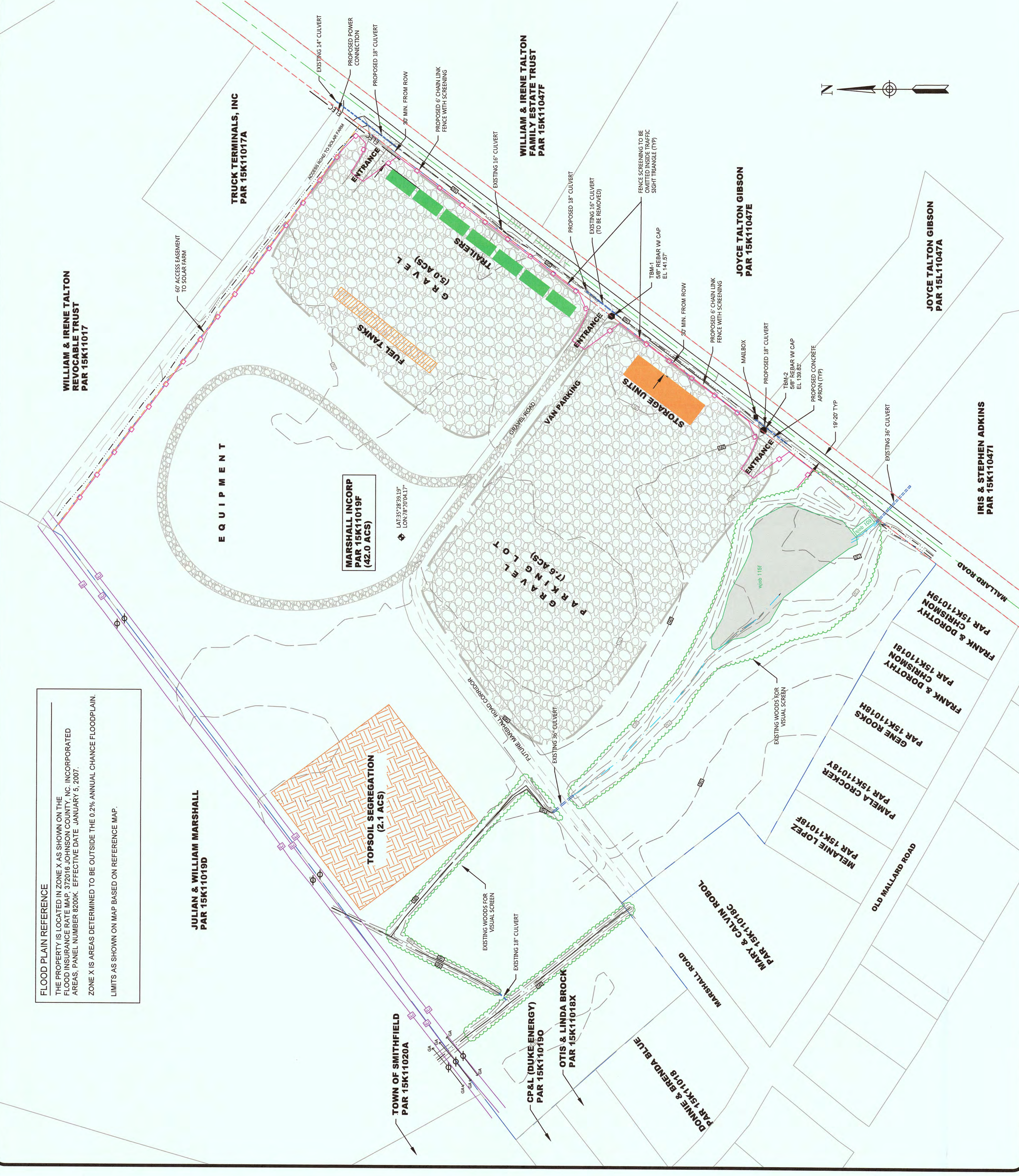
FOR OFFICE USE ONLY

File Number: SUP-17-09 Date submitted: 9/1/17 Date received: 9/1/17

Supplement to Special Use Permit Application
Atlantic Coast Pipeline Contractor Yard SP 09
1900 Mallard Road, Smithfield, NC

Spread 09 Contractor Yard – Estimated Trip Generation					
Item	Quantity	Trips	Total ADT	Days/Yr	Annual Trips
ADT - 2 axles - Worker Vehicles	300	2	600	82	49200
ADT - 2 axles - Pick-ups	60	2	120	82	9840
ADT - 2 axles - Buses	6	2	12	82	984
ADT - 2 axles - 2 Ton	13	2	26	82	2132
ADT - 2 axles - Welder Rig	38	2	76	82	6232
ADT - 5 axles - Float	8	2	16	132	2112
ADT - 5 axles - String Truck	8	4	32	82	2624
ADT - 6 axles - Lowboy	5	2	10	132	1320
Planned Days and Hours of Operation	Monday through Saturday from 7:00am to 5:30pm, with the possibility of working Sunday and longer hours.				

FLOOD PLAIN REFERENCE
 THE PROPERTY IS LOCATED IN ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP, 872016 JOHNSON COUNTY, NC, INCORPORATED AREAS, PANEL NUMBER 8200K, EFFECTIVE DATE JANUARY 5, 2007.
 ZONE X IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
 LIMITS AS SHOWN ON MAP BASED ON REFERENCE MAP.



S&ME
 WWW.S&ME.COM
 9791 SOUTHERN PINE BLVD
 CHARLOTTE, NC 28273
 (704) 524-4726
 ENGINEERING FIRM LICENSE NUMBER: F-0176

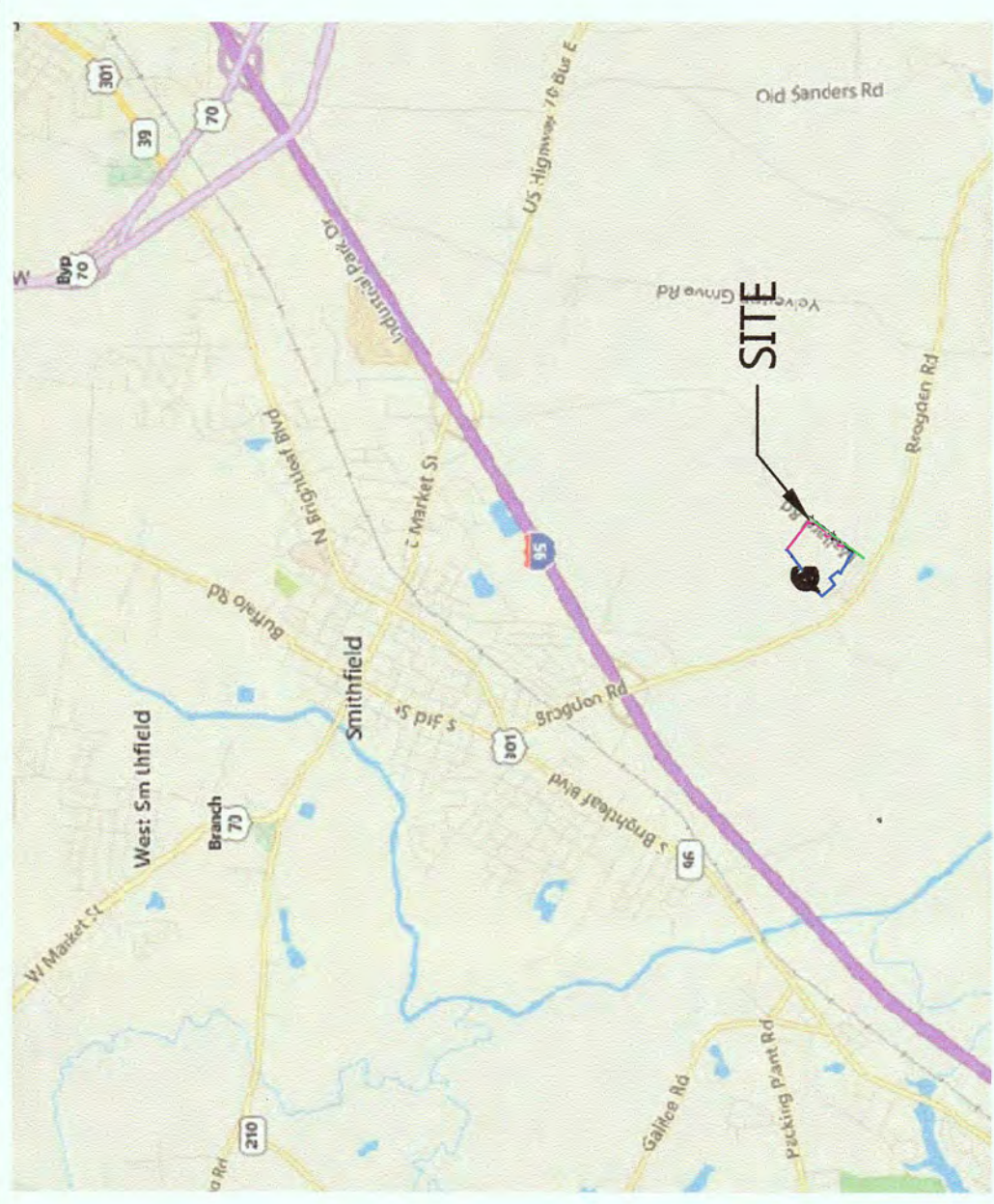


NO.	DATE	DESCRIPTION
0	08/29/17	ISSUED FOR REVIEW AND APPROVAL

SMITHFIELD, NORTH CAROLINA
ATLANTIC COAST PIPELINE, LLC
PROPOSED CONTRACTOR YARD (SPREAD 09)

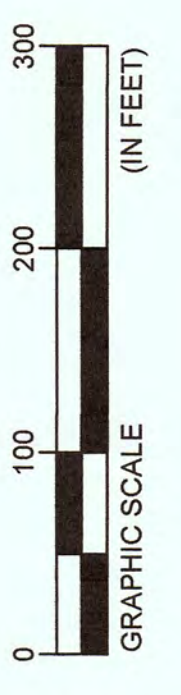
SITE PLAN FOR SPECIAL USE PERMIT

PROJECT NUMBER: 7235-17-008
 DRAWING: 1 OF 1



- LEGEND**
- CONTRACTOR YARD LIMITS
 - OVERHEAD ELECTRIC LINE
 - EXISTING FENCE
 - DITCH
 - STREAM
 - CONTOUR
 - WETLAND
 - UTILITY POLE
 - GUY ANCHOR
 - TEMPORARY BENCH MARK
 - EASEMENTS
 - NCDOT RIGHT-OF-WAY (EST)
 - EXISTING & PROPOSED CULVERTS
 - FUEL TANK AREA (25' x 250')
 - TRAILER (24' x 60')
 - STORAGE UNITS
 - TOP SOIL SEGREGATION AREA
 - GRAVEL AREA & INTERNAL ROADS
 - PROPOSED SCREEN FENCING
 - PROPOSED POWER CONNECTION
 - TREE LINE

- NOTE:**
- BASE DRAWING AND MAIN YARD FEATURES FROM 13 ENGINEERING AND CONSULTING, LLC (SP9_CY_SPROG-A, REV. B)
 - SITE IS CURRENTLY ZONED RESIDENTIAL - AGRICULTURAL (R-20A).
 - PROPERTY OWNER:
 MARSHALL INCORP.
 837 SOUTH BRIGHT LEAF
 SMITHFIELD, N.C. 27577
 DEED BOOK 4788, PAGE 912-916
 - APPLICANT:
 ATLANTIC COAST PIPELINE, LLC
 925 WHITE OAKS BLVD.
 BRIDGEPORT, WV 26330 (681)842-8000



1900 Block of Mallard Road



Project Name:
ACP Temporary
Contractor Yard

Proposed Use:
Temporary Use

File Number:
SUP-17-09

Property Owner:
Julian Marshall

Applicant:
Atlantic Coast
Pipeline, LLC

Location:
Mallard Road

Tax ID#
15K11019F

Zoning District:
R-20A

Map created by the
Mark E. Helmer, AICP
Senior Planner,
GIS Specialist
on 9/22/2017

1 inch = 100 feet



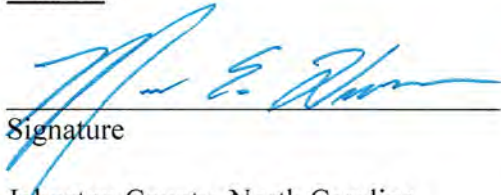
TAX ID#	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15K11018I	169202-78-7256	CHRISMON, FRANK T	28 OLD MALLARD RD	SMITHFIELD	NC	27577-0000
15K11018F	169202-78-4417	WHITLEY, H LANDIS	208 W LANGDON AVE	SMITHFIELD	NC	27577-0000
15K11018H	169202-78-6342	ROOKS, GENE ALTON	52 OLD MALLARD RD	SMITHFIELD	NC	27577-9452
15K11020A	169202-69-5174	TOWN OF SMITHFIELD	111 S 4TH ST	SMITHFIELD	NC	27577-0000
15K11047I	169202-88-2190	ADKINS, IRIS T	2125 MALLARD RD	SMITHFIELD	NC	27577-0000
15K11018Y	169202-78-5339	CROCKER, PAMELA F	72 OLD MALLARD RD	SMITHFIELD	NC	27577-0000
15K11019H	169202-78-8169	CHRISMON, FRANK T	28 OLD MALLARD RD	SMITHFIELD	NC	27577-0000
15K11019O	169202-69-7070	CAROLINA POWER & LIGHT	P O BOX 1551	RALEIGH	NC	27602-0000
15K11047E	169202-88-9332	GIBSON, JOYCE TALTON	4215 BROGDEN RD	SMITHFIELD	NC	27577-0000
15K11018C	169202-78-1559	ROBOL, MARY F ASTERITA	128 OLD MALLARD ROAD	SMITHFIELD	NC	27577-9453
15L11047A	169202-88-4383	GIBSON, JOYCE TALTON	4215 BROGDEN RD	SMITHFIELD	NC	27577-0000
15K11017A	169202-89-8646	TRUCK TERMINALS INC	1901 N NAN AVE	MARBLEHEAD	OH	43440-9799
15K11018X	169202-68-8922	BROCK, OTIS RAY	129 OLD MALLARD RD	SMITHFIELD	NC	27577-0000
15K11047F	169202-98-6620	TRUST	1800 MALLARD RD	SMITHFIELD	NC	27577-7139
15K11018	169202-68-9748	BLUE, DONNIE L	216 OLD MALLARD RD	SMITHFIELD	NC	27577-9455
15K11019F	169202-79-9657	MARSHALL INCORP	837 SOUTH BRIGHT LEAF BLVD	SMITHFIELD	NC	27577-0000
15K11019D	169300-70-7509	MARSHALL, JULIAN BRIAN	837 SOUTH BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4385
15K11017	169300-91-8831	TRUST	1800 MALLARD RD	SMITHFIELD	NC	27577-7139



PLANNING DEPARTMENT
Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, SUP-17-09, were notified by First Class Mail on 9-15-17.



Signature

Johnston County, North Carolina

I, Melissa Rodriguez, 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

15 day of September, 2017



Notary Public Signature

Melissa Rodriguez

Notary Public Name

My Commission expires on 12/19/2020





PLANNING DEPARTMENT

Mark E. Helmer, Senior Planner

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, October 3, 2017 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-17-08 Theron Lee McLamb: The applicant is requesting a Conditional Use Permit to construct and operate a recreation vehicle park designed to accommodate 148 RV spaces and 48 rental cabins on 30.15 acres of land located within a B-3 (Business) zoning district. The properties considered for approval are generally bound to the north by CSX Railway, south by Equity Park Subdivision, east by Magnolia Drive and west by Pine Acres Subdivision. The properties are further identified as Johnston County Tax ID# 15L11008K and 15O99002H.

SUP-17-09 Atlantic Coast Pipeline: The applicant is requesting a special use permit to allow for a 42 acre temporary contractor storage yard on property located within an R-20A (Residential-Agricultural) zoning district. The property considered for approval is located the northwest side of Mallard Road approximately 600 feet northeast of its intersection with Old Mallard Road. The property is further identified as a portion of Johnston County Tax ID# 15K11019F.

SUP-17-10 Johnston Animal Hospital: The applicant is requesting a special use permit to allow for an animal hospital on property located within B-3 (Business) zoning district. The properties considered for approval are located on the southwest corner of North Brightleaf Boulevard and Pitchi Street. The properties are further identified as Johnston County Tax ID# 15005056, 15005037, 15005038, 15005037A.

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

Run "Legal Ad" in the Smithfield Herald on 9/20/17 and 9/27/17



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

STAFF REPORT

Application Number: SUP-17-10
Project Name: Johnston Animal Hospital
TAX ID number: 15005056, 15005037, 15005038, 15005037A.
Town Limits/ETJ: Town
Applicant: Dr. Michael Ward
Owners: Smithfield Aycock Land LLC
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: Southwest corner of North Brightleaf Boulevard and Pitchi Street.

REQUEST: The applicant is requesting a special use permit to allow for an animal hospital on property located within B-3 (Business) zoning district.

SITE DATA:

Acreage: 1.8 acres
Present Zoning: B-3 (Business)
Proposed Zoning: N/A
Existing Use / Previous: Single-family Dwelling / Retail

Proposed Use: Animal Hospital with outdoor dog runs

ENVIRONMENTAL: The property does not contain any environmentally sensitive areas to include floodplains or wetlands.

ADJACENT ZONING AND LAND USES:

North: **Zoning:** B-3 (Business)
 Existing Use: Brightleaf Plaza

South: **Zoning:** B-3 (Business)
 Existing Use: American Legion Ball Field

East: **Zoning:** B-3 (Business)

Existing Use: Johnston County Industries

West: Zoning: B-3 (Business)
Existing Use: O'Reilly Auto Parts

STAFF ANALYSIS AND COMMENTARY:

The applicant has submitted a site plan for a 5,000 square foot building with 36 parking spaces. Access to the site will be provided by 2 (two) standard 24 foot driveways accessing Pitchi Street. The sketch plan shows all standard landscape yards can and will be installed in accordance with the Town of Smithfield minimum development standards. Town water, sewer and electric services are available within the right-of-way of Pitchi Street. Sidewalks are provided in accordance with Section 2.22 Sidewalks. A stormwater management facility is shown on the plan but will not be required.

- **Consistency with the Strategic Growth Plan**

The proposed animal hospital is consistent with the recommendations of the Future Land Use Plan which calls for commercial uses near the intersection of North Brightleaf Boulevard and Pitchi Street.

- **Consistency with the Unified Development Ordinance**

An animal hospital is a permitted use within the B-3(Business) zoning district with a valid special use permit. The applicant has submitted a sketch plan that shows the project can and will meet all applicable minimum development standards.

- **Compatibility with Surrounding Land Uses**

An animal hospital at this location will not pose a compatibility issue with surrounding land uses given that it will be located in a commercial area where animal hospitals are commonly found.

- **Signs**

The project will qualify for two (2) ground signs in accordance with Section 10.23.1 of the Town of Smithfield Unified Development Ordinance. A separate sign permit will be required.

OTHER:

FIRE PROTECTION: Smithfield Fire District

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: Two (2) proposed driveways on Pitchi Street

WATER/SEWER PROVIDER: Town of Smithfield

ELECTRIC PROVIDER: Town of Smithfield

Planning Department Recommendations:

The Planning Department has determined that the application is consistent with applicable adopted plans, policies and ordinances and should the Town Board find that all Findings of Fact can be affirmatively made that the application be approved.

Town Council Action Requested:

The Smithfield Town Council is requested to review the petition for a for special use permit to allow for an animal hospital on property located with a B-3 (Business) zoning district and make a decision in accordance with the Finding of Fact for a special use permit.

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

Application Number: SUP-17-10 **Name:** Johnston Animal Hospital

Request: Applicant seeks a SUP for an animal hospital on property located within a B-3 (Business) zoning district.

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

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

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.
3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Special Use Permit Application # SUP-17-10*

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application # SUP-17-10 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-17-10 is hereby:

_____ approved upon acceptance and conformity with the following conditions; or,

_____ denied for the noted reasons.

Decision made this ___ day of _____, 20__ while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



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

SPECIAL USE PERMIT APPLICATION

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

Special Use Permit applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans and one (1) digital copy of all required documents, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00. All fees are due when the application is submitted.

SITE INFORMATION:

Name of Project: Johnston Animal Hospital Acreage of Property: ± 1.80 Acres
 Parcel ID Number: 260413-02-5950 Tax ID: 4702090
 Deed Book: 4398 Deed Page(s): 518
 Address: 822 North Brightleaf Boulevard Smithfield, NC 27577
 Location: Intercection of Brightleaf Boulevard and Pitchi Street

Existing Use: General Business Proposed Use: Animal Hospital
 Existing Zoning District: B-3

Is project within a Planned Development: Yes No
 Planned Development District (if applicable): _____
 Is project within an Overlay District: Yes No
 Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: SUP-17-10 Date Submitted: 9/5/17 Date Received: 9/5/17 Amount Paid: 300.00

REQUIRED FINDING OF FACT

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

- 1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
The proposed animal hospital will bring value to the general welfare of the public and will be an asset to the community.
Granting the permit will allow us to expand our business and will provide additional jobs available to the citizens of our community.
- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.
The property is currently zoned for business and the surrounding properties are operating as businesses. The proposed business will mesh well.
- 3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
The special use will not hinder development or improvement of surrounding properties, but will add value to the area by removing older buildings and improving the "curb appeal" of the property and Brightleaf Boulevard.
- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.
The site will be served by public utilities and streets will meet all applicable standards for site development (parking and drainage).
- 5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
The site will be designed to minimize traffic congestion by providing two access points on Pitchi Street rather than Brightleaf Boulevard.
- 6) The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.
All applicable regulations will be adhered to in development of the site.
- 7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.
Public access and parking will be in accordance with the requirements of the town and its land use plan.
- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.
This use will be in conformity with the land use plan or other plan adopted by the town council.

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject Special Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Michael W. [Signature]
Print Name

[Signature]
Signature of Applicant

9/5/17
Date

OWNER'S CONSENT FORM

Name of Project: Johnston Animal Hospital Submittal Date: 9/5/2017

OWNERS AUTHORIZATION

I hereby give CONSENT to Dr. Michael Ward (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.

SMITHFIELD ANYCOCK LAND LLC RICHARD ANYCOCK/MEMBER 5 SEPT-2017
Signature of Owner *Print Name* *Date*
R. Anycock III

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

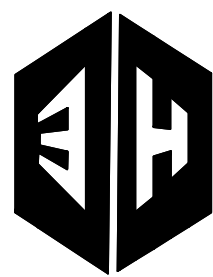
I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina,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

[Signature] Michael Ward 9/5/17
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: SOP-19-10 Date submitted: 9/5/17 Date received: 9/5/17

LEE R. HINES, JR., PE
 630 Aiken Parkway
 FLOUAY-WARINA, NC 27526
 PHONE: (919) 422-8011
 richhines@ncrr.com



SEALS

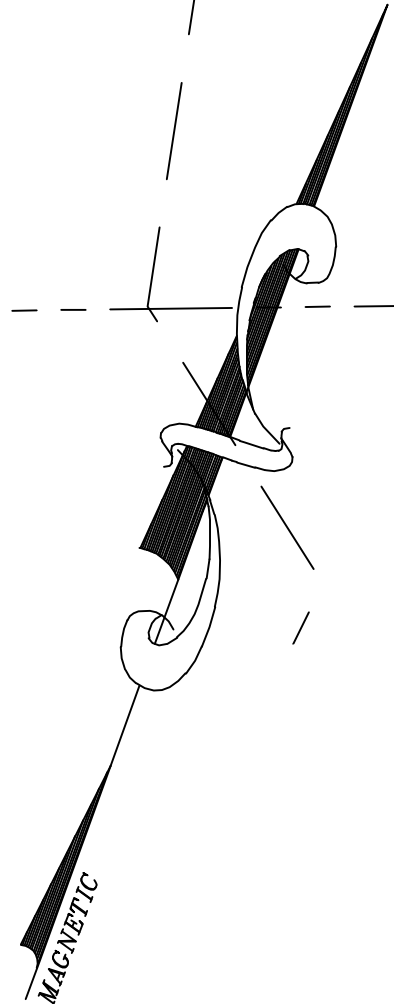
FOR REVIEW ONLY
 PRELIMINARY

REVISIONS

NO.	DATE	DESCRIPTION

N/F
 JOHNSTON COMMUNITY COLLEGE FOUNDATION, INC.
 260413-02-8528

OWNER: SMITHFIELD AYCOCK LAND, LLC
 POST OFFICE BOX 1202
 GARNER, NC 27529
 DEVELOPER: DR. MICHAEL WARD
 1266 N BRIGHTLEAF BLVD
 SMITHFIELD, NC 27577
 SIZE: 1.80 ACRES
 ZONING: B-3



N/F
 BLACKMON PROPERTY GROUP, LLC
 260413-02-4743

N/F
 O'REILLY AUTOMOTIVE #2201
 260413-02-4939

N/F
 MOUSER PAINT COMPANY, INC.
 260413-03-5033

N/F
 SMITHFIELD AYCOCK LAND, LLC
 260413-02-5850

N/F
 SMITHFIELD AYCOCK LAND, LLC
 260413-02-6799

N/F
 SMITHFIELD AYCOCK LAND, LLC
 260413-02-6859

N/F
 SMITHFIELD AYCOCK LAND, LLC
 260413-03-5095

EXISTING SITE CONDITIONS ARE TAKEN FROM JOHNSTON COUNTY GIS AND ARE A REPRESENTATION ONLY. A DETAILED SITE SURVEY WILL BE PERFORMED PRIOR TO THE SUBMITTAL OF CONSTRUCTION DRAWINGS.

BRIGHTLEAF BOULEVARD

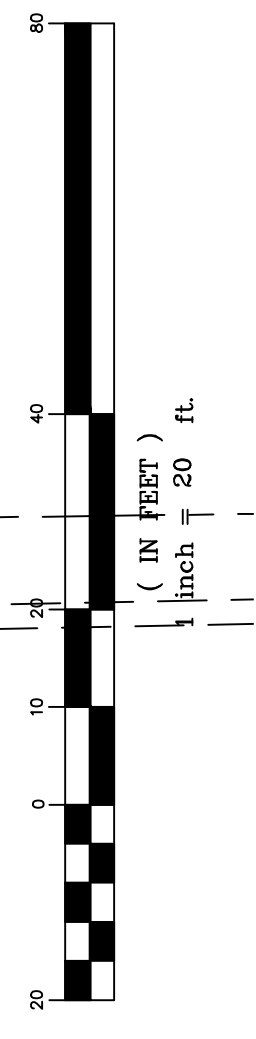
WADDELL DRIVE

N/F
 MOHAMED AND SONS, INC.
 260413-03-5247

PITCHI STREET

N/F
 JOHNSTON COUNTY INDUSTRIES, INC.
 260413-13-0068

GRAPHIC SCALE



EXISTING CONDITIONS
 TOWN OF SMITHFIELD, NC
 JOHNSTON ANIMAL HOSPITAL

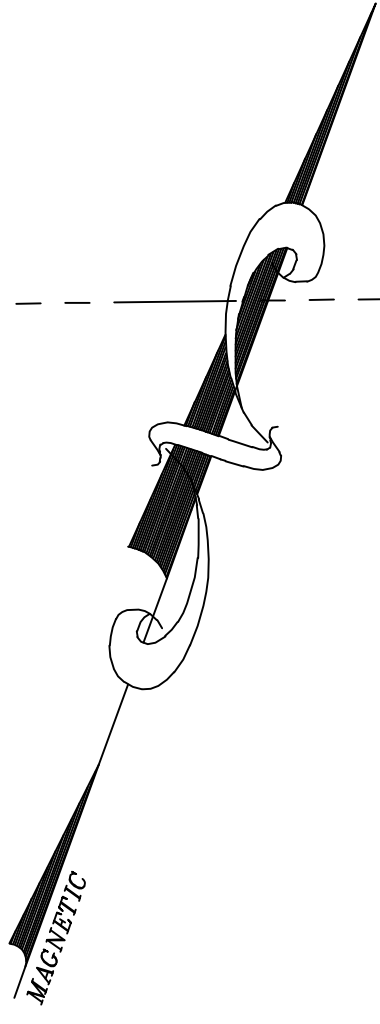
REVIEWED BY: LAE
 DESIGNED BY: LAE
 DRAWN BY: LAE
 DATE: SEPT 2017
 PROJECT NUMBER: 17-09

SPECIAL USE PERMIT APPLICATION

1

SEPT 2017

OWNER: SMITHFIELD AYCOCK LAND, LLC
 DEVELOPER: DR. MICHAEL WARD
 ZONING: B-3
 PARKING: OFFICE (INCLUDES CLINIC)
 4 PER 1,000 SF
 5,000 SF BUILDING -- 20 SPACES
 36 STD AND 1 H/C PROVIDED

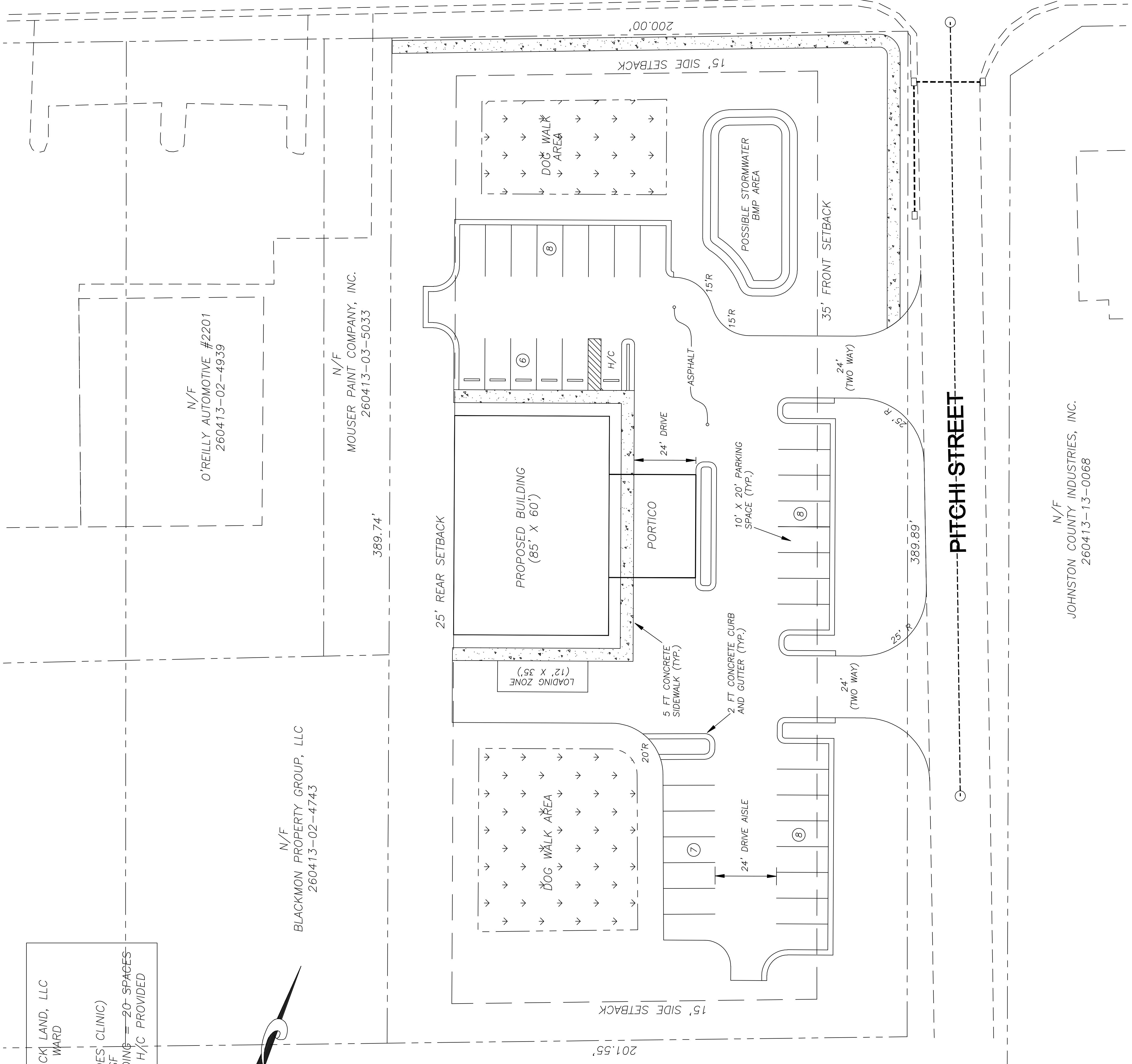


N/F
 BLACKMON PROPERTY GROUP, LLC
 260413-02-4743

N/F
 O'REILLY AUTOMOTIVE #2201
 260413-02-4939

N/F
 MOUSER PAINT COMPANY, INC.
 260413-03-5033

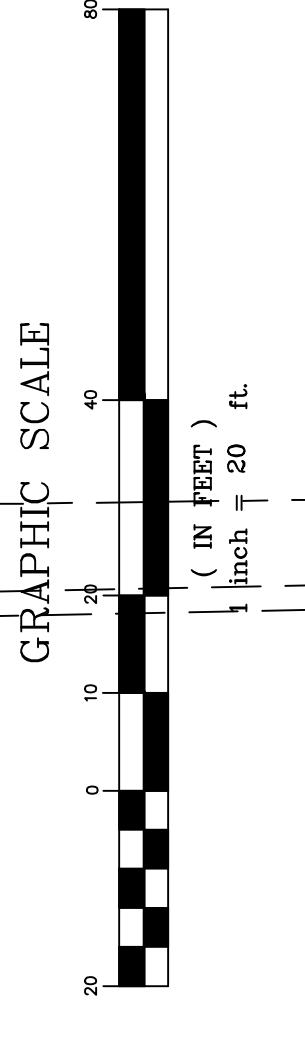
N/F
 JOHNSTON COMMUNITY COLLEGE FOUNDATION, INC.
 260413-02-8528



BRIGHTLEAF BOULEVARD

WADDELL DRIVE

N/F
 MOHAMED AND SONS, INC.
 260413-03-5247



N/F
 JOHNSTON COUNTY INDUSTRIES, INC.
 260413-13-0068

PITCHI STREET

JOHNSTON ANIMAL HOSPITAL
 TOWN OF SMITHFIELD, NC
 SITE LAYOUT

REVIEWED BY:	LAE
DESIGNED BY:	LAE
DRAWN BY:	LAE
DATE:	SEPT 2017
PROJECT NUMBER:	17 09

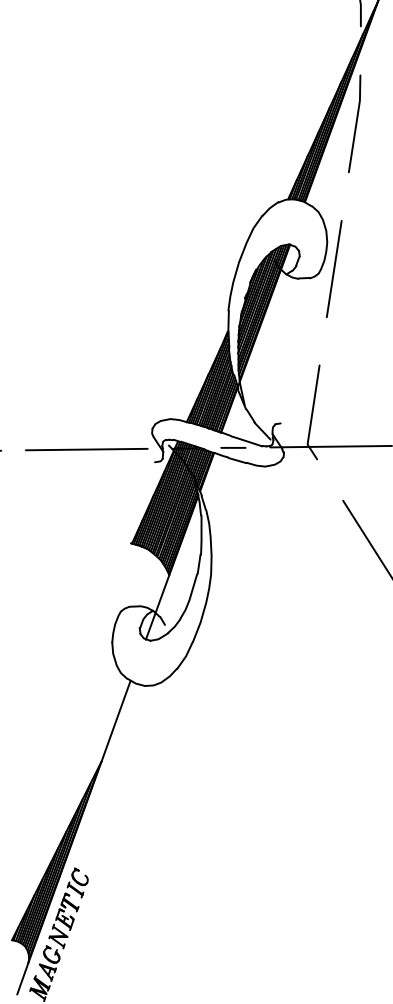
SPECIAL USE PERMIT APPLICATION

SEALS

FOR REVIEW ONLY
 PRELIMINARY

REVISIONS

OWNER: SMITHFIELD AYCOCK LAND, LLC
 DEVELOPER: DR. MICHAEL WARD
 EXISTING IMPERVIOUS AREA: 19,013.6 SF
 PROPOSED IMPERVIOUS AREA: 34,426.2 SF
 STORMWATER DESIGN WILL BE IN ACCORDANCE
 WITH THE REQUIREMENTS OUTLINED IN THE UDO.



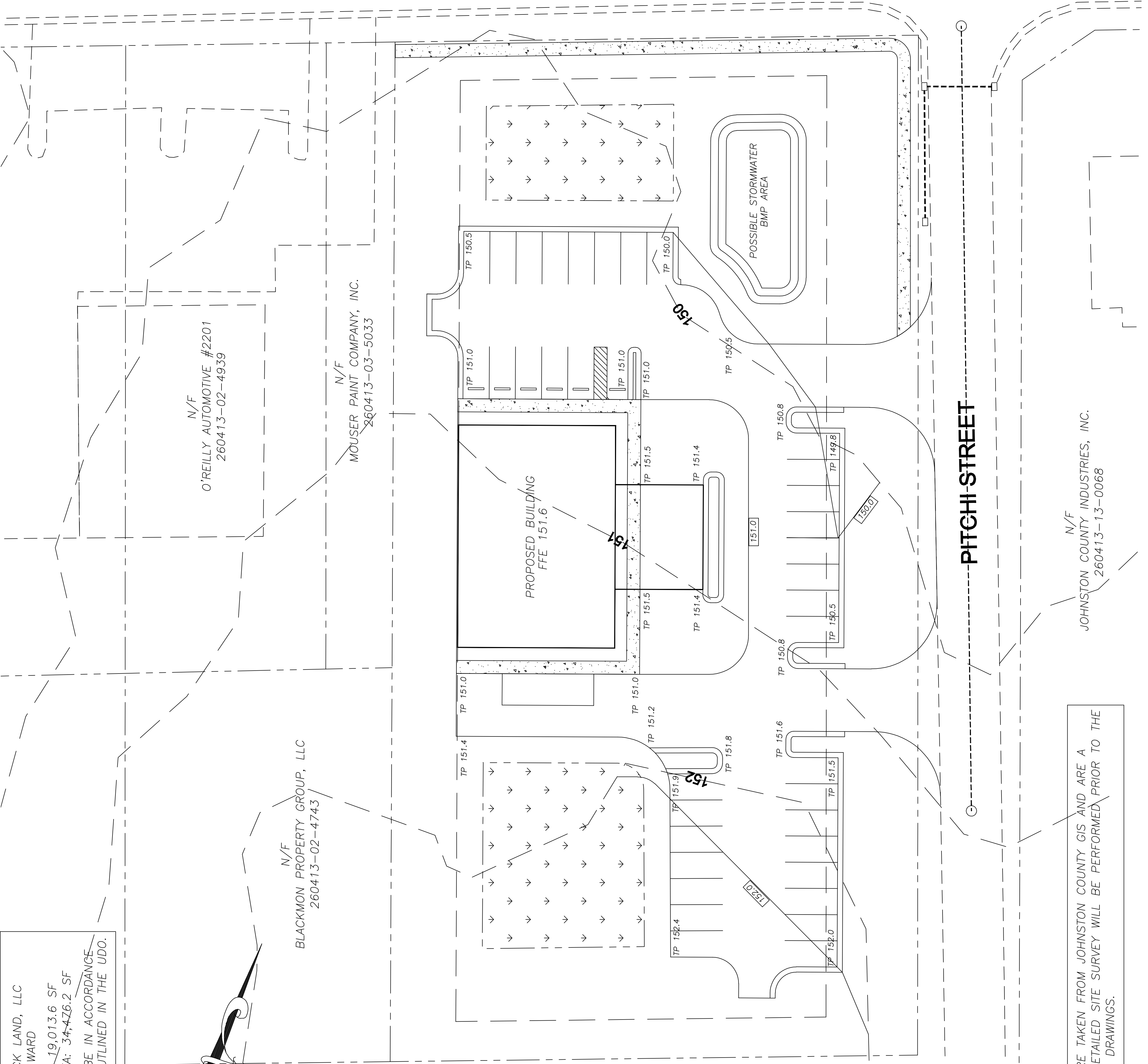
N/F
 BLACKMON PROPERTY GROUP, LLC
 260413-02-4743

N/F
 O'REILLY AUTOMOTIVE #2201
 260413-02-4939

N/F
 MOUSER PAINT COMPANY, INC.
 260413-03-5033

N/F
 JOHNSTON COMMUNITY COLLEGE FOUNDATION, INC.
 260413-02-8528

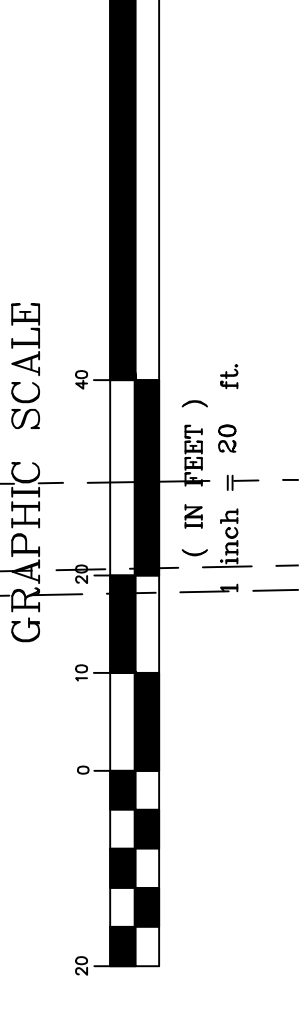
EXISTING SITE CONDITIONS ARE TAKEN FROM JOHNSTON COUNTY GIS AND ARE A
 REPRESENTATION ONLY. A DETAILED SITE SURVEY WILL BE PERFORMED PRIOR TO THE
 SUBMITTAL OF CONSTRUCTION DRAWINGS.



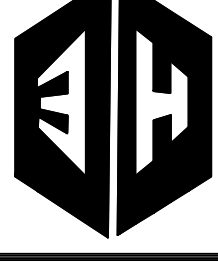
BRIGHTLEAF BOULEVARD

WADDELL DRIVE

N/F
 MOHAMED AND SONS, INC.
 260413-03-5247



LEE R. HINES, JR., PE
 630 Aiken Parkway
 FLOUAY-WAUNA, NC 27526
 PHONE: (919) 422-8011
 richines@ncrr.com



SEALS

FOR REVIEW ONLY
 PRELIMINARY

REVISIONS

NO.	DATE	DESCRIPTION

JOHNSTON ANIMAL HOSPITAL
 TOWN OF SMITHFIELD, NC
 GRADING PLAN

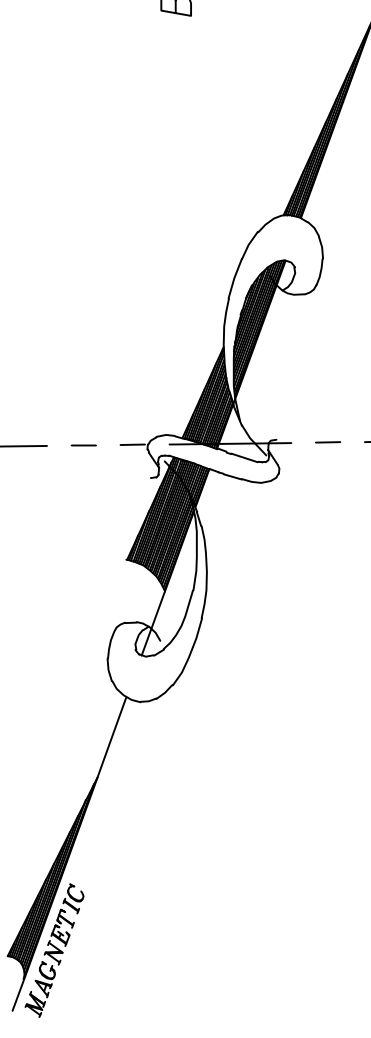
REVIEWED BY: LAE
 DESIGNED BY: LAE
 DRAWN BY: LAE
 DATE: SEPT 2017
 PROJECT NUMBER: 17 09

SPECIAL USE PERMIT
 APPLICATION

3

SEPT 2017

1. A VEGETATION INVENTORY WILL BE PERFORMED BY A LICENSED ARBORIST OR FORESTER TO DETERMINE WHAT SHALL BE PRESERVED IN ACCORDANCE WITH THE REQUIREMENTS OUTLINED IN THE UDO.
2. THE STREET YARDS SHALL BE PLANTED WITH 1 UNDERSTORY TREE AND 20 SHRUBS PER 100 LINEAR FEET.
3. THE BUFFERYARDS SHALL BE A MINIMUM OF 10' WIDE AND SHALL MEET ONE-HALF OF THE TYPE A REQUIREMENTS (1 CANOPY TREE AND 6 SHRUBS PER 1,000 SF).
4. 9 PERCENT OF THE GROSS PAVEMENT AREA SHALL BE DEDICATED TO LANDSCAPING INTERNAL TO THE PARKING AREA. EACH ISLAND SHALL HAVE A MINIMUM OF 100 SF AND SHALL BE PLANTED WITH 1 CANOPY TREE, 1 UNDERSTORY TREE, AND 6 SMALL SHRUBS.



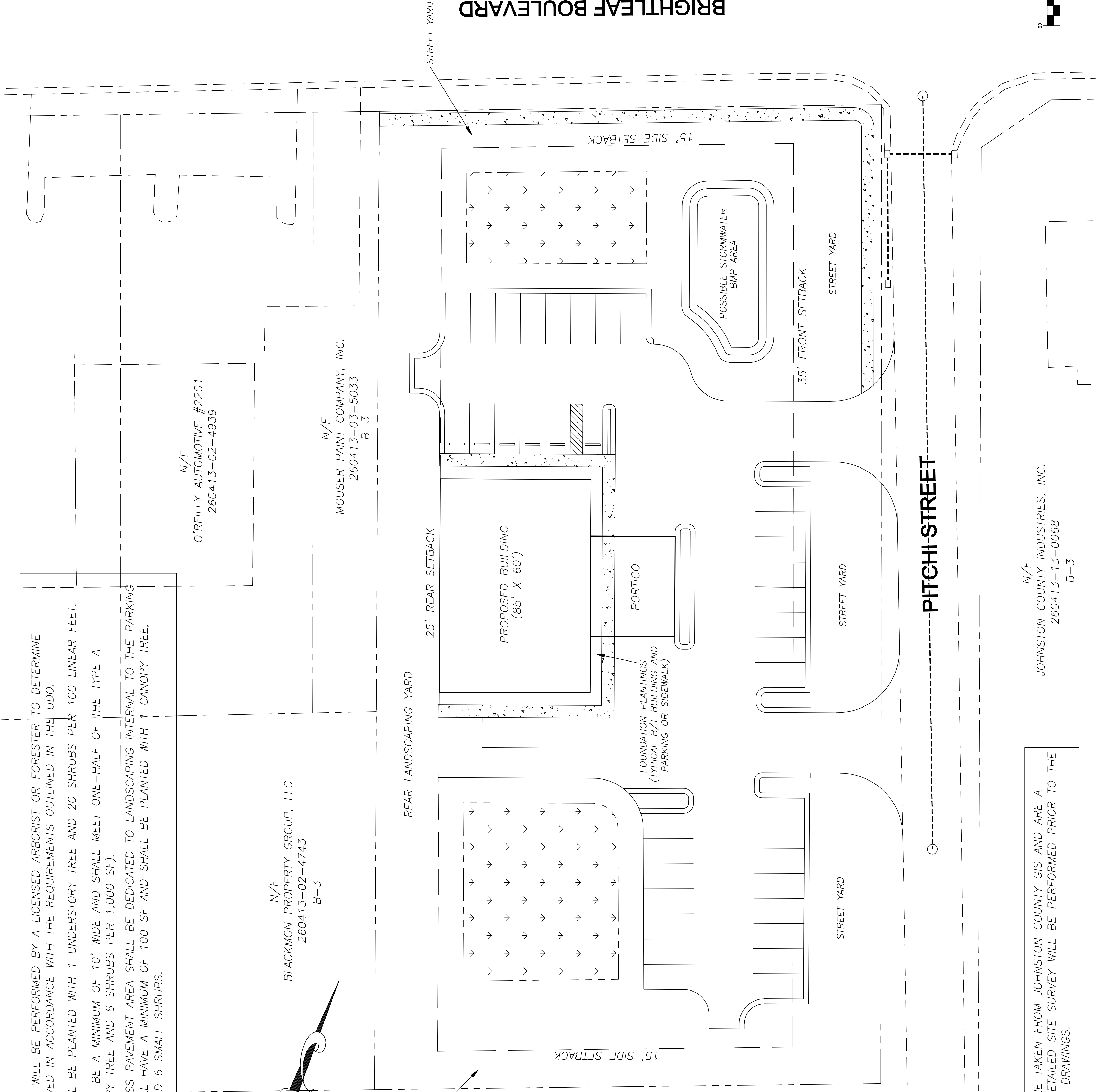
N/F
BLACKMON PROPERTY GROUP, LLC
260413-02-4743
B-3

N/F
O'REILLY AUTOMOTIVE #2201
260413-02-4939

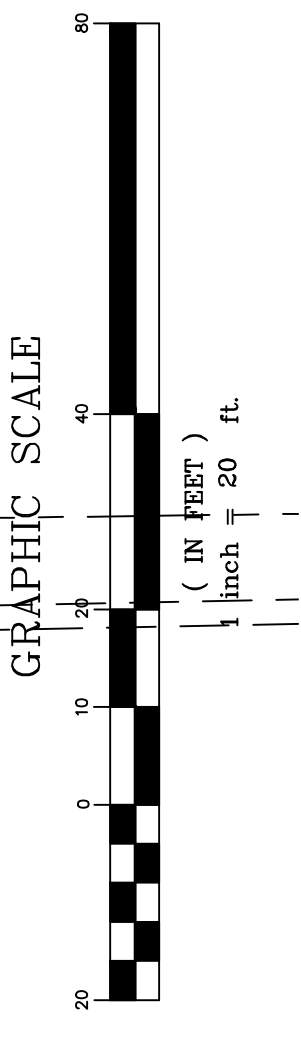
N/F
MOUSER PAINT COMPANY, INC.
260413-03-5033
B-3

N/F
JOHNSTON COMMUNITY COLLEGE FOUNDATION, INC.
260413-02-8528
B-3

N/F
JOHNSTON COUNTY INDUSTRIES, INC.
260413-13-0068
B-3



N/F
MOHAMED AND SONS, INC.
260413-03-5247
B-3



LEE R. HINES, JR., PE
630 Aiken Parkway
Fountain Valley, NC 27526
Phone: (919) 422-8011
rhhines@peinc.com

SEALS
FOR REVIEW ONLY
PRELIMINARY

REVISIONS

NO.	DATE	DESCRIPTION

LANDSCAPING PLAN
TOWN OF SMITHFIELD, NC
JOHNSTON ANIMAL HOSPITAL

REVIEWED BY: LKH
DESIGNED BY: LKH
DRAWN BY: LKH
DATE: SEPT 2017
PROJECT NUMBER: 17 09

SPECIAL USE PERMIT APPLICATION

4

SEPT 2017

800 Block of North Brightleaf Boulevard



Project Name:
Johnston
Animal Hospital

Proposed Use:
Animal Hospital

File Number:
SUP-17-10

Property Owner:
Smithfield Aycock
Land, LLC

Applicant:
Dr. Michael Ward

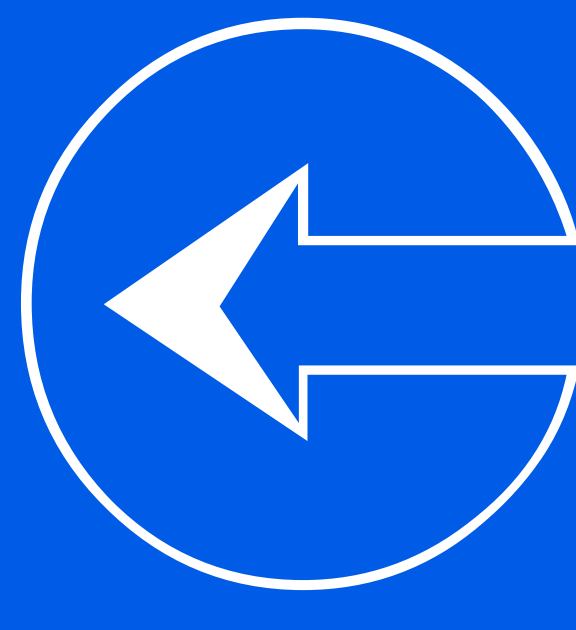
Location:
North Brightleaf
Boulevard

Tax ID#
15005038, 15005056
15005037, 15005037A

Zoning District:
B-3

Map created by the
Mark E. Helmer, AICP
Senior Planner,
GIS Specialist
on 9/24/2017

1 inch = 40 feet



**Location of Proposed
Animal Hospital**

TAX ID#	PIN	NAME1	ADDRESS2	CITY	STATE	ZIPCODE
15007014	260413-02-8528	JOHNSTON COMMUNITY COLLEGE	P O BOX 2350	SMITHFIELD	NC	27577-2350
15006013A	260413-02-4939	OREILLY AUTOMOTIVE #2201	PO BOX 06116	CHICAGO	IL	60606-0116
15006019	260413-02-4743	BLACKMON PROPERTY GROUP LLC	PO DRAWER 2318	SMITHFIELD	NC	27577-2318
15005038	260413-02-5950	SMITHFIELD AYCOCK LAND LLC	PO BOX 202	GARNER	NC	27529-0202
15005056	260413-03-5095	SMITHFIELD AYCOCK LAND LLC	PO BOX 202	GARNER	NC	27529-0202
15005037	260413-02-6859	SMITHFIELD AYCOCK LAND LLC	PO BOX 202	GARNER	NC	27529-0202
15005037A	260413-02-6799	SMITHFIELD AYCOCK LAND LLC	PO BOX 202	GARNER	NC	27529-0202
15006013	260413-03-5033	MOUSER PAINT COMPANY INC	1025 POWHATAN RD	CLAYTON	NC	27527-9843



PLANNING DEPARTMENT
Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-17-10, were notified by First Class Mail on 9-15-17.



Signature

Johnston County, North Carolina

I, Melissa Rodriguez, 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

15 day of September, 2017



Notary Public Signature

Melissa Rodriguez

Notary Public Name





PLANNING DEPARTMENT

Mark E. Helmer, Senior Planner

Notice Of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, October 3, 2017 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

CUP-17-08 Theron Lee McLamb: The applicant is requesting a Conditional Use Permit to construct and operate a recreation vehicle park designed to accommodate 148 RV spaces and 48 rental cabins on 30.15 acres of land located within a B-3 (Business) zoning district. The properties considered for approval are generally bound to the north by CSX Railway, south by Equity Park Subdivision, east by Magnolia Drive and west by Pine Acres Subdivision. The properties are further identified as Johnston County Tax ID# 15L11008K and 15O99002H.

SUP-17-09 Atlantic Coast Pipeline: The applicant is requesting a special use permit to allow for a 42 acre temporary contractor storage yard on property located within an R-20A (Residential-Agricultural) zoning district. The property considered for approval is located the northwest side of Mallard Road approximately 600 feet northeast of its intersection with Old Mallard Road. The property is further identified as a portion of Johnston County Tax ID# 15K11019F.

SUP-17-10 Johnston Animal Hospital: The applicant is requesting a special use permit to allow for an animal hospital on property located within B-3 (Business) zoning district. The properties considered for approval are located on the southwest corner of North Brightleaf Boulevard and Pitchi Street. The properties are further identified as Johnston County Tax ID# 15005056, 15005037, 15005038, 15005037A.

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

Run "Legal Ad" in the Smithfield Herald on 9/20/17 and 9/27/17



Request for Town Council Action

**Application
for Unified
Development
Ordinance
Text
Amendment
TX-17-04**
Date: 10/03/2017

Subject: Unified Development Ordinance Text Amendments
Department: Planning
Presented by: Steven L. Medlin, AICP, Interim Planning Director
Presentation: Public Hearing

Issue Statement

The Unified Development Ordinance needs to be amended to incorporate changes mandated by the North Carolina State Legislature and to allow for greater impervious surfaces in watershed protection areas as authorized by the General Statutes.

Financial Impact

There will be no financial impact to the Town.

Action Needed

To review the document, hold a public hearing and make a decision for the proposed Unified Development Ordinance text amendment.

Recommendations

The Planning Department and Planning Board recommend approval of the proposed amendments to Sections 1.3, 1.8, 10.82, 10.90 and Appendix A of the Unified Development Ordinance; and recommend that the Town Council approve a consistency statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Ordinance



Staff Report

**Application
for Unified
Development
Ordinance
Text
Amendment
TX-17-04**

**Public
Hearing:**

The Planning Department initiated a review of recent legislative changes enacted by the North Carolina General Assembly and identified necessary changes to the Unified Development Ordinance (UDO). In addition staff was asked to evaluate the inclusion of text, allowed by the General Statutes, to permit properties within watershed protection overlay **areas to take advantage of the “high density option” which will allow greater** impervious surface amounts. The staff has identified modifications necessary to the following Sections of the UDO: Articles 1.3, 1.8, 10.82, 10.90 and Appendix A.

Summary of the text amendments include:

Section 1.3.4.3 – Modification to subdivision exemptions to include divisions of property in accordance with a probated will or in accordance with intestate succession under Chapter 29 of the N.C. General Statutes per Session Law 2017-10.

Section 1.8.7.1 – Added statute of limitations for land use violation enforcement per Session Law 2017-10.

Section 10.84.4 – Added an exemption of Small Wireless Communication Infrastructure from local government review and approval per House Bill 310.

Sections 10.90.2, 10.90.6.2.3, 10.90.7.2.2, 10.90.7.2.3, 10.90.8, 10.90.9 and 10.90.16 – To allow for projects in the watershed protection overlay districts to utilize the “high density option” to increase impervious surfaces up to 70 percent with the utilization of approved engineered stormwater devices as permitted by NCGS 143-214.5 and Title 15A of the North Carolina Administrative Code (NCAC) subchapter 02B.

Appendix A – Added definitions related to small wireless communication and the watershed protection overlay modifications.

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
TEXT AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
TZ 17-04**

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

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

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

That the final action regarding text amendment TX 17-04 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 text 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 APPROVE THE ORDINANCE FAILS,

That the final action regarding text amendment TX 17-04 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 text amendment does not promote this and therefore is neither reasonable nor in the public interest.

DRAFT ORDINANCE # TA 17-04
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD UNIFIED DEVELOPMENT ORDINANCE
REGARDING RECENT LEGISLATIVE CHANGES AND ADDITION OF WATERSHED PROTECTION OVERLAY
HIGH DENSITY OPTION

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to bring the ordinance into compliance with recent legislation and to add the opportunity to utilize the “high density option” for properties within the watershed protection overlay areas; and

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

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

PART 1

[Revise paragraph 1.3.4.3 to add additional exemption language as specified by the General Statutes.]

Section 1.3.4 Exemptions.

[Paragraphs not listed remain unchanged]

1.3.4.3. The following are not subject to the Subdivision Regulations of this Ordinance (Article 10, Part X):

- The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the municipality as shown on its subdivision regulations.
- The division of land into parcels greater than ten acres where no street right-of-way dedication is involved.
- The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
- The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the municipality, as shown in its subdivision regulations.
- The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

And

[Add Section 1.8.7 related to statute of limitations for land use violations as mandated by the General Statutes.]

1.8.7. Statute of Limitation for Land Use Violations

1.8.7.1 Any enforcement action for a violation of a land use statute, ordinance, or permit must be taken within five years from the earlier of the occurrence of the following:

- a. The facts constituting the violation are known to the governing board, an agent, or employee of the Town.
- b. The violation can reasonably be determined from the public record of the Town.

This standard does not limit the remedy of injunction for conditions that are actually injurious or dangerous to the public health or safety.

1.8.7.2 Any enforcement action for a violation of a land use statute, ordinance, or permit must be taken within seven years from the earlier of the occurrence of the following:

- a. The violation is apparent from a public right-of-way.
- b. The violation is in plain view from a place to which the public is invited.

This standard does not limit the remedy of injunction for conditions that are actually injurious or dangerous to the public health or safety.

And

[Revise Section 10.84.4 to make compliant with the General Statutes.]

10.84.4. Exempt From All Approval Processes. The following are exempt from all Town of Smithfield zoning approval processes and requirements, unless located within the Historic District Overlay:

10.84.4.1. Removal or replacement of transmission equipment on an existing wireless tower or base station that does not result in a substantial modification as defined in this Ordinance.

10.84.4.2. Ordinary Maintenance of existing Wireless Facilities and Wireless Support Structures. Nothing in this section requires an application and approval for routine maintenance or limits the performance of routine maintenance on wireless support structures and facilities, including in kind replacement of wireless facilities.

10.84.4.3. Wireless Facilities, including Small Wireless Facilities, placed on existing or replacement Utility Poles subject to the following limitation.

10.84.4.3.1 Each new Small Wireless Facility in the public right-of-way shall not extend more than 10 feet above the utility pole, or the wireless support structure on which it is collocated.

10.84.4.4. COWs placed for a period of not more than one hundred twenty (120) days at any location within the Town of Smithfield or in response to a declaration of an emergency or a disaster by the Governor.

10.84.4.5. Non-tower wireless communications facilities are permitted by right in all zoning districts in a right-of-way.

And

[Revise Section 10.92.2 to correct the authority citations, Sections 10.90.6 and 10.90.7 to authorize the usage of the high density option in watershed overlay districts, and add Section 10.90.16 to allow for utilization of cluster subdivisions.]

[Paragraphs not listed remain unchanged]

10.90.2. Authority.

Statutory authority for this section is derived from North Carolina General Statutes Chapter 160A-381 and Chapter 143, Article 21, which delegates the responsibility to local governments to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

10.90.6. Development Regulations - WS-IV-CA District.

The following regulations shall apply within the WS-IV-CA:

10.90.6.1. Allowed Uses.

10.90.6.1.1. Agricultural uses subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation, and Trade Act of 1990. ~~Agriculture activities conducted after January 1, 1993 shall maintain a minimum ten foot vegetative buffer, or equivalent control as determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of USGS 1:24,000 scale topographic or as determined by other reliable sources. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission.~~ are not subject to the stormwater requirements of this ordinance.

10.90.6.1.2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality.

10.90.6.1.3. Residential uses.

10.90.6.1.4. Expansions to existing nonresidential development in accordance with Section 10.90.9.

10.90.6.2. Density and Built-Upon Limits.

10.90.6.2.1. Single-Family Residential Minimum Lot Size. Where neither public water or sewer are available, the minimum lot size shall be 40,000 square feet, or as determined by the Johnston County Division of Environmental Health. Where either public water or sewer, or both, are available, the minimum lot size shall be ½ acre or 21,780 square feet, unless the cluster subdivision standards are utilized.

10.90.6.2.2. ~~All Other Residential Development Impervious Surface Limitations.~~ Development shall not exceed 24% built upon area on a project by project basis unless the High Density Option is utilized. For the purpose of calculating the built upon area, total project area shall include the gross acreage in the tract on which the project is to be developed.

10.90.6.2.3. High Density Option. Impervious surfaces may be increased up to a maximum of 70% subject to the following requirements:

10.90.6.2.3.1. Stormwater Control Requirements. Where development proposes intensity greater than 24% engineered stormwater controls shall be used to control stormwater runoff from the first inch of rainfall in order to meet water quality concerns.

10.90.6.2.3.2. Ownership, Design, and Maintenance of Engineered Stormwater Controls.

1. Unless otherwise approved, ownership of the engineered stormwater controls shall remain with the property owner or a property owner's association, which shall be responsible for the continued care and maintenance of such controls.
2. Engineer stormwater controls shall be designed and constructed in accordance with standards and specifications established by the Town of Smithfield and to the State's minimum standards. The BMP design criteria shall require 85% average annual removal of Total Suspended solids and the discharge rate must meet one of the following criteria:
 - a. The discharge rate following the 1-inch design storm shall be such that the runoff draws down to the pre-storm design within five days, but not less than two days; or
 - b. The post development peak discharge rate shall equal the predevelopment rate for the 1-year, 24-hour storm.
3. Except as allowed in paragraph c below, no building permit shall be issued for a site proposed for development, until:
 - a. UDO Administrator has approved plans and specifications for the proposed engineered stormwater controls and the property owner has entered into an Agreement and Covenants or Operation and Maintenance Agreement with the Town in accordance with the terms established by the Town including being referenced on a final plat which must be recorded along with the agreement in the Johnson County Register of Deeds; and
 - b. The property owner has posted a performance bond, other surety instrument, or other payment in acceptable form to the Town in an amount determined by the UDO Administrator as appropriate to assure construction, maintenance, repair, and/or reconstruction necessary for adequate performance of the engineered stormwater controls.
 - c. For multi-family projects, building permits may be issued; but construction drawing approval, or water and sewer permit approval, shall be withheld until compliance with paragraphs a and b above.
 - d. The Agreement and Covenants or Operation and Maintenance Agreement required under paragraph a, above, may be required prior to site plan or preliminary plat approval.
4. No certificate of compliance/occupancy shall be issued for any structure constructed within a site proposed for development, other than as allowed below, until the UDO Administrator has approved construction of the engineered stormwater controls and after review and approval of "as-built" drawings. Notwithstanding this requirement, the UDO Administrator may allow for delay in approval of construction of stormwater controls and submission and approval of as-built drawings for single family housing and other developments requiring multiple certificates of occupancy.

10.90.7. Development Regulations - WS-IV-PA District.

The following regulations shall apply within the WS-IV-PA:

10.90.7.1. Allowed Uses.

10.90.7.1.1. ~~Agricultural uses subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation, and Trade Act of 1990. Agriculture activities conducted after January 1, 1993 shall maintain a minimum ten foot vegetative buffer, or equivalent control as~~

determined by the Soil and Water Conservation Commission, along all perennial waters indicated on the most recent versions of USGS 1:24,000 scale topographic or as determined by other reliable sources. Animal operations greater than 100 animal units shall employ Best Management Practices by July 1, 1994 recommended by the Soil and Water Conservation Commission, are not subject to the stormwater requirements of this ordinance.

10.90.7.1.2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality.

10.90.7.1.3. Residential development.

10.90.7.1.4. Nonresidential development, excluding storage of toxic and hazardous materials unless a spill containment plan is implemented.

10.90.7.2. Density and Built-Upon Limits.

10.90.7.2.1. Single-Family Residential Minimum Lot Size. Where neither public water or sewer are available, the minimum lot size shall be 40,000 square feet, or as determined by the Johnston County Division of Environmental Health. Where either public water or sewer, or both, are available, the minimum lot size shall be ½ acre or 21,780 square feet, unless the cluster subdivision standards are utilized.

10.90.7.2.2. All Other Residential Development and Nonresidential Development Impervious Surfaces.

Development shall not exceed 24% built upon area on a project by project basis unless the High Density Option is utilized. For the purpose of calculating the built upon area, total project area shall include the gross acreage in the tract on which the project is to be developed.

10.90.7.2.3. High Density Option. Impervious surfaces may be increased up to a maximum of 70% subject to the following requirements:

10.90.7.2.3.1. Stormwater Control Requirements. Where development proposes intensity greater than 24% engineered stormwater controls shall be used to control stormwater runoff from the first inch of rainfall in order to meet water quality concerns.

10.90.7.2.3.1. Ownership, Design, and Maintenance of Engineered Stormwater Controls.

1. Unless otherwise approved, ownership of the engineered stormwater controls shall remain with the property owner or a property owner's association, which shall be responsible for the continued care and maintenance of such controls.
2. Engineer stormwater controls shall be designed and constructed in accordance with standards and specifications established by the Town of Smithfield and to the State's minimum standards. The BMP design criteria shall require 85% average annual removal of Total Suspended solids and the discharge rate must meet one of the following criteria:
 - a. The discharge rate following the 1-inch design storm shall be such that the runoff draws down to the pre-storm design within five days, but not less than two days; or
 - b. The post development peak discharge rate shall equal the predevelopment rate for the 1-year, 24-hour storm.
3. Except as allowed in paragraph c below, no building permit shall be issued for a site proposed for development, until:
 - a. UDO Administrator has approved plans and specifications for the proposed engineered stormwater controls and the property owner has entered into an Agreement and Covenants or Operation and Maintenance Agreement with the Town in accordance with the terms established by the Town including being referenced on a final plat which

- must be recorded along with the agreement in the Johnson County Register of Deeds; and
- b. The property owner has posted a performance bond, other surety instrument, or other payment acceptable form to the Town in an amount determined by the UDO Administrator as appropriate to assure construction, maintenance, repair, and/or reconstruction necessary for adequate performance of the engineered stormwater controls.
 - c. For office, institutional, commercial, industrial and multi-family projects, building permits may be issued; but construction drawing approval, or water and sewer permit approval, shall be withheld until compliance with paragraphs a and b above.
 - d. The Agreement and Covenants or Operation and Maintenance Agreement required under paragraph a, above, may be required prior to site plan or preliminary plat approval.
4. No certificate of compliance/occupancy shall be issued for any structure constructed within a site proposed for development, other than as allowed below, until the UDO Administrator has approved construction of the engineered stormwater controls and after review and approval of "as-built" drawings. Notwithstanding this requirement, the UDO Administrator may allow for delay in approval of construction of stormwater controls and submission and approval of as-built drawings for single family housing and other developments requiring multiple certificates of occupancy.

10.90.8. Impervious Surface Transfer Credit

The impervious surface limit provisions of this section can be exceeded through an impervious surface credit transfer. Credit for the impervious surfaces allowed on one or more parcels ("donor parcels") can be transferred to non-contiguous parcels ("receiving parcels"), such that the amount of impervious surface available for a development project would be the total of what is normally allowed on the receiving parcel plus what is transferred from the donor parcel(s). Impervious surface credit transfer is subject to the following provisions:

- a. The donor parcel and receiving parcel shall be located within the same water supply watershed.
- b. The impervious surface credit transfer shall not be from a donor parcel in Protected Area to a receiving parcel in Critical Area.
- c. The portion of the donor parcel which is restricted from development as part of the impervious surface credit transfer shall remain in a vegetated or natural. The portion of the donor site restricted from development shall be protected from all future development through use of a permanent conservation easement in favor of either:
 - (1) Town of Smithfield; or
 - (2) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements (the organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the Town in the event the organization becomes unable to carry out its functions). If the entity accepting the easement is not the Town then a third right of enforcement favoring the Town shall be included in the easement.
- d. The impervious surface credit transfer shall be reviewed and approved through use of the site plan process.

e. The donor parcel shall be deemed appropriate for acceptance by the Town under the Town of Smithfield Review Criteria for Acceptance of Conservation Easements for Impervious Surface Transfer.

10.90.89. Buffer Areas Required.

For all new development activities proposed within the WS-IV-CA or WS-IV-PA Districts, a minimum 50 foot vegetative buffer is required, unless the High Density Option is utilized in which case the minimum buffer will be 100 foot, adjacent to all perennial waters as indicated on the most recent versions of USGS 1:24,000 (7.5 minute) scale topographic maps or as determined by other reliable sources. Vegetation within such buffers shall remain undisturbed except as permitted by State rules and as may be necessary to accommodate any of the following uses:

10.90.89.1. Boat docks, ramps, piers, or similar structures.

10.90.89.2. Reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places.

10.90.89.3. Roads, provided they cross the buffer at a horizontal angle of at least 60 degrees.

10.90.89.4. Other public projects, where no practical alternative exists.

10.90.16. Cluster Subdivisions.

Cluster development is allowed in all Watershed Areas under the following conditions:

- a. Minimum lot sizes are not applicable to single family cluster development projects; however, the total number of lots shall not exceed the number of lots allowed for single family detached developments in Sections 10.90.6.2.1 and 10.90.7.2.1. Density or built-upon area for the project shall not exceed that allowed for the critical area, balance of watershed or protected area, whichever applies.
- b. All built-upon area shall be designed and located to minimize stormwater runoff impact to the receiving waters and minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.
- c. Areas of concentrated density development shall be located in upland area and away, to the maximum extent practicable, from surface waters and drainage ways.
- d. The remainder of the tract shall remain in a vegetated or natural state. The title to the open space area shall be conveyed to an incorporated homeowners association for management; to the Town of Smithfield for preservation as a park or open space; or to a conservation organization for preservation in a permanent easement. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds.

Cluster developments that meet the applicable low density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

And

[Revise Section (Appendix) A – Definitions, to incorporate new definitions related to wireless communication, watershed protection ordinance and General Statute changes.]

[Definitions not listed remain unchanged]

Act of God

An event, such as an earthquake, tornado or hurricane, that is caused by natural forces and cannot be prevented or foreseen.

Adjacent

Property abutting directly on the boundary of, touching, or sharing a common point.

Affiliate

A person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control of another person.

Agriculture

The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, forestry, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals. The use of waters for stock watering, irrigation, and other farm purposes.

Airport

A place where aircraft can take off and land, be repaired, take on or discharge passengers or cargo, be stored or refueled.

Antenna

Communication equipment that transmits, receives, or transmits and receives electromagnetic radio signals used in the provision of all types of wireless communication services.

Antenna array

A single or group of antenna(s) and their associated mounting hardware, transmission lines, or other appurtenances which share a common attachment device such as a mounting frame or mounting support structure for the sole purpose of transmitting or receiving electromagnetic waves.

Base Station

A station at a specific site authorized to communicate with mobile stations, generally consisting of radio receivers, antennas, coaxial cables, power supplies, and other associated electronics.

Best Management Practices (BMP)

A structural or nonstructural management-based practice used singularly or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals.

Buffer

An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.

Building

Any structure built for support, shelter, or enclosure for any occupancy or storage.

Any structure having a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals or property. The connection of two buildings by means of an open porch, breezeway, passageway, carport or other such open structure, with or without a roof, shall not be deemed to make them one building.

Building Code

The North Carolina State Building code and any other uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization together with State or local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons.

Building permit

An official administrative authorization issued by the Johnston County Inspections Department prior to beginning construction consistent with the provisions of G.S. 160A-417.

Built-upon area

Built-upon areas shall include that portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g. roads, parking lots, paths), recreation facilities (e.g. tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.)

Cemetery

A place used or to be used and dedicated or designated for interment of human remains or pet animal remains.

Cluster Development

Cluster development means the grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing stormwater runoff impacts. This term includes nonresidential development as well as single-family residential and multi-family developments. For the purpose of this ordinance, planned unit developments and mixed use development are considered as cluster development.

Collocation

The placement, installation, maintenance, modification, operation, or replacement of wireless facilities on, under, within, or on the surface of the earth adjacent to existing structures, including utility poles, town utility poles, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes. The term "collocation" does not include the installation of new utility poles, Town utility poles, or wireless support structures.

Communication facility

The set of equipment and network components, including wires and cables and associated facilities used by a communication service provider to provide communication services.

Communication service

Cable service as defined in 47 U.S.C. § 522(6), information service as defined in 47 U.S.C. § 153(24), telecommunications service as defined in 47 U.S.C. § 153(53), or wireless services.

Communication service provider

A cable operator as defined in 47 U.S.C. § 522(5); a provider of information service, as defined in 47 U.S.C. § 153(24); a telecommunications carrier, as defined in 47 U.S.C. § 153(51); or a wireless provider.

Critical Area

The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined as extending either one-half mile from the normal pool elevation of the reservoir in which the intake is located or to the ridge line of the watershed (whichever comes first); or one-half mile upstream from the intake located directly in the stream or river (run-of-the-river), or the ridge line of the watershed (whichever comes first). Local governments may extend the critical area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the critical area if these landmarks are immediately adjacent to the appropriate outer boundary of one-half mile.

Customary Home Occupations

Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof. Provided further that no mechanical equipment is installed or used except as is

normally used for domestic or professional purposes, and that not over twenty-five percent (25%) of the total floor space of any structure is used for the occupation. No home occupation shall be conducted in any accessory building except for the storage and service of a vehicle that is driven off site, such as a service repair truck, delivery truck, etc.

Eligible facilities request

A request for modification of an existing wireless tower or base station that involves collocation of new transmission equipment or replacement of transmission equipment but does not include substantial modification.

Engineered stormwater control

A structural BMP used to reduce pollution or peak flow rates to downstream properties and receiving waters in order to achieve water quality or water quantity control.

Equipment compound

An area surrounding or near the base of a wireless support structure within which a wireless facility is located.

Erosion

The wearing away of land surface by the action of wind, water, gravity or any combination thereof.

Existing Development

Those projects that are built or those projects that at a minimum have established a vested right under North Carolina zoning law as of the effective date of this ordinance based on at least one of the following criteria:

- (1) substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project, or
- (2) having an outstanding valid building permit as authorized by the General Statutes (G.S. 160A-385.1), or
- (3) having an approved site specific or phased development plan as authorized by the General Statutes (G.S. 160A-385.1).

Existing Lot (Lot of Record)

A lot which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds prior to the adoption of this ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this ordinance.

Fall zone

The area in which a wireless support structure may be expected to fall in the event of a structural failure, as measured by engineering standards.

Family Subdivision

Family subdivision means a division of a tract of land: (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives as a gift or for nominal consideration, but only if no more than one parcel is conveyed by the grantor from the tract to any one relative; or (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will.

High Density Option

One of two approaches available for development in the Watershed Protection Overlays. The high density option relies on imperious surface limits and engineered stormwater controls to minimize risk of water pollution.

Industrial Development.

Any non-residential development that requires an NPDES permit for an industrial discharge and/or requires the use or storage of any hazardous material for the purpose of manufacturing, assembling, finishing, cleaning or developing any product or commodity.

Landfill

A facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A Article 9 of the N.C. General Statutes. For the purpose of this ordinance this term does not include composting facilities.

Micro wireless facility

A small wireless facility that is no larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

Minor Variance (Watershed)

A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to five (5) percent of any buffer, density or built-upon area requirement under the high density option; or that results in a relaxation, by a factor of up to ten (10) percent, of any management requirement under the low density option.

Nonconforming Lot of Record (Watershed)

A lot described by a plat or a deed that was recorded prior to the effective date of local watershed protection regulations (or their amendments) that does not meet the minimum lot size or other development requirements of the statewide watershed protection rules.

Non-residential Development

All development other than residential development, agriculture and silviculture.

Protected Area

The area adjoining and upstream of the critical area of WS-IV watersheds. The boundaries of the protected area are defined as within five miles of and draining to the normal pool elevation of the reservoir or to the ridgeline of the watershed; or within 10 miles upstream and draining to the intake located directly in the stream or river or to the ridgeline of the watershed.

Residential Development

Buildings for residence such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated outbuildings such as garages, storage buildings, gazebos, etc. and customary home occupations.

Residuals

Any solid or semi-solid waste generated from a wastewater treatment plant, water treatment plant or air pollution control facility permitted under the authority of the Environmental Management Commission.

Right-of-Way (Town)

A right-of-way owned, leased, or operated by the Town of Smithfield, including any public street or alley that is not part of the State highway system.

Search ring

The area within which a wireless support facility or wireless facility must be located in order to meet service objectives of the wireless service provider using the wireless facility or wireless support structure.

Small wireless facility

A wireless facility that meets both of the following qualifications:

- a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its elements, if enclosed, could fit within an enclosure of no more than six cubic feet.
- b) All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For the purposes of this ordinance, the following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground based enclosures, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or other support structures.

Substantial modification, wireless facilities

The mounting of a proposed wireless facility on a wireless support structure that substantially changes the physical dimensions of the support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the criteria listed below. The burden is on the Town to demonstrate that a mounting that does not meet the listed criteria constitutes a substantial change to the physical dimensions of the wireless support structure.

- a. Increasing the existing vertical height of the structure by the greater of (i) more than ten percent (10%) or (ii) the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet.
- b. Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure that protrudes horizontally from the edge of the wireless support structure the greater of (i) more than 20 feet or (ii) more than the width of the wireless support structure at the level of the appurtenance.
- c. Increasing the square footage of the existing equipment compound by more than 2,500 square feet.

Toxic Substance

Any substance or combination of substances (including disease causing agents), which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions or suppression in reproduction or growth) or physical deformities in such organisms or their off spring or other adverse health effects.

Utility pole

A structure that is designed for and used to carry lines, cables, wires, lighting facilities, or small wireless facilities for telephone, cable television, electricity, lighting, or wireless services.

Water Dependent Structure

Any structure for which the use requires access to or proximity to or citing within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks and bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots and commercial boat storage areas are not water dependent structures.

Watershed

The entire land area contributing surface drainage to a specific point (e.g. the water supply intake.)

Watershed Administrator

The UDO Administrator who is the official or designated person of the Town of Smithfield responsible for administration and enforcement of this ordinance.

Watershed Variance

A permission to develop or use property granted by the Board of Adjustment relaxing or waiving a water supply watershed management requirement adopted by the Environmental Management Commission that is incorporated into this ordinance.

Water tower

A water storage tank, a standpipe, or an elevated tank situated on a support structure originally constructed for use as a reservoir or facility to store or deliver water.

Wireless facility

Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless communications and (ii) radio transceivers, antennas, wires, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term shall not include any of the following:

- a. The structure or improvements on, under, within, or adjacent to which the equipment is collocated.
- b. Wireline backhaul facilities.
- c. Coaxial or fiber-optic cable that is between wireless structures or utility poles or Town utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

Wireless infrastructure provider

Any person with a certificate to provide telecommunications service in the State who builds or installs wireless communication transmission equipment, wireless facilities, or wireless support structures for small wireless facilities but that does not provide wireless services.

Wireless provider

A wireless infrastructure provider or a wireless services provider.

Wireless services

Any services, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using wireless facilities.

Wireless services provider

A person who provides wireless services.

Wireless support structure

A new or existing structure, such as a monopole, lattice tower, or guyed tower that is designed to support or capable of supporting wireless facilities. A utility pole or Town utility pole is not a wireless support structure.

PART 2

That the Unified Development Ordinance shall be renumbered as necessary to accommodate these changes.

PART 3

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

Duly adopted this the 3rd day of October 2017.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

DRAFT
Smithfield Planning Board Minutes
Thursday, September 7, 2017
6:00 P.M., Town Hall, Conference Room

Members Present:

Chairman Stephen Upton
Oliver Johnson
Michael Taylor
Mark Lane
Eddie Foy
Teresa Daughtry

Members Absent:

Ashley Spain
Daniel Sanders

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant
Steve Medlin, Interim Planning Director

Staff Absent:

CALL TO ORDER

INTRODUCTION OF MICHAEL TAYLOR

Oliver Johnson came forward and was sworn in as a Planning Board Member by Mr. Steve Upton.

APPROVAL OF AGENDA

Mark Lane made a motion, seconded by Eddie Foy to approve the agenda. Unanimous.

APPROVAL OF MINUTES FROM AUGUST 10, 2017

Eddie Foy made a motion, seconded by Teresa Daughtry to approve the minutes. Unanimous.

APPROVAL TO OPEN THE PUBLIC HEARING

Teresa Daughtry made a motion, seconded by Oliver Johnson to open the Public Hearing. Unanimous.

TX-17-04 Town of Smithfield Planning Department is requesting to amend the Unified Development Ordinance:

Steve Medlin stated the Unified Development Ordinance was recently adopted by Town Council at their August 1, 2017 meeting. However, at the time of drafting the UDO, the consultant tried to incorporate all the text amendments necessary based on what he knew was pending before the General Assembly. Unfortunately he wasn't able to include them all. Part of what you'll be looking at this evening is a text amendment to incorporate those required elements that the General Assembly passed that we're required to incorporate into the UDO. There's a second piece that I will get into in a few moments, dealing with modifications to the current Watershed

Restrictions for Smithfield. The Town is asking for the ability to modify the Watershed Ordinance to allow what is commonly referred to as High Density Option which would allow for an increase in impervious services. Currently in the general statute there's a list of things that are subdivision exemptions. The Town of Smithfield has historically followed that, but this year the General Assembly added a fifth exemption which is for division of properties in probated wills. Practice wise we've always done that throughout the state but this makes it law that everyone has to adhere to.

Teresa Daughtry asked if these changes would be added into the newly adopted UDO.

Mr. Medlin said once the Council adopts it, it'll be integrated into the ordinance and we'll send out revised pages with those modifications as well as update the website. As you're familiar in the new UDO, you'll have a quarterly process where you'll be evaluating the UDO. Hopefully these things will be coming on more of a quarterly basis, because of the changes being mandated we felt like we needed to go ahead and get them in there.

Mr. Medlin stated the next modification is to our enforcement provisions as it relates to land use violations. The General Assembly established there's a Statute of Limitations for local jurisdictions to be able to enforce land use violations. They put a two-tiered version of enforcement responsibilities in. A town has to enforce an issue in reasonable time; the General Assembly has now established what that reasonable time frame is. First time is five years once known to the governing bodies. If you know there's a violation the Town has to enforce it within five years. After five years once that threshold passes then the use becomes a non-complying excusal. The 2nd threshold is the seven year when it is reasonably apparent from a public right-of-way or a place where the public has reasonable access. Generally what this is trying to do is make sure that local government doesn't come back on property that has been operating for years knowingly and then try to enforce an ordinance on those properties. This is the first time that the General Assembly has spent time on this and I think it is important that from the land use, planning and enforcement perspective we now have clear guides that we have lacked for a long time.

Mr. Medlin discussed the next modification, Small Wireless Communication Infrastructure Facilities. Basically they're the next generation of Wireless Communication that gets attached to poles. You'll stop seeing as many big towers, you'll see these instead. If they meet these parameters in size the actual equipment can be no more than 6 cubic feet, they can be put up by right with no local government review.

Mr. Medlin stated currently as you're aware we have an area in North Smithfield that is in a Watershed Protection Area and Watershed Protection Critical Area that currently caps the maximum impervious surface allowed to 24% of the overall sight. When the Town adopted that Watershed Ordinance years ago it didn't have a Storm water Program in place which was critical in order to take advantage of the high density option provisions. Obviously since the time of the initial ordinance the Town does now have a storm water program. It is now able to take advantage of these provisions in the state code that allow for properties within the watershed area to go up to 70% provided that there are engineered storm water devices put on site.

At some point the Town would probably need to put in an inspection program on an annual and bi-annual basis to go out and make sure they're operating properly.

Mrs. Daughtry asked what brought this about.

Mr. Medlin said I think it was a realization that the Town was actually able to take advantage of it. It's voluntary, there's nothing that forces anyone to do this. It was something that had been identified by staff; former Planning Director Paul Embler had been looking at this for a period of time. One of the first things I was handed as the interim was to explore this and carry it forward.

Mrs. Daughtry asked what have been the issues to bring this forward.

Mr. Medlin said he wasn't aware of a specific property, I am aware of a number of properties that may take advantage of it. There are some properties on Buffalo Road that potentially could take advantage of this. One thing I didn't tell you that I worked for the City/ County of Durham for over 30 years. 2/3 of the city is covered by water shed protection overlays which is huge. Obviously in order to develop and create that economic condition that you want to create you had to create alternatives to allow for the impervious surface increases. This doesn't mean you get any more density necessarily it just means you can have more impervious surfaces. Your density is still capped by your underlined zoning requirements.

Mrs. Daughtry asked if there's not an HOA then the property owner will be required to maintain it that will never change where it would fall on the Town.

Mr. Medlin said correct, you will enter into an agreement that has to have the Town as a third party; if for some reason that entity goes belly up. That's the reason you have a performance pond. If done correctly it will minimize the exposure of the Town.

Part of this will also allow for what is commonly referred to as transferred impervious surfaces from non-contiguous properties.

Eddie Foy asked in a town situation like this is there any issue as to how close those properties have to be.

Mr. Medlin said they have to be in the same water shed. It's a way of allowing for more intensification as well without having to do a high density option. One of the things the City Manager asked me when I came on board is what are some things we can do to make Smithfield more sophisticated in how we do business and what opportunities are available for people to come in and do business. The cost of a storm water facility is not cheap so that's part of the factor that every developer will take into consideration; the perpetual maintenance and bonding.

Mrs. Daughtry asked if it was enforceable for Towns to be made to do the higher density.

Mr. Medlin said no it is not, it is a voluntary approach.

Brian Leonard from BRL Engineering and Surveying said this is voluntary on the town to enact; it's not voluntary on the property owner to do this. It will increase impervious area limitation; it increases the development area of a site. The town has opted to do this to allow more development on a particular site.

Mr. Helmer asked if the property that you're transferring impervious surfaces from has been encumbered by conservation easements do those have to be in our jurisdiction.

Mr. Medlin answered yes; it has to be in our zoning jurisdiction.

One of the good things about water shed protection overlays are you can now do cluster subdivisions. There are no minimum lot sizes. You want people to cluster homes. It's a design alternative.

Mr. Lane asked if the lot size setbacks would remain the same.

Mr. Medlin said they're basically prorated based on the size of the lot, so the setbacks could be less.

Finally, because of all these modifications mandated by the legislative actions and watershed actions we have to add a lot of additional definitions to bring our current code into compliance.

Mr. Foy asked why the mandatory changes to the ordinance can't just be put in.

Mr. Medlin said because legally we were advised to do it that way. Any time there's modification to state legislation you should always modify your codes.

Mr. Johnson asked if there were any health or safety concerns regarding the Small Wireless Communication.

Mr. Medlin said basically the wireless communication is regulated the be federal government for the most part and the State too to some degree. Both of those entities have said there is no health issue associated with wireless communication.

Eddie Foy made a motion, to approve text amendments Section 1.3.4.3, Section 1.8.7.1 and Section 10.84.4 seconded by Teresa Daughtry. Unanimous.

Teresa Daughtry made a motion to approve text amendments Sections 10.90.2, 10.90.6.2.3, 10.90.7.2.2, 10.90.7.2.3, 10.90.8, 10.90.9 and 10.90.16, seconded by Eddie Foy. Unanimous.

Teresa Daughtry made a motion to close TX-17-04, seconded by Eddie Foy. Unanimous

SP-17-09 Tire and Wheels Service Shop: Mr. Helmer stated the applicant is requesting site plan approval of an automotive tire and wheel shop on property within a B-3 (Business) zoning district and located at 2301 South Brightleaf Boulevard. The Planning Board is requested to review the preliminary site plan for compliance with the Town of Smithfield Unified Development Ordinance minimum development standards. Planning Staff recommends approval of the site plan with the condition that all Unified Development Ordinance standards are met prior to issuance of final site plan approval and issuance of a valid zoning permit. On December 2, 2016, the Smithfield Town Council approved CUP-16-12 to allow Amalia Felix Mireles to construct an automobile repair facility with tire sales and service on property located within the B-3 (Business) zoning district. The property which received the conditional use permit is located on the southwest corner of Wal-Pat Road and South Brightleaf Boulevard and further identified as Johnston County Tax ID#15A61047D.

On August 8, 2017, BRL Engineering submitted a site plan for an automotive repair facility. The site plan as submitted generally meets the requirements of the UDO and provides paved parking, required landscaping and one access point on South Brightleaf Boulevard. Key site elements include: 2,830 square foot building, paved parking provided as required by current development standards, access provided by one proposed driveway to be permitted by NCDOT, required landscape yards, public utilities connections and screened dumpsters.

Mrs. Daughtry asked how many feet the stoplight was from the entrance to this proposed facility.

Mr. Helmer said it was DOT right-of-way so they would be the one permitting that location.

Mr. Upton asked if there were stipulations for curb and gutters.

Mr. Helmer said DOT is not requiring the applicant to put curb and gutters in. Our code does speak to required landscaping and parking. It's not shown on the plan but some kind of barrier on this particular plan would need to be installed. Usually concrete curb stops would be used.

Mr. Upton asked if the flea market was still using this property as a parking lot.

Mr. Helmer said not that he was aware of, that the applicant would have to answer that.

Mrs. Daughtry asked where the applicant would be storing their tires.

Mr. Helmer said the applicants conditional use permit does not allow for outdoor storage of tires. They can be displayed but after hours they must be removed.

Mr. Lane asked what the rule was about vehicles being left in the parking lot overnight.

Mr. Helmer stated it was a private parking lot and if the applicant wanted to leave vehicles there he could. He can have as many cars on the lot as he has parking spaces.

Mr. Foy asked if the existing 2,930 sq. ft. building was going to stay or go.

Mr. Helmer said it would be torn down.

Mr. Lane asked if the proposed landscape plans were from the old UDO.

Mr. Helmer said yes they appear to meet the outgoing UDO standards. The applicant submitted the plan after council adopted the new UDO.

Mr. Medlin said the law as it relates to submittal of application is that you have to meet the ordinance in that at the time you submit your application. However if an ordinance is modified after you submit, it is to your advantage.

Brian Leonard came forward and introduced himself. He said they were not aware that they could reduce some of the plantings for landscaping so he would bring the plans back before the landscape architect. In reference to the question about the driveway and stoplight, Mr. Leonard said the entrance could be shifted. We basically centered it up with the site and building. We can revisit the plan and get with DOT about it. Mr. Leonard stated they applied for a conditional use permit to be able to store tires and they're fully aware they can't be stored outside.

Mrs. Daughtry asked if the dumpsters are enclosed.

Mr. Helmer said dumpster screening is required.

Mr. Foy asked what is required of the Planning Board. I know we are requested to review the site plan, but are we required to vote on anything.

Mr. Medlin said in the planning world there are three types of processes, Legislative, quasi-judicial and administrative. This is an administrative approval and there's no discretion. The Town's job is to review the application for compliance with the ordinances and development standards. If the applicant has satisfied all those standards you have to approve the plan.

Mr. Foy asked if the board would still make recommendations and vote on them.

Mr. Upton said yes we do.

Mr. Foy asked if it was correct that planning staff has reviewed the site plan and after their review they feel the site plan has met requirements.

Mr. Medlin said if you get a site plan before you and there are no outstanding technical corrections necessary then the staff is going to recommend approval. If there are issues that come before you on that site plan we're going to enumerate those for you so you can see what those conditions are.

Eddie Foy made a motion for a recommendation of approval of site plan SP-17-09, seconded by Teresa Daughtry. Unanimous.

Site Plan Review Training

Old Business:

No Report

New Business:

Our next Planning Board Meeting is scheduled for October 5th, 2017.

Mark Lane made a motion to adjourn, seconded by Eddie Foy.
Unanimous.

Submitted this 8th day of September, 2017.

Julie Edmonds
Administrative Assistant
Planning Department

DRAFT



PLANNING DEPARTMENT

Steven L. Medlin, AICP, Interim Planning Director

Notice Of Public Hearing

Notice is hereby given that a public hearing will be held before the Town Council of the Town of Smithfield, N.C., on Tuesday, October 3, 2017 at 7:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider adoption of amendments to the Unified Development Ordinance (UDO). The Town initiated an update of its current Unified Development Ordinance to accomplish the following:

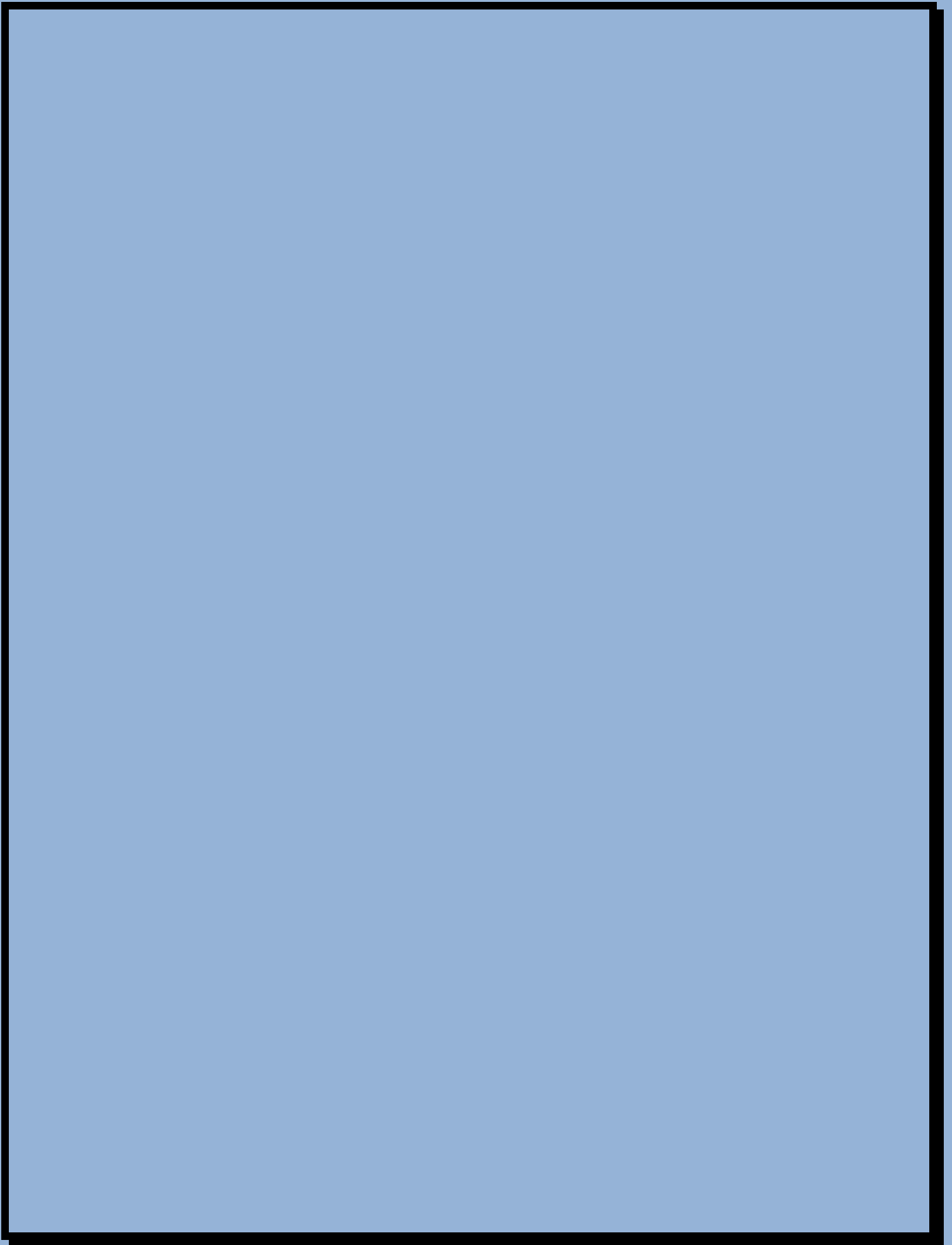
- Make modifications to bring the UDO into compliance with recent changes to the N.C. General Statutes in the following areas:
 - **Section 1.3.4.3** – Modification to subdivision exemptions to include divisions of property in accordance with a probated will or in accordance with intestate succession under Chapter 29 of the N.C. General Statutes per Session Law 2017-10.
 - **Section 1.8.7.1** – Added statute of limitations for land use violation enforcement per Session Law 2017-10.
 - **Section 10.84.4** – Added an exemption of Small Wireless Communication Infrastructure from local government review and approval per House Bill 310.
 - **Appendix A** – Added definitions related to small wireless communication and the watershed protection overlay modifications.
- Make provision for the ability to increase impervious surface limitations and to utilize cluster subdivision standards in watershed protection areas.
 - **Sections 10.90.2, 10.90.6.2.3, 10.90.7.2.2, 10.90.7.2.3, 10.90.8, 10.90.9 and 10.90.16** – To allow for projects in the watershed protection overlay districts to utilize the “high density option” to increase impervious surfaces up to 70 percent with the utilization of approved engineered stormwater devices as permitted by NCGS 143-214.5 and Title 15A of the North Carolina Administrative Code (NCAC) subchapter 02B.

The public is encouraged to attend the public hearing to obtain additional information and to have the opportunity to comment on the draft ordinance. The Smithfield Town Council may adopt the Unified Development Ordinance following the public hearing. A copy of the draft ordinance may be reviewed at the Town of Smithfield Planning Department, 350 East Market Street, Smithfield, NC, during normal office hours. A copy of the ordinance may be purchased from the Town for the cost of copying. If you have questions, please contact Mark Helmer, Senior Planner, at 919/934-2116, extension 1112.

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

Run “Legal Ad” in the Smithfield Herald on 9/20/17 and 9/27/17

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, September 5, 2017 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Emery Ashley, Mayor Pro-Tem
Marlon Lee, District 1
J. Perry Harris, District 2
Travis Scott, District 3
Roger A. Wood, District 4
John A. Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
John Blanton, Fire Chief
Lenny Branch, Public Works Director
Ted Credle, Public Utilities Director
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
Steve Medlin, Interim Planning Director
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Shannan Williams, Town Clerk

Present:

Bob Spence, Town Attorney
Bill Drietzler, Town Engineer

Administrative Staff Absent

Mayor Moore called the meeting to order at 7:00

The invocation was given by Councilman Scott followed by the Pledge of Allegiance led by the following members of Girl Scout Troop 614: Madeline Smith, Valerie Smith, Juana Garcia, Brianna Faircloth, Katelyn Hill and Katlin VanRoekel.

APPROVAL OF AGENDA:

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

- Remove from the Business Items: *7. Consideration and Approval to eliminate resident rates for Youth Team Sports and Kinder – Sports Programs under Parks and Recreation.*
- Add to the Business Items: *Special Event – Smithfield Primitive Baptist Church was requesting to conduct an event September 22nd – 24th with Street closures on East Church Street and Front Street from East Church Street to East Johnston Street*
- Add to the Business Items: *Discussion concerning an Ecommerce Zone in the Smithfield Crossings Area.*

Unanimously approved.

PRESENTATIONS:

Mayor Moore read a Proclamation that was presented to the Smith-Bryan Daughters of the American Revolution Chapter proclaiming September 17 through 23 as Constitution Week in the Town of Smithfield.

The Proclamation was presented prior to the start of the meeting.

**Proclamation
Constitution Week
September 17 – 23, 2017
In the Town of Smithfield, North Carolina**

Whereas, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

Whereas, September 17, 2017 marks the two hundred and thirtieth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

Whereas, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

Whereas, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

Whereas, Public Law 915 guarantees the issuing of a Proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield do hereby proclaim September 17 through 23, 2017 to be CONSTITUTION WEEK in the Town of Smithfield and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

PUBLIC HEARINGS: NONE

CITIZENS' COMMENTS:

- Connie Robie owner of Simple Twist restaurant encouraged the Town Council to support and adopt the "Brunch Bill" that would allow the sale of alcohol beverages at 10:00 am on Sunday mornings. Mrs. Robie stated she has lost some customers on Sunday morning.
- Billie Stevens Chairperson of the Downtown Smithfield Development Corporation requested the Town Council support and adopt the "Brunch Bill". Mrs. Stevens stated that patrons should not have to go to neighboring Towns if they want to have an alcohol beverage before 12:00 pm on Sunday.
- Sarah Edwards Executive Director of the Downtown Smithfield Development Corporation informed the Council that the DSDC received several requests from restaurant owners that would like to be able to serve alcohol beverages before 12:00 pm on Sundays. She asked the Council to consider adopting this change to the Town of Smithfield's Ordinances.
- Antoine Williams of 6 Cedar Drive questioned why the land in front of Pine Acres Subdivision was being cleared. Town Manager Michael Scott informed Mr. Williams that the Town had no knowledge of why the land is being cleared. Mr. Williams further questioned why the street sweeper had not been maintaining the streets in his neighborhood. Town Manager Michael Scott responded that the Public Works Department was in the process of purchasing a new street sweeper. Currently, they were testing some models and should have a request to the Council to purchase a new street sweeper by the fall.

CONSENT AGENDA:

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

1. Approved the following Minutes:
 - August 1, 2017 – Regular Meeting
 - August 1, 2017 – Closed Session
2. Special Event – Car Show: Approval was granted to allow the Smithfield Police Department and Hopes N Dreams to conduct a Car Show to be held on September 9, 2017 from 9:00 am until 5:00 pm at 1140 West Market Street. There will be food vendors and amplified sound from 12:00 pm until 5:00 pm.
3. Special Event – Wine Walk: Approval was granted to allow Harbor, Inc. to conduct the Wine Walk on November 17, 2017 from 5:00 p.m. to 9:00 p.m. in Downtown Smithfield. This event was previously approved on April 4, 2017 for the Downtown Smithfield Development Corporation.

4. Special Event – Six County Silent March: Approval was granted to allow Harbor, Inc. to participate in the Six County Silent March on October 31, 2017 from 12:00 pm to 1:00 pm. This march will be held at Johnston County Courthouse and will have amplified sound.
5. Approval was granted to close Seventh Street from East Johnston to Woodall Street on Saturday, September 16, 2017 from 7:00 a.m. to 5:00 p.m. for a live burn training event at 305 S. Seventh Street conducted by the Smithfield Fire Department.
6. Approval of Resolution # 610 (15-2017) authorizing the Planning Staff to serve as the Town's point of contact for the acquisition and elevation hazardous mitigation grant program with FEMA.

**Town of Smithfield
Resolution # 610 (15-2017)
DESIGNATION OF APPLICANT'S AGENT
North Carolina Division of Emergency Management**

Organization Name (hereafter named Organization) Town of Smithfield		Disaster Number: FEMA-DR-4285-NC	
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):			
Applicant's Fiscal Year (FY) Start Month: July Day: 01			
Applicant's Federal Employer's Identification Number: 56-6001335			
Applicant's Federal Information Processing Standards (FIPS) Number 101-62520-00			
PRIMARY AGENT		SECONDARY AGENT	
Agent's Name: Julie Edmonds		Agent's Name: Mark Helmer	
Organization: Town of Smithfield		Organization: Town of Smithfield	
Official Position: Administrative Support Specialist		Official Position: Senior Planner	
Mailing Address: P O Box 761		Mailing Address: P O Box 761	
City ,State, Zip: Smithfield, NC 27577		City ,State, Zip: Smithfield, NC 27577	
Daytime Telephone: 919.934.2116 ext. 1111		Daytime Telephone: 919.934.2116 ext. 1112	
Facsimile Number: 919.934.1134		Facsimile Number: 919.934.1134	
Pager or Cellular Number:		Pager or Cellular Number:	
<p>BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act. (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.</p> <p style="text-align: center;">PASSED AND APPROVED this 5th day of September, 2017</p>			
GOVERNING BODY		CERTIFYING OFFICIAL	
Name and Title: M. Andy Moore, Mayor		Name: Shannan L. Williams	
Name and Title: Emery Ashley, Mayor Pro-Tem		Official Position: Town Clerk	
Name and Title: Marlon Lee, Councilman		Daytime Telephone: 919.934.2116 ext. 1108	
Name and Title: J. Perry Harris, Councilman			
Name and Title: Travis Scott, Councilman			
Name and Title: Roger Wood, Councilman			
Name and Title: Stephen Rabil, Councilman			
Name and Title: John A. Dunn, Councilman			

7. Approval was granted to submit grant applications to the North Carolina Department of Commerce Rural Development in the amount of \$20,000 and the North Carolina Department of Natural and Cultural Resources in the amount of \$20,000 for repairs to the river bank along the Neuse River Trail infrastructure.

8. Bid was awarded and contract approved with Clegg's Pest Control in the amount of \$2,310.00 for annual pest control services. Bids were received as follows:

- Clegg's Pest Control \$2,310.00
- Woods Pest Control \$3,360.00
- Home Master \$3,630.00
- Orkin Pest Control \$5,990.00
- Economy Exterminators \$8,940.00

9. Bid was awarded to TEBCO Fencing in the amount of \$12,200 for the purchase and installation of fencing for the Miracle League Field. Bids were received as follows:

- TEBCO Fencing \$12,200.00
- Blackmon's Fence \$13,178.22
- Moye Fence Co. Inc. \$14,506.18

10. Bid was awarded to Barrs Recreation, LLC. in the amount of \$36,249.50 for the purchase of playground equipment for the Bob Wallace Jaycee Kiddie Park.

11. The following Advisory Board Appointments were approved:

- Amy Keith was reappointed to the Library Board of Trustees for a second term.
- Johnnie Pippin was reappointed to the Library Board of Trustees for a second term.
- Oliver Johnson was appointed to the Planning Board to serve as an In-Town Alternate for a first term.

12. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Scorekeeper	P & R – Recreation	10-6200-0210	\$9.00/hr.
Police Officer I	Police	10-5100-0200	\$15.58/hr. (\$34,836.88/yr.)
Pump Station Mechanic	PU – Water/Sewer	30-7220-0200	\$14.10/hr. (\$29,328.00/yr.)
Utility Line Crew Supervisor	PU – Water/Sewer	30-7220-0200	\$14.31/hr. (\$29,764.80/yr.)

Current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-7230-0200
Planning Director	Planning	10-4900-0200
Police Officer	Police	10-5100-0200
Sanitation Equip. Operator	PW – Sanitation	10-5800-0200
Sanitation Worker	PW – Sanitation	10-5800-0200
Utility Line Mechanic	PU – Water/Sewer	30-7220-0200
Water Plant Operator	PU – Water Plant	30-7200-0200

BUSINESS ITEMS:

1. Consideration and approval to add to the Town of Smithfield's Code of Ordinances Chapter 9, Licenses, Permits & Miscellaneous Business Regulation, Article VIII Wine, Fortified Wine, And Mixed Beverages On Sunday Mornings; Section 9-250

Town Manager Michael Scott addressed the Council on a request to amend the Town of Smithfield's Code of Ordinances. The Town Manager explained ratified Senate Bill 155 amended current state law to permit cities to adopt an ordinance to allow for the sale of malt beverages, unfortified wine, fortified

wine, and mixed beverages beginning at 10:00 A.M. on Sundays. Within this Senate Bill was a new section of Chapter 160A that reads as follows:"§ 160A 205.3. Hours of certain alcohol sales. In accordance with G.S. 18B 1004(c), a city may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B 1001." The Town Manager further explained during the August meeting this issue was brought before the Council for consideration. Due to that being the first reading of the ordinance, it had to be adopted by a two-thirds majority vote. Since that was not achieved, a second reading was necessary. A simple majority vote of the Town Council was required for adoption of Ordinance 492.

Councilman Rabil made a motion, seconded by Councilman Dunn, to approve Ordinance # 492-2017 allowing for alcohol sales on Sunday beginning at 10:00 am. Councilman Rabil, Councilman Dunn, Mayor Pro-Tem Ashley and Councilman Harris voted in favor of the motion. Councilman Scott, Councilman Lee and Councilman Wood voted against the motion. Motion passed 4 to 3 on the second reading of the Ordinance Amendment

**TOWN OF SMITHFIELD
NORTH CAROLINA
ORDINANCE #492-2017**

**AN ORDINANCE ADDING A NEW SECTION TO THE SMITHFIELD TOWN CODE OF
ORDINANCES
TO AUTHORIZE THE SALE OF MALT BEVERAGES,
UNFORTIFIED WINE, FORTIFIED WINE, AND MIXED BEVERAGES
BEGINNING AT 10:00 A.M. ON SUNDAYS**

THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD ORDAINS:

Section 1.

Pursuant to authority granted to the Town pursuant to N.C. Gen. Stat. § 160A-205.3 (Session Law 2017, Chapter 87, Senate Bill 155, Section 4)), the Town of Smithfield hereby enacts a new Town Code Chapter 9, Licenses, Permits & Miscellaneous Business Regulation, Article VIII Wine, Fortified Wine, And Mixed Beverages On Sunday Mornings; Section 9-250 to read as follows:

Section 9-250 Wine, Fortified Wine, And Mixed Beverages On Sunday Mornings.

The sale of malt beverages, unfortified wine, fortified wine and mixed beverages shall be allowed within Smithfield's corporate limits at any premises licensed pursuant to N.C. Gen. Stat. 18B-1001 on Sundays beginning at 10:00 a.m.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

Duly adopted this the 5th day of September, 2017

2. Bid award and contract approval with Cla-Val Valves in the amount of \$33,334.00 for altitude valves.

Public Utilities Director Ted Credle addressed the Council on a request to purchase altitude valves from Cla-Valves. In this fiscal year budget, the Town Council approved funding to purchase two (2) new altitude valves for the elevated water tanks at Market Street and Shelter Way. The quoted tanks are under the approved budget and will fit Town needs. Remaining funds in the project line item will pay for installation. Mr. Credle explained that once installed, the valves will enable the Town to supply greater water volume and better pressure in West Smithfield. Further, the occasional spillage from both the Market Street tank and the Shelter Way tank will cease. Staff would like to have these

valves installed by Thanksgiving. Mr. Credle stated that while the altitude valves will not correct every issue, it will help with some pressure issues.

Quotes were received from the following:

- Cla-Val Valves in the amount of \$33,334.00 for two altitude valves.
- Singer Valves in the amount of \$ 40416.76 for two altitude valves
- Heyward chose not to submit a quote

Councilman Wood questioned if customers in West Smithfield would see an immediate difference in water pressure. Mr. Credle responded customers should see an improvement.

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Wood, to approve the purchase of altitude valves from Cla-Val Valves in the amount of \$33,334.00. Unanimously approved.

Councilman Harris inquired as to who would install the valves. Mr. Credle responded the installation would have to be put out to bid.

3. Consideration and approval to adopt Resolution #611 (16-2017) requesting grant funding for the expansion of the Water Plant.

Public Utilities Director Ted Credle addressed the Council on a request to adopt Resolution #611 (16-2017) requesting grant funding for the expansion of the water plant. Mr. Credle explained The Town will be seeking funding from the NCDEQ Department of Water Infrastructure (DWI) to pursue the expansion of the Town Water Plant. Funds may take the form of grants, loans, or a combination of both. The deadline for the next round of funding applications was September 29, 2017. Mr. Credle explained with anticipated growth in Smithfield and with the needs of Johnston County, the water plant will need to be expanded to a fourth train to meet the demand. Currently, the Town is permitted to withdrawal 6.2 MGD from the Neuse River. With the expansion, the Town will be requesting to withdrawal and additional 2.1 MGD. Mr. Credle further explained that the first step is to apply for funding with state & federal agencies. The funding application maybe withdrawn at any time, but must submit to get our application in the Que. Mr. Credle stated the expansion is estimated to cost \$8 million, but realistically he anticipated it to cost \$10 - \$12 million.

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Rabil, to adopt Resolution #611 (16-2017). Unanimously approved.

RESOLUTION # 611 (16-2017) BY TOWN COUNCIL OF THE TOWN OF SMITHFIELD APPROVING FUNDING APPLICATION

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of collection system, stream restoration, stormwater treatment, drinking water treatment works, and/or drinking water distribution system or other “green” project), and

WHEREAS, The Town of Smithfield has need for and intends to construct an expansion to the existing drinking water treatment works to expand capacity of the plant. Work includes installation of new process units, upgrade of existing process units and other work, as applicable, for the new capacity.

WHEREAS, The Town of Smithfield intends to request state loan and/or grant assistance for the project,

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

That Town of Smithfield, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Smithfield to make scheduled repayment of the loan, to withhold from the Town of Smithfield any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Mayor M. Andy Moore, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a (loan and/or grant) to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 5th day of September, 2017 in Smithfield, North Carolina.

4. Electric Rate Stabilization

Finance Director Greg Siler addressed the Council on a proposed Rate Stabilization Fund. Mr. Siler explained the Council expressed an interest in building up a reserve to ease the impact of future increases in energy cost. In accordance with North Carolina General Statute 159B-39, rate stabilization funds are permitted. Mr. Siler further explained a recent rate study concluded the Town of Smithfield had the capacity to reduce electric rates. At the recommendation of the Manager, Council approved an average 4.5% rate reduction, equal to the Town's Wholesale rate reduction from ElectricCities. Depending on future capital planning and cost, staff believes an additional 2.5% (\$362,500) could be placed in reserves to offset or delay future rate increases. If wholesale rates increase, the reserve would allow the Town to delay that increase to the customer for a year depending on the balance of the reserve fund. Continual increases would eventually have to be passed onto the customer. Mr. Siler informed the Council that ElectricCities is projecting 3% increase in wholesale energy cost in 2020 and 2021. Based on 12 recent months of wholesale cost (less 4.5% reduction) 3% equates to \$323,163 in 2020 and an additional \$332,857 in 2021. Management recommends that the electric fund maintains a minimum fund balance of 50% for any unforeseen events. Money will be budgeted annually by placing proposed rate stabilization funds into the contingency line item. Following a positive annual audit each year, unspent money from contingency, up to \$362,500, will be moved into the rate stabilization fund via a budget amendment approved by Council. Rate Stabilization Reserves should be revisited a minimum of every two years after implementation to make any necessary adjustments. Mr. Siler believed that after the annual audit, the Electric Fund fund balance will be at 50%

Mayor Pro- Tem Ashley stated this was a good idea, but the key would be how to utilize the reserves to offset future rate increases.

Councilman Scott stated the goal was to establish a fund to offset future increases for the consumers. Councilman Scott questioned if the funds would be in a separate line item and if those funds could be used in the event of an emergency. Mr. Siler responded that the funds will be held in the contingency line item and would only be moved to a rate stabilization fund after the audit has been completed. The Electric Rate Stabilization Fund would have its own bank account labeled as such. Mr. Siler further

stated any funds spent from the Electric Rate Stabilization Fund would have to be approved by the Town Council.

Mayor Moore questioned if staff could develop a detailed policy on the Electric Rate Stabilization Fund outlining how funds would be saved and how funds could be spent. Town Manager Michael Scott replied that language can be added to the budget ordinance each year.

Councilman Scott made a motion, seconded by Councilman Rabil, to approve this request consistent with the Finance Director's Report. Unanimously approved.

5. Bid Award and agreement approval with Barrs Recreation, LLC in the amount of \$94,466.00 for materials and installation of surfacing for the Miracle League Field.

At the suggestion of Mayor Moore, it was the consensus of the Council to discuss and approve Business Items 5 & 6 at the same time.

Parks and Recreation Director Gary Johnson addressed the Council on a request to award two bids to Barrs Recreation, LLC. The first bid was in the amount of \$94,466.00 for materials and installation of surfacing for the Miracle League Field and the second bid was in the amount of \$221,039.75 for playground equipment at the Partnership to Build a Miracle Inclusion Playground.

Mr. Johnson explained the surface of the field was a poured in place rubber surface that was wheel chair, walker and crutch accessible and provided a cushioned base that helps prevent injuries due to falls. There are no trip hazards as the bases, pitchers rubber, and home plate are painted onto the surface.

Solicitations for were sent out and 2 were received as follows:

• Barrs Recreation	\$ 6.34 / sf	\$ 94,466.00
• Surface America	\$ 7.20 / sf	\$ 111,909.60

Mayor Pro-Tem Ashley questioned the life expectancy of the surface. Mr. Johnson responded there was a 7-year warranty on the surface with a life expectancy of 10-15 years.

Councilman Scott questioned the difference in pricing for surfacing of the Miracle League Field and the Inclusion Playground. Mr. Johnson responded the surface at the playground had to be thicker than that of the baseball field.

Mayor Moore inquired as to why some Parks and Recreation items were placed on the consent agenda while others were placed on the agenda as business items. Town Manager Michael Scott responded that the business items were big ticket items. He felt it was an important to update the public on this project since it is such a positive project that will benefit the community. Also, the Partnership to Build A Miracle committee has worked very hard to see this project come to fruition and they deserve recognition.

Councilman Scott questioned if the Town would be reimbursed for the \$20,000 in sales tax. Finance Director Greg Siler responded the Town would be reimbursed for the sales tax.

Councilman Harris made a motion, seconded by Councilman Wood, to approve the bid award to Barrs Recreation, LLC in the amount of \$ 94,466.00 for the surfacing at the Miracle League Field and \$221,039.75 for playground equipment at the Partnership to Build a Miracle Inclusion Playground. Unanimously approved.

6. Bid Award and agreement approval with Barrs Recreation, LLC in the amount of \$221,039.75 for playground equipment at the Partnership to Build a Miracle Inclusion Playground.

Agenda Items 5 & 6 were discussed and approved by the Council together.

The Partnership to Build a Miracle committee has been diligently and continuously working on the playground design for the Inclusion Playground at Smithfield Community Park. This playground is specific in nature and the committee has been working with Barrs Recreation and BCI Burke Company to design a playground system that will fit with the site design provided, provide a safe and enjoyable environment and satisfies the wishes and demands of the playground committee, design engineers, and donors.

The Parks and Recreation Department was requesting to purchase playground equipment from Barr's Recreation located in Cary, NC through the NIPA Contract with the BCI Burke Company.

Councilman Harris made a motion, seconded by Councilman Wood, to approve the bid award to Barrs Recreation, LLC in the amount of \$ 94,466.00 for the surfacing at the Miracle League Field and \$221,039.75 for playground equipment at the Partnership to Build a Miracle Inclusion Playground. Unanimously approved.

7. Special Event: Smithfield Primitive Baptist Church

Town Manager Michael Scott addressed the Council on a Special Event request by Smithfield Primitive Baptist Church received earlier today. The Church would like to hold a three day event called Little River Primitive Baptist Association of Churches. This event would include preaching, singing and eating. Set-up would begin September 22nd at 8:00 am and end September 24th at 2:30 pm. Food will be served 3 times a day to attendees. No amplified sound will be used. The Church was requesting to have Front Street blocked off between Church and Johnston to be used for event specific parking. Smithfield Police are requested to control and block traffic for those attending this event. One officer will need to be posted to allow only attendees past the barricades on Front Street during event times. While the request is only to close Front Street from Johnston to Church, Church Street is a one way from South 2nd Street to Front Street. For this reason, Church Street will need to be blocked off at South Second Street, only allowing attendees past this location. It was outside the norm of permitting special events to authorize the blocking of town streets for no other purpose but to designate special use parking. Staff was concerned with setting the precedence for permits going forward. Staff was also concerned about parking on both sides of Front Street, preventing possible emergency vehicles from getting through this location. The sponsor was also requesting the police department allocate staff to allow only event attendees past the barricades. The cost for staffing this event is approximately \$600.00 and this would be an unbudgeted expense.

Judy Flowers explained she was a member of Smithfield Primitive Baptist Church and the Church Clerk. Mrs. Flowers further explained that every sixth year, they host the Association of Churches event. Approximately 75-100 embers from other counties and states will be in attendance. Every time the event is held in Smithfield, there has always been a problem with parking. Mrs. Flowers stated she was open to any suggestions.

Mayor Pro-Tem Ashley questioned if Johnston Street could be closed.

Councilman Harris suggested utilizing the Methodist Church parking lot. Mrs. Flowers responded that most of the attendees are elderly and the Methodist Church does not seem like it is close enough. She questioned if attendees could park in Riverside Extension Cemetery. Mayor Pro-Tem Ashley responded that using the cemetery would pose problems in the event of a funeral.

Mayor Pro-Tem Ashley suggested the Town cone off the river side (left side) of Front Street and close Johnston Street from Second Street to Front Street.

Councilman Scott suggested attendees use the Town parking lot and utilizing a small shuttle. Mrs. Flowers responded that she did not have any knowledge of this suggestion.

Councilman Harris made a motion, seconded by Councilman Rabil, to close Johnston Street from Second Street to Front Street and cone off the left side of Front Street for the event parking.

Councilman Dunn stated that there are businesses on Johnston Street that would be effected by closing Johnston Street on Friday.

Sarah Edwards Executive Director of the Downtown Smithfield Development Corporation stated she would assist Mrs. Flowers with a parking map for the attendees and also by contacting someone at the Methodist Church to ascertain if the parking lot could be utilized.

Councilman Harris amended his original motion, seconded by Councilman Rabil, to closed Johnston Street on Saturday and Sunday from Second Street to Front Street and cone off the left side of Front Street for the event parking. Unanimously approved.

8. Discussion concerning E-Commerce in the Smithfield Crossing Area

Councilman Scott stated that idea was not necessarily an E-Commerce designated area. Councilman Scott explained the area he is concerned with is the Crossings Area, Outlet Center Drive, North and South Equity Drive and Venture Drive. He further explained there have been a lot of challenges in this area with traffic flow and pedestrian flow. He felt it was essential that the Council form a committee of Councilmembers with the Mayor chairing the committee, business owners and citizens to help plan for the future of this area. Topics such as: the traffic circle, traffic plan, stormwater flow, vegetation control, traffic signals and sidewalks need to be discussed. The committee could come up with ideas that would benefit the entire area.

Councilman Scott made a motion, seconded by Councilman Harris, to create a committee to investigate the Smithfield Crossings Area and come up with a plan for the future. This committee will be comprised of Councilmembers, business owners and residents of the area. Unanimously approved.

Mayor Pro-Tem Ashley felt that there should be representation from all interested parties. This includes representation from the Pine Acres Subdivision, Smithfield Crossings Drive, North and South Equity Drive, Venture Drive and Outlet Center Drive. He suggested business owner Hank Daniels may be interested in serving on this committee.

Mayor Moore stated this is a major area and a major attraction for the Town and he agreed that the Town should begin to plan for the future. He reminded the Council that the Town did receive funds from the sale of Ava Gardner Boulevard that could be used for planning studies of the area.

Councilman Scott, Councilman Lee and Councilman Harris will serve on this committee. Councilman Rabil will serve as an Alternate.

Mayor Moore asked each Councilmember to submit recommendations of business owners and citizens to serve on this committee to him and the Town Manager.

Councilmembers Comments

- Mayor Moore informed the Council that during the recent weather situation he was truly impressed with Town Department staff, Councilmembers, and the DSDC Executive Director for their cooperative efforts.

Mayor Moore read the following statement concerning Hurricane Harvey & Hurricane Irma
On August 25th, Hurricane Harvey made landfall as a category 4 hurricane near Rockport, Texas. Harvey hung around southern Texas for days as a weakening hurricane and tropical storm. An estimated 40-52 inches of rainfall dropped in southeast Texas and southwest Louisiana. FEMA director Brock Long called Harvey the worst disaster in Texas history, and expected the recovery to take many years. 60 deaths are attributed to Hurricane Harvey. Economic losses are preliminarily estimated at between \$70 to \$190 billion. And tens of thousands of people are still in shelters.

Having dealt with catastrophic flooding due to Hurricane Matthew last year, our thoughts and prayers are with the people of Texas and Louisiana. We know how devastating it can be to watch the flood waters rise into homes and businesses in our community.

It is Hurricane season and Irma is currently churning in the Atlantic as a category 5 Hurricane. Due to the uncertainty of the path Irma will take, I urge all citizens to continue to monitor the situation and be prepared in the event that this Hurricane turns northward towards the Carolinas.

Websites such as, Johnston County Emergency Services, readync.org and ready.gov and Smithfield Police Department have vital information on hurricane preparedness. Johnston County has also changed its Code Red Notification System to the JoCoAlerts System. It is Johnston County's primary emergency notification system providing critical time-sensitive information to the public during emergencies. Citizens can register for this free service on Johnston County's website and the Town of Smithfield's website. The Town of Smithfield will also post information on our website to help you prepare.

It is our hope and prayer that Hurricane Irma will weaken and cause minimal damage. Please know that the Town of Smithfield staff will be prepared to assist our citizens in any storm event.

Town Manager's Report:

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

- The Town Manager asked for citizens' assistance on maintaining and cleaning their ditches and making sure drainage grates are free of debris. He also asked that yard debris be placed on sidewalks/ yards instead of in the street. He reminded the public that yard debris is a service provided to the citizen and not contractors. If contractors are doing work for our citizens, it is their responsibility to haul the debris to the landfill.
- FEMA – The Town has received all its FEMA reimbursement funding with the exception of \$85,000. The Town received a check in the amount of \$230,000 which was the federal share of damages at the Water Plant. The State will provide the additional \$85,000 once representatives have inspected and certified all the repairs. The Town has also been notified that \$230,000 has been allocated for repairs to the Wetland Facility near Jaycee Kiddy Park. The Town has not begun work on this project.
- Grants – The Town Manager informed the Council that CDBG funding has turned out to be CDBG-DR (disaster recovery). In order to receive funding, residential properties had to have incurred damages as a result of Hurricane Matthew and also did not receive funding from FEMA. The Town Manager explained that unfortunately, the Town will not be able to take advantage of these grant opportunities.
- Parks and Recreation has announced that Community Park will host the 2019 State Baseball Tournament. This will be a large event that will have a positive economic impact upon the community.
- Smithfield Selma High School will be hosting its annual 9-11 ceremonial event on September 11, 2017 at 7:20 am. All are encouraged to attend. The event lasts about an hour.
- **Department Reports**
 - A highlight of each department's monthly activities was given to the Council.

Closed Session: Pursuant to NCGS 143-318.11 (a) (6) to discuss a personnel matter

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Rabil, to go into closed session pursuant to NCGS 143-318.11 (a) (6). Unanimously approved at 8:23 pm.

Reconvene in Open Session:

Mayor Pro-Tem Ashley made a motion, seconded by Councilman Wood, to reconvene in open session. Unanimously approved at 9:08 pm.

Adjourn

Councilman Scott made a motion, seconded by Councilman Harris, to adjourn the meeting.
The meeting adjourned at approximately 9:09 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Williams, Town Clerk



Request for City Council Action

**Consent
Agenda
Item:** Purchase
of Street
Sweeper
Date: 10/03/2017

Subject: Purchase of Street Sweeper
Department: Public Works Sanitation Division
Presented by: Lenny Branch, Public Works Director
Presentation: Consent Agenda

Issue Statement

The Public Works Department is proposing the purchase of a 2017 Ravo 5I Series Street Sweeper from Southern Vac. for the amount of \$222,500.00.

Financial Impact

If approved by council the purchase of the Street Sweeper comes in \$27,500.00 under the \$250,000 budgeted in this year's Capital Outlay line.

Action Needed

Council approval to award contract to Southern Vac. for purchase of budgeted Street Sweeper.

Recommendation

Staff recommends awarding the purchase contract to Southern Vac. in the amount of \$222,500.00

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Quote for Sweeper Equipment
3. UNC School of Government Letter



Staff Report

**Consent
Agenda
Item:**

Purchase
of Street
Sweeper

Council approved \$250,000 in the Public Works Sanitation Division capital line to purchase a new Street Sweeper. The Public Works Department has demoed several models over the past year in efforts to pick the one that suits our needs. With the large amount of sand and vegetation in the gutter areas all have failed miserably but one. A new Ravo 5I Series Street Sweeper was dropped off and used by staff in some of our heaviest areas. The machine performed great, it removed the heavy buildup of sand and dirt along with vegetation that was growing in the gutters. The unit is currently setting in the Public Works yard and ready for work.

Southern Vac has given us a price through the North Carolina Sheriffs Association (NCSA contract 18-02-0428) Heavy Equipment Procurement Program. By using a NCSA contract the need for an RFP is eliminated because the solicitation process has been completed. Attached to this report you will find a letter from the UNC School of Government verifying that under G.S. 143-129 (e) (3).

It is the recommendation of the Public Works Department to purchase the 2017 Ravo 5I Series Street Sweeper from Southern Vac. for the amount of \$222,500.00.



PO Box 1854
Lexington, SC 29071
Phone (803) 358-0221, (888) 856-3556
Fax (803) 358-0431

Heavy Equipment
NCSA Contract 18-02-0428

September 15, 2017

City of Smithfield
Attn: Lenny Branch
231 Hospital Road
Smithfield NC, 27577

Mr. Lenny Branch

Southern Vac is pleased to offer *The City of Smithfield* the following quote on a *Ravo 5I Series Sweeper Inventory Standard Dump ID #K16-027M Under NCSA Heavy Equipment Contract 18-02-0428*. Thank you for your consideration. If you have any questions regarding this quote, I can be reached at 919-406-4308.



Regards,

Gary Yoder



NEW RAVO 5I SERIES SPECIFICATIONS

- Cabin RAVO 990 White
- Container RAVO 9900 White
- Chassis RAVO 147 Pearl Gray
- Instruction Plates English
- 6.5 Yard Stainless Steel Debris Tank
- Gutter Brush Angle Adjustment Right and Left
- Wide Sweeping
- Heavy Duty Fan (Borium)
- Suspended Swivel Wheel
- Coated Suction Nozzle
- Coated Suction Tube
- Coated Suction Tube Bend
- Coated Suction Tube Extension
- Discom Exhaust Silencer TIER 3
- Air Suspended Driver Seat
- Air-Conditioning
- 12 Volt Plug In Cable
- Inspection Door Retainer Stainless Steel
- Easy Lifiable Grid
- Suction Nozzle Camera Color, Rear View Camera Color and Side View Camera Color
- Dual Tires Rear 40km/h
- License Plate Holder
- Step Up on Brush System
- 2 Front Brooms with Two Direction Tilting Options
- Storage Compartment in Front of Passenger Seat
- 2 Operator Manuals (1 Service & 1 Parts)
- Third Broom With Dual Tilt Directions
- No Large Logos on Side of Unit

- Storage Rack for Hand Tools (included with Wander Hose attachment)
- HP Water Pump with Spray Gun Mounted on Right Hand Side
- 2000 hour warranty on unit (excludes wearable items and operator damage)



Key

Yellow Highlights are for the Base Package under NCSA
 Blue Highlights are for the Attachments/Accessories under NCSA Contract

NCSA BASE MODULE COST: \$199,208.00
5% NCSA MODULE DISCOUNT: \$189,247.60
NCSA ACCESSORIES/ATTACHMENTS: \$46,723.90
6% NCSA ACCESSORIES DISCOUNT: \$43,920.47

TOTAL PRICE NCSA RAVO 51 SERIES SWEEPER: \$233,168.07
-SOUTHERN VAC INVENTORY SWEEPER DISCOUNT: \$-10,668.07

Southern Vac Inventory Sweeper Std Dump XL95FCHB7GA020334 (2.37 Sweeping HRS) NCSA Contract: \$222,500.00

***** SOUTHERN VAC WILL PROVIDE AN ARROWSTICK AND SET OF SIDE BROOMS AND FRONT THIRD BROOM AT NO ADDITIONAL COST*****



Sales Tax is NOT included in total price.





**North Carolina Sheriffs' Association
Heavy Equipment Procurement Program
Bid 18-02-0428**

Attachments: Items that increase or add to the performance of the equipment. For example, side mower or hook lift.

Accessories: Items added to the piece of equipment which provide comfort or value, not relating to the performance or functionality of the equipment. For example, air conditioner or seat material.

**Lot 1
Street Sweeper**

Vendor	Brand/Model	List Price of Base Unit	% Discount (Off Manufacturer's List Price)	% Discount - Attachments	% Discount - Accessories	Notes
Amick Equipment Company, Inc	TYMCO/210 conventional cab chassis F350	\$89,969.75	0%	6%	6%	
Amick Equipment Company, Inc	TYMCO/210 cab-over-chassis Isuzu NPR	\$95,511.00	0%	6%	6%	
Amick Equipment Company, Inc	TYMCO/435 conventional cab chassis Isuzu MPR-XD	\$117,021.00	0%	6%	5%	
Amick Equipment Company, Inc	TYMCO/435 conventional cab chassis - M2 Dual Drive	\$158,630.88	0%	6%	6%	
Amick Equipment Company, Inc	TYMCO/600 - M2 Dual Drive	\$209,257.75	0%	6%	6%	
Amick Equipment Company, Inc	TYMCO/500X - M2 Dual Drive	\$255,804.25	0%	6%	6%	
Jet-Vac Equipment Company, LLC	Global M3	\$201,453.33	6%	6%	6%	
Jet-Vac Equipment Company, LLC	Global M4	\$267,565.33	6%	6%	6%	
Jet-Vac Equipment Company, LLC	Global M4HSQ	\$279,900.00	6%	6%	6%	
Jet-Vac Equipment Company, LLC	Global V6	\$161,483.33	6%	6%	6%	
Jet-Vac Equipment Company, LLC	Global V4	\$254,742.27	6%	6%	6%	
Public Works Equipment And Supply, Inc.	Eagle w/Freightliner M2 Dual Steer	\$255,630.25	3%	6%	6%	
Public Works Equipment And Supply, Inc.	Broom Badger w/Isuzu Non-CDI	\$190,085.00	3%	6%	6%	
Public Works Equipment And Supply, Inc.	Broom Bear w/ Freightliner M-2	\$244,197.50	3%	6%	6%	
Public Works Equipment And Supply, Inc.	Road Wizard w/ FRI M2 Dual Steer	\$261,630.25	3%	6%	6%	
Public Works Equipment And Supply, Inc.	Crosswind w/ FRI M2 Dual Steer	\$209,091.25	3%	6%	6%	
Public Works Equipment And Supply, Inc.	Whirlwind w/ FRI M2 Dual Steer	\$240,077.75	3%	6%	6%	
Public Works Equipment And Supply, Inc.	Pelican Single Steer, Single Sweep	\$183,000.00	3%	6%	6%	
Southern Vac	RAVO / S1Series STH (Chassis Included)	\$199,208.00	5%	6%	6%	
Southern Vac	RAVO / S1Series CD (Chassis Included)	\$201,208.00	5%	6%	6%	
Southern Vac	Scarab / M65T (No Chassis Included)	\$159,508.00	5%	6%	6%	



August 27, 2015

To: North Carolina units of local government and other interested parties

From: Norma R. Houston, *Lecturer in Public Law and Government*

Re: North Carolina Sheriffs' Association Vehicle Procurement Program

The UNC School of Government has been asked to render an opinion about the legality of purchasing law enforcement vehicles directly through the North Carolina Sheriffs' Association Vehicle Procurement Program ("the NCSA Program") under the group purchasing program exception to competitive bidding requirements under North Carolina General Statute 143-129(e)(3). The following opinion is not a recommendation for or endorsement of the products or services offered through the NCSA Program.

Under North Carolina law, when a local government subject to Article 8, Chapter 143 of the North Carolina General Statutes decides to purchase apparatus, supplies, materials, or equipment involving the expenditure of \$30,000 or more, that local government must follow certain statutory bidding procedures unless an exception applies. G.S. 143-129 contains several exceptions to these bidding requirements. One of these exceptions, found in G.S. 143-129(e)(3), allows local governments to purchase apparatus, supplies, materials, or equipment through a "competitive bidding group purchasing program" instead of following the bidding requirements of Article 8. G.S. 143-129(e)(3) defines a "competitive bidding group purchasing program" as "a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies." In my opinion, the NCSA Program qualifies as a competitive bidding group purchasing program under G.S. 143-129(e)(3).

Accordingly, local governments subject to Article 8, Chapter 143 of the North Carolina General Statutes have the legal authority to purchase vehicles directly from vendors under contract through the NCSA Program under the group purchasing program exception in G.S. 143-129(e)(3), unless such purchases are inconsistent with local policies or procedures. An analysis of the NCSA Program under the group purchasing program exception follows.

Formally Organized Program

In order to qualify as a group purchasing program under G.S. 143-129(e)(3), the entity offering products and services must be "formally organized." While the statute does not define this term, it suggests some level of organization beyond an ad hoc group that decides

to enter into contracts jointly. The North Carolina Sheriffs' Association is a nonprofit organization formed in 1922. According to the NCSA website (www.ncsheriffs.org), the organization is governed by a board of directors, has an office, contact information, and staff. As such, the NCSA meets the requirement of being formally organized.

Competitively Obtained Purchasing Services

Under the group purchasing exception, the items and services offered must be "competitively obtained," meaning the organization's contracts were procured through a competitive process. While this process does not have to mirror in every respect the competitive bidding requirements of G.S. 143-129 for purchase contracts in the formal bidding range, it must ensure a reasonable opportunity for interested vendors to be notified of and submit bids with fair evaluation of those bids leading to a contract award. The vehicle contracts available through the NCSA Program are entered into by the NCSA after broadly disseminated advertising (including through the North Carolina Bid Network), a pre-bid conference, and receipt of sealed bids by an advertised bid deadline. Bids were evaluated and awarded based on the lowest, responsive, responsible bidder standard of award. In my opinion, this process meets the statutory requirement that the contracts be obtained competitively. (See NCSA website for specific bid-related documents).

Discount Prices

A third element of the group purchasing program exception is that the prices offered by vendors must be discounted. Typically such discounts take the form of a price less than list price, although this is not specifically required under the group purchasing program exception. The competitive bid prices received by the NCSA and the contracts awarded contain competitive discount pricing, thus satisfying this requirement of the statute.

Two or More Public Agencies

The final requirement under the group purchasing program exception is that the items offered through the program are available to at least two public agencies (this requirement does not exclude the opportunity for private entities to purchase items from the program). According to its website, the NCSA offers the opportunity to purchase through the NCSA Program to all 100 sheriffs' offices in North Carolina, thus making the program available to at least two public agencies.

For these reasons, it is my opinion that local governments in North Carolina may purchase vehicles directly (i.e., without having to comply with the competitive bidding requirements of Article 8) from vendors through the NCSA Program under the group purchasing program exception of G.S. 143-129(e)(3).



Request for City Council Action

Consent **Fee**
Agenda **Schedule**
Item: **Adjustment**
Date: 10/03/2017

Subject: Fee Schedule Adjustment
Department: Public Utilities
Presented by: Ted Credle
Presentation: Consent Agenda

Issue Statement

The Public Utilities Department is proposing to adjust the bulk water rate within the fee schedule to match the recently adopted Johnston County Water Agreement.

Financial Impact

There will be no impact to the budget.

Action Needed

Approve the proposed Fee adjustment and change the bulk water sales rate to \$2.00 per 1,000 gallons.

Recommendation

Staff recommends Council approve the Fee adjustment

Approved: City Manager City Attorney (not required)

Attachments:

1. Staff Report
2. Amended Fee Schedule



Staff Report

Consent **Fee**
Agenda **Schedule**
Item: **Adjustment**

On June 26, 2017 the Smithfield Town Council agreed to enter into a revised water agreement with Johnston County. The sale of water to Johnston County was set within the contract at a price of \$2.00 per 1,000 gallons.

The Town also updates an annual fee schedule as part of the yearly budget adoption. The current fee for bulk water sale is \$1.50 for 1,000 gallons. Staff is recommending the Town Council approve a revision to this rate and set the new rate at \$2.00 per 1,000 gallons.

The purpose of this adjustment is twofold.

1. To avoid confusion for **anyone seeking information pertaining to the Town's** price for the sale of bulk water. The published fee will match the agreement.
2. To provide a set price in the event the Town obtains another bulk water customer. This new price would show no favoritism to any customer wanting to purchase bulk water.

TOWN OF SMITHFIELD
FY 2017-2018
June 6, 2017
DEPARTMENTAL FEE SCHEDULE

Property Tax Rate

Rate.....	\$0.57/\$100 valuation
Downtown Smithfield Tax District	\$0.19/\$100 valuation
Smithfield Fire District.....	\$0.12/\$100 valuation

Administrative Services

Miscellaneous Fees and Charges

Fee for document reproduction(s)	
Black & White 8.5 x 11 Copies.....	\$.10/per page
Color 8.5x 11Copies.....	\$.15/per page
Black & White 8.5 x 14 Copies.....	\$.20/per page
Color 8.5 x 14 Copies	\$.25/per page

CD Copy.....\$1.50
This fee is for the cost of the CD

Reproduction of a video copy of any Town Council Meeting..... \$2.00
This fee is for the cost of the DVD only.

IT Services needed for compiling information relating to any public record request..... \$14.00/per hr.

Flash Drives – Actual cost of the Flash Drive

Any other electronic storage devices shall be charged the actual cost of the device.

Cemetery Services

Mausoleum Crypts

Row D, Top	\$1600.00
Row C	\$1700.00
Row B	\$1800.00
Row A, Bottom.....	\$2000.00
Crypt Opening and Closing Services.....	\$700.00

Lot Sales: Sunset Memorial Park

Single Grave.....	\$1000.00
Two Grave Lot	\$2000.00
Four Grave Lot.....	\$4000.00
Six Grave Lot	\$6000.00
Grave Opening and Closing Services.....	\$700.00
Burial under 36” in length (including cremations).....	\$400.00

Lot Sales: Riverside Extension Cemetery

Single Grave Lot.....	\$1250.00
Two Grave Lot	\$2500.00
Four Grave Lot	\$5000.00
Six Grave Lot	\$7500.00
Grave Opening and Closing Services.....	\$700.00
Burial under 36" in length (including cremations).....	\$400.00

Public Works

Overgrown Lot Clearance

First hour or fraction thereof	\$150.00
Each additional quarter hour.....	\$25.00
Contractor clearance.....	actual expense or \$100.00, whichever is greater

Fire Department Fees

Fire Inspections (all occupancies)

Less than 50,000 sq. Ft.....	\$50.00
50,000 - 100,000 sq. Ft.....	\$100.00
More than 100,000 sq. Ft.....	\$200.00
First Re-Inspection	No Charge
Each subsequent re-inspection.....	\$25.00 ea.

Special Permits

Special Events	\$100.00
Underground Storage Tank Installation / Removal (per Tank)	\$75.00
Fireworks Sales	\$75.00
Fireworks Public Display (permit & stand-by)	\$150.00
Temporary Tent or Air Supported Structure permit	\$75.00
Carnival or Circus Permit and Inspection (Pending City Mgr/Council Approval)	\$100.00

Note: Non-Profit organizations are exempt from Fire Department Fees if the proper documentation confirming non-profit status is provided to the inspector.

Citations

Fire Lane Citation.....	\$25.00
Fire Code Citation	\$50.00

Mileage Reimbursement

Rate (Federal).....	Per Federal Rate Schedule
---------------------	---------------------------

Parks/Recreation

Late registration Fee..... \$10.00

Administration Fee for Participant Withdrawal Without Cause..... \$10.00

Adult Team Sports	<u>Resident</u>	<u>Nonresident</u>
Softball.....	\$475.00.....	\$522.50
Basketball.....	\$475.00.....	\$522.50
Volleyball.....	\$475.00.....	\$522.50

Youth Team Sports (Boys and Girls)

T-Ball

Resident	\$30.00 per player
Nonresident	\$60.00 per player

Baseball (9-18), Girls Softball, Coach Pitch, Soccer, Volleyball

Resident.....	\$35.00 per player
Nonresident	\$70.00 per player

Football, Basketball

Resident.....	\$40.00 per player
Nonresident	\$80.00 per player

Kinder - Sports Programs

Resident.....	\$20.00 per player
Nonresident	\$40.00 per player

Cheerleading

Resident.....	\$25.00
Nonresident	\$50.00

Group Tennis Lessons

Adult Resident.....	\$25.00
Adult Nonresident	\$50.00
Youth Resident.....	\$20.00
Youth Nonresident.....	\$40.00

Athletic Camps (Offered through P&R by individuals & Organizations).....10% of gross

Athletic Field Rental (includes club teams, i.e. AAU, CASL,JUSA etc)

Up to 2 hours (day hours) - Resident.....	\$25.00
Up to 2 hours (day hours) - Nonresident	\$50.00
Up to 2 hours (night hours) - Resident	\$40.00
Up to 2 hours (night hours) - Nonresident.....	\$80.00
2 - 4 hours - Resident (day hours)	\$45.00
2 - 4 hours - Nonresident (day hours).....	\$90.00
2 - 4 hours - Resident (night hours).....	\$90.00
2 - 4 hours - Nonresident (night hours)	\$148.50
4 hours - All Day - Resident	\$150.00
4 hours - All Day - Nonresident	\$220.00

** \$30.00 - \$50.00 Field Preparation Fee for games (not practices)*

Tournaments Fee for Resident..... \$150 /day/field
or 1/2 of gate admission if charged

Tournament Fee for Nonresident..... \$165 /day/field
or 1/2 of gate admission if charged

***\$200.00 Deposit for Tournament Field Rental – NON-REFUNDABLE**

Picnic Shelters (except Rotary Shelter)

(\$75.00 clean-up deposit required)

Up to 2 hours - Resident.....	\$25.00
Up to 2 hours - Nonresident	\$50.00

2 - 4 hours - Resident.....	\$50.00
2 - 4 hours - Nonresident.....	\$100.00
4 hours - All Day - Resident.....	\$80.00
4 hours - All Day - Nonresident.....	\$160.00

Rotary Picnic Pavilion (Large Shelter)..... (\$100.00 clean-up deposit required)

Up to 2 hours:

Entire Shelter	
Resident.....	\$75.00
Nonresident.....	\$150.00

½ Shelter

Resident.....	\$40.00
Nonresident.....	\$80.00

Up to 4 hours:

Entire Shelter

Resident.....	\$90.00
Nonresident.....	\$180.00

½ Shelter

Resident.....	\$60.00
Nonresident.....	\$120.00

Up to 8 hours:

Entire Shelter

Resident.....	\$125.00
Nonresident.....	\$250.00

Town Hall Park Use

Up to 2 hours:

Resident.....	\$25.00
Nonresident.....	\$50.00

Rental fee for 2-4 hours

Resident.....	\$35.00
Nonresident.....	\$70.00

Rental fee for 4-8 hours

Resident.....	\$60.00
Nonresident.....	\$120.00

Additional Rental Fee for each hour over 8 hours \$25.00/hour

Recreation & Aquatics Center

Membership Rates are based on annual agreements.

Amenities Fee: \$9.00 Annual unlimited use of bath towels, sweat towels, shampoo, conditioner, body wash, lotions, hair dryers, etc. Fee billed on annual enrollment date, by draft or upon membership renewal.

Members receive a 10% discounts on services and programs.

Smithfield Residents are those persons living within the corporate limits of Smithfield.

Enrollment Fee: \$35.00
 Monthly Drafts/Annual Payment 10% Discount

Membership Type	Smithfield Residents		Non-Resident Rates	
	Community	Corporate	Community	Corporate
Individual	\$40.00 / \$432.00	\$35.00 / \$378.00	\$57.20 / 617.76	\$51.70 / \$558.36
Family (max 2)	\$50.00 / \$540.00	\$43.00 / \$464.40	\$68.20 / \$736.56	\$60.50 / \$653.40
Family (max 4)	\$60.00 / \$648.00	\$53.00 / \$572.40	\$79.20 / \$855.36	\$71.50 / 772.20
Senior (Ind)	\$27.00 / \$291.00	\$24.00 / \$259.20	\$42.90 / \$463.32	\$39.60 / \$427.68
Senior (Fam)	\$37.00 / \$399.60	\$32.00 / \$345.60	\$53.90 / \$582.12	\$48.40 / \$522.72
Family add-on (per)	\$10.00 / \$120.00 (per)	\$10.00 / \$120.00 (per)	\$11.00 / 132.00 (per)	\$11.00 / 132.00 (per)

New rates apply upon renewal of contract

Daily Admission

Children 2 and under

Resident Free
 Nonresident Free

Youth 3 – 17

Resident..... \$4.00
 Nonresident..... \$7.70

Adult 18-58

Resident..... \$6.00
 Nonresident..... \$11.00

Seniors 59+

Resident..... \$4.00
 Nonresident..... \$7.70

Punch Cards – 10 Visits

Resident..... \$55.00
 Nonresident..... \$99.00

Special Membership Rates

Town of Smithfield Employee Membership Rate

Full-time Town employees shall pay ½ the residential corporate rate for SRAC memberships & events.

Johnston County School Employee Membership Rates

- 25% Discount off of residential corporate rate
- 10% discount if paid in full upfront
- \$35.00 enrollment fee
- \$9.00 annual amenities fee

Johnston Community College Student Membership Rates

- 9 month membership commitment from August 15 to May 15 (consistent with academic calendar)
- Must show current student ID/tuition info., etc.
- \$25.00 per month/\$225.00 for the 9 month term
- 10% discount if paid in full upfront
- \$35.00 enrollment fee
- \$9.00 annual amenities fee

Aquatics Program Fees

Swim Lessons

Base Lesson Rate is \$15.00/ per lesson
Non-Resident Upcharge is 62% (current rate)

3 Lessons

Resident	\$45.00
Non Resident.....	\$73.00

5 Lessons

Resident.....	75.00
Non Resident.....	\$121.50

Summer Swim Team

Resident.....	\$70.00
Nonresident.....	\$104.50

Lane Rental..... \$10.00 per lane/ per hour

Day Care Rental..... \$5.00 per child for 1 ½ hours in pool area

<u>Swim Meet Rental</u>	<u>Resident</u>	<u>Nonresident</u>
Timing System per day.....	\$500.00.....	\$550.00 per day
Pool Rental.....	\$900.00.....	\$990.00 per day

SRAC Programs

Birthday Pool Parties

Resident	\$125.00/ 25 children
Nonresident.....	\$165.00/ 25 children
After Hours Fee (if party booked past regular operating hours).....	\$75.00
Extra Rental (1/2 basketball court, other pool).....	\$50.00

Summer Camp (8:30 am – 4:30 pm)

Resident	\$100.00/week
Nonresident.....	\$137.50/week
(10% off after first child, if SRAC Member)	
Early Drop Off/ Late Pick up	\$25.00/ week

Facility Rental Rates

Trash Deposit\$50.00 clean-up deposit required for facility use.
 (Refundable if trash is picked up and areas are left as deemed due to normal wear and tear)
 Cancellation Policy24 hour notice prior to event.
 (If cancellation is received prior to usage, a credit can be applied to a future facility use)

Multi-Purpose (Monday – Thursday)	Resident	Nonresident
Up to 2 hour	\$40.00	\$66.00
2-4 hours	\$60.00	\$88.00
4 hours – All Day.....	\$100.00	\$137.50

Multi-Purpose (Friday – Sunday)	Resident	Nonresident
Up to 2 hour	\$100.00	\$137.50

Gymnasium	Resident	Nonresident
Up to 2 hours	\$250.00	\$330.00
2-4 hours	\$400.00	\$550.00
4 hours – All Day.....	\$600.00	\$825.00

½ Gymnasium	Resident	Nonresident
Up to 2 hours	\$125.00	\$220.00
2-4 hours	\$250.00	\$440.00
4 hours – All Day.....	\$400.00	\$605.00

Banquet Room and Catering Kitchen

\$65.00/ hour (minimum 3 hours)
 \$520.00/ day (8 hours)
 \$260.00 Deposit
 \$20.00/ hour Custodial Fee

4 Rentals of the same facility within a 30 day period will receive a 20% discount on rental fees of those facilities.

15 Rentals of the same facility within a calendar year will receive a 30% discount on rental fees of those facilities.

*** The Town Manager may approve individual fee adjustments for special events and programs as needed.*

Planning & Zoning Fees

Passive and active recreation fees in lieu of land
 donation or for subdivisions with less than 15 lots.....Appraised Valuation

(See paragraph below for details)

The payment in lieu of dedication shall be equal to the appraised value of the required acreage of land within the subdivision based on an appraisal prepared by a licensed appraiser and submitted by the developer. If the Town disagrees with the submitted appraisal, it may have a second appraisal prepared. If the appraisals are within 15% of each other, the developer’s appraisal will be utilized to establish value. If the appraisals differ by more than 15%, the appraisal will be based on the average of the two appraisals.

Rezoning application:

5 acres or less.....\$300.00

Above 5 acres	\$300.00 plus \$10.00 for each additional 10 acres or portion thereof above 5 acres
Request for Ordinance Amendment	\$300.00
Request for Variance application	\$300.00
Appeal from Administrative Interpretation	\$300.00 (Refund Given if Appeal Successful)
Special use/conditional use permit application (general)	\$300.00
Sign Permit Review	\$50.00
Single Family & Two Family Zoning Permit	\$25.00
Commercial & Multi Family Zoning Permit	\$100.00
Re-advertising a continued Public Hearing at request of applicant	\$200.00
Special use/conditional use permit application (complex)	
a. Multi-family, townhouse development	\$300.00 + 5.00 per unit
b. Shopping center, Institutional use	\$300.00 + 1.00 per 1000 sq. ft. of gross floor area
c. Planned unit development	\$300.00 + 25.00 per acre
d. Mobile home park	\$300.00 + 5.00 per lot

Subdivision application

Minor subdivision	\$50.00 + 5.00 per lot
Major subdivision	\$250.00 + 5.00 per lot
Site Plan/Construction Plan review	\$200.00 + \$50.00/ac.

Storm Water Permit Application Fee

Residential	\$100/acre (\$850 minimum)
Non-Residential	\$100/acre (\$850 minimum)

Storm Water Annual Inspection Fee (if owner does not provide licensed engineer for inspection)

Storm Water Management Facility (less than 1 ac)	\$750.00
Storm Water Management Facility Size (1ac to 3 ac)	\$1000.00
Storm Water Management Facility (greater than 3 ac)	\$1250.00

Special Zoning Permits (fees in addition to Fire Dept. fees)

Special Events	\$100.00
Underground Storage Tank Installation / Removal (per Tank)	\$75.00
Fireworks Sales	\$75.00
Fireworks Public Display (permit & stand-by)	\$150.00
Temporary Tent or Air Supported Structure permit	\$75.00
Carnival or Circus Permit and Inspection (Pending City Mgr./Council Approval)	\$100.00

Note: Non-Profit organizations are exempt from Planning and Zoning Fees if the proper documentation confirming non-profit status is provided to the inspector.

Recording Fees

Conditional Use Permits, Annexations and any other matter that requires or the Town deems necessary to be filed with the Johnston County Register of Deeds. The Town will charge the same fees as the Johnston County Register of Deeds.

Current Johnston County Register of Deeds fees are \$26.00 for the 1st 15 pages and \$4.00 for each additional page.

Police Department

Animal Control

License Tax and Tag:

Each neutered/spayed cat or dog.....	\$5.00
Each non-neutered/non-spayed cat or dog.....	\$10.00

Violations:

Unsanitary conditions.....	\$50.00
Pet defecating on private or public property.....	\$50.00
Failure to display current pet tag.....	\$50.00
Excessive Barking.....	\$50.00
Failure to have rabies inoculation.....	\$100.00
Animal Bite.....	\$125.00

Violation of Animal at Large:

1 st offense.....	\$25.00
2 nd offense.....	\$50.00
3 rd offense.....	\$75.00
4 th offense.....	\$100.00
5 th offense.....	Seizure of animal
Dangerous dog at large.....	\$100.00 and seizure of animal

Parking Violations

Exceeding Time Limit.....	\$10.00
Wrong Side of Street.....	\$10.00
Fire Lane (also included in Fire Dept. Fees).....	\$25.00
Too Close to Corner.....	\$10.00
Across Parking Line.....	\$10.00
On Crosswalk.....	\$10.00
Abandon on Street.....	\$25.00
Over 12" from curb.....	\$10.00
Double Parking.....	\$10.00
Loading Zone.....	\$10.00
Fire Hydrant.....	\$25.00
Driveway.....	\$10.00
Traffic Lane.....	\$10.00
On Sidewalk.....	\$10.00
Blocking Intersection.....	\$10.00
No Parking Area.....	\$10.00
Handicapped Zone.....	\$50.00
All Other Parking Violations.....	\$10.00

Taxicab Regulation

Driver's Permit.....	\$15.00
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Solid Waste Collection

Residential

Standard Collection, Monthly Fee.....	\$16.00 (one roll-out container)
Additional Roll-out Container (standard).....	\$16.00 (each container)
Backyard Collection, Monthly Fee.....	\$20.00 (one roll-out container)
Additional Roll-out Container (backyard).....	\$20.00 (each container)

Backyard Collection, Disabled / Age 70 +	\$16.00 (one roll-out container)
Yard Debris Collection, Monthly Fee.....	\$10.00 (required)
Large Pile(s) of Debris Pickup.....	\$80.00 (per truck load = 8 cubic yards)

Churches /Non-Profit

Standard Pickup, Monthly Fee	\$16.00 (two roll-out containers)
Additional Solid Waste Roll-out Container (standard pickup)	\$16.00 (each container)
Backyard Pickup, Monthly Fee	\$20.00 (two roll-out containers)
Additional Solid Waste Roll-out Container (backyard pickup)	\$20.00 (each container)
Yard Debris Collection, Monthly Fee.....	\$10.00 (required)
Large Pile(s) of Debris Pickup	\$80.00 (per truck load = 8 cubic yards)

Public Utilities Services

Residential Electric Deposit	\$200.00
Residential Electric Deposit - High Risk	\$400.00
Business Deposit	2x (times) the monthly avg. bill for this location
Water Deposit.....	\$50.00
Water Deposit (high risk)	\$100.00
Returned Check Charge.....	\$35.00
Return Trip When Customer Not Available.....	\$25.00
Reconnection	(9 a.m. to 4 p.m.) \$50.00
Reconnection after Hours	\$70.00
Special Use Meter Reading & Billing (i.e. water for filling pools)	\$35.00
Meter Reread: 2 per calendar year at no cost, additional reread (if no error found)	\$25.00 per occurrence
Electric Meter Tampering Investigation Charge.....	\$500.00

Initial and Transfer Service Fees

Utility Account (7% NC sales tax added to service charges).....	\$25.00
Water/Sewer	\$25.00

Water Meter Set

3/4"	\$95.00
1"	\$250.00
1 1/2".....	\$470.00
2".....	\$1605.00
3"	\$2020.00
Meter tampering investigation charge.....	\$300.00
Delinquent fee for payments after due date but before disconnection.....	5 %
Meter Test Charge (After First Free Test)	\$35.00
Temporary Construction & Pole Service Charge.....	\$50.00
Landlord Transfer Fee.....	\$25.00

Credits

Water Heater Load Management (12 Months)	\$6.00/month
Air Conditioner Load Management Credit (June, July, August, September)	\$10.00/month

Sewer Tap Fees

In Town (Base Fee)	
4"	\$695.00
6"	\$760.00
Out of Town (Base Fee)	
4"	\$1040.00
6"	\$1140.00

Water Tap Fees

In Town (Base Fee)

3/4"	\$700.00
1"	\$745.00
1 1/2"	\$1840.00
2"	\$1900.00
4"	Cost figured at time of application
6"	Cost figured at time of application

Out of Town (Base Fee)

3/4"	\$1050.00
1"	\$1120.00
1 1/2"	\$2760.00
2"	\$2850.00
4"	Cost figured at time of application
6"	Cost figured at time of application

Irrigation (using split yoke)

3/4" (requires meter set)	\$200.00
Other	Actual Cost plus 10% + meter set

Fire Sprinkler Fees

<u>Size Connection</u>	<u>Monthly Fee</u>	<u>Service</u>	<u>Rate</u>
6"	\$10.00	SP	SP1
8"	\$15.00	SP	SP2
10"	\$20.00	SP	SP3
12"	\$25.00	SP	SP4

Water Rates

Basic Charge

Inside City Customers (All) \$9.71
Outside City Customers (All) \$16.99

Consumption Rates (per 1,000 gallons):

<u>Residential Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 4,000 Gallons	\$4.12	\$8.24
Next 6,000 Gallons	\$4.60	\$9.20
All Over 10,000 Gallons	\$5.20	\$10.40

<u>Commercial Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 10,000 Gallons	\$4.31	\$8.62
Next 90,000 Gallons	\$4.90	\$9.80
All Over 100,000 Gallons	\$5.39	\$10.78

<u>Residential Irrigation Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 3,000 Gallons	\$4.87	\$9.74
Next 17,000 Gallons	\$5.68	\$11.36
All Over 20,000 Gallons	\$6.30	\$12.60

<u>Commercial Irrigation Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 3,000 Gallons	\$4.87	\$9.74
Next 27,000 Gallons	\$5.93	\$11.86
All Over 30,000 Gallons	\$6.30	\$12.60

<u>Industrial/Institutional Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 25,000 Gallons	\$4.41	\$8.82
Next 75,000 Gallons	\$4.90	\$9.80
All Over 100,000 Gallons	\$5.39	\$10.78

Johnston County Wholesale Rate

~~\$1.50~~ \$2.00 Rate per 1000 Gallons

Sewer Rates

Basic Charge

Inside City Customers (All) **\$11.32**

Outside City Customers (All) **\$19.81**

<u>Consumption Charges</u>	<u>Inside City</u>	<u>Outside City</u>
	<u>Rate</u>	<u>Rate</u>
Residential Customer	\$7.42	\$14.84
Non-Residential Customer	\$8.26	\$16.52

PENALTIES

For violating the direct or indirect use of water from the town distribution system

<u>Size of Service Connection</u>	<u>Penalty</u>
<u>¾ inch</u>	<u>\$30.00</u>
<u>1 inch</u>	<u>40.00</u>
<u>1½ inch</u>	<u>50.00</u>
<u>2 inch</u>	<u>60.00</u>

For Violating Town Ordinance Concerning Fats, Oils, & Greases (18-135)

The Town shall enforce this article in accordance with the schedule of fees presented, and updated annually by the Town Council, in the Departmental Fee Schedule.

Minor Violation(s) in any successive 6-month calendar time period			
	1st Offense	2nd Offense	3rd Offense & thereafter
Failure to submit records	Written Warning	\$100/day	\$300/day
Inspection hindrance	Written Warning	\$100/day	\$300/day
Failure to maintain on-site records	Written Warning	\$100/day	\$300/day
Moderate Violation(s) in any successive 6-month calendar time period			
	1st Offense	2nd Offense	3rd Offense & thereafter
Failure to maintain interceptor in proper working order	Written Warning	\$300/day	\$450/day
Failure to clean out interceptor on schedule	Written Warning	\$300/day	\$450/day
Major Violation at any time			
Source of sewer blockage	Civil penalty (Explained below) \$1,500 and possible termination of service		
Source of sanitary sewer overflow			
Falsification of records			

Civil Penalties for Major Violations

- a) Any user is found to have failed to comply with any provision of this ordinance, or the orders, rules, regulations and permits issues hereunder, may be assessed a civil penalty of up to twenty-five thousand dollars (\$25,000) per day per violation
 - 1. Penalties between \$10,000 and \$25,000 per day per violation may be assessed against a violator only if:
 - a. For any class violations, only if a civil penalty has been imposed against the violator with in the five years preceding the violation, or
 - b. In the case of failure to file, submit, or make available, as the case may be, any documents, data, or reports required by the ordinance, or the orders, rules, regulations and permits issues hereunder, only if the Public Utilities Director determined that the violation was intentional and a civil penalty has been imposed against the violator within the five years preceding the violation.
 - c. The Town will assess Civil Penalties in the range of \$10,000 to \$25,000 only if the action or inaction of the user will more likely than not be the proximate cause of costs to the Town equal to or exceeding the civil penalty. Costs include legal costs, expert costs and any remediation or abatement costs in addition to fines or civil penalties assessed against the Town by other public authorities or regulatory agencies due to the failure of the Town to resolve or prevent the violations

- b) In determining the amount of the civil penalty, the Public utilities Director shall consider the following:
1. The degree and extent of the harm to the natural resources, to the public health, or to the public or private property resulting from the violation;
 2. The duration and gravity of the violation;
 3. The effect on ground or surface water quantity or quality or on air quality;
 4. The cost of rectifying the damage;
 5. The amount of money saved by noncompliance;
 6. Whether the violation was committed willfully or intentionally;
 7. The prior record of the violator in complying or failing to comply with the pretreatment program;
 8. The costs of enforcement to the Town.

Electric Rates

Residential Service (RS1)

I Availability

This Schedule is available for separately metered and billed electric service to any Customer for use in and about (a) a single-family residence or apartment, (b) a combination residence and farm, or (c) a private residence used as a boarding or rooming house. Service will be supplied to the Customer's premises at one point of delivery through one kilowatt-hour meter.

The types of service to which this Schedule applies are alternating current 60 hertz, either single-phase 2 or 3 wires or three-phase 4 wires, at Town's standard voltage of 240 volts.

This Schedule is not available to (a) individual motors rated over 10 HP, (b) commercial and industrial use, (c) separately metered service to accessory buildings or equipment on residential property, (d) service to a combined residential and non-residential electric load where the residential load is less than 50% of the total service requirement, (e) resale, or (f) other uses not specifically provided herein.

II Monthly Rate

- | | | |
|-----------|--|--------------|
| A. | Basic Customer Charge: | \$11.00 |
| B. | Energy Charge: | \$.09316/kWh |
| C. | Purchased Power Adjustment Charge:
The monthly bill may include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully. | |
| D. | Three-Phase Service Basic Charge (RS4): | \$20.00 |
| E. | Minimum Charge:
The monthly minimum charge shall be the "Basic Customer Charge." | |
| F. | When applicable, North Carolina sales tax will be added to all charges listed above. | |

III Excess Facilities

Any facilities that the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

IV Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VI General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Residential TIME-OF-USE Service

Electric Rate Code RS7 (TU1/TU2, DD7)

I Availability

Service under this Schedule is available for separately metered single-family residences in which energy for all water heating, cooking and clothes drying is supplied electrically. Dwellings must have central electric systems for the primary source of space heating and air conditioning.

Participation in the City's load management program is required for control of heat pump compressors during the cooling season and water heater use in all months.

Alternating current, 60 hertz, single-phase three wire service at standard 240 volts is available under this Schedule.

II Monthly Rate

- | | | |
|-------------------------------------|--|--------------|
| A. Basic Customer Charge: | | \$18.00 |
| B. KWh Energy Charge: | On-Peak | \$.09316 kWh |
| | Off-Peak | \$.04717 kWh |
| C. On-Peak kW Demand Charge: | | \$6.50 /kW |
| E. Minimum Charge: | The minimum charge shall be the "Basic Customer Charge." | |
| F. | When applicable, North Carolina sales tax will be added to all charges listed above. | |

III Determination of On-Peak

On-Peak Demand will be the highest KW demand in any 15-minute interval of the current billing month during the following periods, Monday - Friday:

On-Peak kWh will be the energy used during the following periods, Monday - Friday:

Standard Time	7:00 AM to 9:00 AM
Daylight Savings Time	2:00 PM to 6:00 PM

All hours for Official Town Holidays will be considered as Off-Peak.

IV Excess Facilities

Any facilities that the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

V Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VII Load Management

The Town will limit the use of heat pumps and water heaters served under this Schedule during utility peak-use periods each month. Heat pumps will be wired for control of the compressor during cooling seasons and auxiliary resistance heat during heating seasons. Air conditioning will be interrupted intermittently and water heaters totally for up to four hours during each load management period. Auxiliary resistance heat will be interrupted for up to two hours. Load management will be initiated almost exclusively on weekdays and is not normally needed more than six times each month.

Load management controls will be installed and operated in accordance with the Town's normal operating procedures.

VIII Contract Period

The Contract Period shall be on a monthly basis. For a Customer who has previously received service under this Rate at the current location, the Contract Period shall not be less than one year.

General Service

Electric Rate Codes GD1, GD2, GD3, GD4

I Availability

This Schedule is available for nonresidential electric service less than 750 kW supplied at

a single point of delivery at one of the Town's standard voltages. This Schedule is not available for supplementary, standby or breakdown service, unless provided in the Service Agreement, or for resale.

Service will be alternating current, 60 hertz, single-phase 3 wires, or three-phase 4 wires, at Town's standard voltages. This Schedule is applicable to electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

A. Basic Customer Charge \$17.00 Single Phase (GD1) GD3 No Sales Tax
\$30.00 Three Phase (GD2) GD4 No Sales Tax

B. Energy Charge:
First 2,500 kWh \$.06786/kWh
All Additional kWh \$.06800/kWh

C. kW Demand Charge: DS1, DS2, DS3, DS4 \$ 11.20/kW
(kW Demand is highest 15 minute usage each month)

D. Purchased Power Adjustment Charge:
The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully.

E. Minimum Charge:
The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity, unless provided otherwise by the Service Agreement.

F. North Carolina sales tax (7%) will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Billing Demand

The Billing Demand shall be the maximum kW registered or computed by or from the Town's metering facilities during any 15-minute interval within the current billing month.

V Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year, unless otherwise mutually agreed, and shall continue from month to month thereafter unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Small General Service Electric Rate Codes GS3, GS4

I Availability

This Schedule is available for nonresidential electric service less than 10 kW or 1000 kWh (12 month average) supplied at a single point of delivery at one of the Town's standard voltages. This Schedule is not available for supplementary, standby or breakdown service, unless provided in the Service Agreement, or for resale.

Service will be alternating current, 60 hertz, single-phase 3 wires, or three-phase 4 wires, at Town's standard voltages. This Schedule is applicable to electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

A. **Basic Customer Charge:** \$17.00 Single Phase (GS3) and \$24.00 Three Phase (GS4)

B. **Energy Charge:**

First 1,500 kWh	\$.10846/kWh
Next 2,500 kWh	\$.0900/kWh
All Additional kWh over 4,000	\$.0900/kWh

C. **Purchased Power Adjustment Charge:**
The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully.

D. **Minimum Charge:**
The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity, unless provided otherwise by the Service Agreement.

E. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Billing Demand

The Billing Demand shall be the maximum kW registered or computed by or from the Town's metering facilities during any 15-minute interval within the current billing month.

V Excess Facilities

Any facilities which the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year, unless otherwise mutually agreed, and shall continue from month to month thereafter unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Commercial Time-of-Use

Electric Rate Codes GS6(TU3,TU4,DD9); GS7(TU5, TU6, DD9)

I Availability

This Schedule is available for nonresidential electric service. Service is not available for breakdown or standby use, or for resale.

Service available under this Schedule is 60 Hertz alternating current at the Town's standard voltages of 240 volts or higher. This Schedule is available for all electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

A. Basic Customer Charge: Single Phase \$22.00 Three Phase \$30.00

B. KW Demand Charge: On-Peak Demand \$14.00 /kW

C. KWh Energy Charge:	On-Peak	\$.0900/kWh
	Off-Peak	\$.05384/kWh

D. Purchased Power Adjustment Charge:

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale power costs fully.

E. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity, unless provided otherwise by the Service Agreement.

F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Determination of kW Demand

On-Peak Demand: On-Peak Demand will be the highest demand in any 15-minute interval of the current billing month during the following periods, Monday – Friday;

Standard Time	7:00 AM to 9:00 AM
Daylight Savings Time	2:00 PM to 6:00 PM

V Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be considered Excess Facilities. Customer will be responsible for any charges assessed by the Town for Excess Facilities.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Large General Service
Electric Rate Code LG1

I Availability

This Schedule is available for nonresidential electric service when the Contract Demand is 750 kW or greater, or registered demand equals or exceeds 750 kW in two or more of the preceding twelve months. Service is not available for breakdown or standby use, unless provided in the Service Agreement, or for resale.

The types of service to which this Schedule is applicable are alternating current, 60 hertz, three-phase 4 wires, at Town's standard voltages of 480 volts or higher. This Schedule is available to all electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

A. Basic Customer Charge: \$513.95

B. kW Demand Charge: \$19.00/kW

C. Energy Charge: \$.0616/kWh

D. Purchased Power Adjustment Charge:

The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale power costs fully.

E. Minimum Charge:

The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity in excess of 500 kVA, unless provided otherwise by the Service Agreement.

F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Determination of kW Demand

The Billing Demand shall be the greater of: the highest kW measured in any 15-minute interval during the current billing month or the Contract Demand.

V Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be considered Excess Facilities. Customer will be responsible for any charges assessed by the Town for Excess Facilities.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Large General Service **Coordinated Peak Demand** **Electric Rate Code LG2**

I Availability

This Schedule is available for nonresidential electric service when the Contract Demand is 300 kW or greater, and facilities are installed to coordinate reduction of power requirements on the Town's electrical system during system peak periods. The Customer must execute a Service Agreement with the Town prior to receiving service.

Service will be alternating current, 60 hertz, three-phase 4 wires, at Town's standard voltages of 480 volts or higher. This Schedule is available for all electric service supplied to Customer's premises at one point of delivery through one meter. Use of power for resale is not permitted.

II Monthly Rate

- | | |
|---|--------------|
| A. Basic Customer Charge: | \$513.95 |
| B. kW Demand Charge:
Coincident Peak Demand | \$19.10/kW |
| C. Energy Charge: | \$.05554/kWh |

- D. Purchased Power Adjustment Charge:**
The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale power costs fully.

- E. Minimum Charge:**
The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity in excess of 500 kVA, unless provided otherwise by

the Service Agreement.

- F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Determination of kW Demand

Coincident Peak (CP) Demand: CP Demand shall be the average kW demand measured in the 60-minute interval used by the North Carolina Eastern Municipal Power Agency for wholesale billing purposes during the corresponding month of Customer's billing. Note – This is different from the kW Demand in the LG1 rate.

V Notification by Town

The Town will use diligent efforts to predict each monthly system peak and notify the Customer in advance. However, the Town is not able to guarantee an accurate prediction and notice will be provided. Notification by the Town will be provided to the Customer by e-mail communications or automatic signal, as mutually agreed. The Customer will hold the Town harmless in connection with its response to notification.

VI Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be considered Excess Facilities. Customer will be responsible for any charges assessed by the Town for Excess Facilities. Excess Facilities may include special metering required under this Schedule.

VII Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VIII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

IX General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Economic Development Rider
Electric Rate Code ED1

I Availability

This Rider is available only at the Town’s option for existing nonresidential electric service (commercial and industrial) customers, who are served under the Town’s LG2 Rate Code for a period of 1 – 5 years as granted by the Town Council. The Town Council may grant an initial period of less than 5 years and subsequently extend the period up to the full 5 year period.

The purpose of this Rider is to provide an economic incentive for an existing business located within the Town of Smithfield to expand and as such this Rider applies only to the expansion load, which must be separately metered.

II Monthly Rate reduction

Per approval by Council, this Rider reduces the Energy Charge for the LG2 Rate Codes by \$0.015/kWh for the expansion load only up to a maximum of 2,000,000 kWh per year and shall be applicable for a period of up to 5 years as set by the Town Council when there is a minimum applicant capital investment of \$1,000,000 in plant and equipment, which may include the capital cost of purchase and installation of a CP load-shedding generator and depending on the number of jobs brought to the Town of Smithfield and employed by the applicant as follows:

Number of New Full-Time Equivalent Jobs Brought to Smithfield and Employed by applicant	Applicable Period
10 jobs	1 year
20 jobs	2 years
30 jobs	3 years
40 jobs	4 years
50 jobs	5 years

Since this Rider applies only to the load-shedding Rate Code LG2, the applicant must successfully shed a minimum of 75% of their Coincident Peak (CP) load when signaled by ElectricCities of North Carolina. This Rider will automatically terminate if less than 75% of the CP load is shed during the preceding four month period. Customer is and will be responsible for all non-reduced rate costs if for any reason it fails to shed 75% of its CP as set forth above.

Staff is authorized to amend the fee/rate structure as set forth herein and publish accordingly.

Note: The applicant must install a load-shedding generator for CP load-shedding concurrent with their expansion. Smithfield’s CP load-shedding Rate Codes offer a very significant demand and energy charge price reduction and hence significantly lower monthly bills to its commercial and industrial Rate Code classes that take advantage of this option. Taken together, this Rider with the CP load-shedding Rate Code classes offers some of the lowest electric rates available in the State and region.

Large General Service
Coordinated Peak Demand
Electric Rate Code LG3

I Availability

This Schedule is available for nonresidential electric service when the Contract Demand is 2000 kW or greater, and facilities are installed to coordinate reduction of power requirements on the Town's electrical system during system peak periods. The Customer must execute a Service Agreement with the Town prior to receiving service.

Service will be alternating current, 60 hertz, three-phase 4 wires, at Town's standard voltages of 480 volts or higher. This Schedule is available for all electric service supplied to Customer's premises at one point of delivery through one meter. Use of power for resale is not permitted.

II Monthly Rate

- A. Basic Customer Charge:** \$513.95
- B. kW Demand Charge:**
 - Coincident Peak Demand \$15.25/kW
 - Excess Charge \$2.50/kW
- C. Energy Charge:** \$.04209/kWh

D. Purchased Power Adjustment Charge:
The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale power costs fully.

E. Minimum Charge:
The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity in excess of 500 kVA, unless provided otherwise by the Service Agreement.

F. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Determination of kW Demand

Coincident Peak (CP) Demand: CP Demand shall be the average kW demand measured in the 60-minute interval used by the North Carolina Eastern Municipal Power Agency for wholesale billing purposes during the corresponding month of Customer's billing. Note – This is different from the kW Demand in the LG1 rate.

Excess Demand (ED): ED is the kW difference between Peak Demand and Coincident Peak Demand (see above). It is found by subtracting the Coincident Peak Demand from the Peak Demand.

V Notification by Town

The Town will use diligent efforts to predict each monthly system peak and notify the Customer in advance. However, the Town is not able to guarantee an accurate prediction and notice will be provided. Notification by the Town will be provided to the Customer by e-mail communications or automatic signal, as mutually agreed. The Customer will hold the Town harmless in connection with its response to notification.

VI Excess Facilities

Any facilities, which the Town provides in addition to those, which would be installed normally to provide service under this Schedule shall be considered Excess Facilities. Customer will be responsible for any charges assessed by the Town for Excess Facilities. Excess Facilities may include special metering required under this Schedule.

VII Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VIII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year and shall continue from month to month thereafter, unless terminated by written notice.

IX General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Municipal General Service **Electric Rate Code MS1, MS2**

I Availability

This Schedule is available for Town of Smithfield municipal electric service accounts only. This Schedule is not available for supplementary, standby or breakdown service, unless provided in the Service Agreement, or for resale.

Service will be alternating current, 60 hertz, single-phase 3 wires, or three-phase 4 wires, at Town's standard voltages. This Schedule is applicable to electric service supplied to Customer's premises at one point of delivery through one meter.

II Monthly Rate

A. Basic Customer Charge: \$30.00 Three-phase; \$17.00 Single Phase
(Determined by comparable rate code {e.g. GD2})

B. Energy Charge: \$.0782 /kWh

C. Purchased Power Adjustment Charge:
The monthly bill shall include a purchased power adjustment charge, if any is applicable for the Town to recover wholesale purchased power costs fully.

D. Minimum Charge:
The Minimum Charge shall be the Basic Customer Charge plus \$1.00 per kVA of installed transformer capacity, unless provided otherwise by the Service Agreement.

E. When applicable, North Carolina sales tax will be added to all charges listed above.

III Contract Demand

The Contract Demand shall be the kW of Demand specified in the Service Agreement.

IV Billing Demand

The Billing Demand shall be the maximum kW registered or computed by or from the Town's metering facilities during any 15-minute interval within the current billing month.

V Excess Facilities

Any facilities which the Town provides in addition to those which would be installed normally to provide service under this Schedule shall be Excess Facilities, subject to charges of 2% per month of the installed cost.

VI Payments

Bills are due when rendered and are payable within twenty (20) days from the billing date as shown on the bill. Any bill not paid on or before the expiration of twenty (20) days from the billing date is subject to a late payment charge of 5%. Unpaid bills are subject to disconnection without additional notice.

VII Contract Period

The Contract Period for the purchase of electricity under this Schedule shall be not less than one year, unless otherwise mutually agreed, and shall continue from month to month thereafter unless terminated by written notice.

VIII General

Service rendered under this Schedule is subject to the Town's Code of Ordinances and other service regulations and operating practices, which may be amended from time to time.

Load Management Rider

I Availability

Credits are available under this Rider for the interruption of electric water heaters and central air conditioners by the Town during Load Management Periods. This Rider is available in conjunction with service under the Town's Residential Service Schedule (Schedule RS1). To qualify, the Customer must be the owner of the premises where switches are installed, or have the permission of the owner for installation.

II Monthly Credit

The Customer will receive a credit of \$6.00 per month per switch for allowing control of electric water heaters. The credit for control of air conditioning compressor operation will be \$10.00 per month on bills received in the months July-October.

III Appliance Criteria

Water heaters shall be automatic insulated storage type of not less than 30 gallon capacity and may be equipped with only a lower element or with a lower element and an upper element.

Central air conditioners and heat pumps must have a capacity of 2.0 tons or more.

IV Installation of Switches

The cost of installation and maintenance of controls will be paid by the Town. A licensed electrical contractor will perform installation. Customer must provide access to switch location by appointment for installation and maintenance.

V Removal of Switches

Switches will be removed at Customer's request. Any reinstallation will be at Customer's expense.

VI Load Management

The Town will limit the use of heat pumps and water heaters served under this Rider during utility peak-use periods each month. Heat pumps and air conditioners will be wired for control of the compressor during cooling seasons. Air conditioning will be interrupted intermittently and water heaters totally for up to four hours during each load management period. Load management will be initiated almost exclusively on weekdays and is not normally needed more than six times each month.

Load management controls will be installed and operated in accordance with the Town's normal operating procedures.

RENEWABLE ENERGY GENERATION RIDER- RR1

I Availability:

This schedule is available in conjunction with any of the Town's Rate Schedule applicable to Customer who operates an approved renewable energy generating system, located and used at the Customer's primary residence or business. The rated capacity of the generating system shall not exceed 20 kilowatts for a residential system or 100 kilowatts for a non-residential system. The generating system that is connected in parallel operation with service from the Town and located on the Customer's premises must be manufactured, installed, and operated in accordance with governmental and industry standards, in accordance with all requirements of the local code official, and must fully conform with the Town's applicable renewable energy generation application and attachments.

II Applicability:

This schedule is applicable to all electric service of the same available type supplied at customer's premises at one point of delivery through one kilowatt-hour meter.

III Type of Service:

The types of service to which this schedule is applicable are, alternating current, 60 hertz, single phase 2 or 3 wires, or three phase 3 or 4 wires, at Town's standard voltages.

IV Monthly Credit:

\$. \$0.0549 per kWh for all kWh

Total bill credit balances, if any, will be carried forward to the next bill.

V Minimum Charge

None

VI Payments:

When applicable, bills are due when rendered and are payable within twenty (20) days from the billing date shown on the bill. If any bill is not so paid, the Town has the right to suspend service in accordance with its service regulations. If service is disconnected for non-payment of the bill, the customer shall pay the full amount of the delinquent account plus all applicable charges.

VII Adjustments:

This schedule may be amended or adjusted from time to time by the Town of Smithfield.

VIII Special Conditions:

1. The Customer must complete any applicable renewable energy interconnection request

documents and submit same to the Town of Smithfield for approval prior to receiving service under this schedule.

2. The Customer's service shall be metered with two electric meters, one of which measures all energy provided by the Town and used by the customer, and the other measures the amount of energy generated by the customer's alternative energy generator.
3. The Public Utilities Department will design and install reasonable and practical modifications to the electric distribution system to allow the interconnection of resources which would otherwise interfere with power quality delivered to other connections. In such cases, the system owner shall make an advance payment to the Town in an amount equal to the cost of the required facility modifications.
4. The Town reserves the right to test the Customer's alternative energy generator and associated equipment for compliance with the applicable interface criteria. Should it be determined that Customer's installation is in violation, the Town will disconnect the alternative energy generator from the Town's distribution system and it will remain disconnected until the installation is brought back into compliance.

IX Contract Period:

The Contract Period for service under this schedule shall be one (1) year and thereafter shall be renewed for successive one-year periods. After the initial period, Customer may terminate service under this schedule by giving at least sixty (60) days previous notice of such termination in writing to the Town.

The Town may terminate service under this schedule at any time upon written notice to Customer. In the event that Customer violates any of the terms or conditions of this schedule, or operates the generating system in a manner which is detrimental to the Town or its customers, service under this schedule may be terminated immediately.

Rate Schedule for Area Lights:

Monthly Charge:		
A1	\$	11.00
A1M	\$	20.80
A1P	\$	13.95
A1U	\$	17.00
B7U	\$	21.60
C1	\$	14.70
C1M	\$	23.25
C1P	\$	17.55
C1U	\$	20.60
C2	\$	17.25
C2M	\$	26.95
C2P	\$	20.15
C2U	\$	24.00
C4	\$	25.30
C4M	\$	33.53
C4P	\$	28.10
C4U	\$	32.10
F1	\$	37.70
F1M	\$	47.50
F1P	\$	40.55
F1U	\$	44.45
F4	\$	25.30
F4M	\$	33.53
F4P	\$	28.10
F4U	\$	30.74
MP1	\$	5.35
WP1	\$	2.65

Any and all of the above mentioned individual rates and fees may be amended, changed, increased or eliminated with a majority vote of the Town of Smithfield Town Council.

***Electric Rates Amended and Adopted by the Town Council on this the 11th day of July, 2017
Sewer Rates Amended and Adopted by the Town Council on this the 1st day of August, 2017
Johnston County Wholesale Water Rate Amended and Adopted by the Town Council on this the 3rd day of October, 2017***

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for City Council Action

Consent **Execute**
Agenda **Sludge**
Item: **Agreement**
Date: 10/03/2017

Subject: Execution of the Sludge Processing Agreement with the Town of Selma

Department: Utilities

Presented by: Ted Credle

Presentation: No

Issue Statement

The Town should execute the agreement with the Town of Selma to process their process sludge.

Financial Impact

Revenue will increase due to the sale of the service

Action Needed

Approve the agreement with the Town of Selma

Recommendation

Staff recommends the execution of the agreement with the Town of Selma

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Sludge Processing Agreement



Staff Report

Consent **Execute**
Agenda **Sludge**
Item: **Agreement**

In the spring of 2017, the Town of Smithfield began using the water plant sludge press to assist the Town of Selma by processing the sludge they produced. Although the quantity is small when compared to Smithfield, the process went smooth and the Town of Smithfield garnered a small bit of revenue. Also, the Town of Smithfield processed the sludge for a better price that Selma was paying previous to our service.

The addition of the second screw press at the Water Plant enables us to provide this service and create a modest revenue stream. The Town of Selma is eager to cut their **costs, as well; making this agreement a "win-win"**.



This contract is made and entered into this _____ day of _____ 2017, by and between the Town of Smithfield (hereinafter referred to as “Smithfield” or “first party”) and The Town of Selma (hereinafter referred to as “Selma” or “second party”):

RECITALS

WHEREAS, Smithfield can now process and dispose of inert by-product sludge created from the treatment of raw water taken from source waters and treated at the Town of Smithfield Water Plant, which results in Smithfield having some “excess” processing capacity; and

WHEREAS, Selma has a current and future need to process and dispose of the sludge its water plant creates as a by-product of treatment;

WHEREAS, Smithfield desires to use some of its excess capacity to process sludge from Selma and Selma desires to allow Smithfield to process the sludge;

NOW, THEREFORE, in consideration of the mutual covenants herein contained, IT IS AGREED:

TERMS

1. Capacity: Smithfield agrees to accept sludge from Selma. Smithfield agrees to process and dispose of up to 50,000 gallons per day, not to exceed 100,000 gallons in a three day period.
2. Charges: Smithfield shall charge the Selma a bulk rate of \$0.10 per gallon. After the initial term of 2 years, the rate may be adjusted with 90 day advance notice. This rate shall become effective on July 1, 2017.
3. Length of Agreement: This agreement shall be valid for two (2) years and may be automatically renewed in one (1)-year increments thereafter. The agreement may be amended by mutual written consent.
4. Miscellaneous:
 - a. Merge and Modification. This instrument constitutes the entire agreement between the parties and supersedes any and all prior agreements, arrangements and

230 Hospital Road ♦ P.O. Box 761 ♦ Smithfield, NC 27577
919-934-2798 ♦ 919-934-1688 (FAX)

understandings, whether oral or written, between the parties. All negotiations, correspondence and memorandums passed between the parties hereto are merged herein and this agreement cancels and supersedes all prior agreements between the parties with reference thereto. No modification of this instrument shall be binding unless in writing, attached hereto, and signed by the party against whom or which it is sought to be enforced.

- b. Waiver. No waiver of any right or remedy shall be effective unless in writing and nevertheless shall not operate as a waiver of any right or remedy or of the same right or remedy on a future occasion.
- c. Caption and Words. The captions and headings contained herein are solely for convenience and reference and do not constitute a part of this instrument. All words and phrases in this instrument shall be construed to include the singular and plural number, and the masculine, feminine or neuter gender, as the context requires.
- d. Binding Effect. This instrument shall be binding upon and shall insure to the benefit of the parties and their heirs, successors, and permitted assigns.
- e. North Carolina Law. This instrument shall be construed in accordance with the laws of North Carolina without giving effect to its conflict of laws principles.
- f. Two Originals. This instrument may be executed in two (2) or more counterparts as the parties may desire, and each counterpart shall constitute an original.
- g. Follow Through. Each party will execute and deliver all additional documents and do all such other acts as may be reasonably necessary to carry out the provisions and intent of this instrument.
- h. Authority. Both Local Government Bodies have full and complete authority to sell, assign and convey the contracts and assume the obligations referred to herein; each has approved this contract at a regular meeting.
- i. Dispute Resolution Through Mediation. In the event of a dispute under this agreement, the parties agree to submit the dispute to mediation by the Duke Private Adjustment Center, Inc. (the "PAC") in Durham, North Carolina or by other agreed upon mediator. In the event of litigation the situs shall be the General Court of justice of the State of North Carolina in Johnston County, North Carolina.

IN TESTIMONY WHEREOF, said parties of the first part have hereunto set their hands and seals the day and year first above written.

Cheryl Oliver, Mayor
Town of Selma

M. Andy Moore, Mayor
Town of Smithfield

230 Hospital Road ♦ P.O. Box 761 ♦ Smithfield, NC 27577
919-934-2798 ♦ 919-934-1688 (FAX)

ATTEST:

Brenda Thorne
Selma Town Clerk

Shannan L. Williams
Smithfield Town Clerk



Request for City Council Action

**Consent
Agenda
Item:**
Date: 10/03/2017

**Budget
Amendments**

Subject: Various Budget Amendments – Primarily To Bring Forward the Amounts Encumbered from the 2016-2017 Budget Year in the General, Water/Sewer and Electric Fund.

Department: Finance
Presented by: Greg Siler
Presentation: Consent Agenda

Issue Statement: Several budgeted line items in the General, Water/Sewer and Electric Fund for 2016-2017 were delayed for various reasons and need to be brought forward to the current year.

Financial Impact: As indicated by each amendment for a total of \$60,118 in the General Fund and \$47,000 in the Electric Fund

Action Needed: Board Approval on Attachment C

Recommendation: Council Approval

Approved: City Manager City Attorney

Attachments: 1. Year End Approved Purchase Encumbrances for 2016-2017 (Attachment A)
2. Year End Approved Purchase Order Encumbrances for 2016-2017 (Attachment B)
3. Encumbrances Actually Brought Forward (Attachment C)



Staff Report

**Consent
Agenda
Item** **Budget
Amendments**

On June 06, 2017, Council granted approval to carry over funds from the 2016-2017 budget year for ongoing projects and/or items ordered through purchase orders that had not been completed or delivered (see attachment A and B). In summary, the General Fund was approved to encumber \$238,895; the Water/Sewer Fund was approved for \$99,017; and the Electric Fund was approved for \$139,799. The actual amount needed in each Fund decreased as some purchases were completed. Only 210,583 of the \$238,895 approved for the General Fund is needed; All of the \$99,017 in the Water/Sewer Fund is needed; and \$111,566 of the \$139,799 approved for the Electric Fund is needed.

EXHIBIT A

ENCUMBRANCES FROM 2016-2017 TO 2017-2018

GENERAL FUND

10-4100-7400	General Gov. - Capital Outlay/Community Survey	6,257	
10-4110-5710	Non-Departmental - Economic Development	50,000	
10-4120-9545	Debt Service - Fire Truck	47,900	
10-4900-3700	Planning - Condemnation	25,000	
10-5100-7400	Police - Capital Outlay (District 1 Community Sub-Station)	20,000	
10-6200-3900	Recreation - Swimming Pool	10,000	
10-6200-7400	Recreation - Capital Outlay (Family Life Center)	27,000	
10-5300-3310	Fire - Non Capital Outlay Fire Station II Furnishings	<u>27,850</u>	9,426
		<u>\$ 195,583</u>	

WATER FUND

30-7200-7400	Water Plant - Capital Outlay/Community Survey	<u>6,257</u>	
		<u>\$ 6,257</u>	

ELECTRIC FUND

31-7230-7400	Electric - Capital Outlay/Community Survey	6,257	
31-7230-3504	Electric - ESA-BAYWA Solar	<u>47,463</u>	
		<u>\$ 53,720</u>	

APPROVED: _____ N/A
M Andy Moore, Mayor

VERIFIED: _____ N/A
Shannan Williams, Town Clerk

EXHIBIT B

ENCUMBRANCES FOR PURCHASE ORDERS ISSUED PRIOR TO 6/30/17

				PO Number	
GENERAL FUND					
10-5500-7400	General Services - Capital Outlay	MOSCA Design	\$15,000.00	20175476	
10-6200-1700	Parks & Rec Equip. Maint. & Repair	Masonry Supply	\$2,500.00	20175480	
10-6200-1700	Parks & Rec Equip. Maint. & Repair	All-Pro Irrigation	\$2,500.00	20175482	
10-6200-3300	Parks & Rec-Supplies	Moore Equip.	\$1,800.00	20175484	
10-6220-3300	SRAC-Supplies	Recreonics Inc	\$1,350.00	20175487	
10-6220-3900	SRAC-Aquatic	Colorado Diversions	\$800.00	20175488	
10-6220-3900	SRAC-Aquatic	Duffield Aquatics Inc	\$938.00	20175489	
			<u>\$15,000.00</u>		
WATER FUND					
30-7220-7400	Water/Sewer - Capital Outlay	Nexgrid	\$92,760.00	20174973	
ELECTRIC FUND					
31-7230-3300	Electric - Supplies/Operations	Hunt Electric	\$1,369.00	20175459	1,237.00
31-7230-3300	Electric - Supplies/Operations	Wesco	\$13,006.00	20175461	5,027.00
31-7230-7400	Electric - Capital Outlay	Nexgrid	\$71,704.00	20174973	51,582.00
			<u>\$86,079.00</u>		<u>57,846.00</u>

APPROVED: ___ N/A

M. Andy Moore, Mayor

VERIFIED: ___ N/A

Shannan Williams, Town Clerk

BUDGET AMENDMENTS
October, 2016
Attachment C

1. Revenue				
10-3990-000 Fund Balance Appropriation			<u>\$ 25,000</u>	<u>\$ 235,583</u>
Expenditure				
10-4100-7400 General Gov. - Capital Outlay/Community Survey	\$ 20,000	\$ 6,257		\$ 26,257
10-4110-5710 Non-Departmental - Economic Development	-	50,000		50,000
10-4120-9545 Debt Service - Fire Truck	49,500	47,900		97,400
10-4900-3700 Planning - Condemnation	25,000	25,000		50,000
10-5100-7400 Police - Capital Outlay (District 1 Community Sub-Stat	221,067	20,000		241,067
10-5300-3310 Fire - Non Capital Outlay Fire Station II Furnishings	-	9,426		9,426
10-5500-7400 General Services - Capital Outlay (MOSCA Design)	31,000	15,000		46,000
10-6200-3900 Recreation - Swimming Pool Demolition	-	10,000		10,000
10-6200-7400 Recreation - Capital Outlay (Family Life Center)	97,500	27,000		124,500
	<u>\$ 444,067</u>	<u>\$ 210,583</u>		<u>\$ 654,650</u>

To bring forward encumbrances from the 2016-2017 General Fund Budget to FY17-18

2. Revenue				
10-3900-1701 Grants			<u>\$ -</u>	<u>\$ 40,000</u>
Expenditure				
10-6200-7400 Parks and Rec Capital Expenditure			<u>\$ 97,500</u>	<u>\$ 137,500</u>

To fund grants from the NC Department of Commerce Rural Development and the NC Department of Natural and Cultural Resources (\$20,000 each) for repairs to the Neuse River Bank impeding on the Neuse River Trail

3. Revenue			
30-3970-0700 Fund Balance Appropriation	\$ -	\$ <u>99,017</u>	\$ <u>99,017</u>
Expenditures			
30-7220-7400 Water/Sewer - Capital Outlay (Nexgrid)	\$ 225,833	\$ 92,760	\$ 318,593
30-7200-7400 Water Plant - Capital Outlay (Community Survey)	120,000	6,257	126,257
	<u>\$ 345,833</u>	<u>\$ 99,017</u>	<u>\$ 444,850</u>

To bring forward encumbrances from the 2016-2017 Water/Sewer Fund Budget to FY17-18

4. Revenue			
31-3970-0700 Fund Balance Appropriation	\$ -	\$ <u>111,566</u>	\$ <u>111,566</u>
Expenditures			
31-7230-3300 Electric - Supplies (Wesco & Hunt Electric)	\$ 190,000	\$ 6,264	\$ 196,264
31-7230-7400 Electric - Capital Outlay (Nexgrid/ Survey)	45,833	57,839	103,672
31-7230-3504 Electric - ESA/BAYWA Solar	-	47,463	47,463
	<u>\$ 235,833</u>	<u>\$ 111,566</u>	<u>\$ 347,399</u>

To bring forward encumbrances from the 2016-2017 Electric Fund Budget to FY17-18

APPROVED: _____
M. Andy Moore, Mayor

VERIFIED: _____
Shannan L. Parrish, Town Clerk



Request for City Council Action

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

Date: 10/03/2017

Subject: Advisory Board Appointments
Department: General Government
Presented by: Shannan Williams
Presentation: Consent Agenda

Issue Statement

The Town Council is asked to consider the new appointment to the Parks and Recreation Advisory Commission and the reappointment to the Library Board of Trustees.

Financial Impact

N/A

Action Needed

The Town Council is asked to consider and approve the new appointment of Brenda Waddell to the Parks and Recreation Advisory Board Commission and to approve the reappointment of Catherine Webster to the Library Board of Trustees.

Recommendation

Staff recommends approval of these appointments

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Brenda Waddell – Board Application
3. Catherine Webster – Board Application



Staff Report

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

Current Board vacancies are as follows:

Appearance Commission – 1 position

Historic Properties – 3 positions

Library Board of Trustees – 1 position

Parks and Recreation Advisory Commission

- 1 In-Town Member
- 2 High School student positions (2 year term)

Planning Board – 1 ETJ Alternate

Board Appointments/Reappointment

1. Brenda Waddell has submitted an application for consideration to be appointed to a first term on the Parks and Recreation Advisory Commission.
2. Catherine Webster has submitted an application for consideration to be reappointed to the Library Board of Trustees for a second term.



Town of Smithfield
Board, Commission, or Committee
Application

Name: Waddell (Last) Brenda (First) Fanan (MI)

Home Address: 309 E. Woodall St.

Business Name & Address: NA

Telephone Numbers: (Home) (Mobile) daugofking14@gmail.com (Email)

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

- 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: Have work at townhall before in Holly Springs.

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

Recent Job Experiences: Have work with many years in customer services and in the town hall.

Civic or Service Organization Experience: Women's Club of Holly Springs

Town Boards previously served on and year(s) served: NA

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

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

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: Brenda H. Waddell

Signature: Brenda H. Waddell Date: Sept 5, 2017

Return completed for to:
Shannan Williams
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.williams@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



Town of Smithfield
Board, Commission, or Committee
Application

Name: Webster Catherine B
(Last) (First) (MI)
Home Address: 1216 Chestnut Drive Smithfield NC
Business Name & Address:
Telephone Numbers: (Home) (Business) (Mobile)

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

- 9 Appearance Commission
9 Board of Adjustment In Town Resident
9 Board of Adjustment ETJ Member
9 Historic Properties Commission
9 Library Board of Directors
9 Parks/Recreation Advisory Commission
9 Planning Board In-Town Resident
9 Planning Board ETJ Resident
9 Other:

Interests & Skills: civic minded, desire to serve local community, extensive finance and leadership professional background, naturally interested in the preservation and well-being of library resources.

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

Recent Job Experiences: homemaker currently, 4 years @ First Citizens Bank branch manager and licensed platform associate most recently, 10 years in sales/marketing roles also - worked 2 years at ECU Health Sciences Library

Civic or Service Organization Experience: 3 years with Junior League of Fayetteville, NC Participated in Rotary, Kiwanis, and Chamber of Commerce in Fayetteville, NC Have not yet had an opportunity to join any service organizations locally.

Town Boards previously served on and year(s) served: Library Board of Trustees, Junior Women's League of Smithfield 2017 -2018 President Elect

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

Why are you interested in serving on this Board/Commission/Committee? I have always had a personal interest and conviction to books/reading and recognize the importance of libraries as a resource in every community. Would enjoy being a part of it.

Affirmation of Eligibility:

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

9 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? 9 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 City Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee. Further, I have received a copy of the Policy adopted 03-04-2008 and understand its contents.

Printed Name: Catherine B. Webster

Signature: Catherine B Webster

Date: 09/06/2017

Return completed for to:
Shannan Williams
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.williams@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**

Date of Meeting: October 03, 2017

Date Prepared: September 25, 2017

Staff Work By: Tim Kerigan, HR Director

Background

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

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Admin. Support Specialist	Police	10-5100-0200
Planning Director	Planning	10-4900-0200
Police Officer	Police	10-5100-0200
P/T Lifeguard	P & R – Aquatics	10-6220-0220
Sanitation Equip. Operator	PW – Sanitation	10-5800-0200
Sanitation Worker	PW – Sanitation	10-5800-0200
Utility Line Mechanic	PU – Water/Sewer	30-7220-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 17-18 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Electric Line Technician	PU – Electric	31-7230-0200	\$16.74/hr. (\$34,819.20/yr.)
Firefighter I	Fire	10-5300-0200	\$15.18/hr. (\$33,153.12/yr.)
Firefighter I	Fire	10-5300-0200	\$15.18/hr. (\$33,153.12/yr.)
Firefighter I	Fire	10-5300-0200	\$15.18/hr. (\$33,153.12/yr.)
P/T Athletic Staff	P & R – Recreation	10-6200-0210	\$9.00/hr.
P/T Athletic Staff	P & R – Recreation	10-6200-0210	\$9.00/hr.
P/T Lifeguard	P & R – Aquatics	10-60-6220-5100-0220	\$7.50/hr.
P/T Receptionist	P & R – Aquatics	10-6220-0210	\$9.00/hr.
Police Officer I	Police	10-5100-0200	\$16.35/hr. (\$36,567.54/yr.)
Water Plant Operator Trainee	PU – Water Plant	30-7200-0200	\$13.10/hr. (\$27,248.00/yr.)

Business Items





Request for Town Council Action

**Business
Agenda
Item:** Site Plan
SP-17-09
Date: 10/03/2017

Subject: SP-17-09 Tires and Wheels Service Shop
Department: Planning
Presented by: Steve Medlin, AICP Interim Planning Director
Presentation:

Issue Statement: The applicant is requesting preliminary site plan review and approval of a retail sales and service center with no outdoor storage on property located within a B-3 (Business) zoning district.

Financial Impact: none

Action Needed The Town Council is requested to review the preliminary site plan for compliance with the Town of Smithfield Unified Development Ordinance minimum development standards.

Recommendation Planning staff and the Planning Board recommends approval of the site plan.

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Site Plan Application
3. Revised Site Plan



Staff Report

**Business
Agenda Item: SP-17-09**

History

On December 2, 2016, the Smithfield Town Council approved CUP-16-12 to allow Amalia Felix Mireles to construct an automotive repair facility with tire sales and service on property located within the B-3 (Business) zoning district. The property which received the conditional use permit is located on the southwest corner of Wal-Pat Road and South Brightleaf Boulevard and further identified as Johnston County Tax ID# 15A61047D.

On August 8, 2017, BRL Engineering submitted a site plan for an automotive repair facility. The site plan as submitted meets the requirements of the UDO and provides paved parking, required landscaping, nutrient reduction and one access point on South Brightleaf Boulevard.

Key site elements

- 2,830 square foot building
- Paved parking provided as required by current development standards.
- Access provided by one proposed driveway to be permitted by NCDOT.
- Required landscape yards, parking lot trees and foundation plantings
- Public utility connections
- Screened dumpsters

Site Data

Proposed Project Name: Site Plan for Tires & Wheels Service Shop

Current Property Owner of Record: Amalia Felix Mireles

Developer/Applicant: Amalia Felix Mireles

Zoning: B-3

Existing Use, Vacant Block Building (To Be Demolished), Remaining Open Lot

Proposed Use: Commercial - Auto Maintenance / Repair & Future Office/Lease Space

Electricity Provider: Town Of Smithfield

Total Boundary Area= 1.621 Ac

Area in Existing NCDOT ROW = 0.192 Ac

Buildable Site Area = 1.429 Ac

Existing Building/Structure Sq. Ft. = 2,930 Sq. Ft. +/-

Proposed Building/Structure Sq. Ft. = 2,800 Sq. Ft.

+ 3,250 Sq. Ft (Max Future Bldgs)
Parking Spaces Required = 4 Current Proposed (1 Space Per Bay X 4 Bays At Front Max)
Parking Spaces Provided= 49
Handicap Spaces Required= 2
Handicap Spaces Provide = 2
Existing Impervious Area 0.428 Ac (18,660 Sq. Ft.)
Proposed Impervious Area= 0.913 Ac {39,751 Sq. Ft.} - Includes Current+ Future
(3,250 Max Sq. Ft. Future Bldgs)
(33,701 Sq. Ft. - Remaining Vehicular Areas)
Net New/Additional Impervious Area = .485 Ac (21,091 Sq. Ft)
Stormwater: < 0.5 Ac New Impervious - No Attenuation Required
Nitrogen loading calculations and buy down= yes
Site lighting plan included

Planning staff has reviewed the plan and found it to meet all minimum development standards of Town of Smithfield Unified Development Ordinance. The Town of Smithfield Planning Board recommends approval.



APPLICATION FOR SITE PLAN/SUBDIVISION REVIEW

Date Submitted: 8/7/17 NCPIN: 168320-91-1779
 Applicant: Amalia Felix Mireles Property Owner: Same as Applicant
 Address: 10517 US 70 Highway West Address: Same as Applicant
Clayton, NC 27520
 Project Contact: Alfonzo Iler Phone: 919 553-5557
 Phone: 919 320-4831 Fax: _____
 Fax: _____ Zoning: B-3
2314 S. Brightleaf Blvd.
 Location: Smithfield, NC 25777 Linear Footage of Proposed Streets: N/A
 No. of Lots Proposed: N/A Average Lot Sizes: N/A
 Existing Impervious Surface Area: 0.428 Ac Proposed Impervious Surface Area: 0.913 Ac (0.485 New)
 Total Acreage 1.429 Ac. (Clear of R/W) Total Disturbed Area: 1.32 Ac.
 Project Name: Site Plan for Tires & Wheels Service Shop

Street Name(s): _____
(Continue on additional sheet, if necessary)

Estimate of Water Allocation Required: _____

Estimate of Sewer Allocation Required: _____

Type of Project: (check one)

- Exempt Subdivision (Submit 2 paper copies)
- Minor Subdivision (Submit 2 paper copies)
- Major Subdivision (Submit 6 paper copies)
- Recombination (Submit 2 paper copies)
- Site Plan (Submit 6 paper copies)

Application Fee:

Minor Subdivision (\$50.00) + \$5.00 a lot (\$55.00 min) _____
 Major Subdivision (\$250.00) + \$5.00 a lot (\$255.00 min) _____
 Total Number of Lots _____ x \$5.00/lot _____

Site Plan (\$150.00) + \$50.00 an acre (\$200.00 min) (\$150 + 1.429 Ac x \$50/Ac) \$221.45
 Total \$221.45

File Number _____



Storm Water Permit Application

Development/Site Name: Site Plan for Tires & Wheels Service Shop

Owner/Developer Name: Amalia Felix Mireles

Address: 10517 US 70 Highway West

Phone: 919 320-4831 Contact Person: Alfonzo Iler

Fax: _____ No. of acres to be disturbed: 1.32 Ac.

Email: alfonzoiler@aol.com No. of acres in development: 1.429 Ac. (Clear of RW)

Type of Development: (circle one)	Fee
Residential	\$30/acre (\$500 minimum)
Non-Residential	<u>\$75/acre (\$500 minimum)</u>

I hereby certify that all information contained within this Storm Water Management Application is accurate and complete to the best of my knowledge and conforms to the Town of Smithfield's Storm Water Management Ordinance and storm water design criteria. The Town of Smithfield has the right to inspect all storm water facilities on this site.

Amalia Felix Mireles
Type or Printed Name
Amalia Felix Mireles
Signature of Owner/Developer

8/4/17
Date

I assume responsibility for inspections, maintenance and operation of all storm water facilities/Best Management Practices in accordance with the Inspection and Maintenance Agreement enclosed and with the Storm Water Management Permit.

Amalia Felix Mireles
Type or Printed Name
Amalia Felix Mireles
*Signature

8/4/17
Date

Acting as an agent for: Amalia Felix Mireles

*Note: Responsibility for the continued operation and maintenance of the storm water facilities can be assumed from the developer by an individual landowner or Home Owner's Association. In the event that a Home Owner's Association assumes responsibility, the signature shall be of an individual acting as an agent for the Home Owner's Association.

Submit the completed application along with detailed plans, Inspection and Maintenance Agreement, easements, supporting design information and the associated fee to:

Storm Water Administrator, Town of Smithfield
PO Box 761
350 East Market Street
Smithfield, NC 27577

If you have any questions or need more information, contact the SW Administrator at 919-934-2116.

CONSTRUCTION DRAWINGS

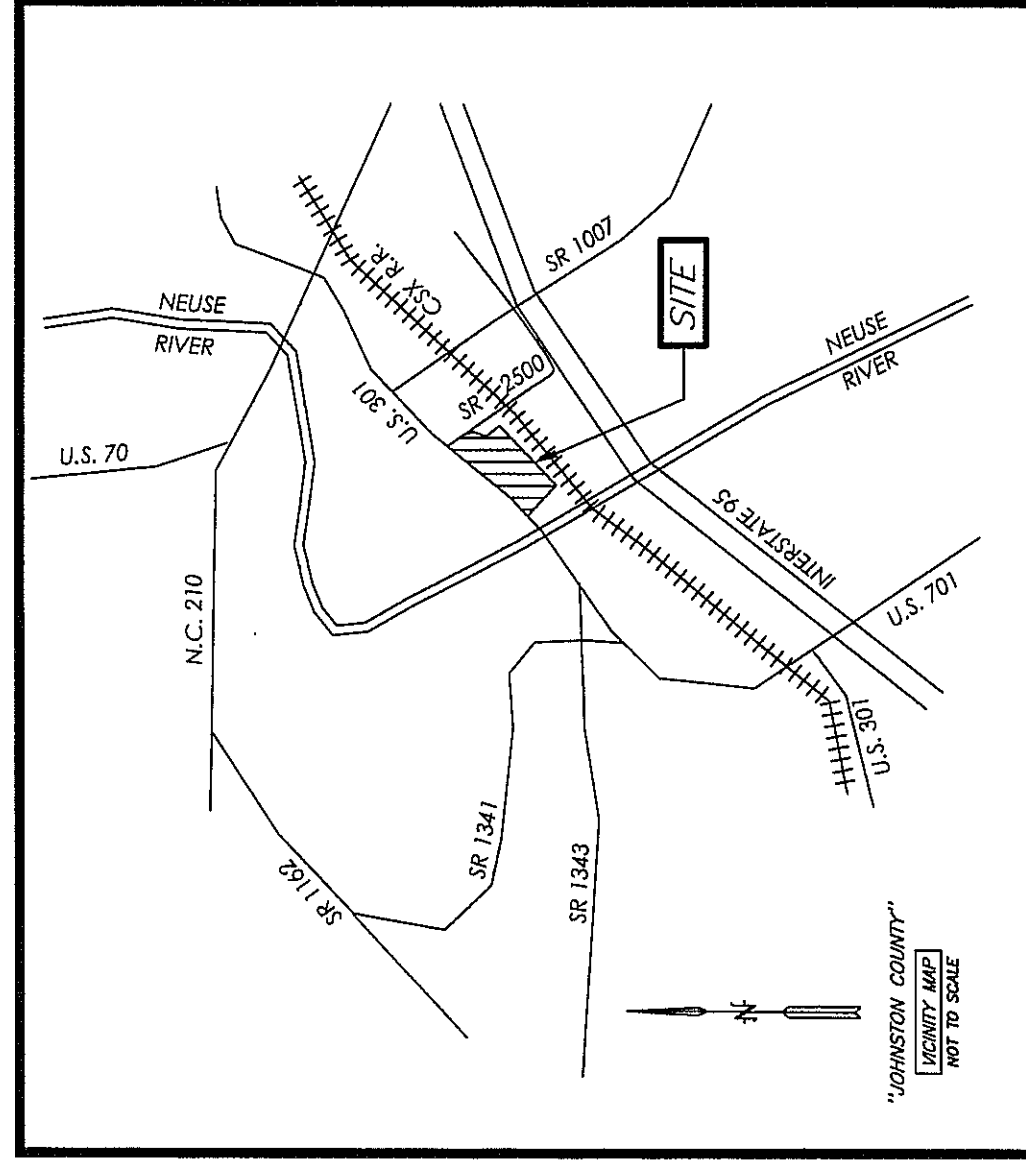
CIVIL/SITE DESIGN PLANS FOR

SITE PLAN FOR TIRES & WHEELS SERVICE SHOP

IN
TOWN OF SMITHFIELD, NC

SEPTEMBER 14, 2017

8/7/17 - INITIAL REVIEW DRAWINGS SUBMITTED FOR AGENCY PERMITTING
 REVISION Δ - 8/31/17 - NCDEQ EROSION CONTROL REVIEW COMMENTS
 REVISION Δ - 8/31/17 - ENGINEER'S CLARIFICATIONS
 REVISION Δ - 9/14/17 - TOWN OF SMITHFIELD COMMENTS



SHEET INDEX

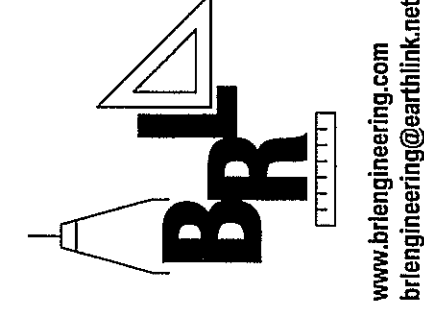
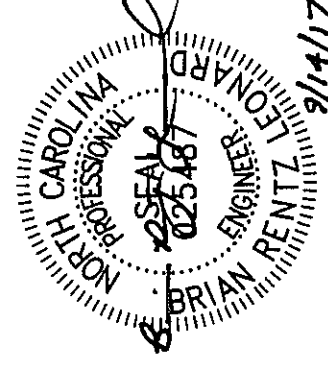
SHEET TITLE	SHEET No.
NOTES, LEGEND, AND BRIEF SPECIFICATIONS.....	1
EXISTING CONDITIONS & DEMOLITION PLAN.....	2
CURRENT SITE PLAN / OVERALL LAYOUT & UTILITY PLAN (WATER/SEWER SERVICES).....	3
OVERALL GRADING / EROSION CONTROL / SURFACE DRAINAGE PLAN.....	4
FINAL SURFACES / PAVING PLAN.....	5
DETAIL SHEETS.....	D1 - D4

*SEPARATE LANDSCAPE PLAN (BY OTHERS)
 Δ *SEPARATE SITE LIGHTING PLAN (BY OTHERS)

OWNER/DEVELOPER:

AMALIA FELIX MIRELES
 10517 US 70 HIGHWAY WEST
 CLAYTON, NC 27520
 CONTACT: ALFONZO ILER
 TEL: 919 320-4831 (M)
 EMAIL: alfonzoiler@aol.com

**FINAL DRAWING - FOR
 REVIEW PURPOSES ONLY**
 (NOT RELEASED FOR CONSTRUCTION)

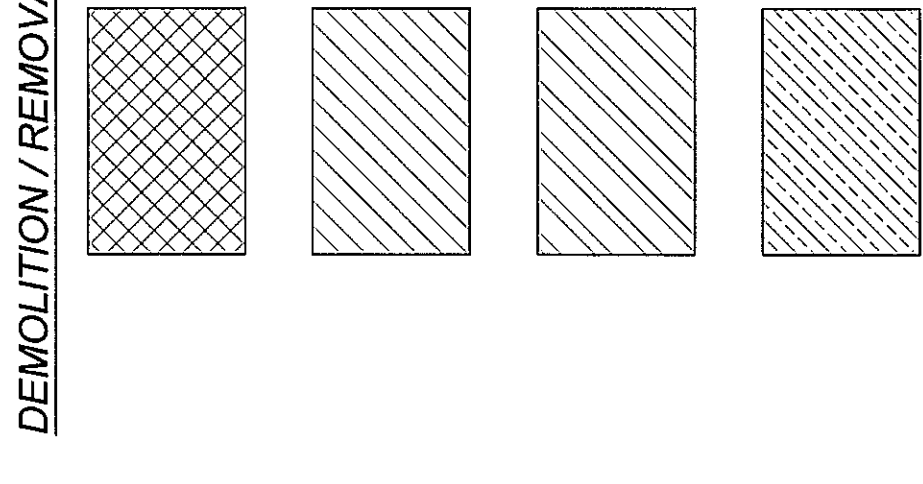
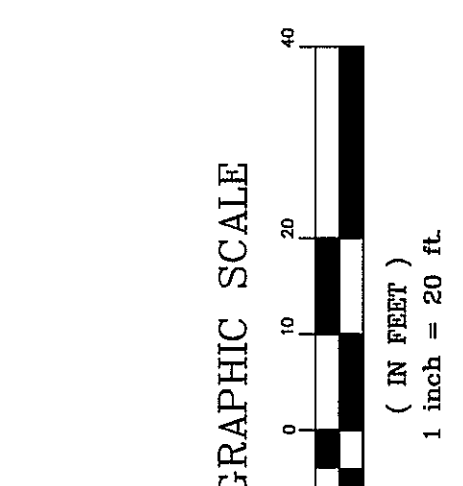


**BRL ENGINEERING
 & SURVEYING**
 112 East Johnston Street
 Smithfield, NC 27577
 Office: (919) 989-9300
 Field: (919) 631-6934
 www.brleengineering.com
 brleengineering@earthlink.net
 NCBELS Firm
 No. P-6323

BOUNDARY & PROPERTY SURVEY BY:
BYRD SURVEYING, PA
 112 EAST JOHNSTON STREET
 SMITHFIELD, NC 27577
 PHONE: 919 989-9300
 FAX: 919 332-3581

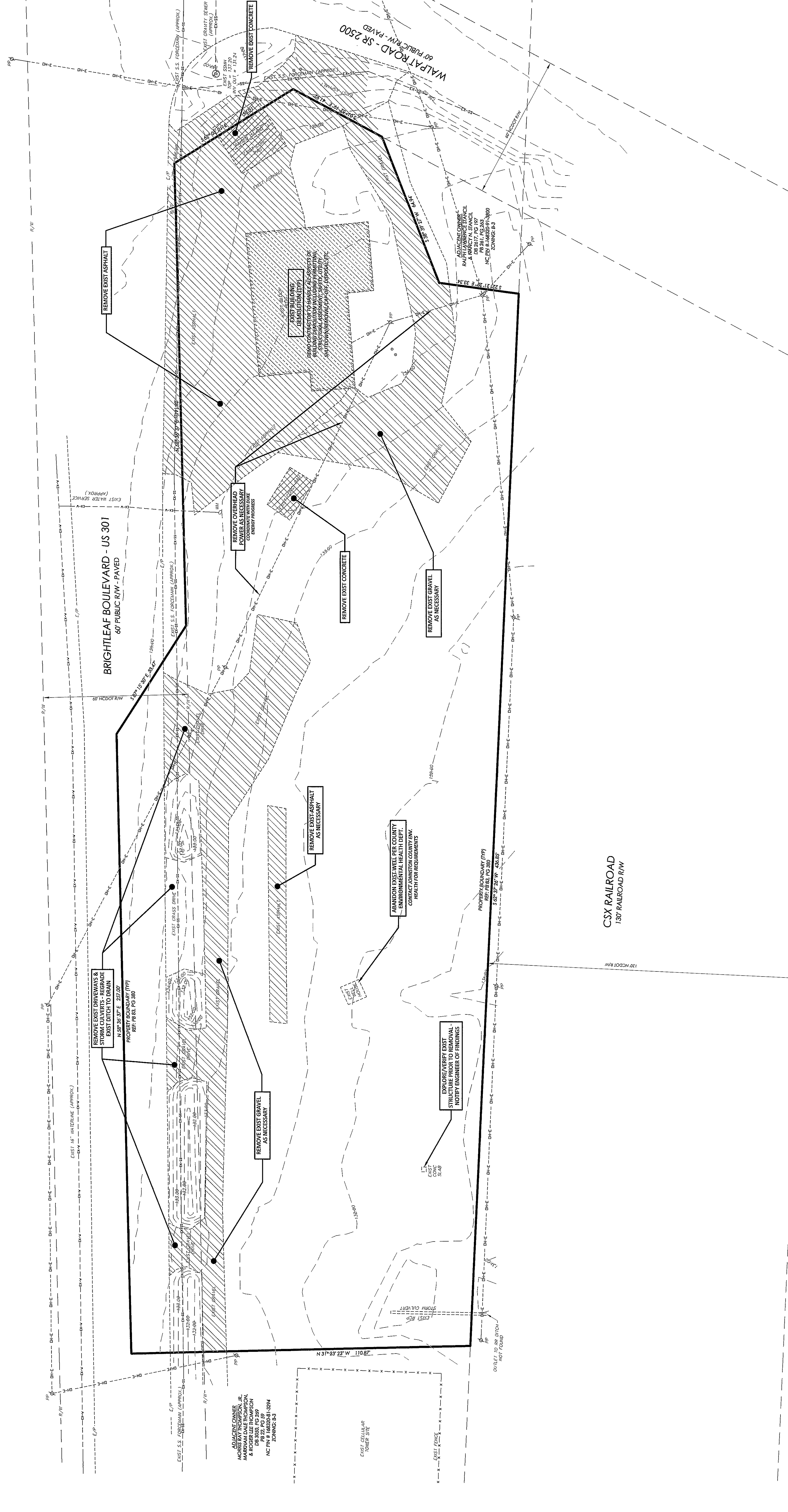
GENERAL NOTES FOR THE PLAN SHEET:

1. This drawing is a plan sheet within an overall set of Construction Drawings for Site Construction only. The plan sheets in the construction drawings are designed, engineered, and produced in accordance with 21 NCAC 35.0701 and 7.1103. Each plan sheet within the Construction Drawings shall be read and interpreted in conjunction with the other sheets in the set. All notes and specifications shall be obtained prior to beginning any construction activity related to a permit/application.
2. Contract engineer if there is any question regarding permit/inspection.
3. All work shall be performed in accordance with the notes and specifications pertaining to the overall project.
4. **PERMIT INFORMATION: STATE: 008, PLAN NO. 14-0867.**
5. **Purpose:** The purpose of this plan sheet is to show the location and extent of all demolition activities that are to be performed on the site.
6. **Standards:** No standard specifications are given for this plan. Any industry standards that apply to the work shall be used in conjunction with the plan sheet. The plan sheet shall be approved and released for construction.
7. **Demolition:** Demolition shall be performed in accordance with the standards of the holder of the right-of-way or easement. Work in existing right-of-way or easements shall also be conducted in accordance with any approved encroachment or permit, and all conditions within the permit. **Contract Developer or Engineer** with any questions shall refer to the plan sheet for clarification.
8. **Site Demolition:** Demolition is defined as the complete removal of a structure or structure and its foundation, including the removal of all materials and debris from the site. Demolition shall be performed in accordance with the standards of the holder of the right-of-way or easement. **Contract Developer or Engineer** with any questions shall refer to the plan sheet for clarification.
9. **Demolition Method:** Demolition shall be performed in accordance with the standards of the holder of the right-of-way or easement. **Contract Developer or Engineer** with any questions shall refer to the plan sheet for clarification.
10. **Demolition Method:** Demolition shall be performed in accordance with the standards of the holder of the right-of-way or easement. **Contract Developer or Engineer** with any questions shall refer to the plan sheet for clarification.
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12. **Demolition Method:** Demolition shall be performed in accordance with the standards of the holder of the right-of-way or easement. **Contract Developer or Engineer** with any questions shall refer to the plan sheet for clarification.



FINAL DRAWING - FOR REVIEW PURPOSES ONLY

(NOT RELEASED FOR CONSTRUCTION)



GENERAL NOTES FOR THIS PLAN SHEET AND OVERALL PROJECT/CONSTRUCTION DRAWINGS:

- The plan sheet is part of multiple plan sheets within an overall set of construction drawings for the project. The plan sheets in the construction drawings are numbered sequentially from 1 to 5. The plan sheets are to be read in the order in which they are numbered. The plan sheets are to be read in the order in which they are numbered. The plan sheets are to be read in the order in which they are numbered.
- Approval from appropriate state & local agencies must be obtained prior to beginning any construction activity related to a permit application. Contact the appropriate state & local agencies for more information. The plan sheets are to be read in the order in which they are numbered.
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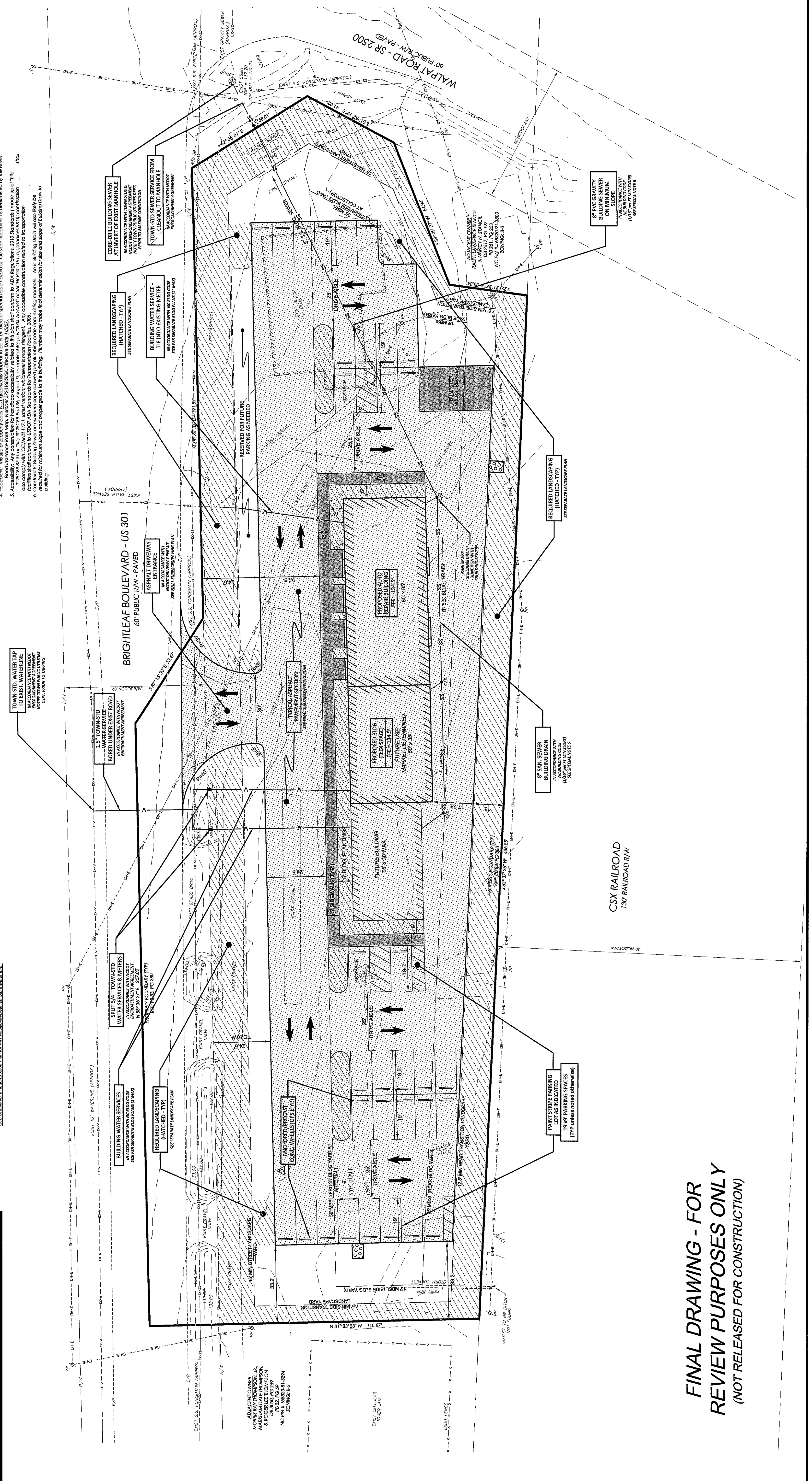
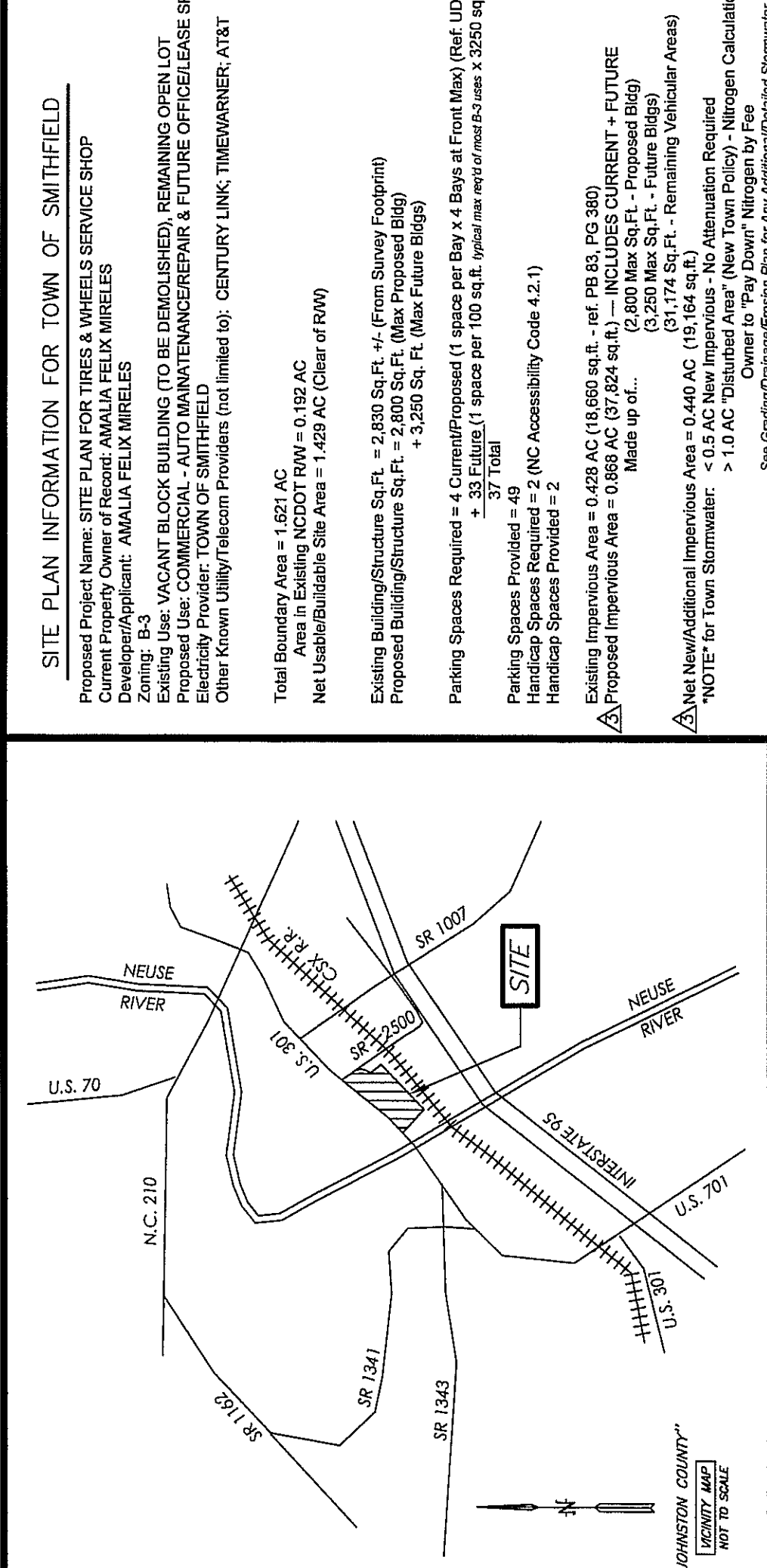
MINIMUM SETBACK/YARD REQUIREMENTS & REQ'D LANDSCAPE AREAS

Minimum Bldg. Yards (Ref. UDO 12-1) Minimum Building Yard at Rear = 2' Minimum Building Yard at Side = 5' Minimum Building Yard at Front = 2'

Minimum Landscape Areas:

- Buffer Strips (Ref. UDO 17-2(B)(3))
- Street Yards (Ref. UDO 17-2(C)(6))
- General Landscaping (Ref. UDO 17-2(C)(7))
- Transition Yards (Ref. UDO 17-2(C)(8))
- Vehicular Landscaping Area: 300 sq. ft. Min. (Ref. UDO 17-2(C)(9))
- Vehicular Landscaping Area: 300 sq. ft. Min. (Ref. UDO 17-2(C)(10))
- Foundation Landscaping (Ref. UDO 17-2(C)(11))
- Other Landscaping (Ref. UDO 17-1)

This is only a general summary of the Town Zoning Landscaping Requirements. Reference Town UDO for additional requirements and more detailed information. Final Landscaping Requirements to be coordinated with Smithfield Planning Department. Specific requirements or plantings shall be as indicated on final Landscaping Plan or Landscape Plan, as approved by Town of Smithfield.

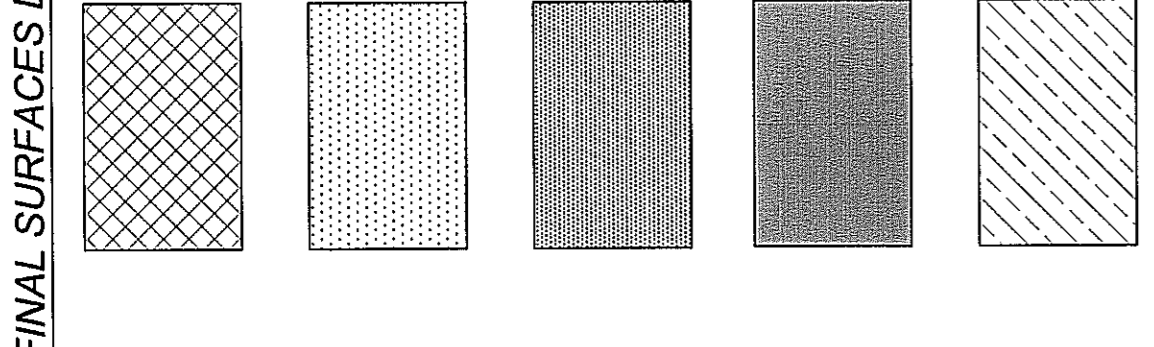


FOR BRIEF SPECS PERTAINING TO FINAL SURFACES OR PAVEMENT CONSTRUCTION, SEE BRIEF SPECIFICATIONS ON SHEET 1.

FINAL SURFACES SHALL MEET ALL REQUIREMENTS FOR HANDICAP ACCESSIBILITY. SEE SPECIFICATIONS ON SHEET 1.

SPECIAL NOTES FOR THE PLANS:
1. This plan sheet is part of a multi-plan sheet with an overall set of Construction Drawings for this construction only. The plan sheets in the construction drawings are designed, engineered, and produced in accordance with 91 NCAC 59. 0701 and 1103. Each plan sheet within the construction drawings is approved by the State Engineer, and approval of the State Engineer is required for any construction activity related to a permit approval. Contact Engineer if there is any question regarding permit approval.
2. Additional notes or specifications pertaining to the overall project.

GENERAL NOTES FOR THE PLANS:
1. Topsoil shall be removed and disposed of on site for most site construction activities that are related to final hard surfaces (i.e. pavement, sidewalk, etc.) and soft surfaces (grass, turf, landscape areas, etc.). If included, approved pavements, concrete curbs, sidewalks, etc., shall be installed and compacted in accordance with the specifications. The compacted area shall be covered with a minimum of 1/2 inch of topsoil. The topsoil shall be replaced and compacted in accordance with the specifications. The compacted area shall be covered with a minimum of 1/2 inch of topsoil. The topsoil shall be replaced and compacted in accordance with the specifications.
2. Standard Specifications: For hard surfaces, all vehicular asphalt & concrete materials and construction methods shall be in accordance with the Standard Specifications for Road & Bridge Construction, North Carolina Department of Transportation, and the approved amendments thereto. For other asphalt and concrete materials, materials and construction methods shall be in accordance with the Standard Specifications for Road & Bridge Construction, North Carolina Department of Transportation, and the approved amendments thereto.
3. Work shall be completed and ready for inspection at the same time. The plan shall conform to all requirements for handicap accessibility. This may require that special attention be given to final grades throughout all stages of grading. In general, proposed grades shall conform to the existing ground surface. The final surface shall be in accordance with the specifications for the intended use of the surface. Final surface shall be in accordance with the specifications for the intended use of the surface. Final surface shall be in accordance with the specifications for the intended use of the surface.
4. Final Grade Contours: The final grade contours shown on this plan are to final asphalt, sidewalk, gutter, or ground elevations (usually) surface elevations. Final grade contours shall be in accordance with the specifications for the intended use of the surface.
5. Handicap Accessibility: This site shall conform to all requirements for handicap accessibility. This may require that special attention be given to final grades throughout all stages of grading. In general, proposed grades shall conform to the existing ground surface. The final surface shall be in accordance with the specifications for the intended use of the surface. Final surface shall be in accordance with the specifications for the intended use of the surface. Final surface shall be in accordance with the specifications for the intended use of the surface.



FINAL PERMANENT GRASS SEEDING & TOPSOIL
(SEE TYPICAL SECTION/DETAIL THIS SHEET)
FOR POSSIBLE ENHANCEMENTS IN THESE AREAS

FINAL GRASS AREAS
NO SCALE

NOTES:
1. FINAL GRASS SEEDING SHALL BE IN ACCORDANCE WITH THE FINAL PERMANENT SEEDING SCHEDULE (THIS SHEET), OR OTHERWISE IN ACCORDANCE WITH OWNER'S PREFERENCE. SEE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, AND THE APPROVED AMENDMENTS THERE TO. ANY CHANGE IN TOPSOIL DEPTH SHALL BE APPROVED BY OWNER, BUT CONTRACTOR MUST ENSURE AN ESTABLISHED STAND OF GRASS STABILIZATION PRIOR TO REMOVAL OF TOPSOIL.
2. ANY CHANGE IN TOPSOIL DEPTH SHALL BE APPROVED BY OWNER, BUT CONTRACTOR MUST ENSURE AN ESTABLISHED STAND OF GRASS STABILIZATION PRIOR TO REMOVAL OF TOPSOIL.

FINAL/PERMANENT SEEDING SCHEDULE FOR GRASSED AREAS

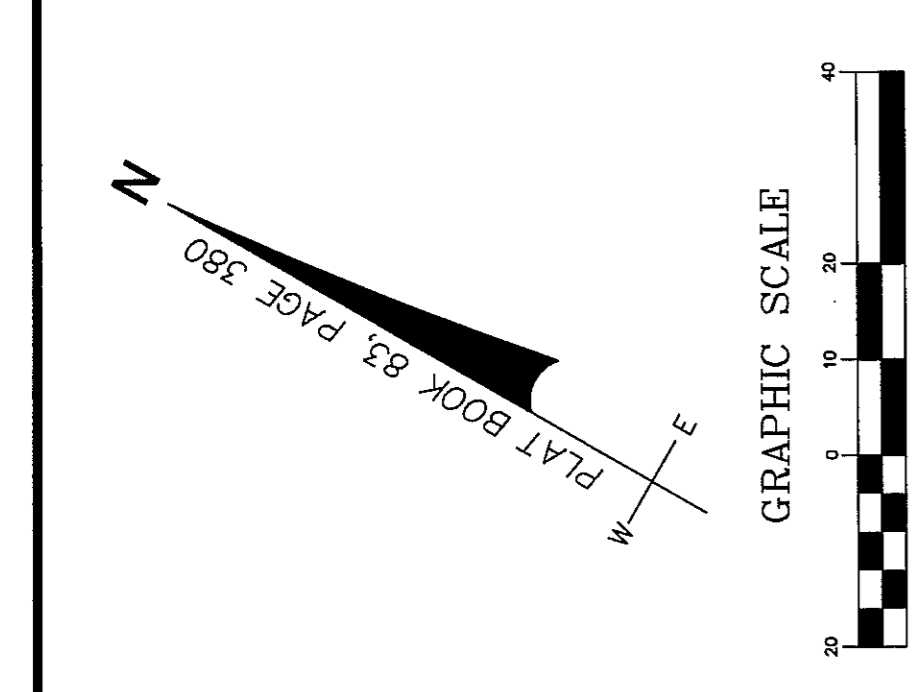
Final established grass areas for this site shall be Bermuda. The establishment seeding may be a straight mix, or a blended mix, as necessary for the season. In order to produce an established stand of the preferred grass cover, Refer also to Erosion Control Plan, if applicable. Final established grass areas shall be seeded with the following mixtures: Bermuda (100% seed), or otherwise as approved by the owner. All disturbed areas left exposed at the end of construction shall be seeded with permanent seeding and stabilized. All disturbed areas shall be seeded with permanent seeding and stabilized. All disturbed areas shall be seeded with permanent seeding and stabilized. All disturbed areas shall be seeded with permanent seeding and stabilized.

STANDARD ASPHALT PARKING/VEHICULAR SURFACE
NO SCALE

NOTES:
1. ASPHALT SHALL BE INSTALLED AND COMPACTED AND TESTED (BY AN INDEPENDENT LABORATORY) IN ACCORDANCE WITH NCAC 59. 0701 AND 1103. TOPSOIL SHALL BE REPLACED AND COMPACTED AND TESTED (BY AN INDEPENDENT LABORATORY) IN ACCORDANCE WITH NCOT SPECIFICATIONS. SUBSEQUENT FINISH LEAD IN ACCORDANCE WITH NCOT SPECIFICATIONS.
3. SEE "BRIEF SPECS - OVERALL SITE GRADING/PAVING/PAVING FOR ADDITIONAL INFORMATION ON ASPHALT MATERIALS & METHODS."

RECOMMENDED HEAVY DUTY ASPHALT VEHICULAR SURFACES
NO SCALE

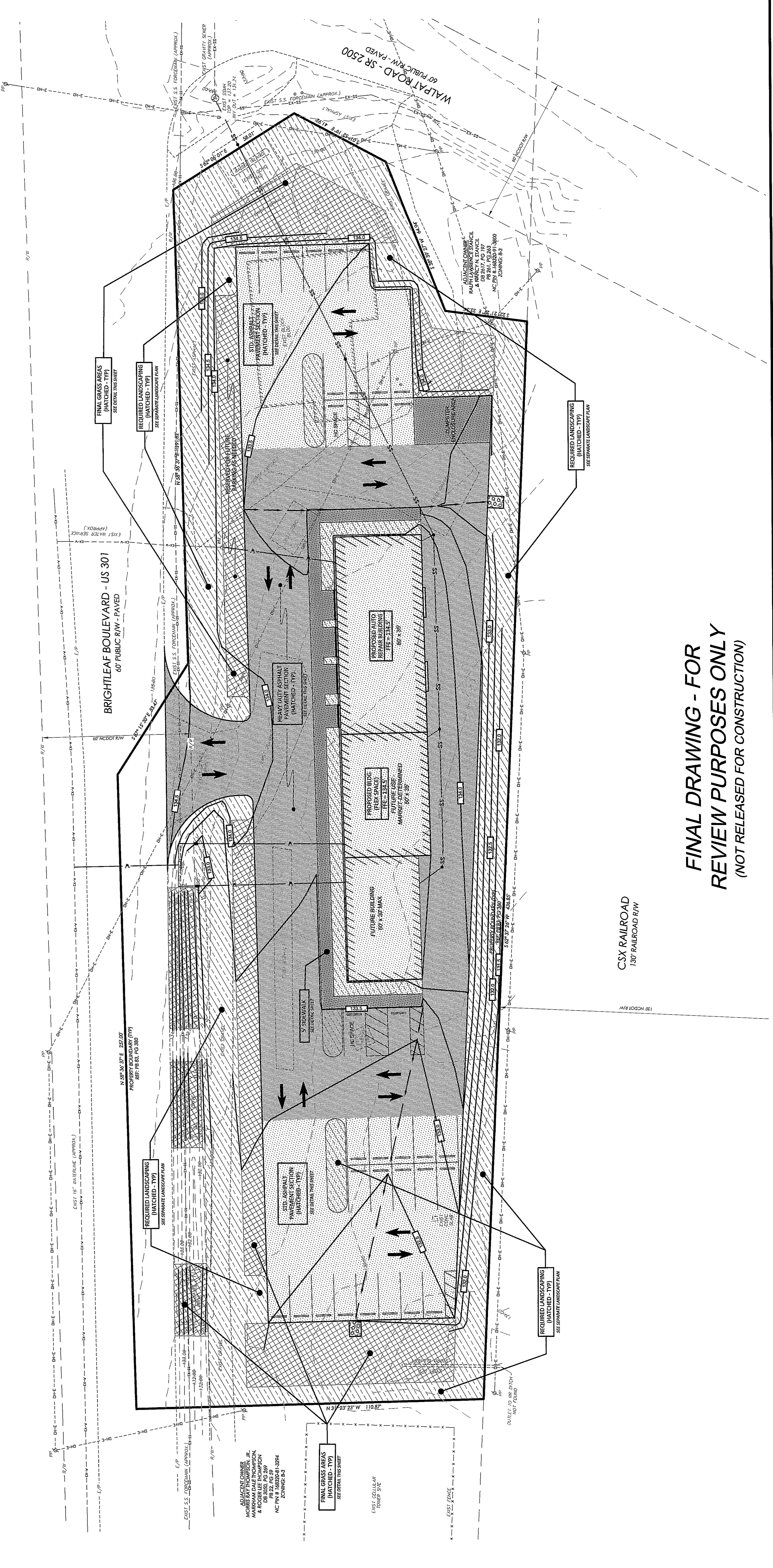
NOTES:
1. ASPHALT SHALL BE INSTALLED AND COMPACTED AND TESTED (BY AN INDEPENDENT LABORATORY) IN ACCORDANCE WITH NCAC 59. 0701 AND 1103. TOPSOIL SHALL BE REPLACED AND COMPACTED AND TESTED (BY AN INDEPENDENT LABORATORY) IN ACCORDANCE WITH NCOT SPECIFICATIONS. SUBSEQUENT FINISH LEAD IN ACCORDANCE WITH NCOT SPECIFICATIONS.
2. SUBGRADE AND CURB SHALL BE INSTALLED AND COMPACTED AND TESTED (BY AN INDEPENDENT LABORATORY) IN ACCORDANCE WITH NCOT SPECIFICATIONS.
3. SEE "BRIEF SPECS - OVERALL SITE GRADING/PAVING/PAVING FOR ADDITIONAL INFORMATION ON ASPHALT MATERIALS & METHODS."



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www.brlengineering.com
Email: info@brleng.com
BRLENG001
NO. 3429

SITE PLAN FOR TIRES & WHEELS SERVICE SHOP
OWNER/DEVELOPER INFORMATION
SITEMARKER, JOHNSTON CO., NC
CONTRACT NO. ALP2021-020
OWNER'S PHONE NO. 919-663-5822
OWNER'S FAX NO. 919-663-5822
OWNER'S ADDRESS: 820 S. WILKINSON ST. SMITHFIELD, NC 27577
OWNER'S LICENSE NO. 1468204-800
ZONING: B-3

SHEET NO. 5 OF 5
FINAL SURFACES/PAVING



FINAL DRAWING - FOR REVIEW PURPOSES ONLY
(NOT RELEASED FOR CONSTRUCTION)

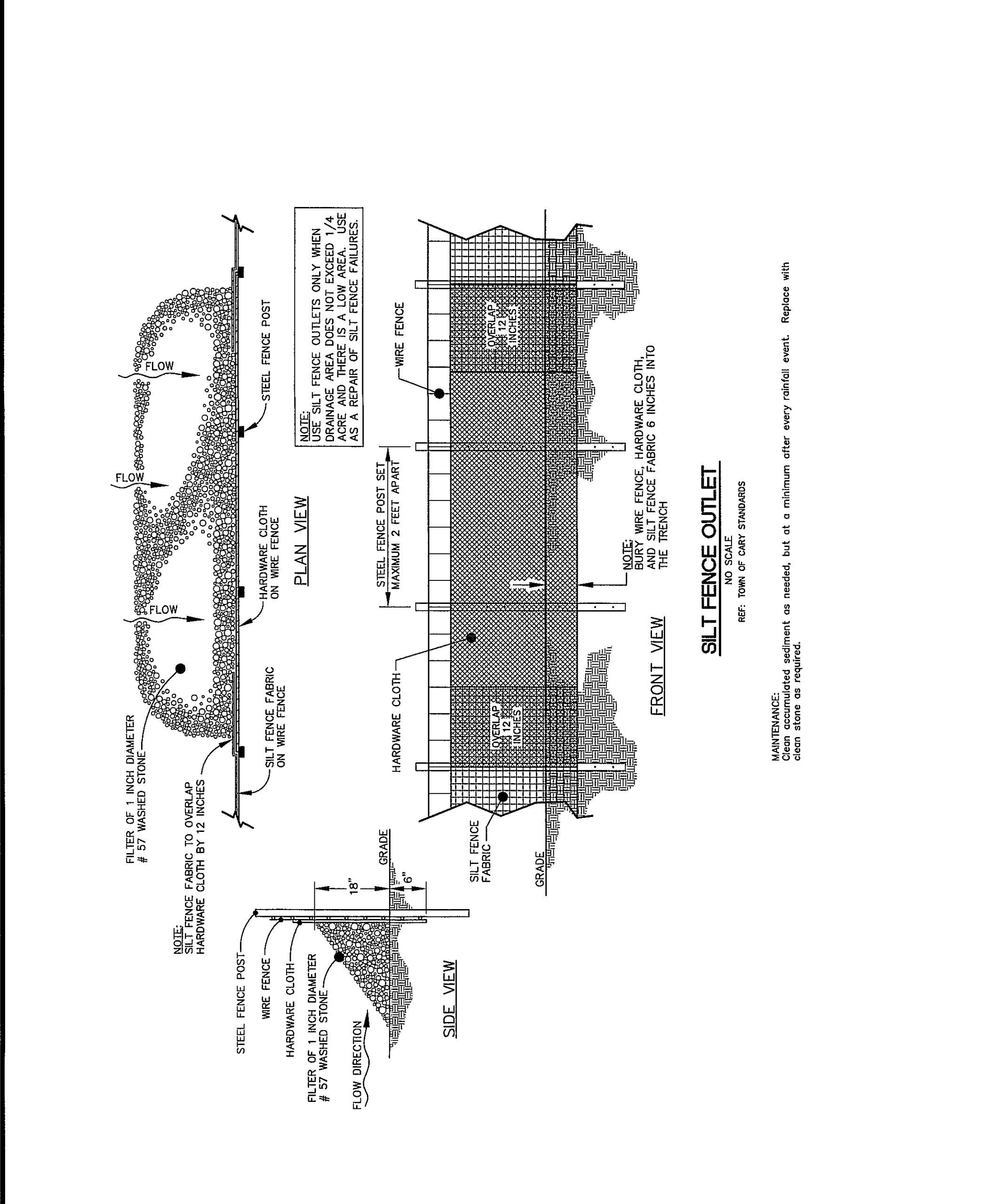
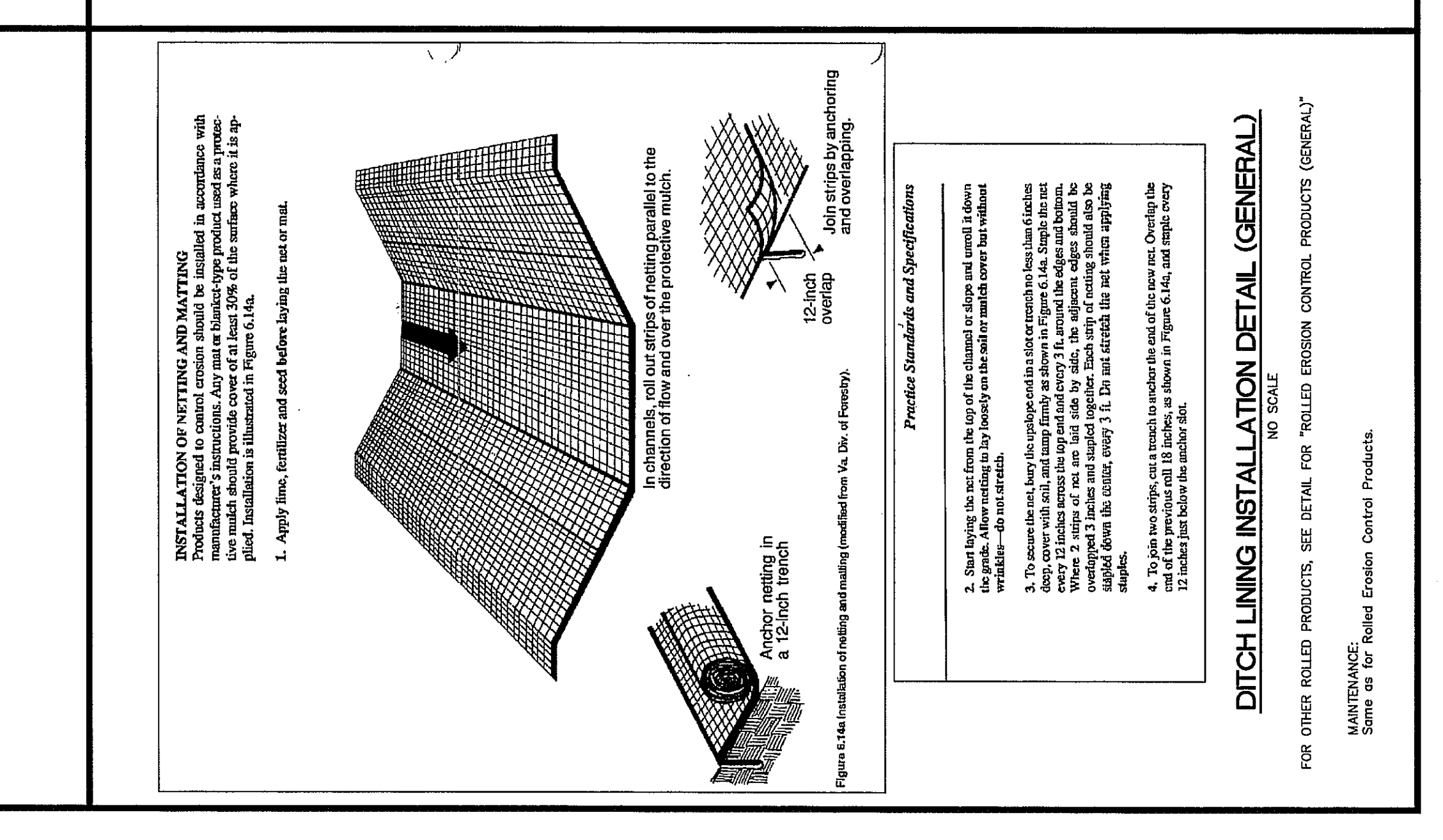
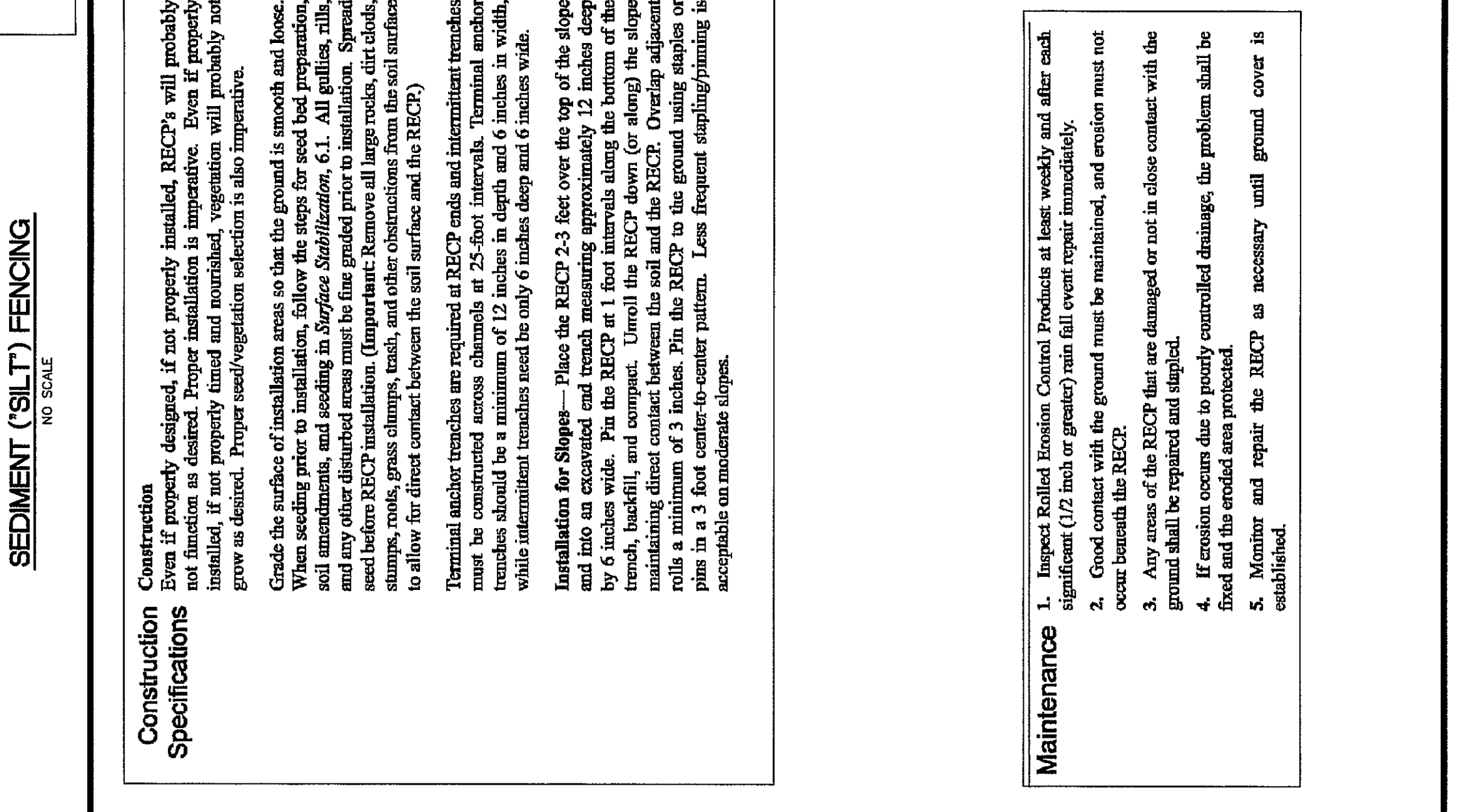
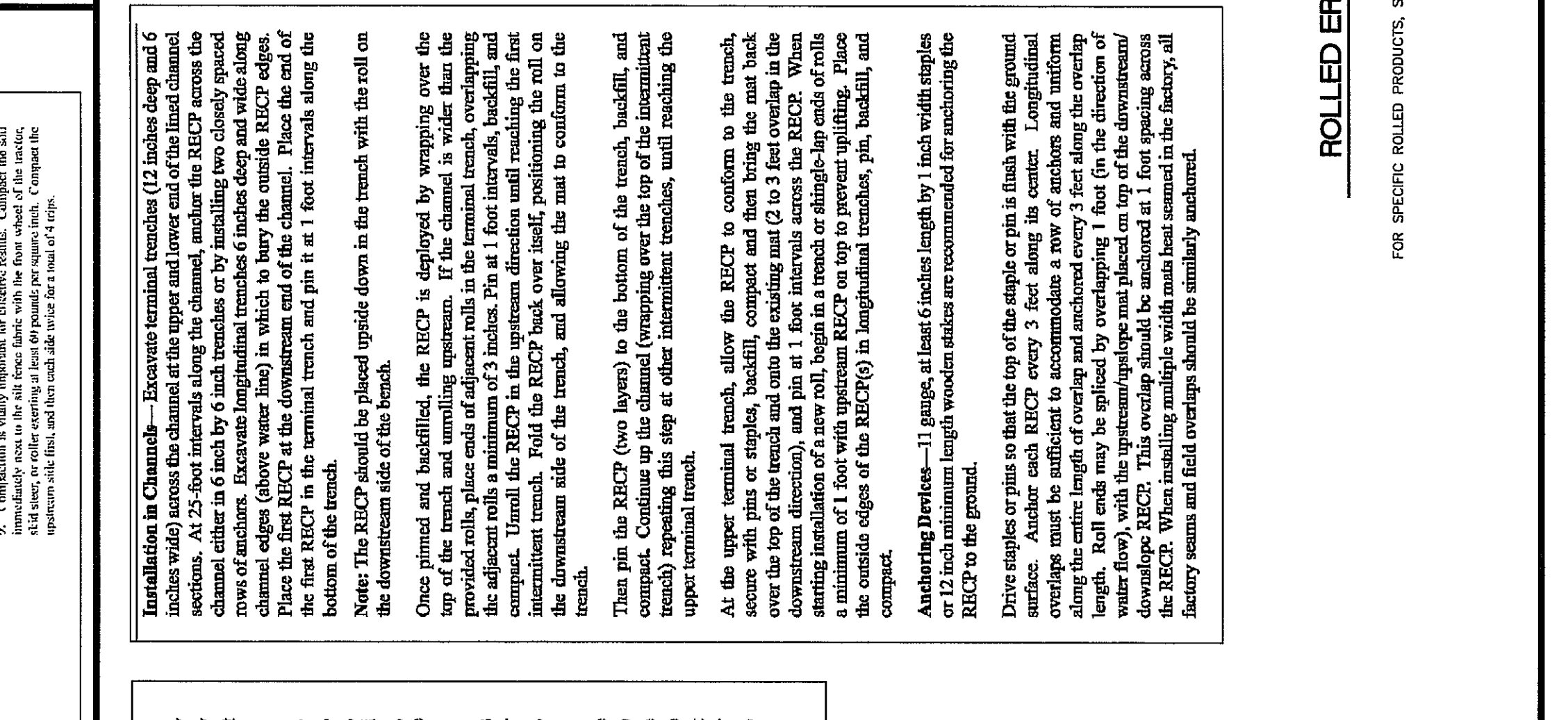
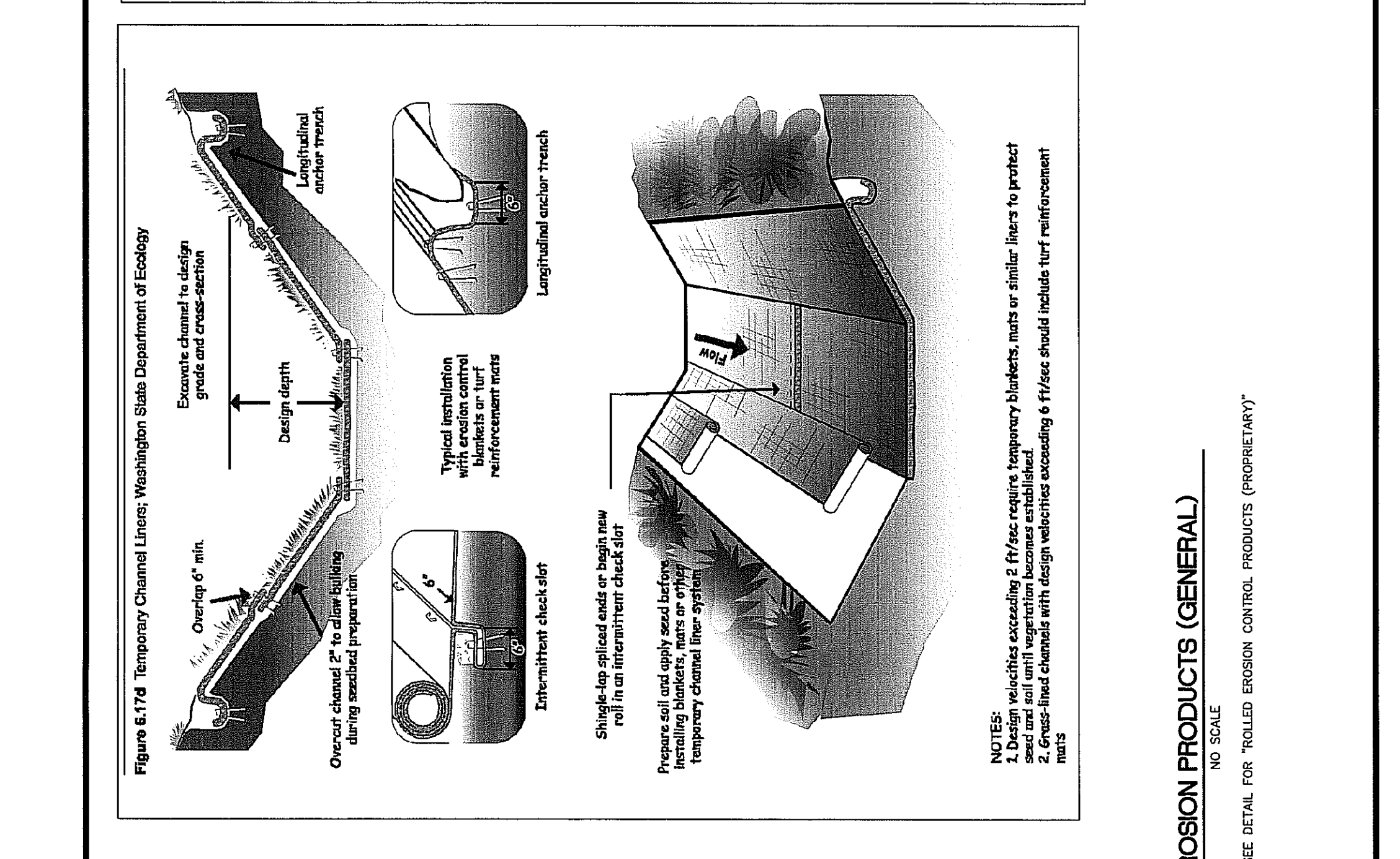
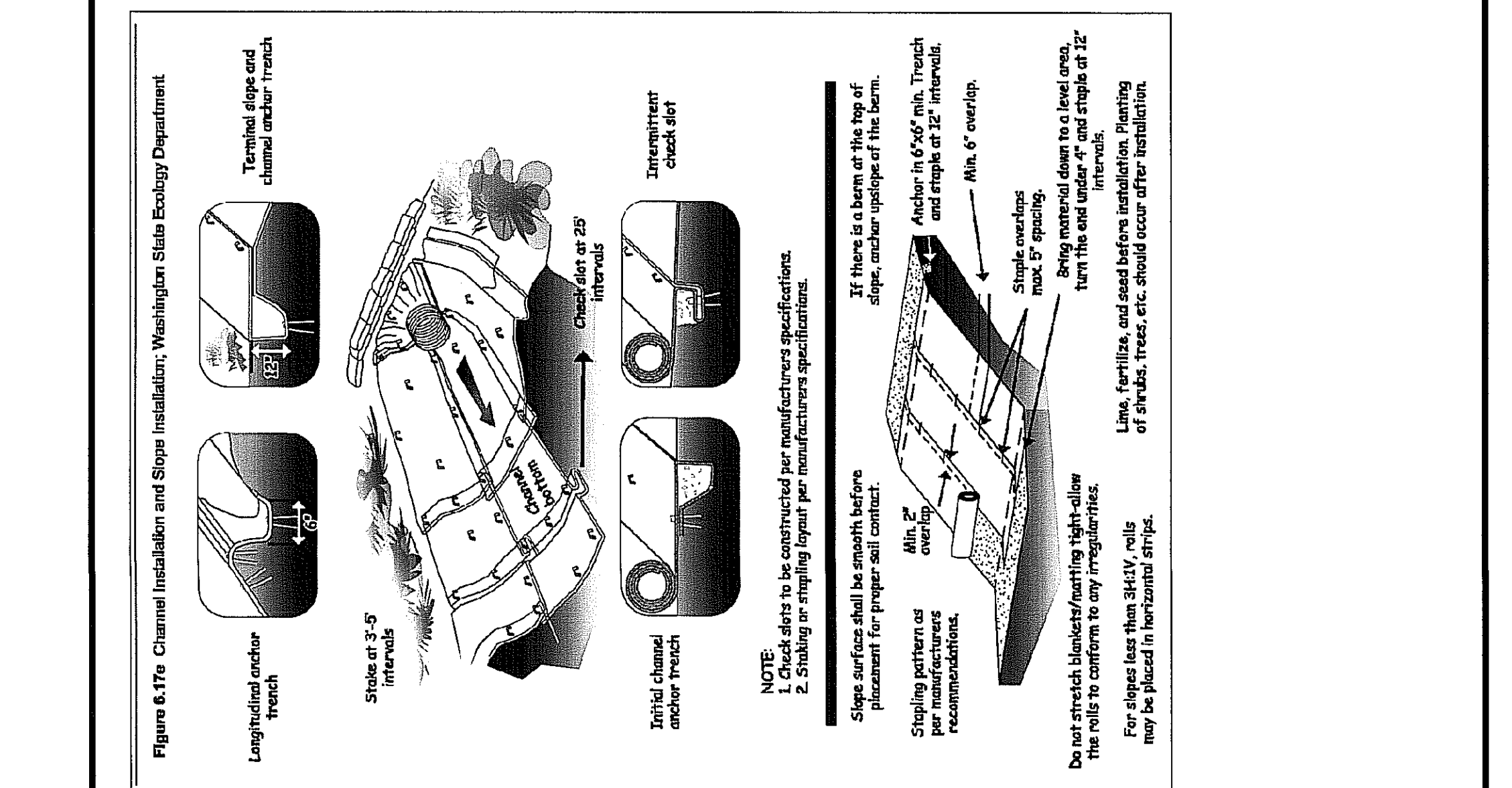
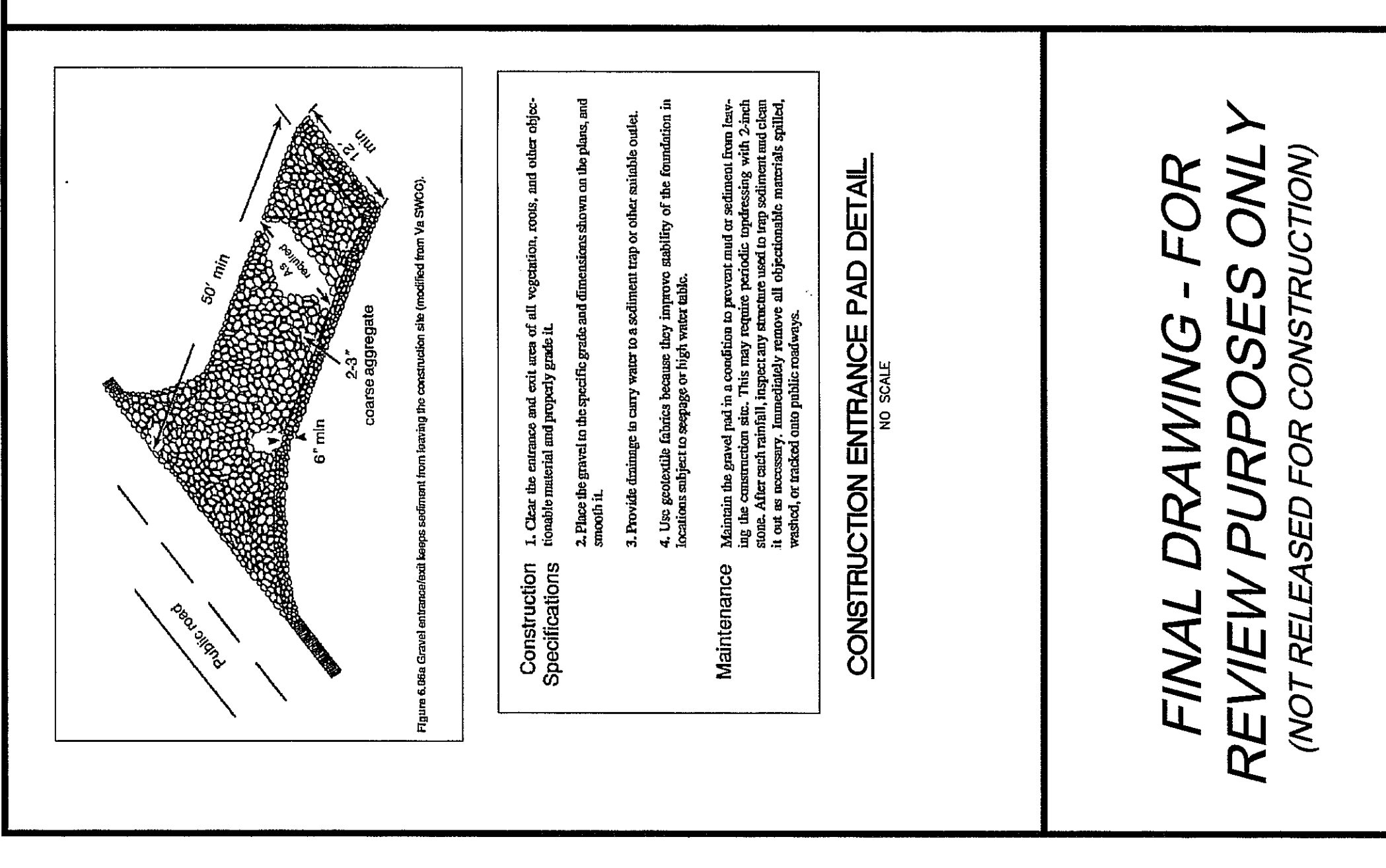
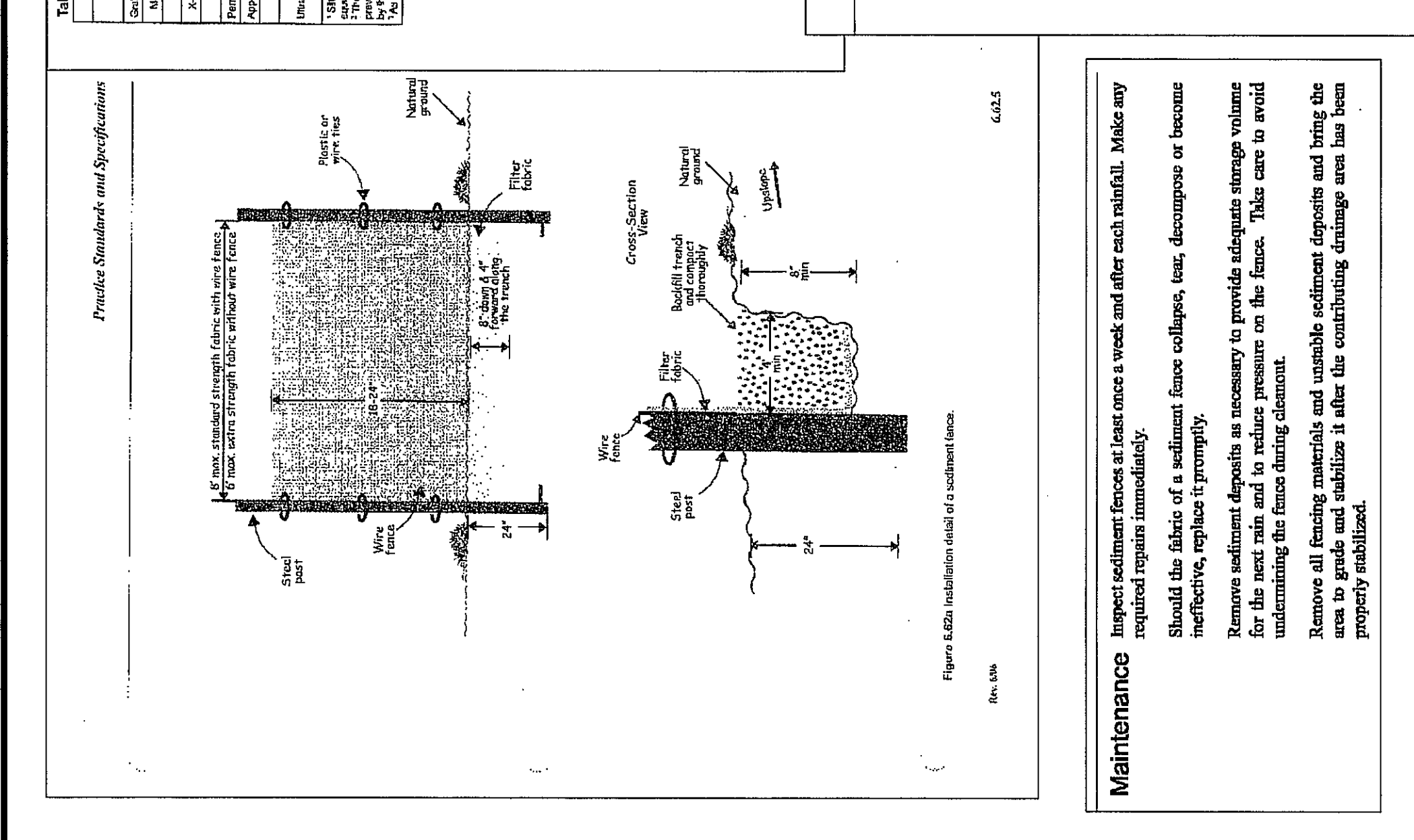
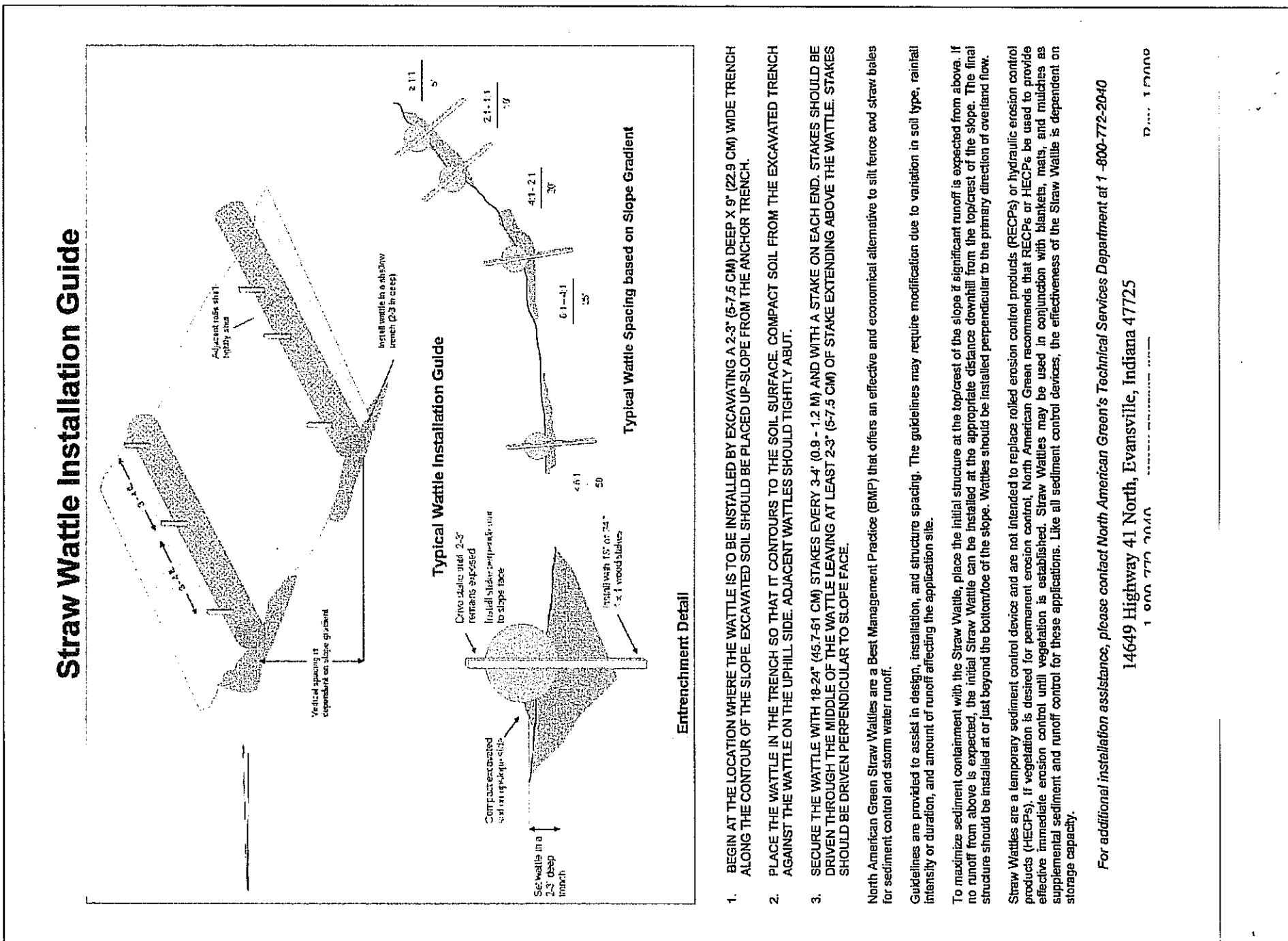


Table 6.62B. Specifications for Sediment Fence Fabric

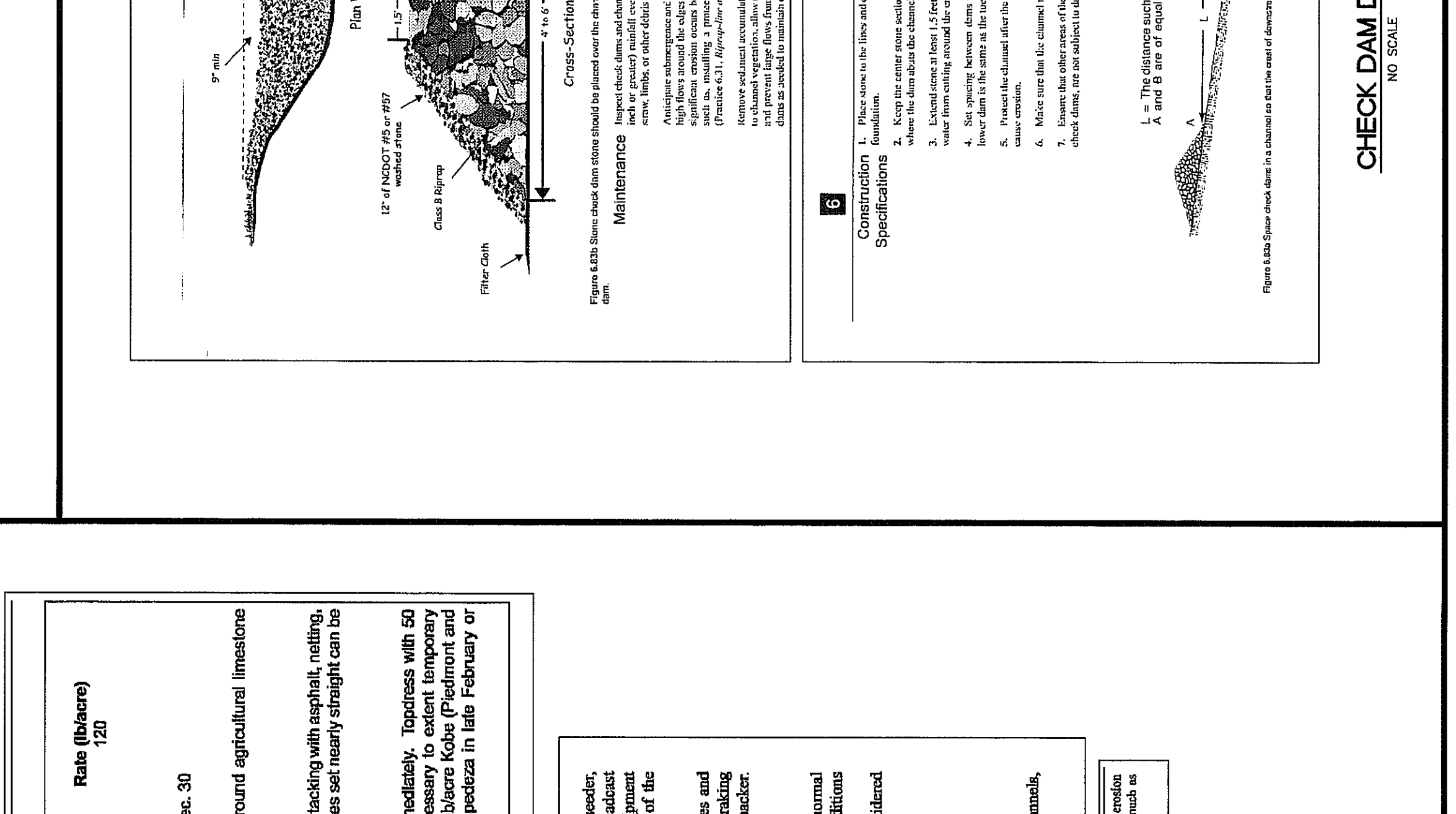
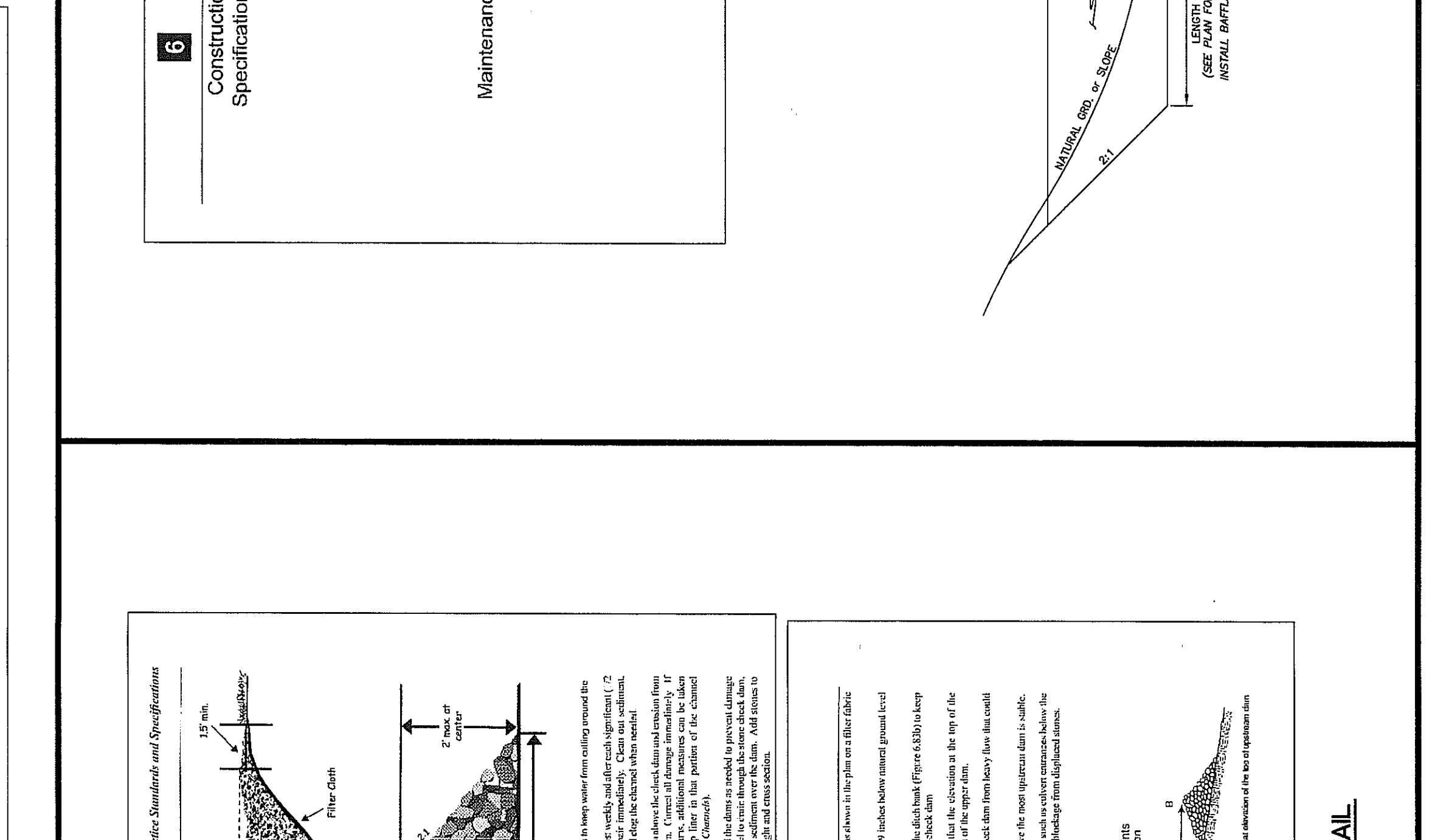
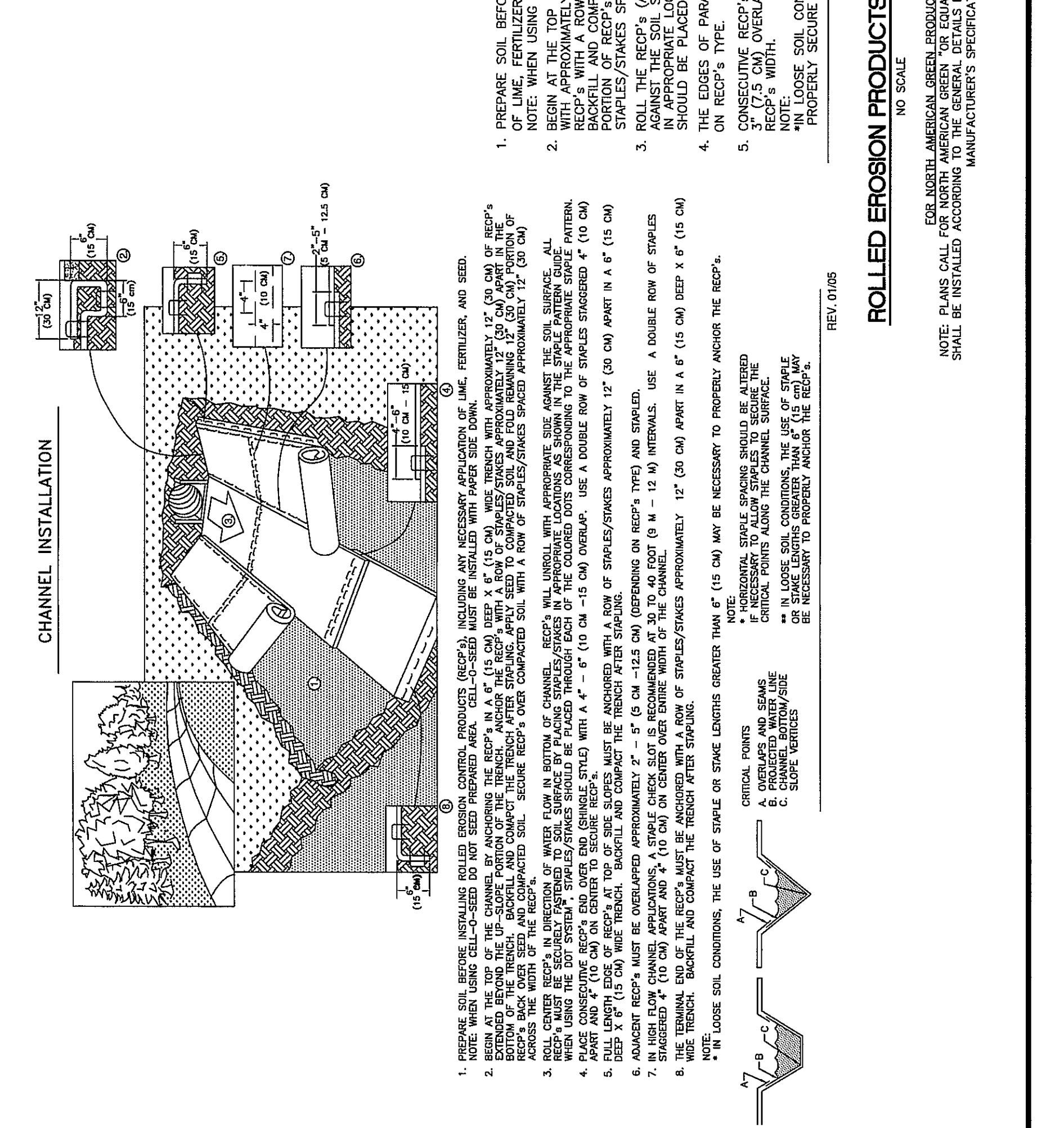
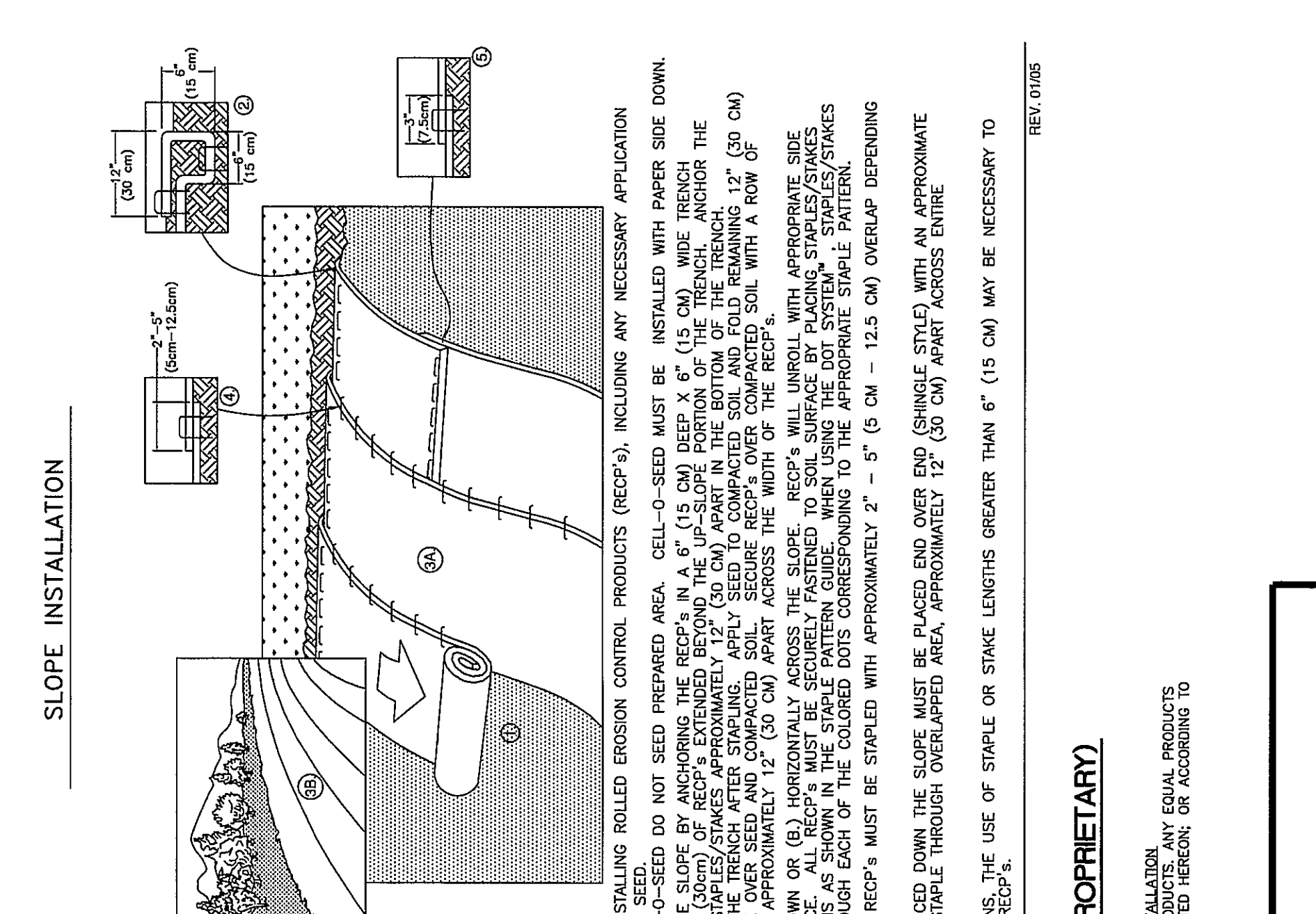
Silt Fence	Temporary Silt Fence Material Property Requirements		Typical
	ASTM D 4852	ASTM D 4852	
Silt Strength	Units	Units	Units
Minimum Tensile	400	400	400
Minimum Elongation	10%	10%	10%
Minimum Tear	100	100	100
Minimum Density	1.40	1.40	1.40
Minimum Weight	1.40	1.40	1.40
Minimum Thickness	0.015	0.015	0.015
Minimum Permeability	100	100	100
Minimum Opening Size	0.075	0.075	0.075
Minimum Density	1.40	1.40	1.40
Minimum Weight	1.40	1.40	1.40
Minimum Thickness	0.015	0.015	0.015
Minimum Permeability	100	100	100
Minimum Opening Size	0.075	0.075	0.075

1. All fabric shall be made of woven polypropylene or equivalent synthetic material. For use in areas where the fabric will be subjected to ultraviolet radiation, the fabric shall be UV stabilized.
 2. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 3. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 4. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 5. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 6. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 7. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 8. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 9. The fabric shall be made of woven polypropylene or equivalent synthetic material.
 10. The fabric shall be made of woven polypropylene or equivalent synthetic material.





FINAL DRAWING - FOR REVIEW PURPOSES ONLY
 (NOT RELEASED FOR CONSTRUCTION)



ROLLED EROSION PRODUCTS (PROPRIETARY)
 NO SCALE

FOR NORTH AMERICAN GREEN PRODUCT INSTALLATION ONLY. PLANS CALL FOR ANY EQUAL PRODUCTS SHALL BE INSTALLED ACCORDING TO THE GENERAL DETAILS INDICATED HEREON, OR ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

Table 6.10a Temporary Seeding Recommendations for Late Winter and Early Spring	Table 6.10c Seeding mixture Rate (lb/acre)	Table 6.10e Seeding mixture Rate (lb/acre)
<p>On all annual legumes when duration of temporary cover is not to extend beyond 60 days.</p> <p>Seeding dates Mountains—May 15–Aug. 15 Piedmont and Coastal Plain—Jan. 1–May 1 Coastal Plain—Dec. 1–Apr. 15</p> <p>Soil amendments Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.</p> <p>Mulch Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting, or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.</p> <p>Maintenance Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.</p>	<p>Seeding dates Mountains—Aug. 15–Dec. 15 Coastal Plain and Piedmont—Aug. 15–Dec. 30</p> <p>Soil amendments Follow soil tests or apply 2,000 lb/acre ground agricultural limestone and 1,000 lb/acre 10-10-10 fertilizer.</p> <p>Mulch Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting, or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.</p> <p>Maintenance Repair and refertilize damaged areas immediately. Topdress with 50 lb/acre nitrogen in March. In late May or early June, apply 50 lb/acre Coastal Plain or Korean (Mountains) lespedeza in late February or early March.</p>	<p>Seeding dates Mountains—May 15–Aug. 15 Piedmont and Coastal Plain—Jan. 1–May 1 Coastal Plain—Apr. 15–Aug. 15</p> <p>Soil amendments Follow recommendations of soil tests or apply 2,000 lb/acre ground agricultural limestone and 750 lb/acre 10-10-10 fertilizer.</p> <p>Mulch Apply 4,000 lb/acre straw. Anchor straw by tacking with asphalt, netting, or a mulch anchoring tool. A disk with blades set nearly straight can be used as a mulch anchoring tool.</p> <p>Maintenance Refertilize if growth is not fully adequate. Reseed, refertilize and mulch immediately following erosion or other damage.</p>

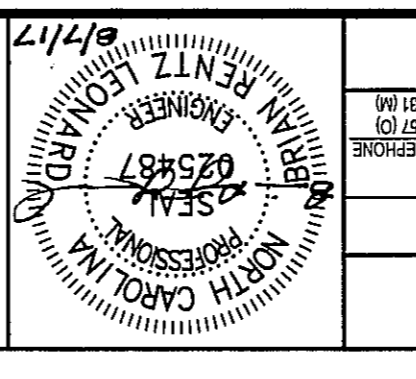
SEEDING SCHEDULE AND SEEDBED PREPARATION
 NO SCALE

The Seeding Schedule above is a recommended minimum for all disturbed areas that are left. Stabilization Requirements for maximum stabilization time frames, as established by the state. See "Ground Stabilization Requirements" for maximum stabilization time frames for exposed areas (in accordance with the state). Areas that are not stabilized within the recommended time frames should be stabilized with Permanent Seeding. Seed with Permanent Seeding all areas that are left exposed that will not be re-disturbed later. Seed with Temporary Seeding all areas that are left exposed that will be re-disturbed later. Sheet 6 of this project, then provides a stable and established stand of the specified grass type. If plans do not call for a particular final seeding, then provide a stable and established stand of the grass type specified in the state code. See "Soil Remediation Seeding" for approved by the OWNER or ENGINEER prior to placement.

SITE PLAN FOR TIRES & WHEELS SERVICE SHOP

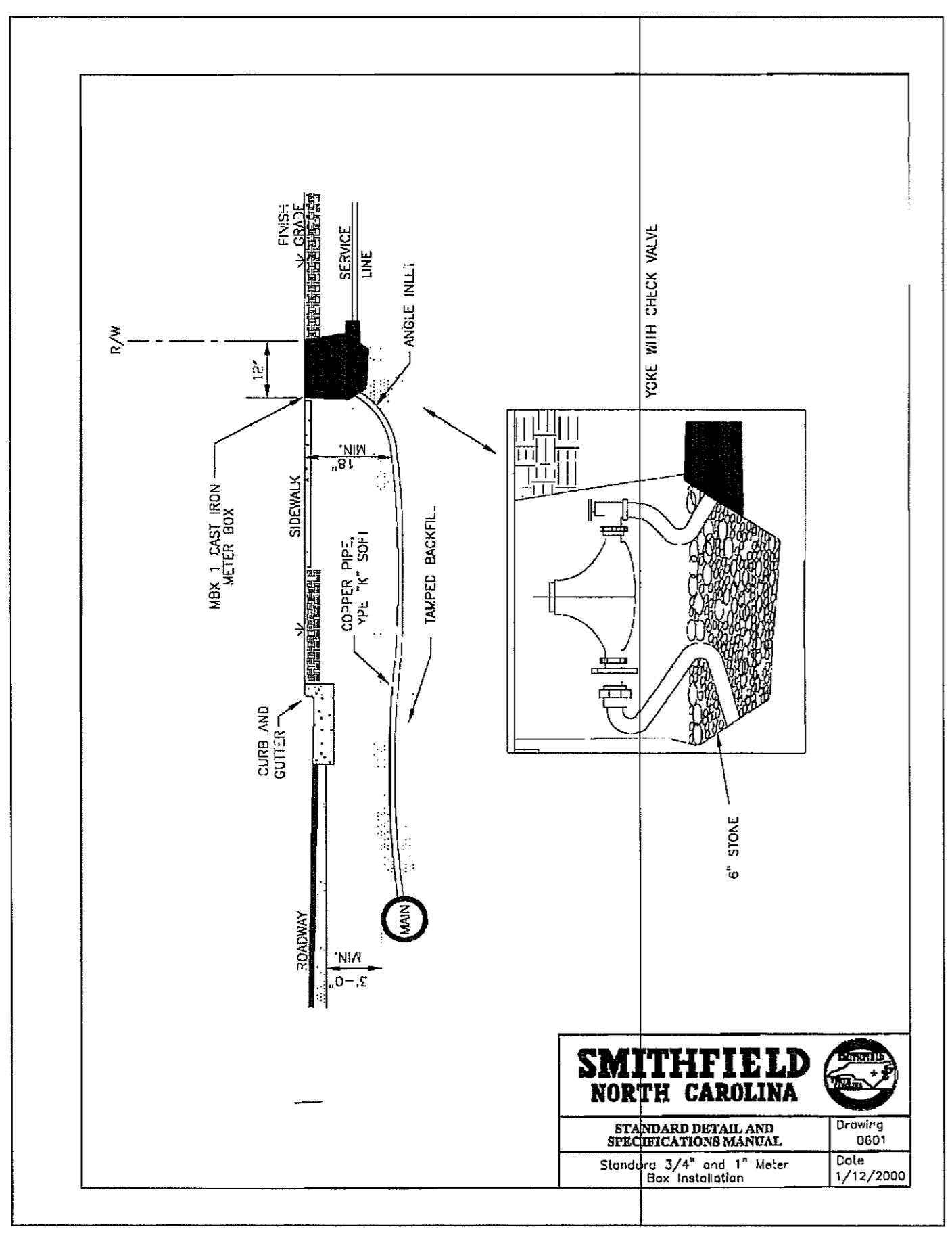
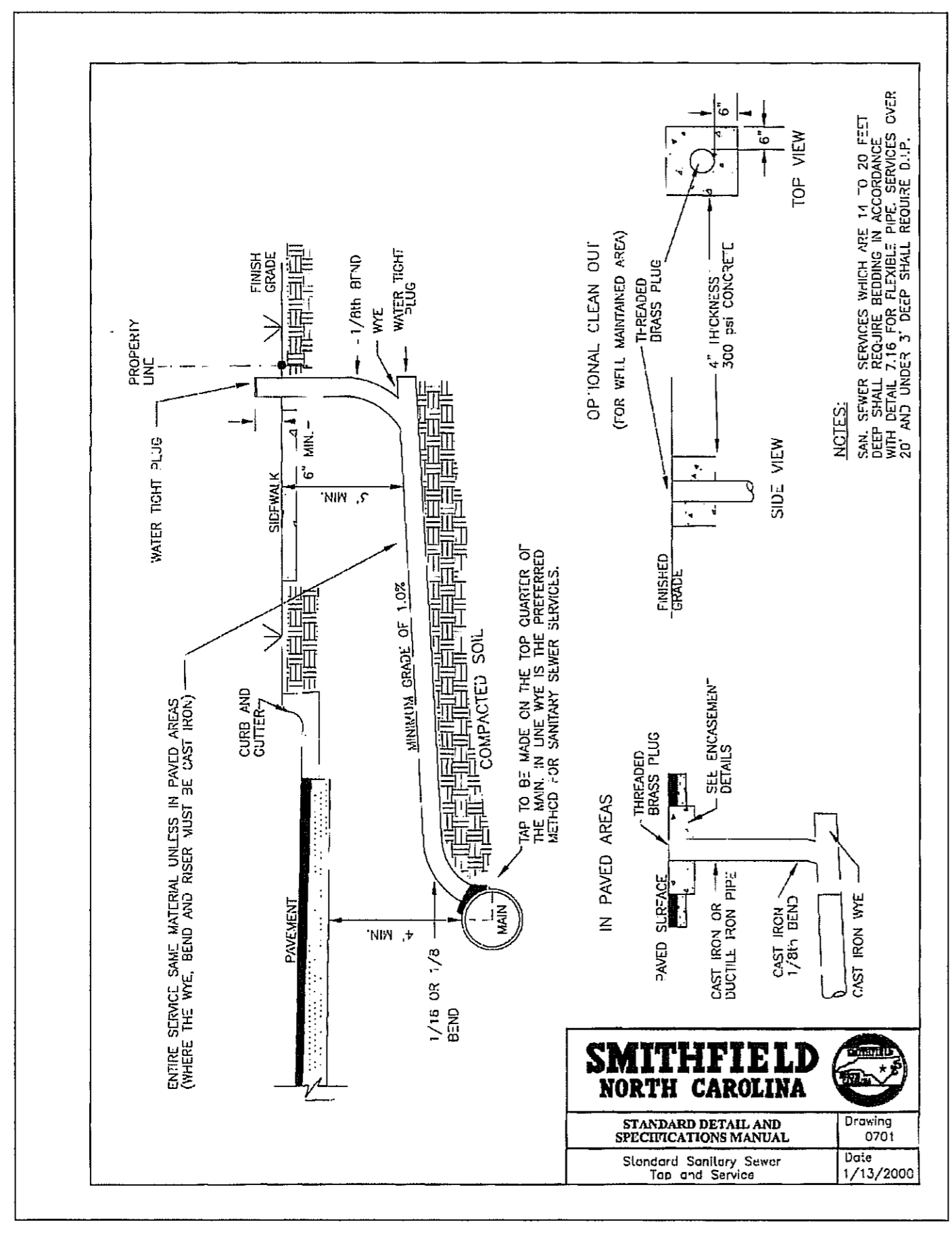
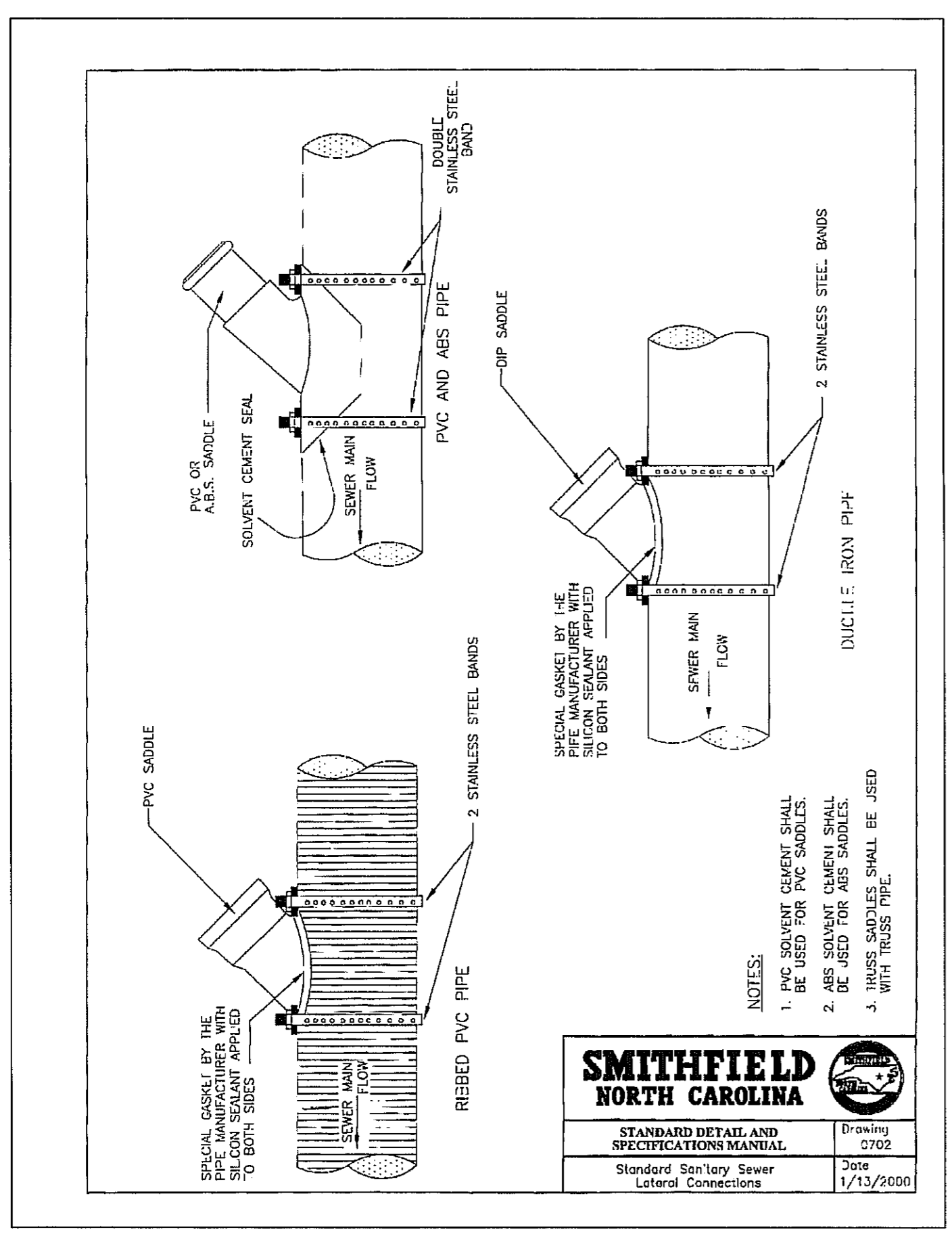
SITE INFORMATION
 CITY OR TOWN, COUNTY, & STATE: SMITHFIELD, JOHNSTON CO., NC
 TOWNSHIP, COUNTY, & STATE: — ZONING: B-3
 NC PIN#: 168320-91-1778

OWNER/DEVELOPER INFORMATION
 OWNER/DEVELOPER: MARYLA FELIX MARTELS
 CONTACT: ALPHONSO LERA
 919-826-8181
 168175 HIGHWAY WEST
 CLAYTON, NC 27020

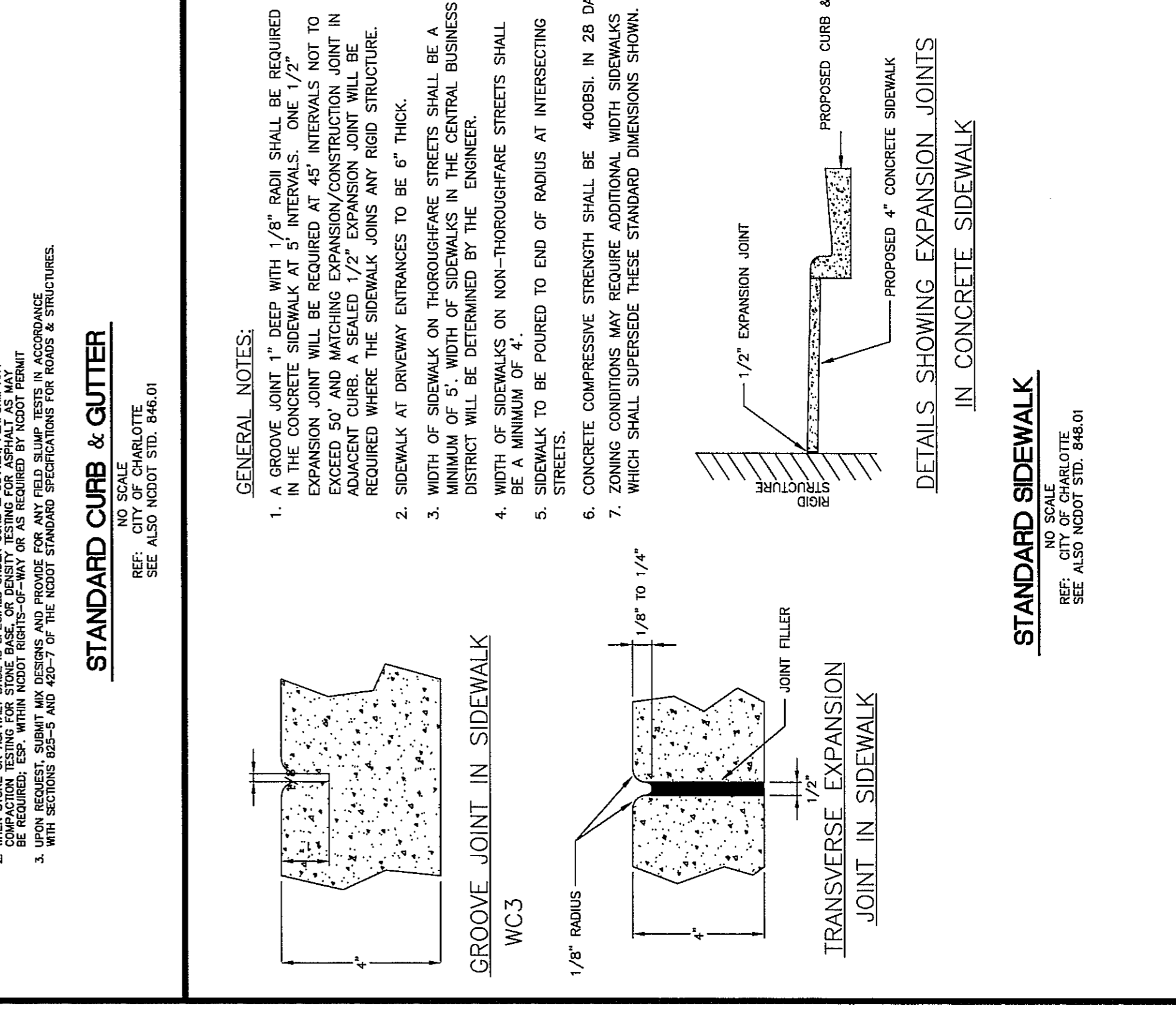
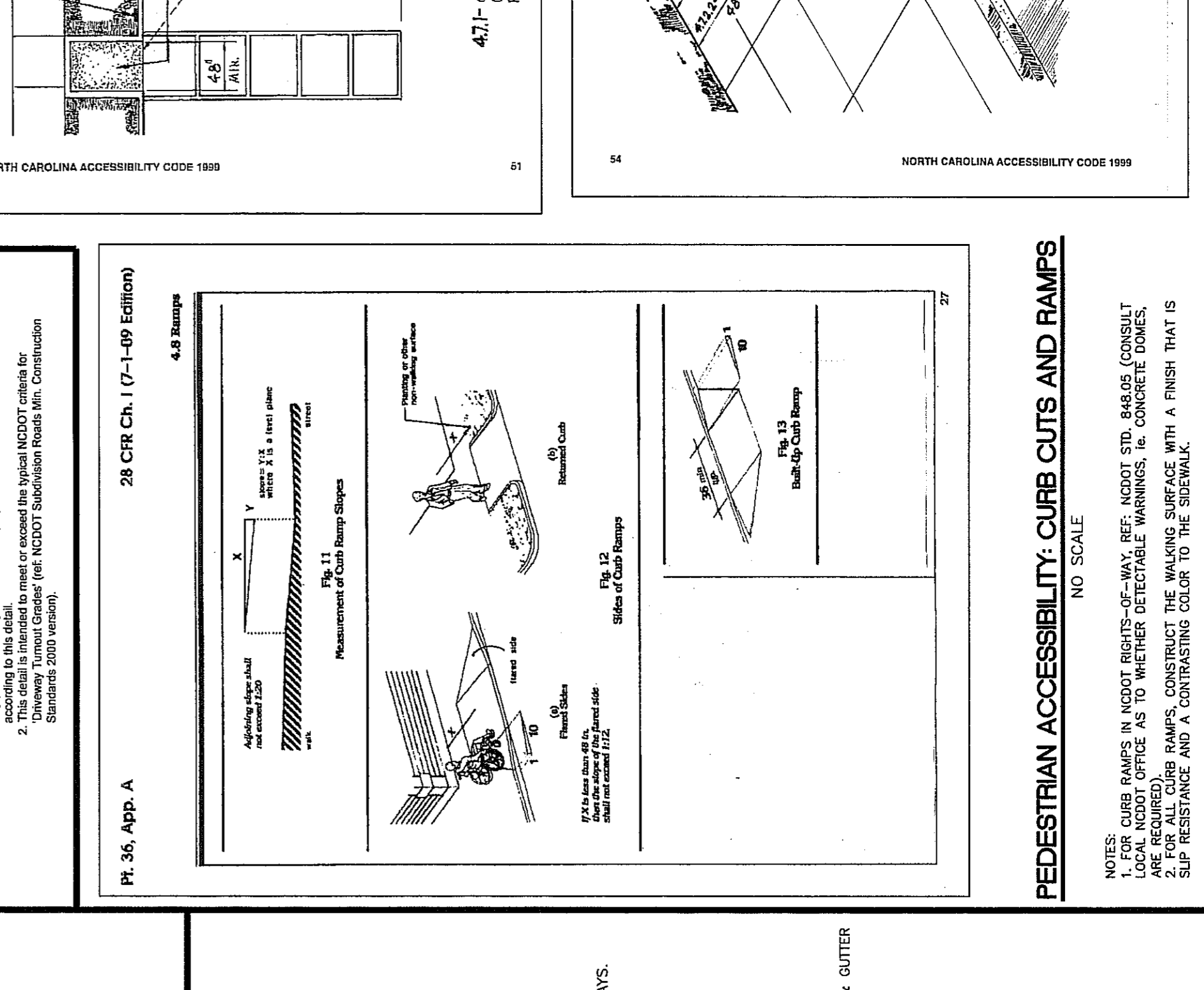
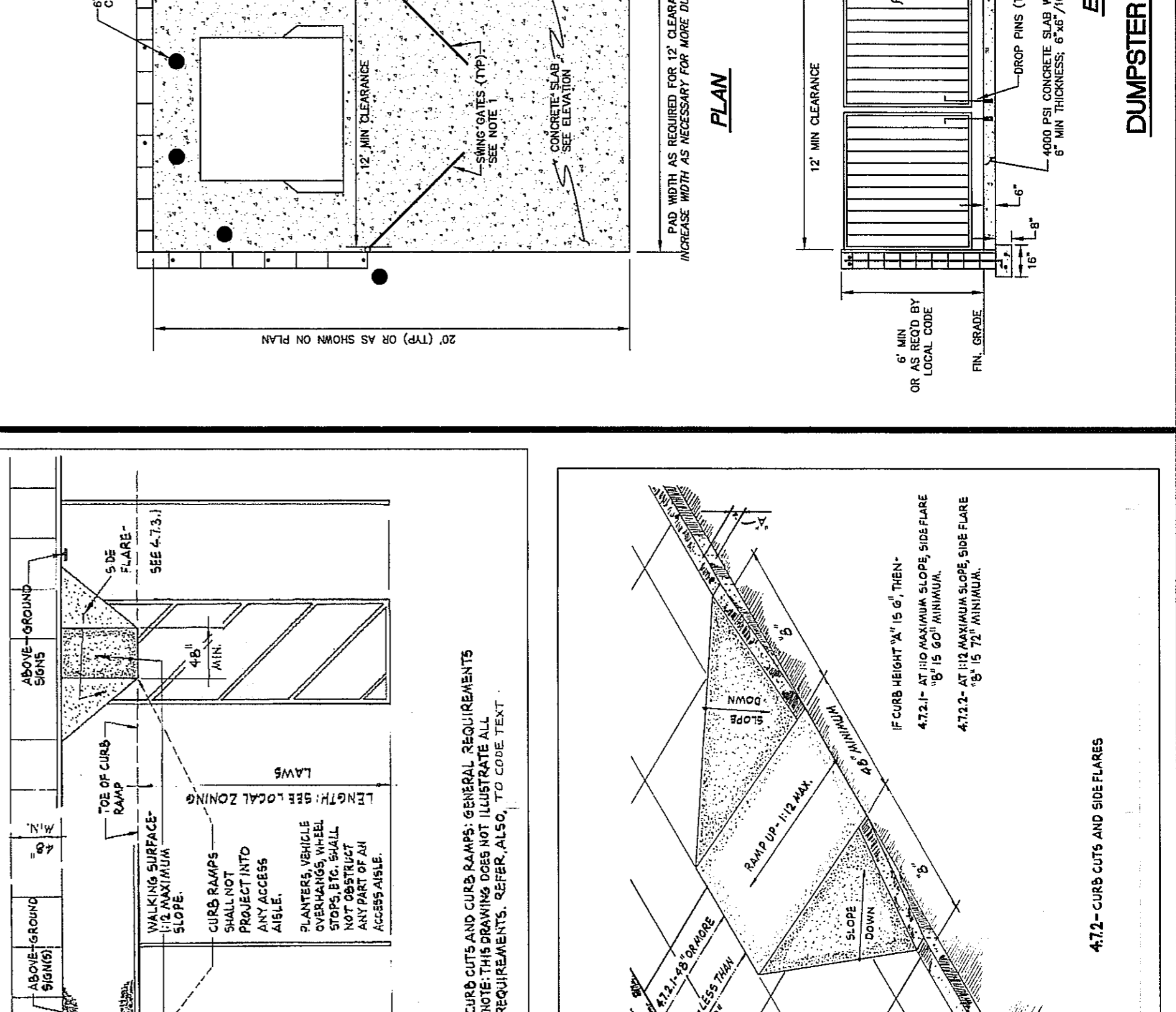
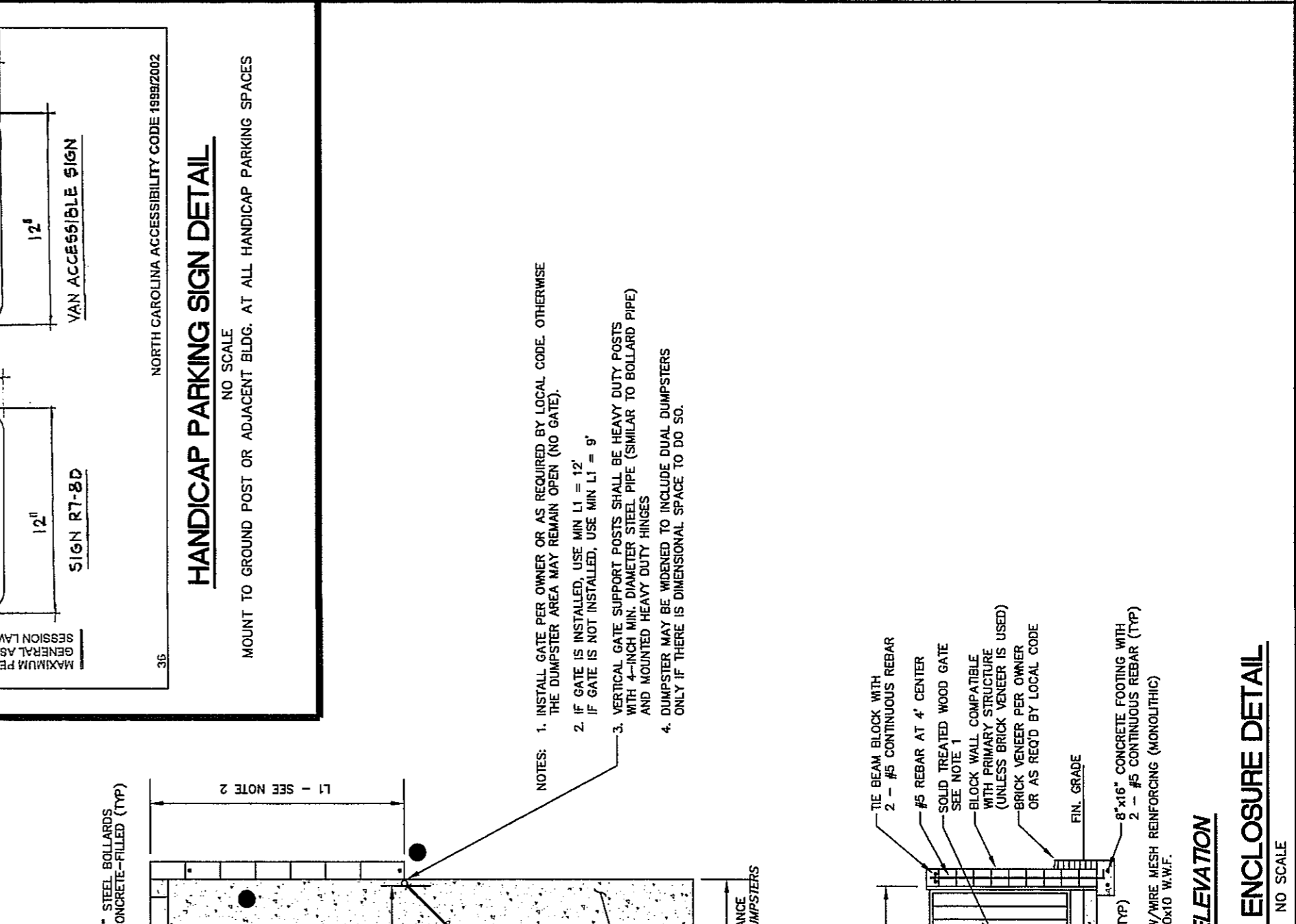
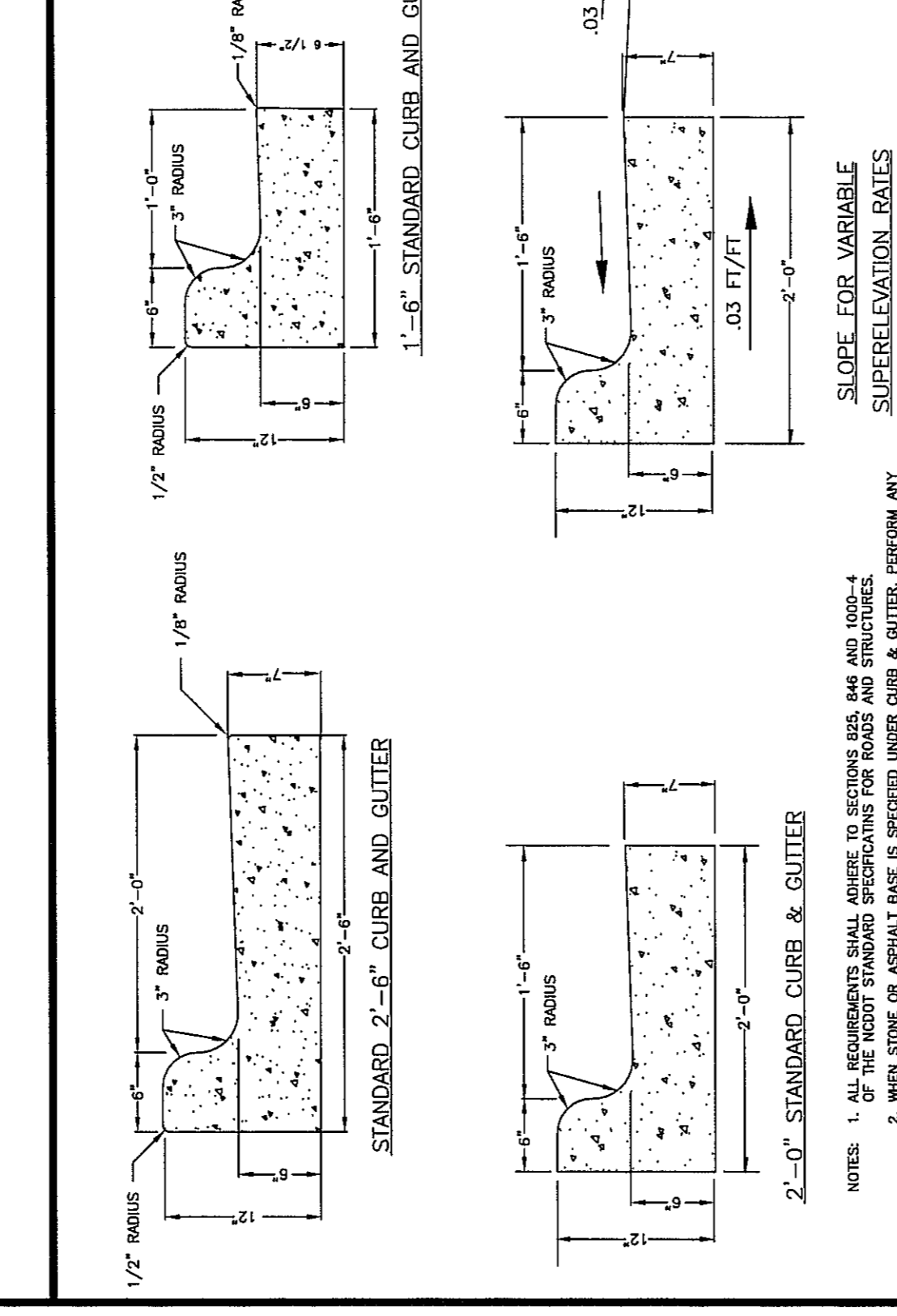
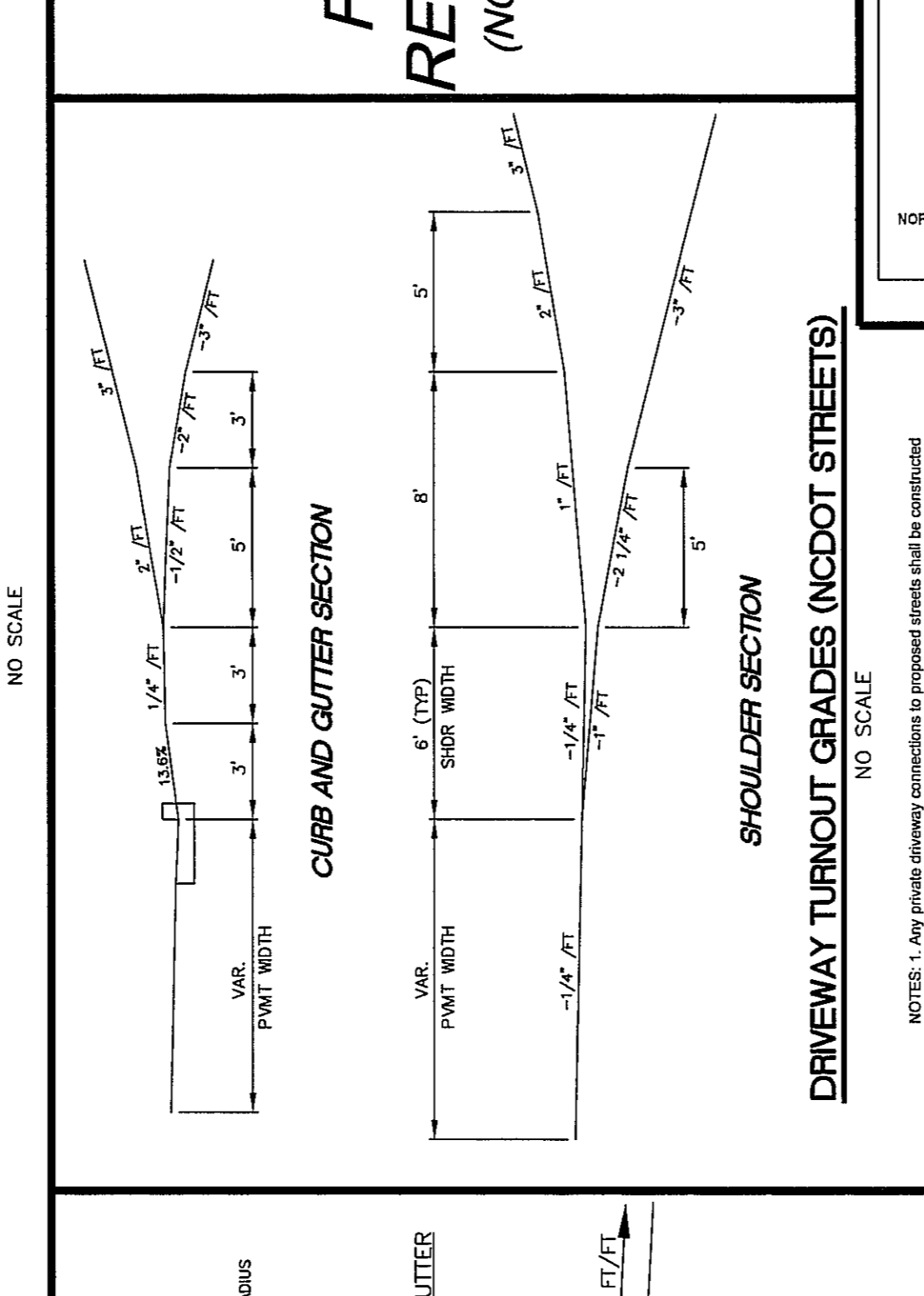
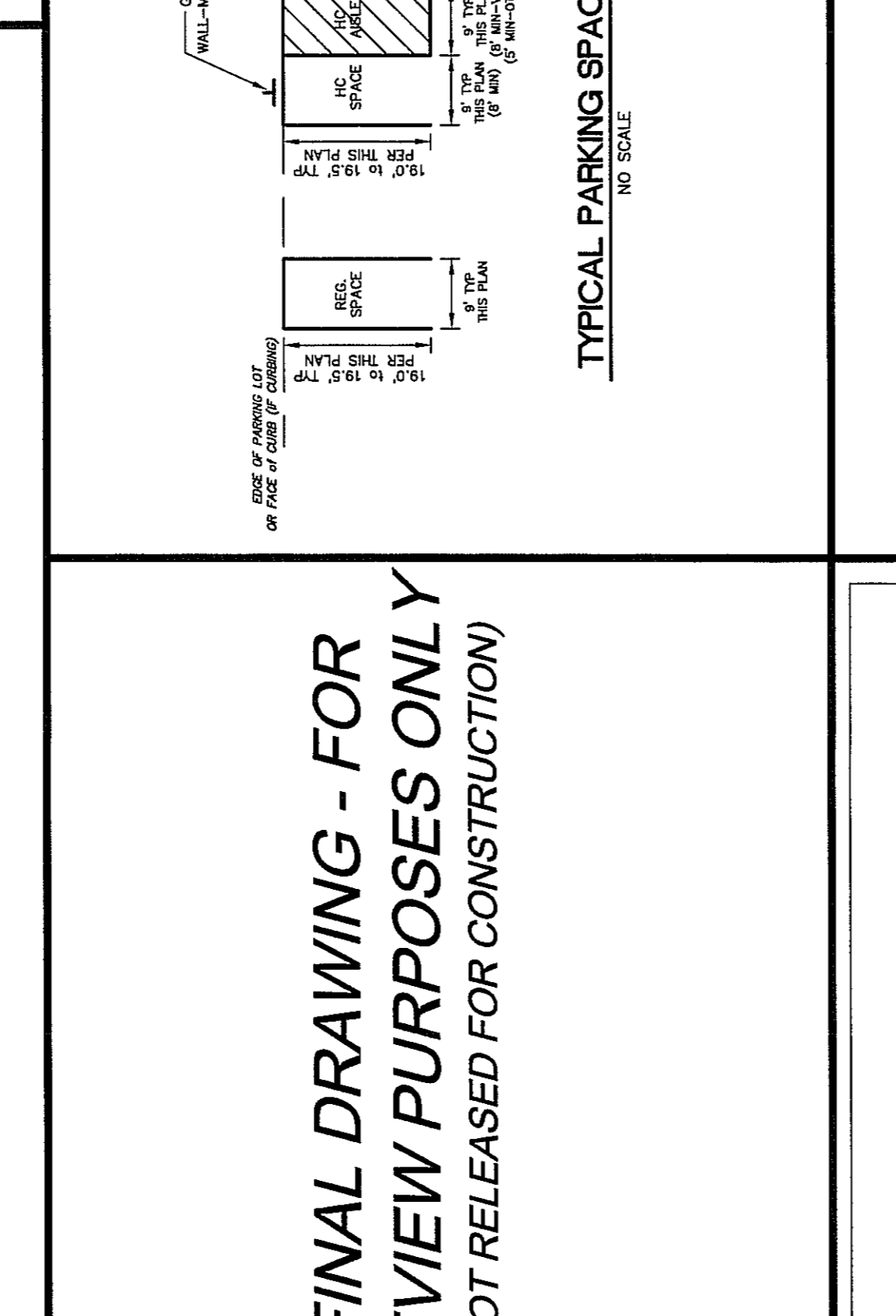
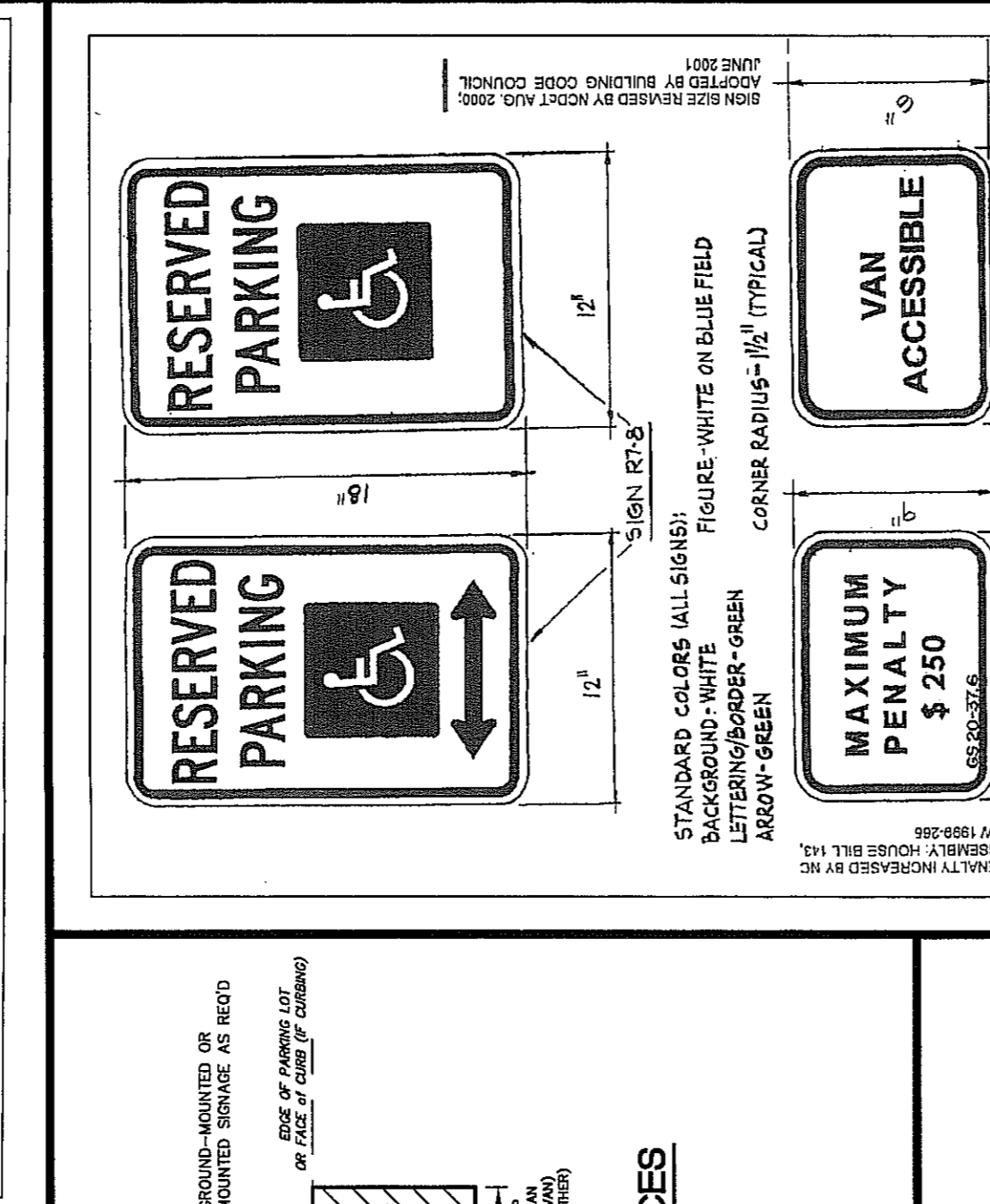
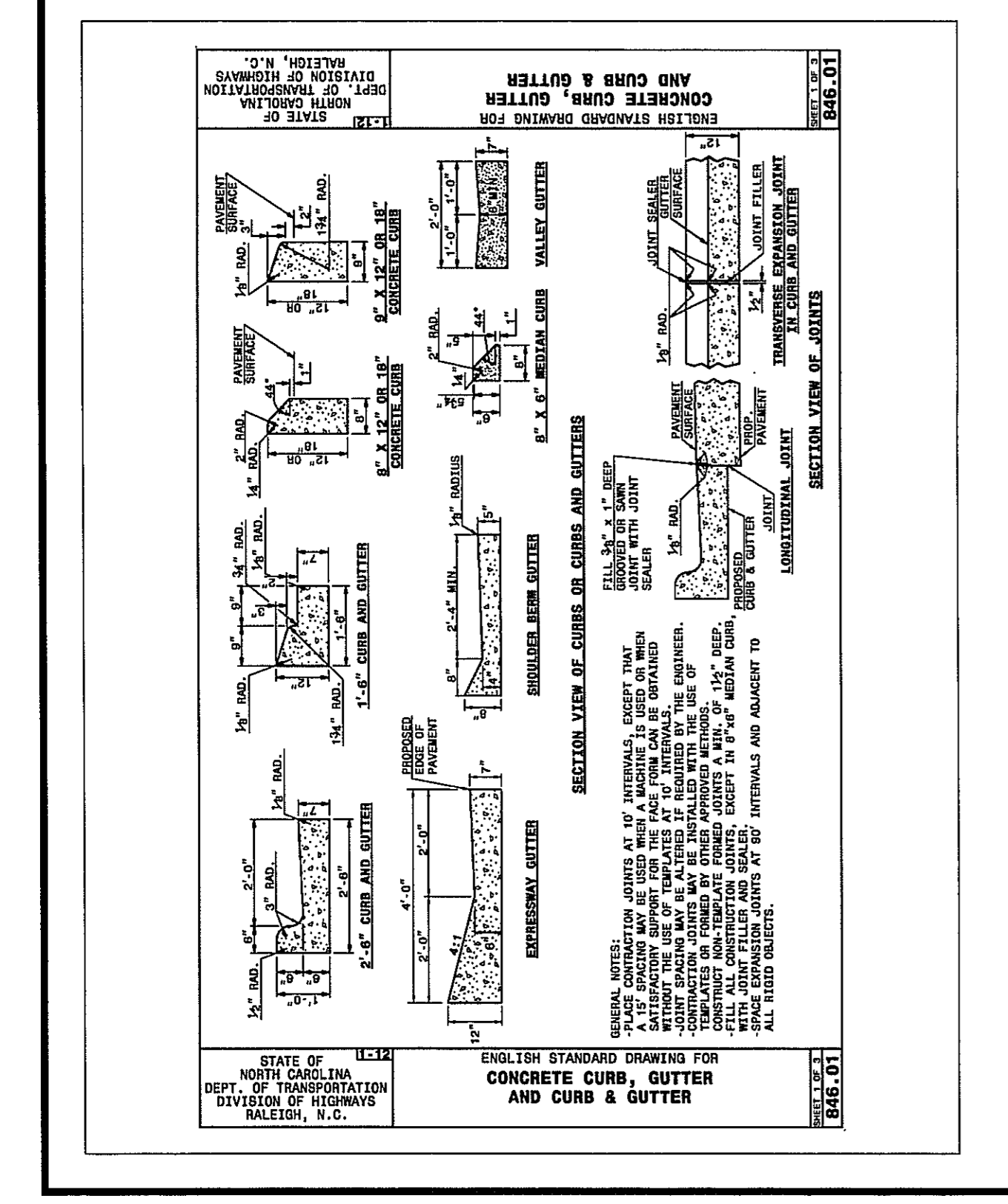
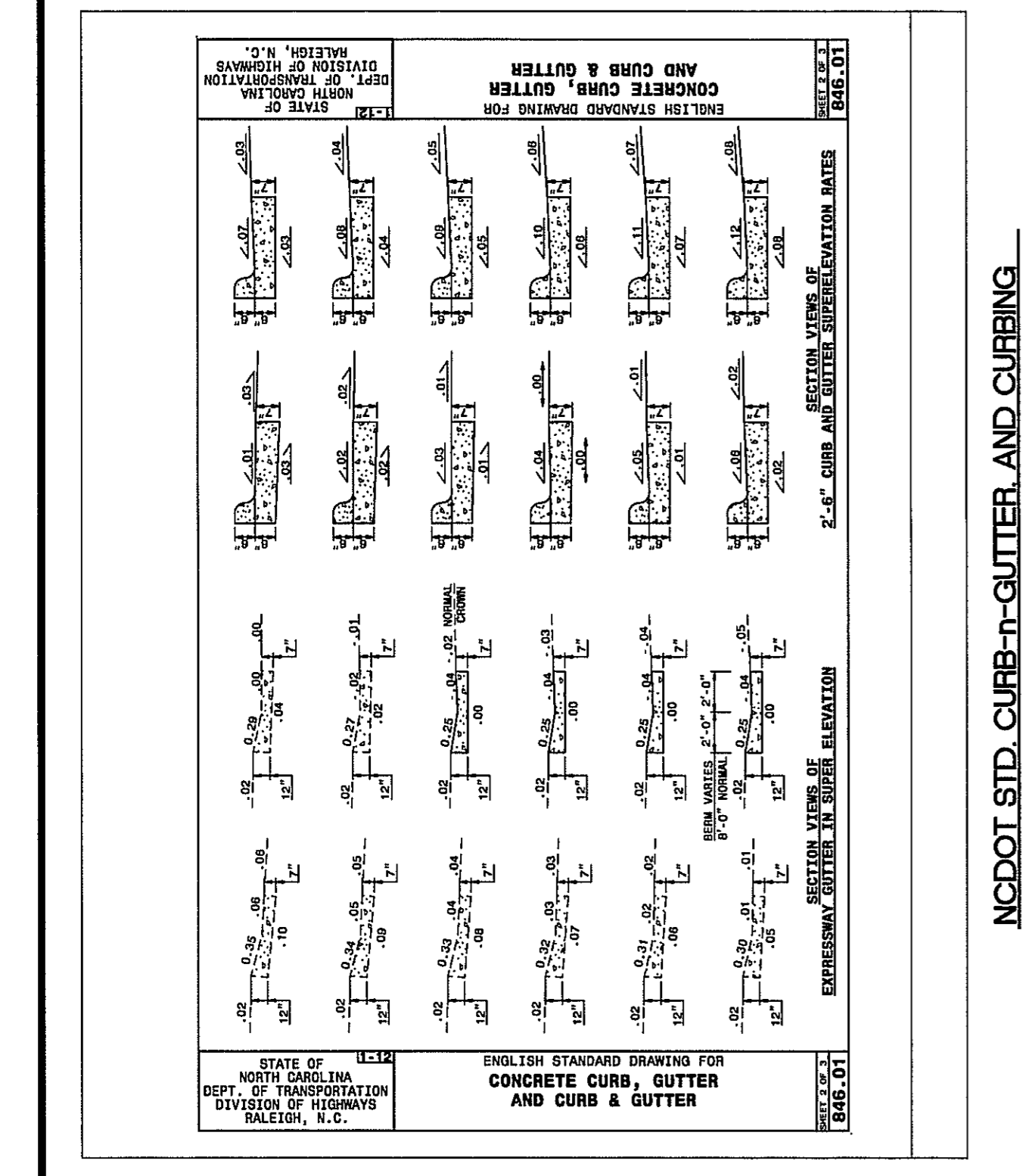
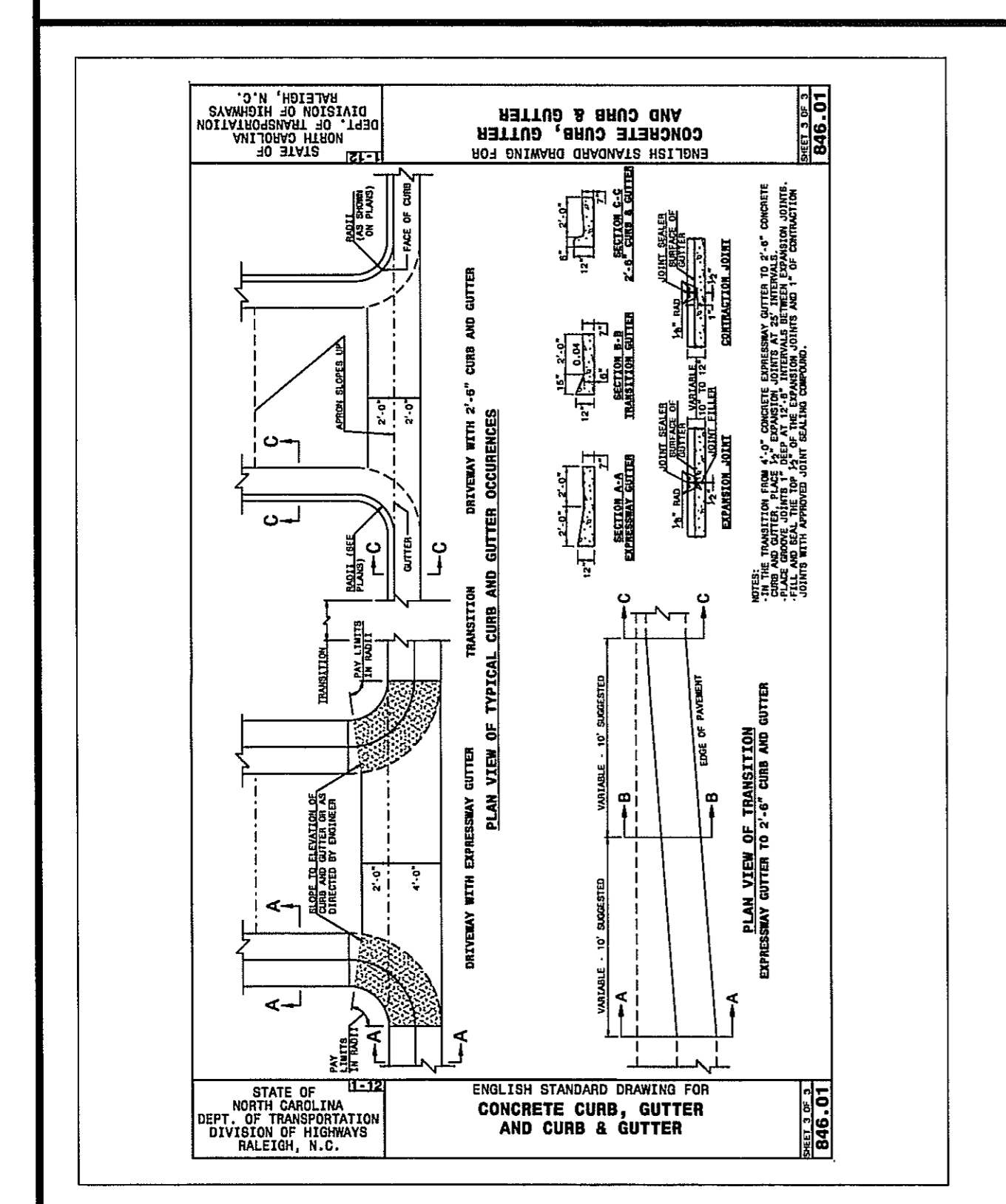
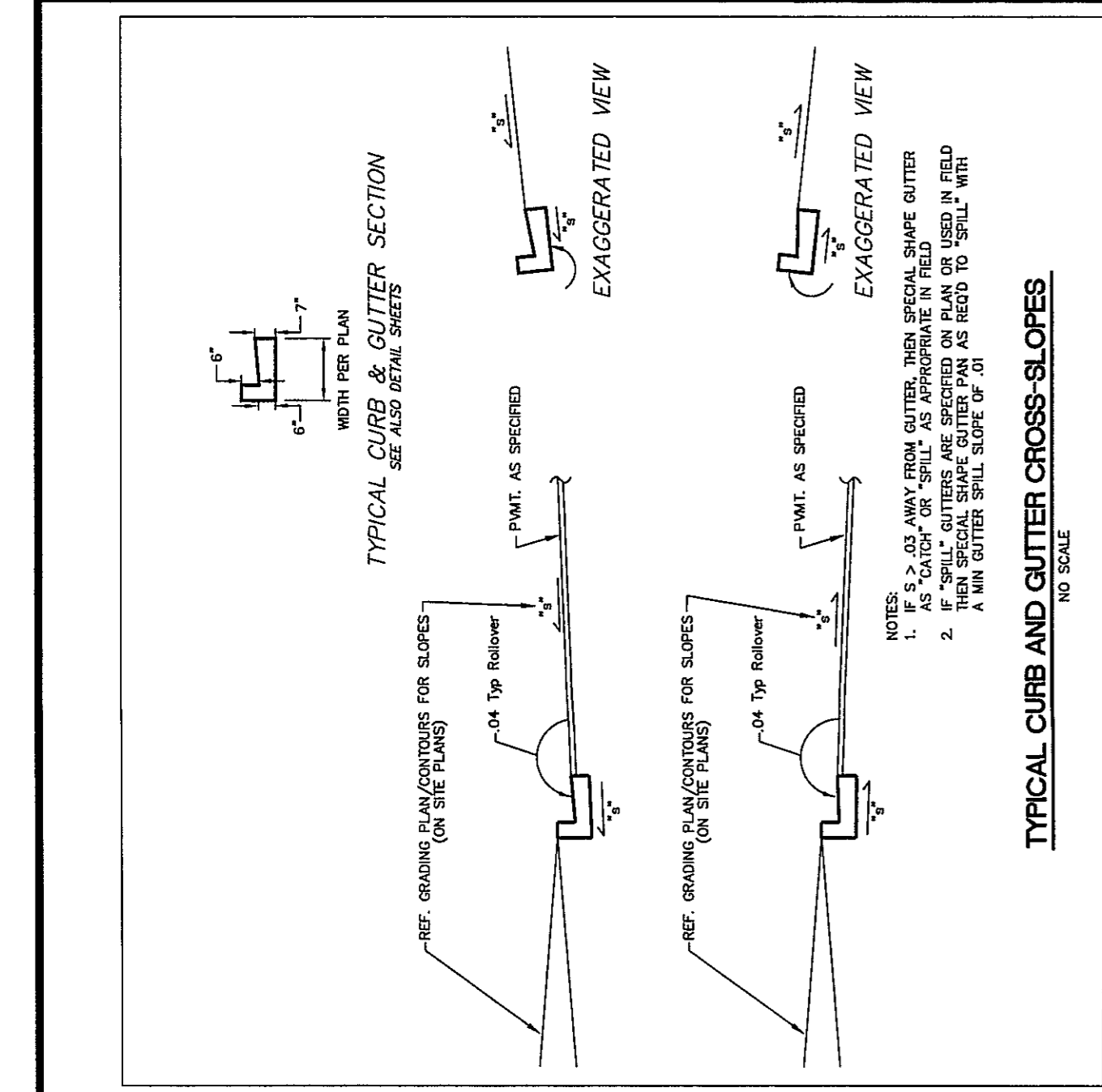


BRL ENGINEERING & SURVEYING
 112 East Johnston Street
 Smithfield, NC 27577
 Office: (919) 989-9300
 Field: (919) 631-8934
 www.brlengineering.com
 brlengr@earthlink.net
 NCBS: P-2323

PROJECT No: 116010.00
 CHECKED BY: BRL
 DRAWN BY: BRL
 SCALE: REF. BAR SCALE
 DATE: 8/7/17
 REVISION/NOTES:



FINAL DRAWING - FOR REVIEW PURPOSES ONLY
 (NOT RELEASED FOR CONSTRUCTION)



FINAL DRAWING - FOR REVIEW PURPOSES ONLY
 (NOT RELEASED FOR CONSTRUCTION)

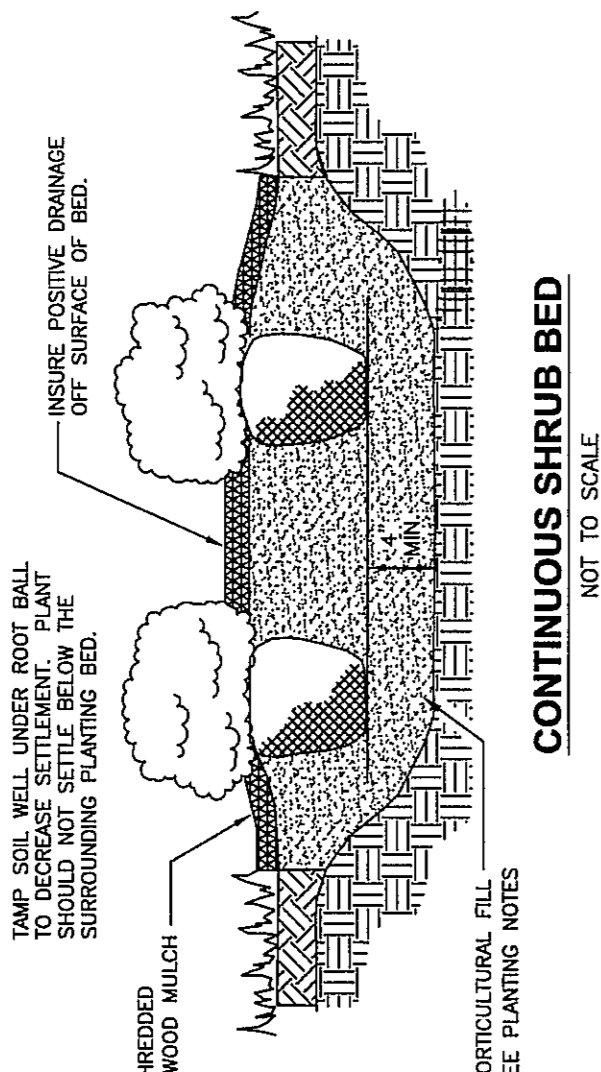
4.7.1 CURB CUTS AND RAMPS, GENERAL REQUIREMENTS
 NOTE: THIS DRAWING DOES NOT ILLUSTRATE ALL REQUIREMENTS. REFER ALSO TO CODE TEXT.

4.8 Ramps
 28 CFR Ch. I (7-1-09 Edition)
 Pt. 36, App. A

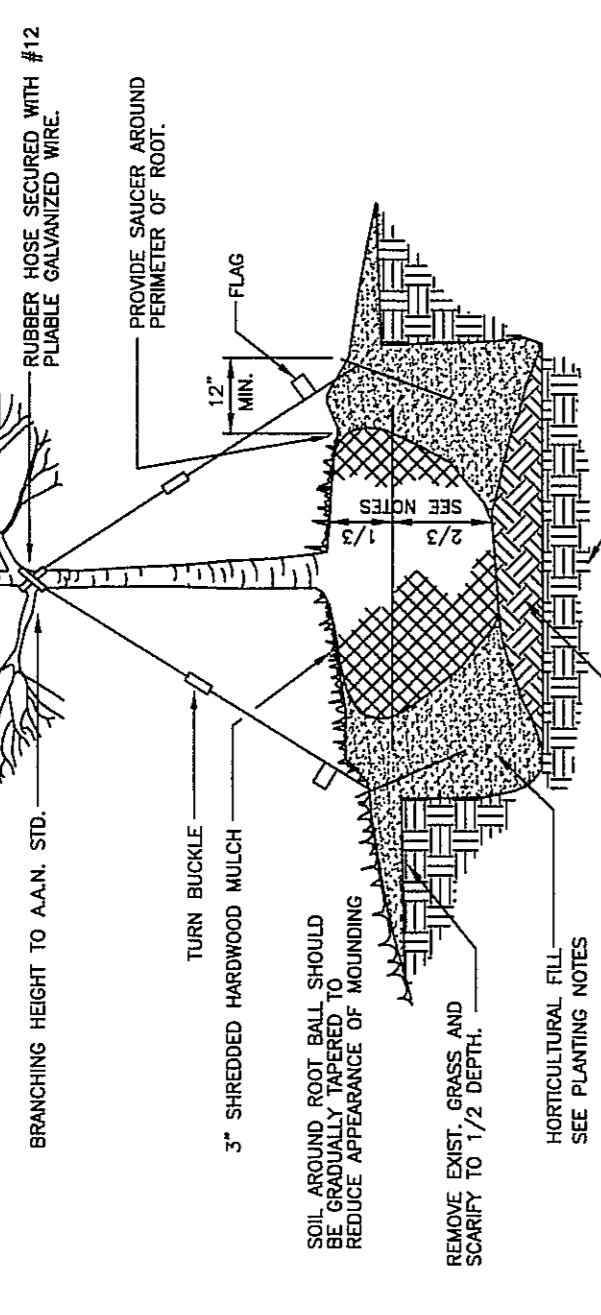
GENERAL NOTES:

- A GROOVE JOINT 1" DEEP WITH 1/8" RADIUS SHALL BE REQUIRED IN THE CONCRETE SIDEWALK AT INTERVALS. THE JOINTS SHALL BE LOCATED AT THE CURB AND MATCHING EXPANSION JOINT IN THE ADJACENT CURB. A SEALED 1/2" EXPANSION JOINT WILL BE REQUIRED WHERE THE SIDEWALK JOINS ANY RIGID STRUCTURE.
- SIDEWALK AT DRIVEWAY ENTRANCES TO BE 6" THICK.
- WIDTH OF SIDEWALK ON THOROUGHFARE STREETS SHALL BE A MINIMUM OF 5'. WIDTH OF SIDEWALKS IN THE CENTRAL BUSINESS DISTRICT WILL BE DETERMINED BY THE ENGINEER.
- WIDTH OF SIDEWALKS ON NON-THOROUGHFARE STREETS SHALL BE A MINIMUM OF 4'.
- SIDEWALK TO BE POURED TO END OF RADIUS AT INTERSECTING STREETS.
- CONCRETE COMPRESSIVE STRENGTH SHALL BE 4000SI. IN 28 DAYS.
- ZONING CONDITIONS MAY REQUIRE ADDITIONAL WIDTH DIMENSIONS.
- WHICH SHALL SUPERSEDE THESE STANDARD DIMENSIONS SHOWN.

- NOTES:
- APPROX. 1/3 OF ROOT BALL SHOULD BE LEFT ABOVE EXISTING GRADE. REMOVE EXCESSIVE SOIL FROM THE BASE OF THE TRUNK OF ALL TREES TO BE PLANTED.
 - GRADE SURFACE, WIRE, ROPE, AND STRAPS ON UPPER 1/3 OF ROOT.
 - PLACE (3) 1"x2"x24" WOOD STAKES A MINIMUM OF 3/4 THEIR LENGTH INTO THE



TYPICAL TREE PLANTING
NOT TO SCALE



CONTINUOUS SHRUB BED
NOT TO SCALE

LAWN NOTES

Loosen subgrade to a depth of 4" in areas where topsoil has been stripped. Spread 2" depth of topsoil, till to mix topsoil with subsoil. Spread additional 2" depth of topsoil, add specified soil amendments and mix thoroughly into top 4" of soil. Till surface to a level, fine surface.

Grade and roll prepared lawn surface. Water thoroughly but do not create muddy soil condition.

Lay sod strips with tight joints, roll or tamp lightly, and water thoroughly.

Lawn type: Fescue Sod

Fertilizer: Fertilize new sod for the first time about six weeks after laying the sod. Apply fertilizer as recommended by the results of a soil test or broadcast a slow-release granular fertilizer with a 10-10-10 or similar formula at a rate of no more than 1 pound nitrogen per 1,000 square feet of lawn.

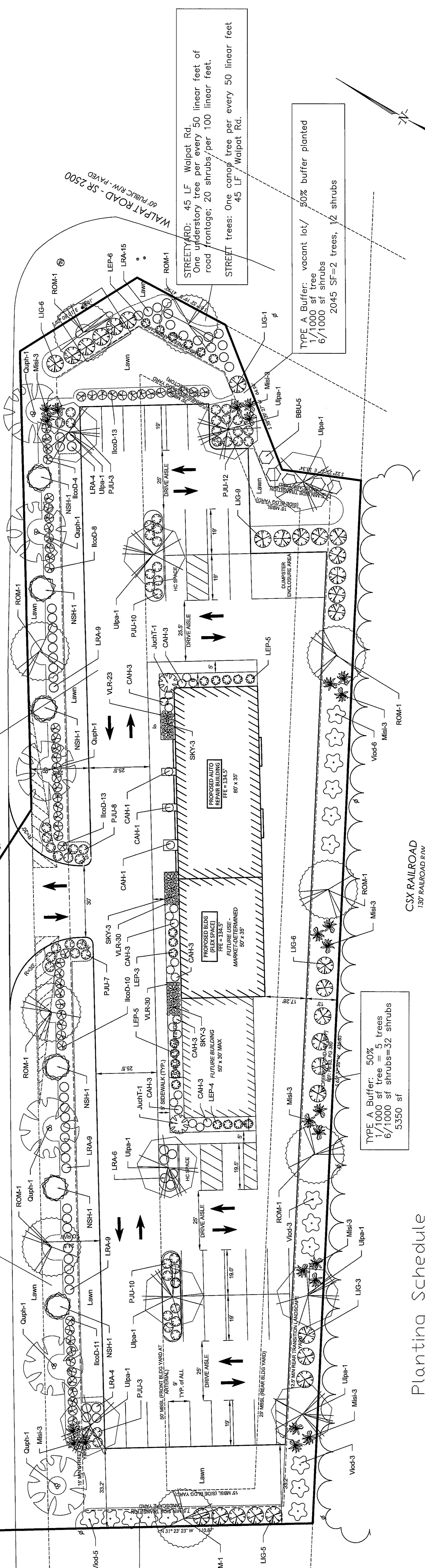
PLANTING NOTES

- Code name refers to plant list. Where there is only a key, the quantity is one. Where the code name is followed by a number, the quantity is the quantity required for the indicated plant bed.
- Locate plants and planting beds by using scaled dimensions from side-walks, building walls, etc.
- All plants shall meet or exceed the minimum standards set by the USDA Standard for Nursery Stock sponsored by the American Association of Nurseriesmen, Inc., Washington, D. C.
- Mulch all planting beds with a minimum of 2" of triple shredded hardwood bark in the field, prior to beginning construction.
- Apply pre-emergent herbicide to all planting beds per mgt's specifications.
- For lawn type see Lawn Notes.
- Plant bed preparation: Till into bed to a depth of 8-10", 5" of organic rich (50-50 blend) screened topsoil free of weeds and roots.
- Warranty plantings and lawn for one year following project completion.
- Landscape Contractor shall verify plant schedule for accuracy and notify Landscape Architect of any discrepancies.

STREET TREES: One canopy tree per every 50 linear feet
458 LF = 1/50lf = 9 canopy trees

STREETYARD: 458 LF Hwy. 301 South
One understory tree per every 50 linear feet = 9 trees
road frontage; 20 shrubs per 100 linear feet of road frontage = 92 shrubs

VHS: parking spaces within 75' of tree
Planting islands shall include at least one Canopy Tree or one Understory Tree and six Small Shrubs. At least 50% of the trees planted shall be Canopy Trees screen VHS from ROW



Planting Schedule

Code Name	Quantity	Common Name	Scientific Name	Planting Size
BBU	5	Burning Bush	Euonymus alata 'Compacta'	5-Gal/36" ht. min.
CAH	24	Carissa Holly	Ilex cornuta 'Carissa'	3-Gal/15-18" ht.
Upa	9	Chinese elm	Ulmus parvifolia	2 1/2"-Cal/12 ft. ht. min.
lcoD	59	Dwarf Burford holly	Ilex cornuta 'Dwarf Burford'	5-Gal/36" ht. min.
JuchT	2	Hollywood juniper	Juniperus chinensis 'Torulosa'	5 ft. ht.
Misi	24	Japanese silver grass	Miscanthus sinensis	5-Gal/36" ht. min.
LRA	56	Little Richard Abelia	Abelia grandiflora, 'Little Richard'	3-Gal/15-18" ht.
NSH	6	Nellie Stevens Holly	Ilex x 'Nellie Stevens'	6 ft. ht. min./B&B
PJU	53	Var. Parson's Juniper	Juniperus d. 'Variegated Parson'	3-Gal/15-18" ht.
LEP	23	Pink Loretalium	Loreatalium chinense, 'Burgundy'	5-Gal/36" ht. min.
ROM	9	Red Maple	Acer rubrum 'Autumn Glory'	2 1/2"-Cal/12 ft. ht. min.
SKY	9	Sky Pencil Holly	Ilex crenata 'Sky Pencil'	4 ft. ht./7 gal.
VioD	17	Sweet viburnum	Viburnum odoratissimum	4-5 ft. ht./15 gal.
VLR	83	Variiegated Liriodie	Liriope muscari 'Variegata'	4" pot
LIG	30	Wax Leaf Ligustrum	Ligustrum japonicum 'Wax Leaf'	5-Gal/36" ht. min.
Quph	6	Willow oak	Quercus phellos	2 1/2"-Cal/12 ft. ht. min.



Request for City Council Action

Business Agenda Item: **Employee Assistance Program**
Date: 10/03/2017

Subject: Employee Assistance Program
Department: General Government, Public Utilities – Electric, Public Utilities – Water/Sewer
Presented by: Tim Kerigan, Human Resources Director
Presentation: Tim Kerigan

Issue Statement

Staff is proposing Aetna to be selected as provider of an Employee Assistance Program for Town full-time and permanent part-time employees.

Financial Impact

The total annual cost for this program is \$2,988 and shall be equally shared (\$996 each) between the General Government, Public Utilities – Electric and Public Utilities – Water/Sewer funds and absorbed in the FY 17/18 Adopted Budget.

Action Needed

Council approval to award the Employee Assistance Program services contract to Aetna.

Recommendation

Staff recommends awarding the Employee Assistance Program services contract to Aetna.

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Proposals received by broker Mark III



Staff Report

Business **Employee**
Agenda **Assistance**
Item: **Program**

Companies commonly adopt Employee Assistance Programs (EAP) in order to maintain a productive, effective and functional working environment. The primary goal of an EAP is to ensure the mental health of employees so that they can consistently contribute to the growth of the company. EAPs cover everything from stress-related illness, drug and alcohol addictions to family related stress, grief, parenting challenges, marital problems, depression, anxiety, etc. These types of programs have proven highly effective for the wider success of companies that employ them and for the individual employees of those companies. When these things are going on and the employee is at work, other problems can result. Mistakes are made, productivity lessens, tempers flare – it does affect their co-workers and the overall environment. The aim of an EAP is to reduce the amount of time employees take away from work and to ensure that when they return they do so with renewed strength and optimal mental health.

In the past, an EAP has been provided by our primary health insurance carrier. With our current carrier, it is an add-on feature that we are not receiving. It is not only a great benefit to the Town and our employees, but it has been brought to our attention that it is a requirement for CALEA – Police Accreditation.

To include an EAP with Cigna, the cost would be \$6,000 per year and the rate would be guaranteed for 2 years. *To contract with Aetna, the cost would be \$1.66 PEPM (per employee per month) for a total of approximately \$2,988 per year (based on 150 maximum employees and the rate would be guaranteed for 3 years.* To contract with ComPsych, the cost would be \$3,150 year and the rate would be guaranteed for 5 years.

Town of Smithfield - Employee Assistance Program
Prepared by: Mark III Employee Benefits - August 2017

	Cigna	Aetna	ComPsych
Telephonic Access	24/7/365	24/7/365	24/7/365
Telephonic Consultation	24/7/365 access to behavioral care professionals	24/7/365 access to behavioral care professionals	24/7/365 access to behavioral care professionals
Face to Face Visits	Up to 3 face-to-face visits, per issue, per year	Up to 6 face-to-face visits, per issue, per year	Up to 6 face-to-face visits, per issue, per year
Crisis Consultation	24/7 telephone access 10 hours per incident/Unlimited Incidents	24/7 telephone access 10 hours per incident/Unlimited Incidents	24/7 telephone access
Legal Assistance	Consultations up to 30 minutes face to face or telephonically at no charge. After 30 minutes discounts are available.	Consultations up to 30 minutes face to face or telephonically at no charge. After 30 minutes discounts are available.	Unlimited telephone access to staff attorneys. Free 30 minute assessment and 25% discount when in-person representation is necessary
Financial Assistance	30 minute telephonic consultation per issue, no limit of issues.	30 minute telephonic consultation per issue, no limit of issues.	Unlimited telephone access to certified financial specialists
ID Recovery	60 minute telephonic consultation for coaching and direction on prevention and restoring credit for ID theft victims.	60 minute telephonic consultation for coaching and direction on prevention and restoring credit for ID theft victims.	Legal Assistance includes information and resources concerning ID Recovery.
Worklife Support	Information, assistance and referrals available for child care, adoption, summer camps, elder care, pet care, etc.	Information, assistance and referrals available for child care, adoption, summer camps, elder care, pet care, etc.	Information, assistance and referrals available for child care, adoption, summer camps, elder care, pet care, etc.
Communication Materials, i.e. - posters, brochures, etc.	Provided	Provided	Provided
Training for staff	\$255 per onsite hour	\$250 hour plus travel	Two hours of webinar training included. Additional webinar hours are \$150. On site visits are \$250 an hour plus travel
Mobile App	No	Included	No
Cost			
Non-Contributory	\$6,000 per year	\$1.66 PEPM	\$3,150 per year
Rate Guarantee	2 years	3 years	5 years

- This information is for illustrative/comparison purposes only.



Request for City Council Action

Business **Discussion**
Agenda **regarding**
Item: **the Fire**
Engine
Date: 10/03/2017

Subject: Discussion Regarding Surplusing the Fire Engine
Department: Fire
Presented by: John Blanton
Presentation: Business

Issue Statement

The Fire Department is asking for consideration to keep a 1992 International/E-One Fire Truck to be used for the purpose of a spare Fire Truck.

Financial Impact

None

Action Needed

Approval of keeping this fire Truck to be used as a spare in the current fleet.

Recommendation

To approve this request of keeping this Fire Truck to be used as a spare.

Approved: City Manager City Attorney

Attachments:

1. Staff Report
2. Photos (4)



Staff Report

Business Agenda Item: Discussion regarding surplus the Fire Engine

The Fire Department is asking to keep this Fire Truck to use as a spare, due to other trucks going out of service for maintenance and mechanical breakdowns.

Currently our fleet of Fire Trucks exists of:

- 1991 E-One 75' Ladder Truck Ladder 1
- 1992 E-One Fire Engine Engine 3 (Old)
- 1997 E-One Fire Engine Engine 4
- 2000 American Lafrance Rescue Truck Rescue 1
- 2001 American Lafrance Fire Engine Engine 1
- 2003 American Lafrance Fire Engine Engine 2
- 2006 Ford F-550 Rescue Truck Rescue 2
- 2017 Smeal Fire Engine Engine 3 (New)

Since July 18, 2017, Engine 4 the 1997 E-One Fire truck has been out of service due to computer related issues with the transmission. The main delay for it being out of service has been not having the available parts. We are still using the old Engine 3 to maintain our fleet, until Engine 4 can be returned to service.

Our aging fleet, along with having three Firetrucks that were manufactured by the brand of American Lafrance that has since gone out of business in January of 2014, this making the parts extremely hard to get and when they are available the cost are usually more than twice.

A truck of this age and type are expected to be worth \$15-\$30,000.00, the value of keeping it could be more due to having a spare truck to rely on when another goes out of service. Also the Department of Insurance gives credit for having a reserve fire truck (spare), the extra credit would be beneficial to improving our ISO Rating.

With keeping this truck there is no cost related to equipment as we have enough to keep it equipped, such as radios, hose, Air packs and tools.

We would like to keep this Fire Truck for these reasons, along with that before we have not had the available space to store it, now with the new Station #2 there is space available to store it.







KEWA BAUX

ENGINE 3

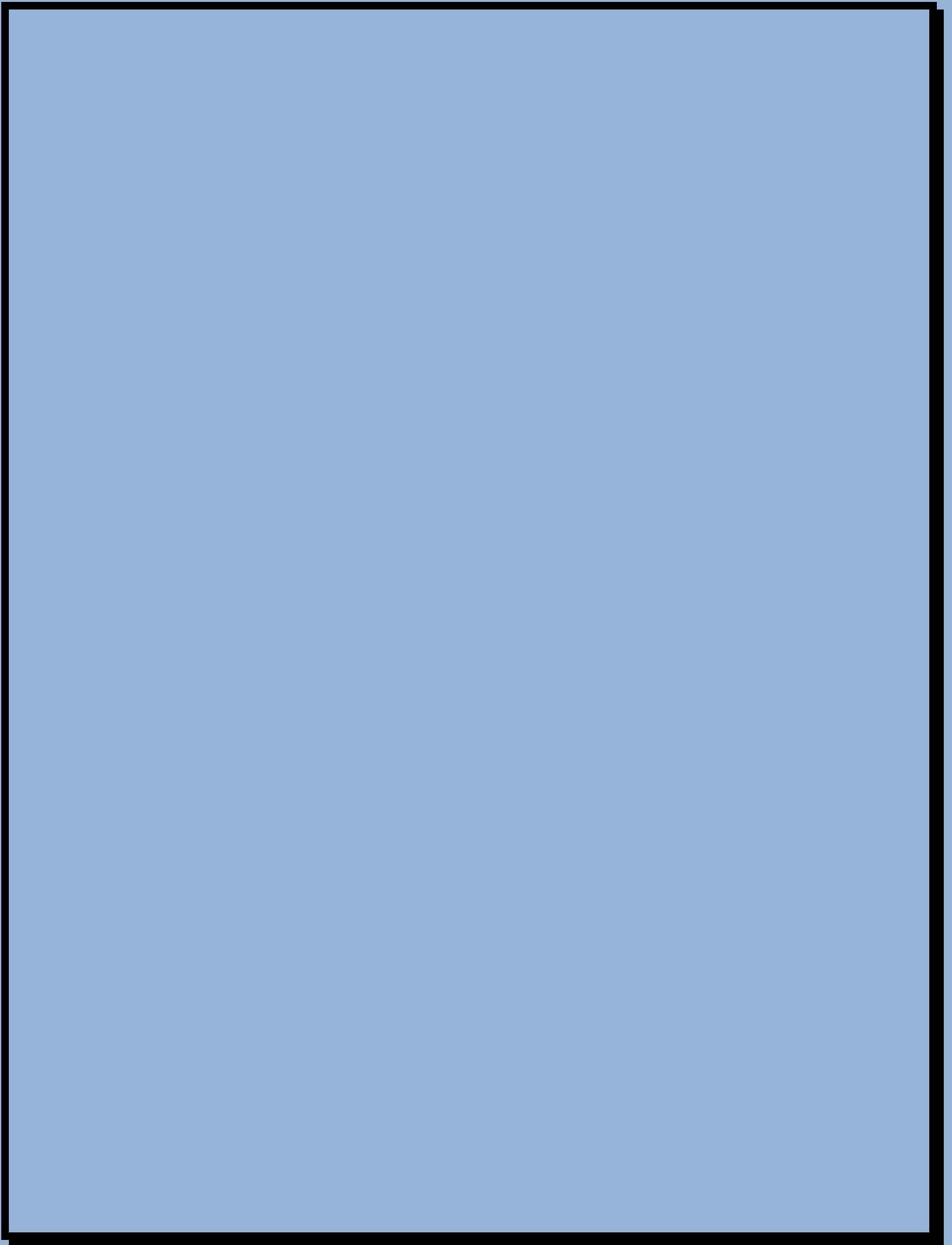
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EONE

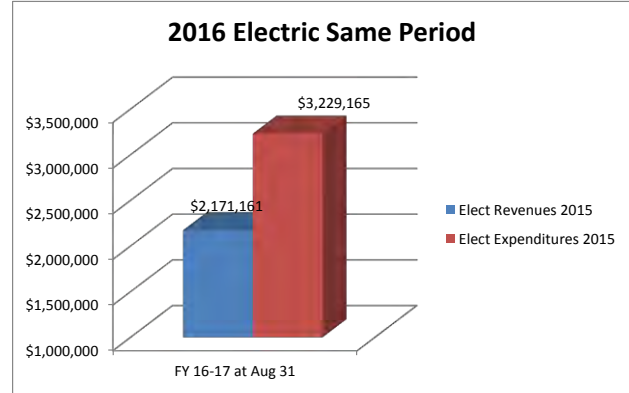
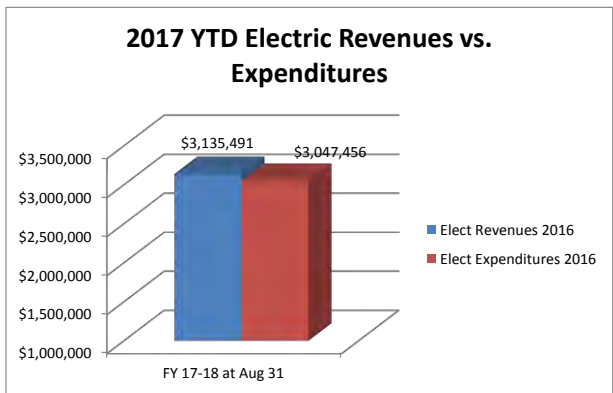
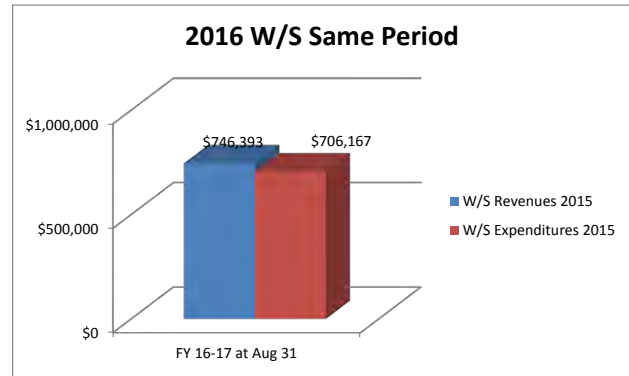
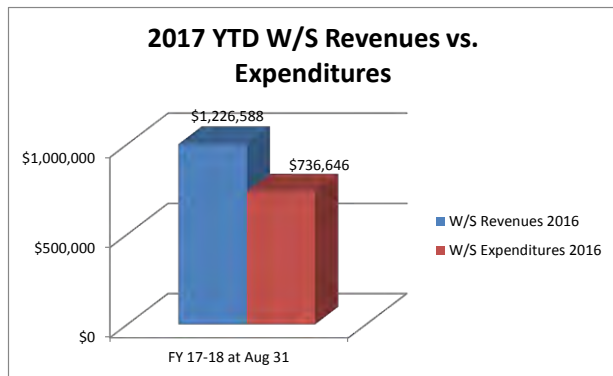
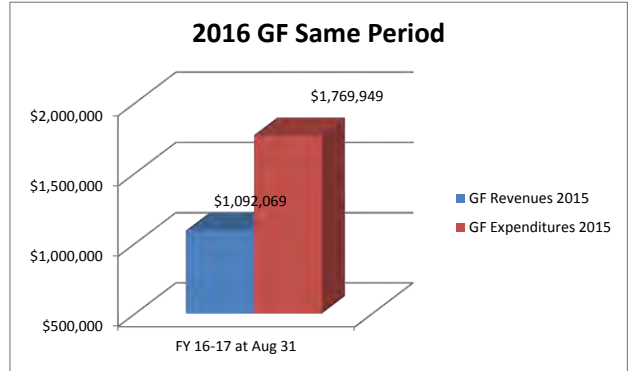
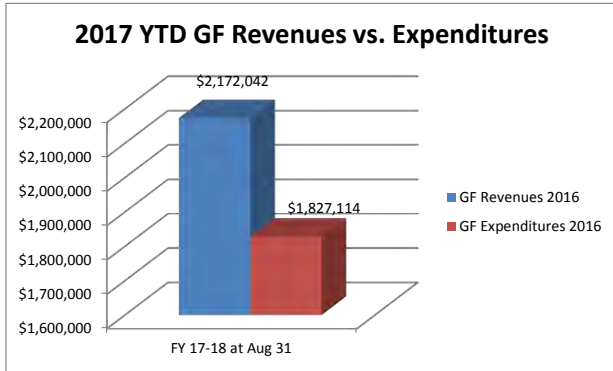
80914-T
NORTH CAROLINA
PERMITS



Financial Report



Town of Smithfield Revenues vs. Expenditures



**TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT**

July 31, 2017

Gauge: 2/12 or 16.7 Percent

16.70%

GENERAL FUND

Revenues	Frequency	Actual	Budget	Actual to Date	YTD %
		FY '16-17	FY '17-18	FY '17-18	Collected
Current & Prior Year Property Taxes	Monthly	\$ -	\$ 5,559,000	\$ 363,720	6.54%
Motor Vehicle Taxes	Monthly	-	500,000	94,452	18.89%
Utility Franchise Taxes	Quarterly	-	975,000	-	0.00%
Local Option Sales Taxes	Monthly	-	2,065,019	413,083	20.00%
Aquatic and Other Recreation	Monthly	-	765,100	161,921	21.16%
Sanitation	Monthly	-	1,305,500	220,109	16.86%
All Other Revenues		-	1,310,981	918,757	70.08%
Loan Proceeds		-	25,400	-	0.00%
Transfers (Electric and Fire Dist.)		-	261,614	-	0.00%
Fund Balance Appropriated		-	27,500	-	0.00%
Total		\$ -	\$ 12,795,114	\$ 2,172,042	16.98%

Expenditures	Actual	Budget	Actual to Date	YTD %
	FY '16-17	FY '17-18	FY '17-18	Spent
General Gov.-Governing Body	\$ -	\$ 376,021	\$ 51,911	13.81%
Non Departmental	-	801,299	207,753	25.93%
Debt Service	-	1,294,860	166,389	12.85%
Finance	-	143,501	15,144	10.55%
Planning	-	358,138	48,688	13.59%
Police	-	3,725,925	518,043	13.90%
Fire	-	1,642,133	247,993	15.10%
EMS	-	-	-	#DIV/0!
General Services/Public Works	-	474,874	63,896	13.46%
Streets	-	466,482	77,543	16.62%
Motor Pool/Garage	-	91,391	10,693	11.70%
Powell Bill	-	322,725	6,231	1.93%
Sanitation	-	1,097,678	142,785	13.01%
Parks and Rec	-	850,002	114,519	13.47%
SRAC	-	932,329	155,526	16.68%
Contingency	-	217,756	-	0.00%
Appropriations/Contributions	-	-	-	0.00%
Total	\$ -	\$ 12,795,114	\$ 1,827,114	14.28%

YTD Fund Balance Increase (Decrease)

-

-

16.70%

WATER AND SEWER FUND

	Actual FY '16-17	Budget FY '17-18	Actual to Date FY '17-18	YTD % Collected
Revenues				
Water Charges	\$ -	\$ 2,560,000	\$ 447,521	17.48%
Water Sales (Wholesale)	-	955,000	178,344	18.67%
Sewer Charges	-	3,350,000	594,781	17.75%
Tap Fees	-	15,500	3,075	19.84%
All Other Revenues	-	121,000	2,867	2.37%
Loan Proceeds	-	-	-	#DIV/0!
Fund Balance Appropriated	-	-	-	#DIV/0!
Total	\$ -	\$ 7,001,500	\$ 1,226,588	17.52%

	Actual FY '16-17	Budget FY '17-18	Actual to Date FY '17-18	YTD % Spent
Expenditures				
Water Plant (Less Transfers)	\$ -	\$ 1,744,749	\$ 240,421	13.78%
Water Distribution/Sewer Coll (Less Transfers)	-	3,813,898	413,168	10.83%
Transfer to General Fund	-	-	-	#DIV/0!
Transfer to W/S Capital Proj. Fund	-	585,000	-	0.00%
Debt Service	-	717,038	83,057	11.58%
Contingency	-	140,815	-	0.00%
Total	\$ -	\$ 7,001,500	\$ 736,646	10.52%

ELECTRIC FUND

	Actual FY '16-17	Budget FY '17-18	Actual to Date FY '17-18	YTD % Collected
Revenues				
Electric Sales	\$ -	\$ 16,400,000	\$ 3,052,299	18.61%
Penalties	-	315,000	73,319	23.28%
All Other Revenues	-	46,000	9,873	21.46%
Loan Proceeds	-	-	-	
Fund Balance Appropriated	-	-	-	
Total	\$ -	\$ 16,761,000	\$ 3,135,491	18.71%

	Actual FY '16-17	Budget FY '17-18	Actual to Date FY '17-18	YTD % Spent
Expenditures				
Administration/Operations	\$ -	\$ 1,994,706	\$ 365,389	18.32%
Purchased Power - Non Demand	-	12,800,000	1,107,599	8.65%
Purchased Power - Demand	-	-	1,039,039	#DIV/0!
Purchased Power - Debt	-	-	192,695	#DIV/0!
Debt Service	-	359,972	-	0.00%
Capital Outlay	-	45,833	149	
Contingency	-	609,275	-	

Transfers to Electric Capital Proj Fund	750,000	-		
Transfer to Electric Capital Reserve	115,000	-		
Transfers to General Fund	-	86,214	-	0.00%
Total	\$ -	\$ 16,761,000	\$ 2,704,871	16.14%

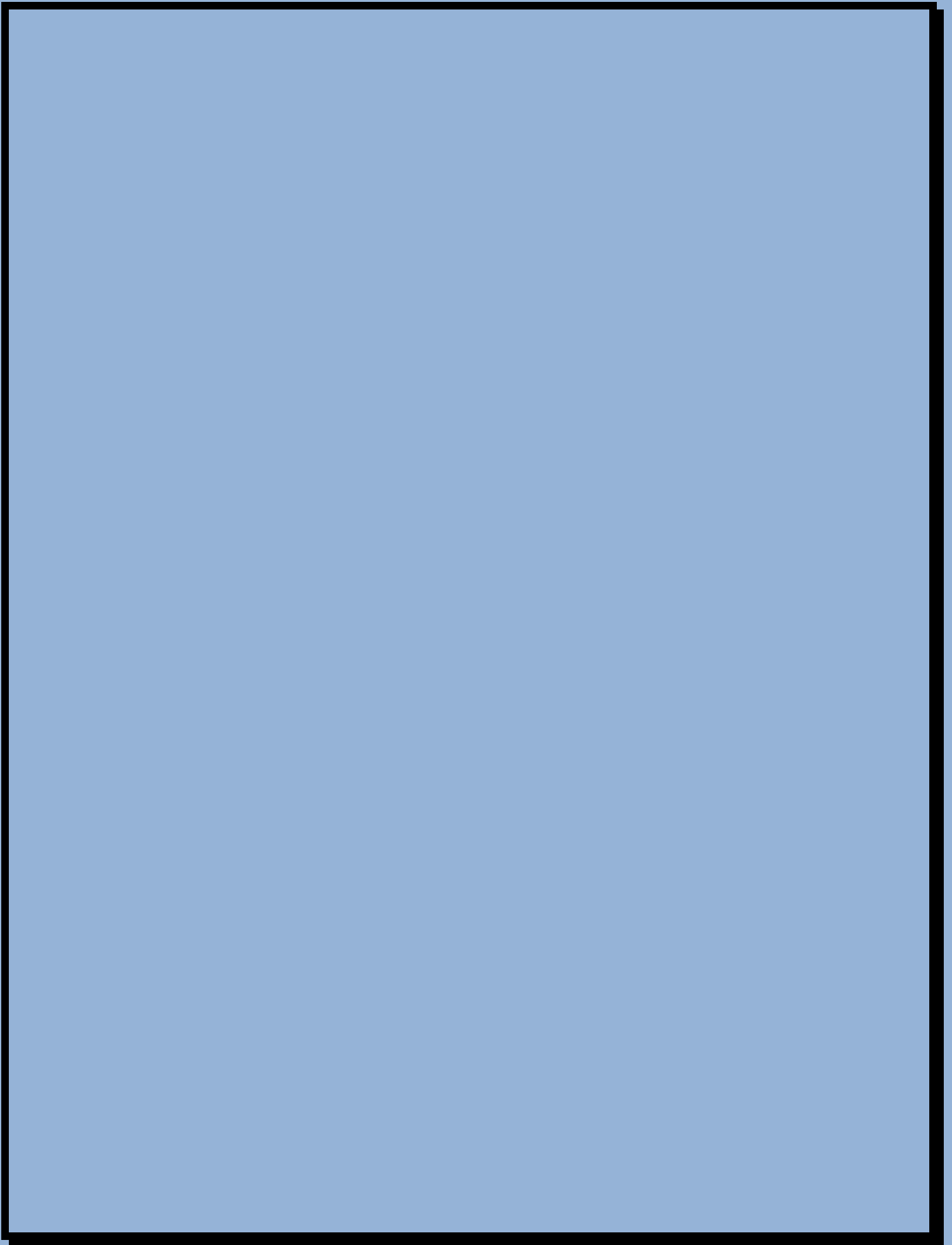
CASH AND INVESTMENTS

General Fund (Includes P. Bill)	8,117,181			
Water and Sewer Fund	4,536,089			Interest Rate
Electric Fund*	8,592,694			
Capital Project Fund: Wtr/Sewer (45)	356,440	1st CITIZENS	14,949,960	0.20%
Capital Project Fund: General (46)	(49,469)	NCCMT	2,440,286	0.500%
Capital Project Fund: Electric (47)	572,103	STIFEL	-	Market
Firemen Relief Fund (50)	145,574	KS BANK	3,731,011	.2, .65, &.7
Fire District Fund (51)	9,391	FOUR OAKS	1,290,135	0.60%
JB George Endowment (40)	131,389	PNC BANK	-	0.00%
Total	\$22,411,392		\$ 22,411,392	

*Plug

Account Balances Confirmed By Finance Director on 8/17/2017

Department Reports





Staff Report

**Economic
Development
Update**

Date of Meeting: October 03, 2017

Date Prepared: September 25, 2017

Staff Work By: Tim Kerigan, Economic Development Liaison

Update

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

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

Please see the attached most recent Implementation Activities and Progress Matrix.

Going further, at the request of Council, staff will provide similar monthly summary and matrix updates.

Action Requested

No action requested.

Smithfield Economic Development Implementation Activities AUG/SEPT 2017

1. Toured area that is being considered for inclusion in the downtown taxing district. Discussed advantages and disadvantages, and identified strategies to facilitate the inclusion of the property, if the decision to expand is made. A potential development, and its impact on the downtown taxing district, along this corridor was also discussed.
2. Met with Dr. David Johnson and Dr. Darryl McGraw of Johnston Community College to follow up on our previous meeting and to discuss several projects the college has planned. The conversation identified several ways and areas where the town could provide support.

The potential use by the college of space in a revitalized Old Town Hall (OTH) was discussed and the leadership identified at least one program that may fit. Drs. Johnson and McGraw requested to tour the facility and Tim stated that we would coordinate calendars for that tour.

Other expansion plans were discussed including the development of property around the college campus to meet their growing needs. Several construction projects are being planned and the college will need the support and assistance of the town to bring them to fruition. Development along the north side of Market Street in the area of the college was brought up and Dr. Johnson expressed a desire by the college to be part of the planning for the development in order to facilitate that development and ensure that the college's interests and future plans are included in the deliberations.

3. Received notification that the OTH has been selected to be the subject of a redevelopment project to be undertaken by a group of graduate students in the UNC-CH School of Government during the Fall Semester. The faculty and students will visit the town and tour the facility sometime in September or early October.
4. Follow-up communications with Dr. Marcia Perritt of the UNC SOG to discuss the other potential redevelopment project, the residential area near downtown. The purpose of the communications is to determine the options to move this project forward. Dr. Perritt referred us to Dr. Christy Rauli and a meeting and tour of the area is being scheduled with her.
5. Met with Chris Johnson to discuss business attraction and expansion. Chris noted that product is key. He stated that certified sites are becoming more and more important especially the data on the site that is produced in the certification process. Smithfield has had some certified sites in the past, but conditions have changed and those properties no longer carry that state designation. However, much of the data, soil borings, wetlands identification, etc. is still valid. Recertification of these properties should be considered. Further, additional properties were discussed as to their potential as industrial sites, and potential for certification.

Questions about the potential workforce available in the area eliminated the county from consideration for a project recently. Methods to quantify and qualify the workforce were identified that could be engaged for future projects. It was decided not to attempt to gather this data in advance of an RFP by a project, because the types and numbers of employees specified by the project would dictate what information would be sought. Although general information about the labor force could be gathered, it was felt that it would be more efficient to conduct a focused analysis based on the stated needs of a company.

Recruitment strategies for Life Science sector companies were also discussed.

6. Tim, Mike Fleming, and Rocky met with Durwood Stephenson to discuss potential redevelopment of the OTH and other areas near downtown. Durwood shared several ideas about redevelopment and cited others in the community that shared similar interests.
7. The Strategic Communications Plan is still incomplete. To date we have received on draft flyer. A meeting/conference call will be scheduled with Brenda Daniels to discuss the status and decide on next steps. In the interim, it was decided to apply for the two grants that ElectriCities has available to its communities, with the idea of producing marketing materials on our own.
8. Tim and Rocky discussed the progress of the program and updated the Performance Matrix and the associated To Do list. Actions related to these areas are contained in the Strategic Plan Implementation Progress Matrix 22SEPT17.

SMITHFIELD STRATEGIC PLAN IMPLEMENTATION-22SEPT17

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Develop overall support for the Economic Development Program					
	Develop and increase support for the Town's economic development efforts	Smithfield-Selma Chamber of Commerce		Good contact and support established with the organization	Tim is meeting with the Chamber on a regular basis
		Commercial Realtors		Maintaining on-going contact with realtors.	
		SEDAC		Maintaining on-going contact with SEDAC.	On-going
216		East Smithfield		Identified Tony Nixon as the person that would best represent the interests of East Smithfield	A meeting with Tony Nixon will be scheduled.
		Business Community		Meeting with business community via BRE program.	Additional meetings with the business community are being scheduled via BRE activities.

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Existing Business & Industry Support					
Reestablish the Existing Industry Outreach Program					
	Develop a contact directory of Existing Industries			Initial Directory completed and will be updated regularly.	
	Developing an introductory letter to be mailed by January 2017			First batch of letters mailed 19JAN17.	
	Schedule visitations			Visitations have begun and will be on-going.	Scheduling visits for follow-up items identified in first round of BRE visits
	Determine Recognition Activities			Options discussed and being considered.	
21 New Business Recruitment					
	Identify needs of major companies in the County that Smithfield can capitalize on			Met with Chris Johnson and discussed business attraction and expansion issues, including product and workforce.	Product development will be a focus including the recertification of sites and the identification and certification of additional properties.
Attract new business investment and jobs		JCED			

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Town Image/Gateways					
	Gateways				
	Identify areas for improvement	SEDAC		Meetings to be scheduled in conjunction with Visioning/Branding and the development of the Strategic Communication Plan (SCP) to more fully discuss the issue.	
		East Smithfield - Tony Nixon Business Community		Tony Nixon of the East Smithfield Improvement organization was identified as the best person to contact re: to East Smithfield issues. A meeting will be scheduled with Tony to begin discussions	Information will be gathered on the different areas of the town, including East Smithfield, in the development of the SCP and Visioning/Branding efforts.
	Conduct a Visioning/Branding process				
		ElectriCities/ Business Community/ SEDAC/East Smithfield		Town Council agreed to move forward with the development of the Strategic Communication Plan at their 07MAR17 meeting and a draft is being prepared by ElectriCities for review.	The Strategic Communications Plan is still incomplete. Call/meeting with Brenda Daniels to be scheduled to discuss status decide on next steps. Grant applications to be submitted to facilitate production of marketing materials on our own.
				A decision on what level of Visioning/Branding effort the town feels is appropriate will be made after a review of the SCP.	

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Product Development				A decision on what level of Visioning/Branding effort the town feels is appropriate will be made after a review of the SCP.	
				<p>Contacted one of the Wellons-Howell property owners to discuss recertification. Reached out to owners of other properties identified as suitable for development as industrial sites.</p> <p>Searching for other suitable properties for evaluations and inclusion in the town's product inventory</p>	<p>Follow-up with property owner in late September.</p>
	Increase the Town's product inventory	County and SEDAC		Two other properties with potential to be developed for industrial uses have been identified and efforts are underway to contact their owners.	Efforts continue to contact and engage landowners of remaining key parcels.
Downtown Redevelopment				Met with Sarah Edwards and discussed the status of the Old Town Hall initiative.	The Old Town Hall has been selected to be the subject of a redevelopment project by a UNC SOG graduate student class.
	Renovation and redevelopment of Downtown properties				
Internal/External Marketing					

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
	Internal	Identify the Economic Development Program Spokesman Develop a newsletter			Tim Kerigan is the spokesperson for the Economic Development Program. Exploring options for newsletter.	
	External	Develop Marketing Materials			The SCP is incomplete and only one draft marketing piece has been delivered to date.	An ElectriCities grant application has been submitted to secure funds for the production of marketing materials.
Johnston Community College						

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
	Identify JCC needs that can be translated into economic development activities	JCC		Follow up meeting with Dr. Johnson and Dr. McGraw to continue earlier discussion and identify other areas of collaboration.	The potential utilization of space in a renovated OTH along with other college expansion plans were discussed. Ways the town could support those plans were identified.
Incentives					
	Review the Town's Incentives to assess the Town's competitiveness			Best Practices Analysis on-going.	Gathering information on incentive programs offered by communities in Johnston County and selected others that have similarities to Smithfield
Retirement Development					
	Determine interest in advancing this initiative				
Residential Development					
	Assess Housing Stock	Tax Office Planning Department Local Realtors		Working with the SEDAC Redevelopment Committee to explore options of increasing/enhancing the housing stock in the town limits, primarily near downtown.	
				Contacts established with the UNC School of City and Regional Planning and the School of Government to identify levels of support that they both may be able to offer the town in these efforts	OTH adopted as a class project for the Fall Semester. Visit to town and a tour of the facility is being scheduled for September or early October. A meeting/community tour has been scheduled for early October to discuss redevelopment of residential areas near down town

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Retail Development					
	Expanding the Retail offerings of the Town	ElectriCities-Retail Strategies		Discussions were held with a retail developer that has an interest in the town for a project.	
Public Education					Tim met with Supt. Renfro to discuss the Smithfield Economic Development program and explore areas of collaboration and support



FINANCE DEPARTMENTAL REPORT FOR AUGUST, 2017

SUMMARY OF ACTIVITIES:

Daily Collections/Property Taxes/Other	\$4,229,396
Franchise Tax.....	0
Sales & Use Tax.....	196,640
Powel Bill.....	0
Total Revenue	\$4,426,036

Expenditures: General, Water, Electric and Firemen’s Fund..... \$3,360,664

FINANCE:

- Compiled and submitted monthly retirement report on 8/31/2017
- Issued 82 purchase orders
- Processed 838 vendor invoices for payment and issued 465 accounts payable checks
- Prepared and processed 2 regular payrolls. Remitted federal and state payroll taxes on 8/11/2017 and 8/25/2017
- Issued 0 new privilege licenses (new law change in effect 7/1/2015)
- Collected \$0 on past due privilege license fees. **NOTE:** Total collected now at \$10,374. The past due collections are the result of mailing some 284 past due notices to local businesses. Approximately 40 second notices were sent
- Sent 0 past due notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$7,026
- Processed 14 NSF Checks (Utility and SRAC)
- Bad debt calendar year-to-date collections total \$32,895 (EMS = \$10,424; SRAC = \$5,243; Utility= \$16,864; and Other = \$364).
- Invoiced six (6) grave openings for a total of \$4,200
- Invoiced Smithfield Housing Authority and Johnston Community College for Police Security

FINANCE DIRECTOR

- Attended Town Council Meeting on August, 2017
- Participated in biweekly meetings with Tyler Technologies on 8/9/2017 and 8/23/2017 to discuss records management system (RMS)
- New Auditor, TPSA onsite 8/14-17/2017
- Prepared and responded all month to numerous audit request.
- Renewed two certificates of deposits
- Met with Clear Gov. on transparency requirements
- Completed Powell Bill Municipal Report
- Prime Rate increases over the past several months have aided in offsetting bank fees on the Town’s Central Depository Account with First Citizens Bank. FY15 charges totaled \$1,795 for three months, while FY16 charges totaled \$7,509 and FY17 totaled 1,364 before being completely offset by earnings credits due to the rise in the prime rate. There have been no bank fees since January, 2017.
- Throughout the month of July and August the Finance Director has been preparing and responding to an extensive list of request from our new auditors, TPSA.



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

BOARD ACTIONS REPORT - 2017

	August	Calendar Year to date
Town Council		
Rezoning	0	2
Conditional Use	1	7
Ordinance Amendment	1	3
Major Subdivisions	0	0
Annexations	0	0
Special Events	0	7
Planning Board		
Rezoning	0	2
Condition Use	1	7
Ordinance Amendment	0	3
Subdivisions	0	0
Annexations	0	0
Board of Adjustment		
Variance	0	1
Admin Appeal	0	0
Historic Properties Commission		
Certificate of Appropriateness	0	0
Historic Landmarks	0	0



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 August 2017

		Permit Fees	Permits Issued
Site Plan	Minor Site Plan	\$125.00	2
Zoning	Land Use	\$800.00	10
Zoning	Sign	\$300.00	6
Report Period Total:		\$1,225.00	18
Fiscal YTD Total:		\$4,075.00	64

Z17-000142	Zoning	Land Use	Nicole M. Dorney	901 South First Street
SP17-000042	Site Plan	Minor Site Plan	Single Family Dwelling	500 Turnage Road
Z17-000143	Zoning	Sign	UNC Women's Health at Smithfield	300 South THIRD Street
Z17-000144	Zoning	Sign	Haines Vision Care	1319 N. Brightleaf Boulevard
Z17-000145	Zoning	Land Use	Liem Phan	350 Bayhill Drive
Z17-000146	Zoning	Land Use	Atlantic Coast Pipeline, LLC	388-C Venture Drive
Z17-000147	Zoning	Land Use	Pride in North Carolina, LLC	1319-G Brightleaf Boulevard
Z17-000148	Zoning	Land Use	Paty Beltran	56 Franklin Drive
Z17-000150	Zoning	Sign	Simple Twist Tap Room	228 East Market Street
SP17-000043	Site Plan	Minor Site Plan	Accessory Structure/ New Hangars	3223 Swift Creek Road
Z17-000151	Zoning	Sign	Fixed Finacials, INC.	216 Peedin Road
Z17-000149	Zoning	Sign	Journeys	1025 Outlet Center Drive
Z17-000152	Zoning	Land Use	Monkey See Multi-Media, LLC	221 Woodcrest
Z17-000153	Zoning	Land Use	Carport	350 Westerman Place
Z17-000155	Zoning	Land Use	FKC Johnston County Expansion	545 East Market Street
Z17-000154	Zoning	Land Use	The Thrasher Group	216 Peedin Road
Z17-000156	Zoning	Sign	Johnston UNC Healthcare	514 N. Brightleaf Boulevard
Z17-000157	Zoning	Land Use	Hollywood Nail Salon	721 N. Brightleaf Boulevard
Z17-000135	Zoning	Land Use	Jason Cox	559 NC 210 Highway
Z17-000139	Zoning	Sign	Waynesborough Ophthalmology	1317-D N Brightleaf Blvd



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING August 31, 3017**

I. STATISTICAL SECTION

Month Ending August 31, 2017	August 2017	August 2016	Total 2017	Total 2016	YTD Difference
Calls For Service	1992	1796	15434	13638	1796
Incident Reports Completed	140	189	1264	1501	-237
Cases Closed	89	119	881	1241	-360
Accident Reports	70	82	568	580	-12
Arrest Reports	93	129	927	1064	-137
Burglaries Reported	6	18	82	111	-29
Drug Charges	13	56	240	56	184
DWI Charges	5	7	75	72	3
Citations Issued	136	165	1513	1682	-169
Speeding	16	11	365	360	5
No Operator License	22	27	312	341	-29
Registration Violations	31	16	221	124	97

II. PERSONNEL UPDATE

The police department is currently short 4 positions at this time. One applicant started BLET on August 15, 2017, which will be paid by the department. Two back grounds are being completed at this time on additional prospective new hires. The agency is also short another officer due to shoulder surgery and is out on medical leave.

III. MISCELLANEOUS

Mandatory in-service training was continued in August, with most courses be completed on line. Officers will be qualifying with duty weapon over the next couple of months. The Department held Coffee with a Cop at the McDonalds in West Smithfield. The Family Life Center will be ready for use once the internet is installed.

REPORTED UCR OFFENSES FOR THE MONTH OF AUGUST 2017

PART I CRIMES	August	August	+/-	Percent	Year-To-Date		+/-	Percent
	2016	2017		Changed	2016	2017		Changed
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	0	0	N.C.	4	1	-3	-75%
ROBBERY	0	4	4	N.C.	6	17	11	183%
Commercial	0	1	1	N.C.	0	3	3	N.C.
Individual	0	3	3	N.C.	6	14	8	133%
ASSAULT	9	1	-8	-89%	39	28	-11	-28%
* VIOLENT *	9	5	-4	-44%	49	46	-3	-6%
BURGLARY	18	6	-12	-67%	107	78	-29	-27%
Residential	10	4	-6	-60%	53	50	-3	-6%
Non-Resident.	5	1	-4	-80%	18	9	-9	-50%
Commercial	3	1	-2	-67%	36	19	-17	-47%
LARCENY	56	44	-12	-21%	412	341	-71	-17%
AUTO THEFT	0	1	1	N.C.	17	6	-11	-65%
ARSON	0	0	0	N.C.	3	0	-3	-100%
* PROPERTY *	74	51	-23	-31%	539	425	-114	-21%
PART I TOTAL:	83	56	-27	-33%	588	471	-117	-20%
PART II CRIMES								
Drug	20	21	1	5%	309	213	-96	-31%
Assault Simple	10	18	8	80%	100	112	12	12%
Forgery/Counterfeit	7	6	-1	-14%	32	38	6	19%
Fraud	11	9	-2	-18%	61	59	-2	-3%
Embezzlement	3	0	-3	-100%	16	8	-8	-50%
Stolen Property	0	1	1	N.C.	10	8	-2	-20%
Vandalism	5	6	1	20%	61	51	-10	-16%
Weapons	2	2	0	0%	16	24	8	50%
Prostitution	0	0	0	N.C.	1	0	-1	-100%
All Other Sex Offens	1	0	-1	-100%	3	11	8	267%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	1	1	N.C.	2	2	0	0%
D. W. I.	7	5	-2	-29%	68	72	4	6%
Liquor Law Violation	7	0	-7	-100%	15	5	-10	-67%
Disorderly Conduct	2	1	-1	-50%	10	5	-5	-50%
Obscenity	0	0	0	N.C.	1	0	-1	-100%
Kidnap	0	0	0	N.C.	2	0	-2	-100%
All Other Offenses	9	7	-2	-22%	55	68	13	24%
PART II TOTAL:	84	77	-7	-8%	762	676	-86	-11%
===== GRAND TOTAL:	167	133	-34	-20%	1350	1147	-203	-15%

N.C. = Not Calculable



**Town of Smithfield
Fire Department
August, 2017**

I. Statistical Section

Responded to	2017 Aug.	Aug. IN	Aug. OUT	2016 Aug.	2017 IN	2017 OUT	2017 YTD	2016 YTD
Total Structure Fires Dispatched	4	2	2	6	35	34	69	57
Confirmed Structure Fires (Our District)	1	1	0	0	11	7	18	10
Confirmed Structure Fires (Other Districts)	1	0	0	0	0	0	22	7
EMS/Rescue Calls	129	125	4	129	1047	69	1116	1087
Vehicle Fires	3	3	0	5	8	1	9	13
Motor Vehicle Accidents	12	9	3	12	110	22	132	123
Fire Alarms (Actual)	9	9	0	6	83	8	91	72
Fire Alarms (False)	16	16	0	14	62	4	66	69
Misc./Other Calls	35	33	2	20	150	18	168	200
Mutual Aid (Received)	17	0	0	7	0	0	52	72
Mutual Aid (Given)	2	0	0	6	0	0	55	47
Overlapping Calls (Calls at the same time)	50	0	0	16	0	0	252	204
TOTAL EMERGENCY RESPONSES	208	197	11	200	1495	156	1651	1621

* Denotes the breakdown of calls, these are not calculated into the totals *
IN/OUT denotes in and out of the Town, not outside the fire district. When we respond to another fire district (Mutual Aid), which is outside of our total fire district boundaries that is reported in (**Other Districts**).

	Aug.	YTD
Fire Inspections/Compliance Inspections	45	322
Public Fire Education Programs	3	18
Children in Attendance	80	1,035
Adults in Attendance	45	454
Plans Review Construction/Renovation Projects	6	19
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	31	246
Re-Inspections	30	196

II. Major Revenues

	Aug.	YTD
Inspections	\$1,800.00	\$12,996.00
False Alarms	\$0.00	\$1,050.00
Fire Recovery USA	\$821.59	\$19,389.39
EMS Debt Setoff	\$79.81	\$10,704.01
Haz-Mat I-95 Recovery	\$54,384.77	\$54,384.77

Major Expenses for the Month:

III. Personnel Update:

- We held interviews for three Firefighter positions provided by the FEMA Safer Grant.

IV. Narrative of monthly departmental activities:

- We participated in many public fire education programs at; the Carolina Pottery and Home Children groups.
- We participated at the Smith Collins Park for Life-Spring church, with the Kool Kids Sprinkler
- We participated with the Chamber at the Country Club to assist with an event “Drop it like it’s Hot”
- Construction started on the renovations to Smithfield Fire Station #2 in West Smithfield, it is projected to be completed by mid-October.
- The status has been updated of the upcoming NCDOI ISO rating inspection, the inspection has been rescheduled for November 6th, 2017. We are working to prepare for this inspection along with the help from other Town and County departments.

**Town of Smithfield
Public Works Department
Aug. 31, 2017**



181 Total Work Orders completed by the Public Works Department

5 Burials, at \$700.00 each = \$3,500.00

0 Cremation Burial, \$400.00 each = \$0

\$0 Sunset Cemetery Lot Sales

\$0 Riverside Extension Cemetery Lot Sales

444.61 tons of household waste collected

180 tons of yard waste collected

6.2 tons of recycling collected

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
Aug. 31, 2017



I. Statistical Section

- 5 _____ Burials
- 14 _____ Works Orders – Buildings & Facilities Division
- 14 _____ Work Orders – Grounds Division
- 16 _____ Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$0.00
Riverside Ext Cemetery Lot Sales:	\$0.00
Grave Opening Fees:	\$3,500.00
Total Revenue:	\$3,500.00

III. Major Expenses for the Month:

None for the month.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works Department safety meeting was on "Equipment Safety and Proper Use of Chain Saw Operation".

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
Aug. 31, 2017**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 3 - Work Orders – 5.04 Tons of Asphalt was placed in 4 utility cuts.
- c. Replaced LF of damaged sidewalk and LF of curb and gutter.
- d. 1- Work Order – 1,500 Linear Feet of ditch were cleaned
- e. 4 - Work Orders – 390lbs. of Cold Patch was used for 8 Potholes.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

\$2,455 to Triangle of Government "Clean water education partnership", \$781.41 to Smithfield Sign Design for stop signs, \$1,350 to HD Supply for Perma Patch asphalt, \$12,000 to Hinton Construction for sidewalk and curb & gutter repairs, \$938.00 to Herc Rental for mini excavator rental.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting was on "Equipment Safety and Proper Use of Chain Saw Operation".

**Town of Smithfield
Public Works Department
Aug. 31, 2017 Drainage Report**

Location: 800 block of Massey Street.
Starting Date: 8/1/2017
Completion Date: 8/1/2017
Description: Repaired 10x10 sinkhole in middle of street.
Man-hours: 18hrs.
Equipment: 420 Cat backhoe, 405 dump truck, jet truck.
Materials: 4 yards of screening backfill.

Location: College Rd near retention pond.
Starting Date: 8/3/2017
Completion Date: 8/3/2017
Description: Removed large pile of debris that utility department cut back.
Man-hours: 1hr.
Equipment: 311 Knuckleboom.
Materials: Hauled debris to Spain farms.

Location: Hospital Road near Operation Center, Woodsdale and Hazelwood Ct,
213 Hood Street.
Starting Date: 8/4/2017
Completion Date: 8/29/2017
Description: Repaired 8 potholes with Perma Patch asphalt.
Man-hours: 2hrs.
Equipment: 402 pickup plus hand tools.
Materials: 6.5 bags of Perma Patch.

Location: West Street in front of Smith Collins Park, S 5th Street Fema Lots, 3rd
Street beside travel odyssey, Riverside Drive, Martin Street, 3rd Ave, 2nd
Ave, College Road and MLK
Starting Date: 8/14/2017
Completion Date: 8/18/2017
Description: Cut back FEMA lots and Right of Ways.
Man-hours: 23hrs.
Equipment: Scag mowers, tractor with bush hog plus hand tools.
Materials: N/A

Location: S 2nd and Parker Street.
Starting Date: 8/15/2017
Completion Date: 8/15/2017
Description: Installed a new 4-way stop intersection.
Man-hours: 4.5hrs.
Equipment: 420 cat backhoe, 402 pickup plus hand tools.
Materials: Two 10ft u-channel poles, two 8ft u-channel poles, 2 stop signs, Four 4-
way stop signs, two stop ahead signs.

Location: 1600 Block of SBL.
Starting Date: 8/7/2017
Completion Date: 8/15/2017
Description: Cut back 1,500LF of ditch bank and removed obstruction. Located between 301 and Wal-Pat Rd.
Man-hours: 121.5hrs.
Equipment: Mini Excavator, 420 Cat backhoe, bobcat tractor, 405 dump truck and 405 flat bed.
Materials: Hauled off 3 loads of debris to Spain farms.

Location: Computer Drive.
Starting Date: 8/23/2017
Completion Date: 8/23/2017
Description: Removed grass and sand/dirt from gutter areas.
Man-hours: 7hrs.
Equipment: Demo street sweeper plus hand tools.
Materials: N/A

Location: 912 2ND Ave.
Starting Date: 8/21/2017
Completion Date: 8/23/2017
Description: Installed 2x3 catch basin in right of way for positive drainage.
Man-hours: 48hrs.
Equipment: 420 Cat backhoe, 408 flatbed plus hand tools.
Materials: 2x3 frame and grate, 3 yards of 3000psi concrete, 20lbs. of hydraulic cement, three 60lbs. bags of sand mix.

Location: Various Locations (STORM)
Starting Date: 8/23/2017
Completion Date: 8/24/2017
Description: Crew was called in to removed storm damage from roadway.
Man-hours: 112hrs.
Equipment: 300, 204-311-312 knuckle boom trucks, 408 flatbed and 420 Cat backhoe.
Materials: N/A

Location: 203 e Davis, 800 Block of Massey, S 2nd and Wellons.
Starting Date: 8/25/2017
Completion Date: 8/25/2017
Description: Repaired 4 utility cuts with 1-2 asphalt.
Man-hours: 14.25hrs.
Equipment: 420 Cat backhoe, 405 dump truck plus hand tools.
Materials: 5.04 tons of 1-2 asphalt.

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
Aug. 31, 2017**



I. Statistical Section

- 1 Preventive Maintenances
- 0 North Carolina Inspections
- 34 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

Norman Hill shop mechanic is out on short term disability.

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 "Equipment Safety and Proper Use of Chain Saw Operation".

**Town of Smithfield
Public Works Sanitation Division
Monthly Report
August 31, 2017**



I. Statistical Section

The Division collected from approximately 4100 homes, 4 times during the month

- a. Sanitation forces completed 82 work orders
- b. Sanitation forces collected tons 444.61 of household waste
- c. Sanitation forces disposed of 90 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0.42 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 2.25 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 4.44 tons of recyclable plastic
- h. Recycled 1098 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 2580 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$195.79 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$0
- c. Sold 2500 lbs. of shredder iron for \$112.50 to Omni Source
- d. Sold 3320 lbs. of shredder steel \$149.40 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$2,144.00 for disposal of yard waste and debris.
Paid \$ 1,736.47 to American Tire Distributors for knuckle boom. Paid \$992.12 for safety shoes.
Paid \$700.00 to Sir Walter Chevrolet for brake shoes truck #311
Paid \$3,128.30 Smithfield Diesel Repair for repairs on truck #301 Radiator, water pump pressure wash engine. Paid \$950.07 to Whites tire Service for Tires for trucks #310,301,311

IV. Personnel Update:

James Gardner resigned pursuing a college career
Mitchell's temporary helper was hired to replace James

V. Narrative of monthly departmental activities:

The department worked closely with Parks & Recreation providing traffic control devices & event containers for special events held at the SRAC. The Public Works Department safety meeting was on "Equipment Safety and Proper Use of Chain Saw Operation".
Community Service Workers worked 90.5 hrs ; Elders volunteered 0 hours of service



PARKS AND RECREATION

MONTHLY REPORT FOR JULY, 2017

PROGRAMS STATISTICS

NUMBER OF PROGRAMS	12
TOTAL ATHLETICS PARTICIPANTS	234
TOTAL NON/ATHLETIC PARTICIPANTS	198
NUMBER OF GAMES PLAYED	0
TOTAL NUMBER OF PLAYERS (GAMES)	0
NUMBER OF PRACTICES	15
TOTAL NUMBER OF PLAYER(S) PRACTICES	694

	August, 2017	17/18 FY YTD	August, 2016	16/17 FY YTD
PARKS RENTALS	24	48	23	47
USERS (PARKS RENTALS)	945	9014	3695	5109
TOTAL UNIQUE CONTACTS	2,071			

FINANCIAL STATISTICS	August, 2017	17/18 FY YTD	August, 2016	16/17 FY YTD
PARKS AND RECREATION REVENUES	\$ 16,256.06	\$ 20,780.96	\$ 4,866.01	\$ 4,866.01
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 70,012.89	\$ 114,518.81	\$ 61,294.33	\$ 86,387.61
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)		\$ 1,728.00	\$ 31,259.04	\$ 31,259.04



SMITHFIELD RECREATION
AND AQUATICS CENTER

SRAC MONTHLY REPORT FOR JULY, 2017

PROGRAMS STATISTICS

NUMBER OF PROGRAMS	23
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	2083

	August, 2017	17/18 FY YTD	August, 2016	16/17 FY YTD
SRAC MEMBER VISITS	6039	12703	6061	7291
DAY PASSES	1098	3065	1122	3641
RENTALS (SRAC)	44	104	41	98
USERS (SRAC RENTALS)	2120	5346	3695	7949
TOTAL UNIQUE CONTACTS	11,340			

FINANCIAL STATISTICS

	August, 2017	17/18 FY YTD	August, 2016	16/17 FY YTD
SRAC REVENUES	\$ 63,768.82	\$ 140,039.80	\$ 62,623.19	\$ 136,514.02
SRAC EXPENDITURES	\$ 91,480.93	\$ 155,526.93	\$ 107,751.82	\$ 164,054.86
SRAC MEMBERSHIPS	3240		2544	



- **Statistical Section**

- Electric CP Demand 27,499 Kw relative to July's demand of 28,702 Kw.
- Electric System Reliability for was 99.854%, with eight (8) recorded outage; relative to July's 99.995%.
- Raw water treated on a daily average was 3.762 MG relative to 3.589 MG for July; with maximum demand of 5.058 MG relative to July's 4.384 MG.
- Total finished water to the system was 109.239 MG relative to July's 102.970 MG. Average daily for the month was 3.524 MG relative to July's 3.322 MG. Daily maximum was 4.321 MG (August 4th) relative to July's 4.050 MG. Daily minimum was 2.888 MG (August 19th), relative to July's 2.753 MG.

- **Miscellaneous Revenues**

- Water sales were \$232,532 relative to July's \$214,988
- Sewer sales were \$304,661 relative to July's \$290,120
- Electrical sales were \$1,553,907 relative to July's sales of \$1,498,393
- Johnston County Water purchases were \$101,877 for 67.918 MG relative to July's \$82,314 for 54.876 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$1,150,580 relative to July's \$1,190,771
- Johnston County sewer charge was \$126,417 for 42.877 MG relative to July's \$124,219 for 42.024 MG.

- **Personnel Changes –**

- David Thiemann resigned as Electric Lineman on August 11, 2017
- Lee Pilkington resigned as Water Plant Operator on August 16, 2017
- Michael Quayle resigned as Utility Line Mechanic on August 25, 2017



**Town of Smithfield
Electric Department
Monthly Report
August, 2017**

I. Statistical Section

- Street Lights repaired –37
- Area Lights repaired -14
- Service calls – 64
- Underground Electric Locates –179
- Poles changed out, installed or removed 2
- Underground Services Installed/Repaired -1

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

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

V. Miscellaneous Activities:

- Continuing to cut Power line Right-of-Way.



WATER & SEWER

August 2017 MONTHLY REPORT

● DISCONNECT WATER	3
● RECONNECT WATER	5
● TEST METER	6
● TEMPORARY METER SET	0
● DISCOLORED WATER CALLS	2
● LOW PRESSURE CALLS	6
● NEW/RENEW SERVICE INSTALLS	1
● LEAK DETECTION	24
● METER CHECKS	31
● METER REPAIRS	8
● WATER MAIN/SERVICE REPAIRS	10
● STREET CUTS	10
● REPLACE EXISTING METERS	17
● INSTALL NEW METERS	5
● FIRE HYDRANTS REPAIRED	0
● FIRE HYDRANTS REPLACED	2
● SEWER REPAIRS	15

- CLEANOUTS INSTALLED 7
- SEWER MAIN CLEANED 5662LF
- SERVICE LATERALS CLEANED 195LF
- SERVICE CALLS 124
- LOCATES 171

- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY

MAJOR EXPENSES FOR THE MONTH

- NEXGRID METERS INSTALLATION.

PERSONNEL UPDATES

- Michael Carpenter was hired as Pump station mechanic.
- Brian Baker was hired as New crew leader
- 3 utility line mechanic positions were place on website to be filled.

UP COMING PROJECTS FOR THE MONTH OF AUGUST

- BRASWELL STILL WORKING ON BOOKER DAIRY RD PROJECT.
- BRASWELL WILL BE STARTING FLOW METER ON HWY 70.
- BRASWELL WILL BE STARTING STATION #12 UPGRADE.
- HYDROSTRUCTURES SHOULD BE FINISHING UP MANHOLE SURVEYS THIS MONTH.
- SHOULD START INSTALLING NEXGRID METERS AGAIN.
- I WILL BE SITTING DOWN WITH BILL ABOUT REDESIGNING PUMP STATIONS #11 & #5 FOR THE UPCOMMING BUDGET YEAR. THIS WAY WE CAN GET THEM OUT FOR BID AS SOON AS POSSIBLE.

**PUMP STATIONS
MONTHLY RUN TIMES**

MONTH: AUGUST 2017

STATION	LOCATION	PUMP 1 RUN TIME	PUMP 2 RUN TIME
1	250 US 70 BUSINESS	51.5	51.3
2	1020 NC HWY 210	37.2	37.1
3	501 LONGVIEW DR	89.5	89.0
4	312 SUNSET DR	86.7	62.5
5	145 STEPHENSON DR	159.5	189.8
6	1535 S BRIGHTLEAF BLVD	8.0	6.4
7	2117 MICHAEL LN	2.3	1.9
8	99 FRANKLIN DR	21.9	22.2
9	417 COLLIER ST	529.3	140.0
10	1501 OLD GOLDSBORO RD	124.3	96.4
11	209 MALLARD ST	3.8	0.0
12	2636 NC HWY 210	57.7	0.0
13	111 RAY DR	27.7	25.3
14	230 N EQUITY DR	97.0	45.0
15	127 AVA GARDNER AVE	55.6	29.0
16	101 VENTURE DR	16.3	13.8
17	2120 WALPAT RD	27.6	25.1
18	470 COUNTRY CLUB RD	50.6	50.6

**Town of Smithfield
Water Treatment Plant**

All figures are in MGD.

Aug-17
Plant Totals

Date	Rate of Flow	Hrs. Operated	Raw Treated	Finish Metered	Plant Useage	Finish to Dist. System	% of RAW TREATED TO SYSTEM
1	3.55	24.0	3.548	3.574	0.0910	3.483	98.17
2	4.50	20.0	3.766	3.841	0.1110	3.730	99.04
3	5.25	23.0	4.988	4.285	0.1010	4.184	83.88
4	5.25	23.0	5.058	4.433	0.1120	4.321	85.43
5	5.25	20.5	3.887	3.816	0.1040	3.712	95.50
6	4.50	23.0	4.359	4.253	0.1010	4.152	95.25
7	4.50	24.0	4.467	4.303	0.0970	4.206	94.16
8	3.75	23.0	3.696	3.525	0.0930	3.432	92.86
9	3.75	23.0	3.572	3.504	0.0930	3.411	95.49
10	3.75	24.0	3.753	3.527	0.1060	3.421	91.15
11	3.75	24.0	3.816	3.557	0.1160	3.441	90.17
12	3.75	21.0	3.341	3.197	0.0950	3.102	92.85
13	3.75	21.0	3.268	3.190	0.0870	3.103	94.95
14	3.75	22.5	3.493	3.630	0.0960	3.534	101.17
15	4.00	23.0	3.836	3.494	0.0940	3.400	88.63
16	3.75	21.5	3.369	3.214	0.1100	3.104	92.13
17	3.75	24.0	3.712	3.660	0.0980	3.562	95.96
18	3.80	24.0	3.829	3.482	0.0960	3.386	88.43
19	3.75	19.0	2.985	2.984	0.0960	2.888	96.75
20	3.75	23.5	3.660	3.572	0.1120	3.460	94.54
21	3.75	24.0	3.700	3.703	0.1080	3.595	97.16
22	4.00	23.0	3.823	3.751	0.0890	3.662	95.79
23	4.00	23.0	3.780	3.810	0.0960	3.714	98.25
24	4.00	24.0	4.003	3.660	0.1070	3.553	88.76
25	4.00	21.5	3.555	3.370	0.0930	3.277	92.18
26	4.00	22.5	3.743	3.641	0.1030	3.538	94.52
27	4.00	21.5	3.532	3.454	0.0930	3.361	95.16
28	4.00	20.5	3.420	3.375	0.0980	3.277	95.82
29	3.50	22.0	3.183	3.422	0.1010	3.321	104.34
30	3.50	23.5	3.399	3.452	0.0850	3.367	99.06
31	4.25	23.0	4.094	3.639	0.0970	3.542	86.52
Total	124.85	699.5	116.635	112.318	3.079	109.239	93.66
Avg	4.03	22.6	3.762	3.623	0.099	3.524	
Max	5.25	24.0	5.058	4.433	0.116	4.321	
Min	3.50	19.0	2.985	2.984	0.085	2.888	