



Mayor

M. Andy Moore

Mayor Pro-Tem

Travis Scott

Council Members

Marlon Lee

David Stevens

David Barbour

Emery Ashley

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, July 9, 2019

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 JULY 9, 2019
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentation:

1. Administering Oath of Office to New Police Officer Adriane Stone
(Mayor – M. Andy Moore) See attached information.....1

Public Hearings:

1. SUP-19-08 W. Frank Lee: The applicant is requesting a special use permit to allow for a greenhouse for plant cultivation on property located within a B-3 (Business) zoning district. The property considered for approval is located on the east side of the intersection with South Brightleaf Boulevard and Holding Street. The property is further identified as Johnston County Tax ID# 15060025.
(Planning Director – Stephen Wensman) See attached information.....3
2. SUP-19-09 Bonnie Godwin: The applicant is requesting a special use permit to allow for a two-family residential dwelling on property located within a B-2 (Business) zoning district. The property considered for approval is located on the southwest side of the intersection on East Market Street and South Ninth Street and further identified as Johnston County Tax ID# 15027026.
(Planning Director – Stephen Wensman) See attached information.....29

Citizens Comments

Consent Agenda Items

1. Approval of Minutes:
 - a. May 18, 2019 – Budget Session
 - b. June 4, 2019 – Regular Meeting
 - c. June 4, 2019 – Close Session (Under Separate Cover).....51

2. Special Event: Community Outreach Day – First Missionary Baptist Church is seeking approval to hold a Community Outreach Day. The request includes amplified sound and the closure of Caswell Street between Fourth and Fifth Streets (Planning Director – Stephen Wensman) <u>See</u> attached information.....	71
3. Special Event: Vendor Event – Clayton General Store is seeking approval to hold a vendor event at the Carolina Premium Outlets (Planning Director – Stephen Wensman) <u>See</u> attached information.....	75
4. Consideration and request for approval to allocate \$1,000 to each area school for FY 2019-2020. (Town Manager – Michael Scott) <u>See</u> attached information.....	81
5. Consideration and request for approval to enter into the Interlocal Agreement with Johnston County for Fire Services (Fire Chief – John Blanton) <u>See</u> attached information.....	83
6. Consideration and request for approval to adopt Resolution # 644 (11-2019) for the submission of a Community Development Block Grant Application for Neighborhood Revitalization to benefit Southeast Smithfield. (Town Manager – Michael Scott) <u>See</u> attached information.....	129
7. Consideration and request for approval to adopt Resolution # 645 (12-2019) supporting the submission of an NCDOT Pedestrian Planning Grant Application (Planning Director – Stephen Wensman) <u>See</u> attached information.....	133
8. Consideration and request for approval to adopt Resolution #646 (13-2019) authorizing the disposition of certain surplus property and auctioning of that property by the electronic auction service of GovDeals.com (Town Clerk – Shannan Parrish) <u>See</u> attached information.....	143
9. New Hire Report (Human Resources Director – Tim Kerigan) <u>See</u> attached information.....	147

Business Items:

1. Stormwater Management Action Plan Update (Planning Director – Stephen Wensman) <u>See</u> attached information.....	149
2. <u>Annexation Request Reid Smith (ANX-19-01)</u> : Consideration and Approval to Adopt Resolution #647 (14-2019) Directing the Town Clerk to investigate a Contiguous Annexation Petition received under G.S. 160A-31 submitted by Reid Smith (Planning Director – Stephen Wensman) <u>See</u> attached information.....	213

3. ZA-19-02 Town of Smithfield: The Planning Department is requesting an amendment to the UDO Article 6, Section 6.5 Table of Uses and Activities to allow food trucks in the O/I (Office/Institutional), B-1 (Business), and B-2 (Business) zoning districts and Article 7, Section 7.25 Food Trucks to revise the supplemental standards for food trucks. (Planning Director – Stephen Wensman) See attached information.....221

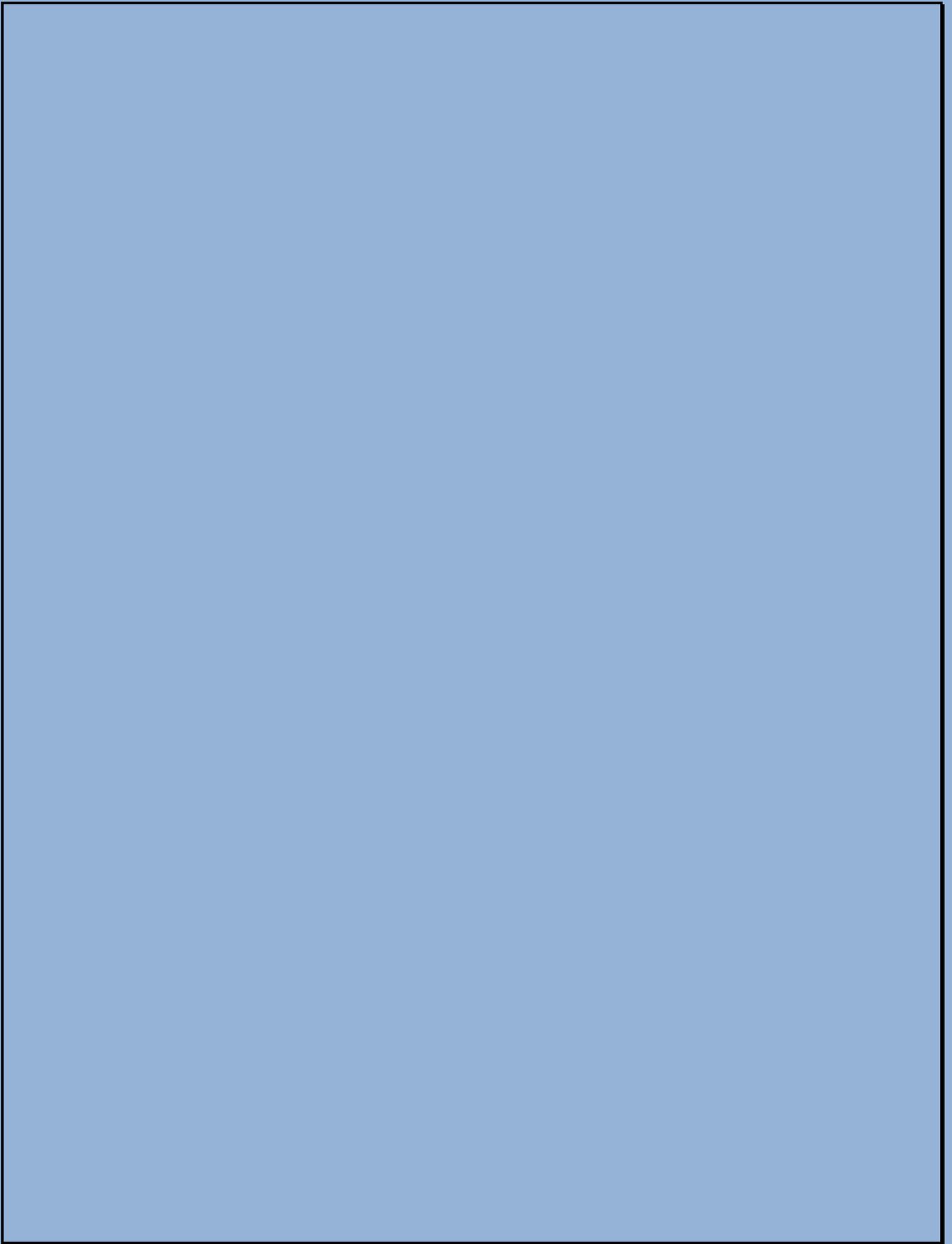
Councilmember’s Comments

Town Manager’s Report

- Department Reports (See attached information)..... 228
- **Manager’s Report** (Will be provided at the meeting)

Adjourn

Presentation





Request for Town Council Action

Presentation: Police Oath of
Office
Date: 07/09/2019

Subject: Police Swear In
Department: Police Department
Presented by: Chief R.K. Powell
Presentation: Presentation

Issue Statement

The Police Department has hired a new officer to fill an existing vacancy within the Police Department. Adriane Yvette Stone was hired to fill this position. Officer Stone has been assigned to the Patrol Division to fill one of the vacant slots. Officer Stone has prior Law Enforcement experience.

Financial Impact

Salary will be covered by current budget.

Action Needed

Adriane Stone needs to be sworn in and welcomed to the Smithfield Community.

Recommendation

Adriane Stone needs to be sworn in and welcomed to the Smithfield Community.

Approved: Town Manager Town Attorney

Attachments:

1. Oath of Office



Staff Report

Presentation: Oath of Office

OATH OF OFFICE SMITHFIELD POLICE DEPARTMENT

"I, Adriane Yvette Stone, the undersigned, do solemnly swear or affirm that I will support the Constitution of the United States; that I will faithfully and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are, or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States; that I will be alert and vigilant to enforce the criminal laws of this state; that I will not be influenced in any manner on account of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a law enforcement officer according to the best of my skill, **abilities and judgment, so help me God.**"

Signature

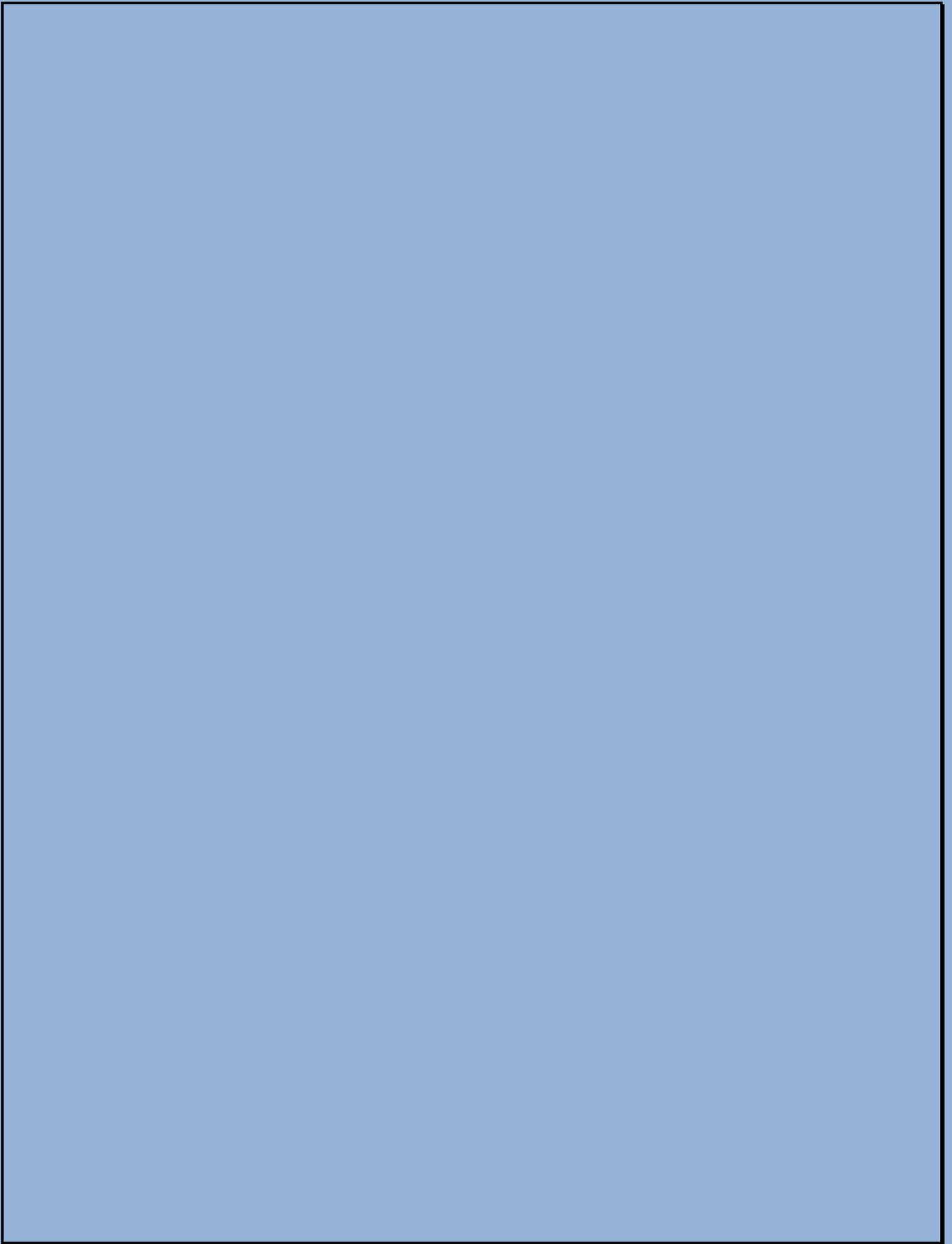
Date

Sworn to and subscribed before me this the _____ day of _____,
_____.

Judge/Clerk

Commission Expires

Public Hearings





Request for Town Council Action

Public Hearing: SUP-19-08
Date: 07/09/19

Subject: Special Use Permit for Greenhouse
Department: Planning Department
Presented by: Stephen Wensman, Planning Director
Presentation: Public Hearing

Issue Statement

Frank Lee is requesting a special use permit to operate a greenhouse for growing hemp in a warehouse located at 1219 S. Brightleaf Boulevard.

Financial Impact

None

Action Needed

To hold a quasi-judicial public hearing and to review the petition and determine whether to approve, approve with conditions, or to deny it.

Recommendation

The Planning Department recommends approval of the special use permit, SUP-19-08 with the conditions based on the findings of fact:

1. That the use of the property shall be limited to uses as identified on the special use permit application and site plans.
2. That the applicant maintain a current license with the NC Department of Agriculture for the hemp facility.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Findings of Fact
3. Application and Site Plan
4. Adjacent Property Owners List & Certification



Staff Report

Public Hearing: SUP-19-08

REQUEST:

Frank Lee is requesting a special use permit to operate a greenhouse within an existing warehouse located at 1219 S. Brightleaf Boulevard.

Application Number:	SUP-19-08
Project Name:	TIMA, LLC – Hemp Facility
TAX ID number:	15060025
Town Limits/ETJ:	Town of Smithfield
Applicant:	Frank Lee
Owners:	TIMA, LLC
Agents:	N/A

PROPERTY LOCATION /DESCRIPTION:

The 3.07 acre property is located on the east side of S. Brightleaf Boulevard near the intersection with Holding Street. The property consists of two structures, a 2,250 sq. ft. restaurant (Las Brasas) and a 70,739 sq. ft. warehouse building, originally used for tobacco warehousing. The restaurant is located between the warehouse and Brightleaf Boulevard surrounded by a large undefined gravel parking/vehicle circulation area. The gravel parking circulation has cross circulation with the residential property to the north and the warehouse property to the south. There is no defined driveway access to the property. The gravel paving abuts South Brightleaf Boulevard access across nearly all of the 308.07 lineal feet of road frontage.

SITE DATA:

Acreage:	3.07 acres
Present Zoning:	B-3 Highway Entranceway Business District
Proposed Zoning:	N/A
Existing Use:	Restaurant/warehouse
Proposed Use:	Restaurant/warehouse/hemp greenhouse
Water Service:	Town of Smithfield
Sewer Service:	Town of Smithfield
Electrical Service:	Town of Smithfield
Fire District:	Town of Smithfield

ADJACENT ZONING AND LAND USES:

	Zoning	Existing Use
North:	R-6 and R-8 Residential	Single Family Residential
South:	B-3 Highway Entranceway Business	Warehousing
West:	S. Brightleaf Blvd. B-3 Highway Entranceway Business	Civitan Field- Laundromat- Car wash
East:	Heavy Industrial	Warehousing

ENVIRONMENTAL: There does not appear to be any environmentally sensitive areas impacted by the use.

STAFF ANALYSIS AND COMMENTARY:

For lack of better land use category, Staff is considering the hemp growing facility a greenhouse and according to Table 6.5, Table of Uses and Activities, greenhouses require a special use in the B-3 zoning district.

The proposal is to use the existing warehouse for a hemp facility. The facility will be used as a high tech indoor cultivation facility for growing, curing and handling hemp for industrial and medical purposes. The growing (cultivation) areas, 46,903 sq. ft. will hold about 250-400 hemp plants per cultivation room, a conditioned space with special artificial lighting to produce a more perfect growing environment. The remainder of the warehouse space will be used for curing (labelled processing), handling and storage. After growing and curing, the end product will be shipped from loading doors in the front of the warehouse. A small 400 sq. ft. office building is proposed in the warehouse building.

Initially, the growing area will be around 10,080 sq. ft with an associated 5,670 curing area leaving the remainder for agricultural type warehousing.

The hemp growing facility will be regulated by the NC Dept. of Agriculture which permits, inspects and regulates the growing of hemp.

Parking. The hemp growing facility has a parking requirement of 1 parking stall per employee. There are only a few employees involved in the operations at any one time and there is ample area for parking on site. The parking does not trigger full compliance with Article 10 Part II, which governs parking (paving & curbing), landscaping and buffering, and dumpster screening.

Security. The site plans identify full cut-off wallpack lighting on the building for security. The owner will also be installing a security system in the building.

FINDINGS OF FACT:

The UDO, Article 4, sets forth eight findings of fact that are required for approval of a special use permit through a quasi-judicial process. Staff is in agreement with the applicant’s findings of fact (Please see the attached application which contains the applicant’s findings of fact).

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

4.9.3.5.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.

4.9.3.5.3. 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.

4.9.3.5.4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

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

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

4.9.3.5.7. 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.

4.9.3.5.8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends the following condition:

1. That the use of the property shall be limited to uses as identified on the special use permit application and site plans.
 2. That the applicant maintain a current license with the NC Department of Agriculture for the hemp facility.
-

TOWN COUNCIL ACTION REQUESTED:

The Smithfield Town Council is requested to hold a quasi-judicial hearing to review the petition for SUP-19-08 and determine whether to approve, approve with conditions, or to deny it.

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

Application Number: SUP-19-08 **Name:** TIMA, LLC – Hemp Facility

Request: The applicant seeks a special use permit to operate a greenhouse on property located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on the southeast side of the intersection of Brightleaf Boulevard and Holding Street, further identified as Johnston County Tax ID# 15060025

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-19-08 with the following condition:*

1. That the use of the property shall be limited to uses as identified on the special use permit application and site plans.

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-19-08 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-19-08 is hereby:

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

1. That the use of the property shall be limited to uses as identified on the special use permit application and site plans.

_____ **denied for the noted reasons.**

Decision made this 9th day of July, 2019 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: TIMA, LLC Hemp Facility Acreage of Property: 3.07 acres
 Parcel ID Number: NC PIN 169309-15-9306 Tax ID: 15060025
 Deed Book: 03507 Deed Page(s): 0052
 Address: 1219 S. Brightleaf Blvd.(US 301 South)
 Location: East Side of S. Brightleaf Blvd. at Intersection of Holding Street

Existing Use: Agriculture Warehouse Proposed Use: Cultivation, Processing and Handling of Medical Grade Hemp
 Existing Zoning District: B-3 Commerical

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

FOR OFFICE USE ONLY

File Number: SOP H-08 Date Submitted: _____ Date Received: _____ Amount Paid: ~~\$300~~ 300

REQUIRED FINDING OF FACT

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

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

See attached finding of fact

2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.

See attached finding of fact

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.

See attached finding of fact

4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

See attached finding of fact

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

See attached finding of fact

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

See attached finding of fact

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.

See attached finding of fact

8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

See attached finding of fact

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.

W. Frank Lee

Print Name



Signature of Applicant

6/04/2019

Date

OWNER'S CONSENT FORM

Name of Project: TIMA, LLC Hemp Facility Submittal Date: 06/04/2019

OWNERS AUTHORIZATION

I hereby give CONSENT to Not Applicable (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

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

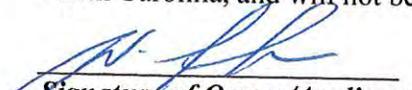

Signature of Owner

W. Frank Lee
Print Name

06/04/2019
Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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


Signature of Owner/Applicant

W. Frank Lee
Print Name

06/04/2019
Date

FOR OFFICE USE ONLY

File Number: _____ Date submitted: _____ Date received: _____

Statement of Justification for a Special Use Permit for greenhouses for TIMA, LLC

The Town of Smithfield Town Council is requested to take under consideration and issue a Special Use Permit for 1219 S. Brightleaf Blvd. to allow for a greenhouse for plant cultivation as established in the Table of Uses found in the Unified Development Ordinance. The request addresses a 3.07 acre tract of land that houses a 70,739.25 square foot agricultural warehouse and a 2,250 square foot Mexican store and restaurant name, Las Brasas. The property is located on the east side of South Brightleaf Blvd. across from the intersection of Holding Street. The request specifically addresses the repurposing of the existing agricultural warehouse into a cultivation, curing and handling facility for hemp.

With the changes in the Federal Regulations concerning cultivation, processing and handling of hemp that was established in Section 10113 of the Federal Agriculture Improvement Act of 2018 and the pending North Carolina Senate Bill 315 that further addresses the cultivation of industrial and medical hemp, the request for the issuance of a Special Use Permit for a greenhouse is made.

It is proposed that the existing 70,739.25 sq ft. agricultural warehouse will be repurposed into a high tech indoor cultivation facility for growing, processing and handling hemp for industrial and medical purposes. The entire cultivation area of five growing rooms (totaling 46,903.5 sq. ft.) will be conditioned space equipped with special lighting capable of growing from 250 to 400 plants per cultivation room. The cultivation rooms will be managed in such a manner to produce three crops a year. Unlike a conventional greenhouse that utilizes natural sunlight the cultivation rooms will utilize artificial grow lights with walls and ceilings of highly reflective material. The hemp plants grow to a height of 10 to 12 feet and require approximately 25 sq. ft. of floor area per plant. The hemp plants are planted in 15 gallon pots utilizing a prepared soil mixture that optimizes plant growth. Each pot is placed on a wooden pallet to facilitate handling and harvesting. Water is provided through a drip irrigation system that discharges directly into growing pots. The amount of water is so closely monitored, that there is no discharge of irrigation water. Plant lighting is strictly controlled to maximize growth rate and

yield. Initially the plants will receive 16 hours of light and 8 hours of darkness. Once the plants start producing buds, the lighting balance is adjusted to approximate 12 hours of daylight and 12 hours of darkness, thus assuring maximum yield.

The buds of the plants are harvested first and then the stalks and branches follow. Once harvesting is completed the potting mix and root mass is removed (usually after two crops). The root mat and the potting mix are removed from the facility and taken to a local farm to be incorporated into the insitu soil on the farm.

After the harvest is completed the curing of the product begins. The curing room(s) must be maintained at a constant relative humidity of 40%. Temperature during the curing process must also be maintained between 70-75 degrees Fahrenheit. After curing has been completed the product is processed and handled for shipping.

Even though the Special Use Permit is a request for a greenhouse it can be seen that this will be a high tech growing facility, where plants, nutrients, light and water are optimized in the cultivation process. The growing of the hemp plants will be undertaken in a secure facility that is totally contained within the "four walls" of the building. From the time the seeds are planted until the plants have been grown, harvested and processed the hemp plants never see "the light of day."

The entire cultivation, processing and handling of the hemp plants will be regulated by the North Carolina Department of Agriculture. The Department is charged with permitting, inspecting and regulating the growing of hemp for medical and industrial purposes.

During Phase I development it is proposed to bring on line a 10,080 sq. ft. cultivation room and one 5,670 sq. ft. curing room. It is also proposed to repurpose the office and restroom and to provide adequate space for equipment, materials, and handling. The remainder of the building for the near future will remain in agricultural warehousing. In subsequent phases of development the cultivation area will be increase by 36,823.5 sq. ft. and the curing area will enlarge

by doubling its size to a total of 11,520 sq. ft. The office and restrooms will remain the same. The area set aside for handling equipment and material will eventually be limited to 11,923.75 sq. ft. All in all, at build-out the facility will have the capacity to cultivate approximately 1,850 plants per crop or 5,550 plants per year.

In summary a Special Use Permit is requested to repurpose an existing agricultural warehouse into a “greenhouse” for the express purpose of cultivating, process and handling hemp for medical and industrial uses, all cultivation, processing and handling will be strictly permitted, inspected and regulated by the North Carolina Department of Agriculture.

Required Finding of Fact for a Special Use Permit for greenhouses for TIMA, LLC

- 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 cultivation, processing and handling of hemp will be accomplished in a fully enclosed and secure building. The entire cultivation and curing areas will be conditioned space. Since it is all conditioned space where the plants are grown and cured there will be no direct discharge of air from the facility to atmosphere. There also will be no discharge of irrigation water onto the ground or into municipal sanitary sewer systems. The only by-products of the growing process are the plant roots and the growing medium used in the pots. What by-product that is produced will be land applied on nearby farms and incorporated into the insitu soil to augment the existing soils. The N. C. Department of Agriculture will be responsible for permitting, inspecting and regulating the growth of hemp. Therefore, there should be minimal impact, if not impact, or danger to the health, safety and general welfare of the public.

- 2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.**

Since there are no site improvements or exterior building modifications proposed for the cultivation facility there should be little or no change in harmony with the adjacent existing development. The areas to the east, south, and west of the cultivation facility are generally either industrial/warehousing or highway commercial. The area to the north is a residential neighborhood. The existing agricultural warehouse that is purposed for repurposing into a cultivation facility has existed next door to the residential neighborhood well excess of fifty years with little if any adverse effect. Since there are no changes proposed to the exterior of the building itself and there will be no increase in intensity of use due to minimal staff required to operate the facility the harmony that exist presently with the adjacent properties should be maintained.

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 request for a greenhouse should not impede the normal and orderly development of the surrounding property since a large portion of the adjacent property already houses agricultural/forestry based businesses at the present time (lumber mill, a tobacco warehouse, a landscape mulch company and a paper distribution company). In fact, the bulk of the property for which the cultivation facility is proposed is presently being utilized as an agricultural warehouse. Therefore, it can be stated with reasonable assurance that granting a Special Unit Permit for a greenhouse will only enhance the normal and orderly development that has been occurring over the last fifty plus years.

4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

As previously stated, no exterior improvements are being proposed as part of the Special Use Permit request. Simply stated only the interior of the building will be repurposed from agricultural warehousing to a plant cultivation facility. The building is already served by Town water, sewer and electric. Access to the property is good with continuous access along S. Brightleaf Blvd., serves the property. Drainage is provided by drainage swales/ditches located along the northern and southern property lines. Both drainage swales drain to the east where they discharge into the railroad drainage system. Parking is more than adequate on the property for the intended reuse. By the nature of the cultivation facility only two to three employees will be onsite at any given time. Four gravel spaces are shown on the plans which meet the requirements set forth in the Unified Development Ordinance.

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.

Existing access and egress are good to S. Brightleaf Blvd. Sight triangles at S. Brightleaf Blvd. already meet or exceed NCOT's visibility requirements, thus providing for a safe access and egress situation. Center turn lanes are already provided on S. Brightleaf Blvd. which facilitate a safe left turn

situation and basically eliminate all congestion created with left turn movements.

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

Since the existing use of the structure is agricultural warehousing and the repurposing of the structure is for agricultural cultivation, it appears that a case could be made that the building use is remaining as agriculture. Both the structure and the site provide for a continuation of agricultural use. Therefore, the property and the structure need not necessarily conform to all applicable regulations of the zoning district and as defined in the Unified Development Ordinance.

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.

The intensity of use and the type of facility (hemp cultivation) do not necessarily warrant full and open access by the general public. Public traffic definitely needs to be discouraged to enhance security and promote safety. Gravel drives and parking do a good job at the present time to accommodate access and circulation. The property is already zoned to be in compliance with the adopted land use plan. It is contented that the access and parking as they exist presently serves the property well.

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 an allowable use by Special Use Permit as defined by the Table of Uses found in the Unified Development Ordinance. The present zoning (B-3) of the property supports the land use plan for the development of a facility like the proposed cultivation facility. The Johnston County NCDOT traffic plan calls for US 301 south to be upgraded to a "Super Street." Sufficient right of way can be obtained from the property for roadway construction without significantly impacting the cultivation facility.

2022

North Carolina Industrial Hemp Commission
Thomas Melton, Chair of the Commission
License Document

Application ID
1436

NOT TRANSFERABLE
Statute 106-50

LICENSE TYPE: Industrial Hemp - Research With Intent to Market
DURATION: Three Years
EXPIRATION DATE: 04/03/2022
ISSUE DATE: 04/03/2019

LICENSEE OR CERTIFICATOR: WILLIAM FRANK LEE
PO BOX 148
SMITHFIELD, NC 27577



Thomas Melton, Chair of the Commission

THIS LICENSE MAY BE SUBJECT TO REVOCATION OR SUSPENSION AS PROVIDED BY LAW



*** DISCLAIMER ***

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



Result 1

id: 15060025
 Tag: 15060025
 NCPin: 169309-15-9306
 Mapsheet No: 169309
 Owner Name 1: TIMA LLC
 Owner Name 2:
 Mail Address 1: PO BOX 148
 Mail Address 2: SMITHFIELD, NC 27577-0148
 Mail Address 3: SMITHFIELD, NC 27577-0148
 Site Address 1: 1219 C S BRIGHTLEAF BLVD
 Site Address 2: SMITHFIELD, NC 27577-
 Book: 03507
 Page: 0052
 Market Value: 314410
 Assessed Acreage: 3.07
 Calc. Acreage: 3.07
 Sales Price: 0
 Sale Date: 2008-03-06



Scale: 1:3058 - 1 in. = 254.82 feet
 (The scale is only accurate when printed landscape on a 8 1/2 x 11 size sheet with no page scaling.)

Johnston County GIS
 June 4, 2019

Result 2

id: 15060025

Tag: 15060025

NCPin: 169309-15-9306

Mapsheet No: 169309

Owner Name 1: TIMA LLC

Owner Name 2:

Mail Address 1:

Mail Address 2: PO BOX 148

Mail Address 3: SMITHFIELD, NC 27577-0148

Site Address 1: 1219 S BRIGHTLEAF BLVD

Site Address 2: SMITHFIELD, NC 27577-

Book: 03507

Page: 0052

Market Value: 314410

Assessed Acreage: 3.07

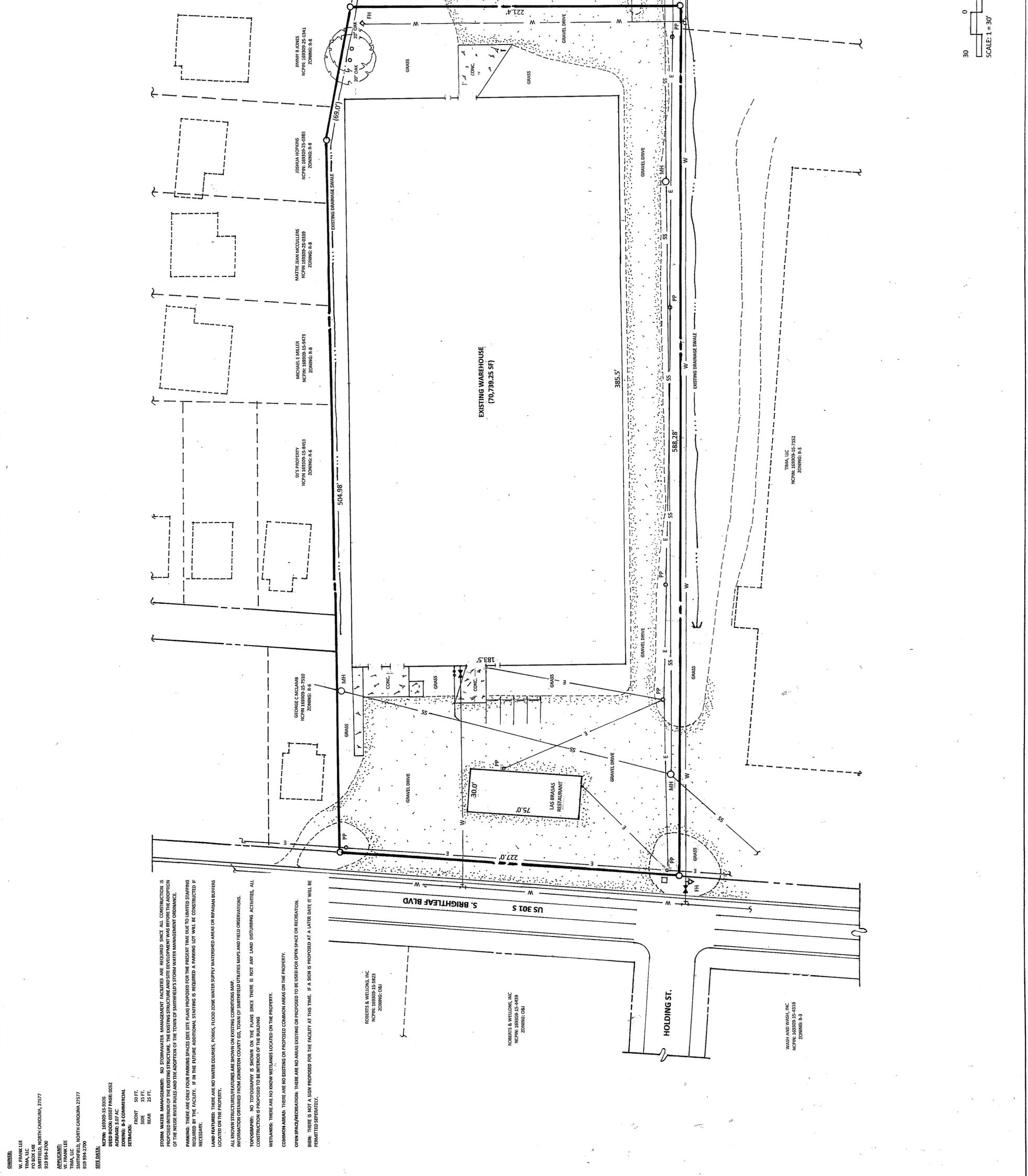
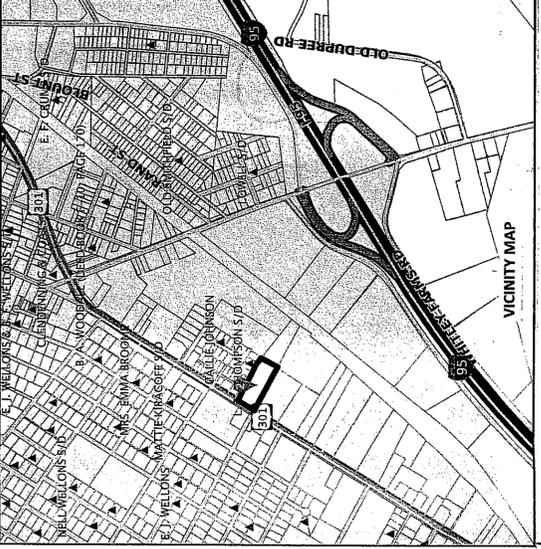
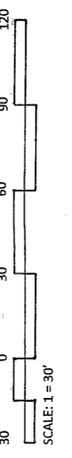
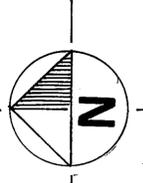
Calc. Acreage: 3.07

Sales Price: 0

Sale Date: 2008-03-06



REVISIONS	DATE



STORM WATER MANAGEMENT: NO STORMWATER MANAGEMENT FACILITIES ARE REQUIRED SINCE ALL CONSTRUCTION IS PROPOSED WITHIN THE EXISTING STRUCTURE. THE EXISTING STRUCTURE AND SITE DEVELOPMENT WAS BEFORE THE ADOPTION OF THE NEWER REGULATIONS AND THE ADOPTION OF THE TOWN OF SMITHFIELD'S STORMWATER MANAGEMENT ORDINANCE.

PARKING: THERE ARE ONLY FOUR PARKING SPACES (SEE SITE PLAN) PROPOSED FOR THE PRESENT TIME DUE TO LIMITED STAFFING REQUIRED BY THE FACILITY. IF IN THE FUTURE ADDITIONAL STAFFING IS REQUIRED A PARKING LOT WILL BE CONSTRUCTED IF NECESSARY.

LAND FEATURES: THERE ARE NO WATER COURSES, PONDS, FLOOD ZONE WATER SUPPLY WATERSHED AREAS OR RIPARIAN BUFFERS LOCATED ON THE PROPERTY.

ALL KNOWN STRUCTURES/FEATURES ARE SHOWN ON EXISTING CONDITIONS MAP.

INFORMATION OBTAINED FROM JOHNSTON COUNTY GIS, TOWN OF SMITHFIELD UTILITIES MAPS AND FIELD OBSERVATIONS.

TOPOGRAPHY: NO TOPOGRAPHY IS SHOWN ON THE PLANS SINCE THERE IS NOT ANY LAND DISTURBING ACTIVITIES, ALL CONSTRUCTION IS PROPOSED TO BE WITHIN THE EXISTING STRUCTURE.

WETLANDS: THERE ARE NO KNOWN WETLANDS LOCATED ON THE PROPERTY.

COMMON AREAS: THERE ARE NO EXISTING OR PROPOSED COMMON AREAS ON THE PROPERTY.

OPEN SPACE/RECREATION: THERE ARE NO AREAS EXISTING OR PROPOSED TO BE USED FOR OPEN SPACE ON RECREATION.

SIGN: THERE IS NOT A SIGN PROPOSED FOR THE FACILITY AT THIS TIME. IF A SIGN IS PROPOSED AT A LATER DATE IT WILL BE FORMITTED BY SIGNAGE.

SITE DATA:
 NCPN: 169309-15-9206
 DEED BOOK: 0807 PAGE: 0032
 ADDRESS: 1219 S. BRIGHTLEAF BLVD
 ZONING: B-3 COMMERCIAL
 SETBACKS:
 FRONT: 50 FT.
 SIDE: 15 FT.
 REAR: 25 FT.

OWNER:
 W. FRANK LEE
 TIMA, LLC
 500 BOKER LN
 SMITHFIELD, NORTH CAROLINA, 27577
 919 984-2700

ARCHITECT:
 TERRAEDEN LANDSCAPE & DESIGN, LLC
 11 KENTWOOD DRIVE
 SMITHFIELD, NORTH CAROLINA 27577
 919 984-2700

1200 Block of South Brightleaf Boulevard



File Number:
SUP-19-08

Proposed Use:
Greenhouse for
Plant Cultivation

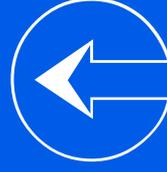
Property Owner:
TIMA, LLC

Applicant:
W. Frank Lee

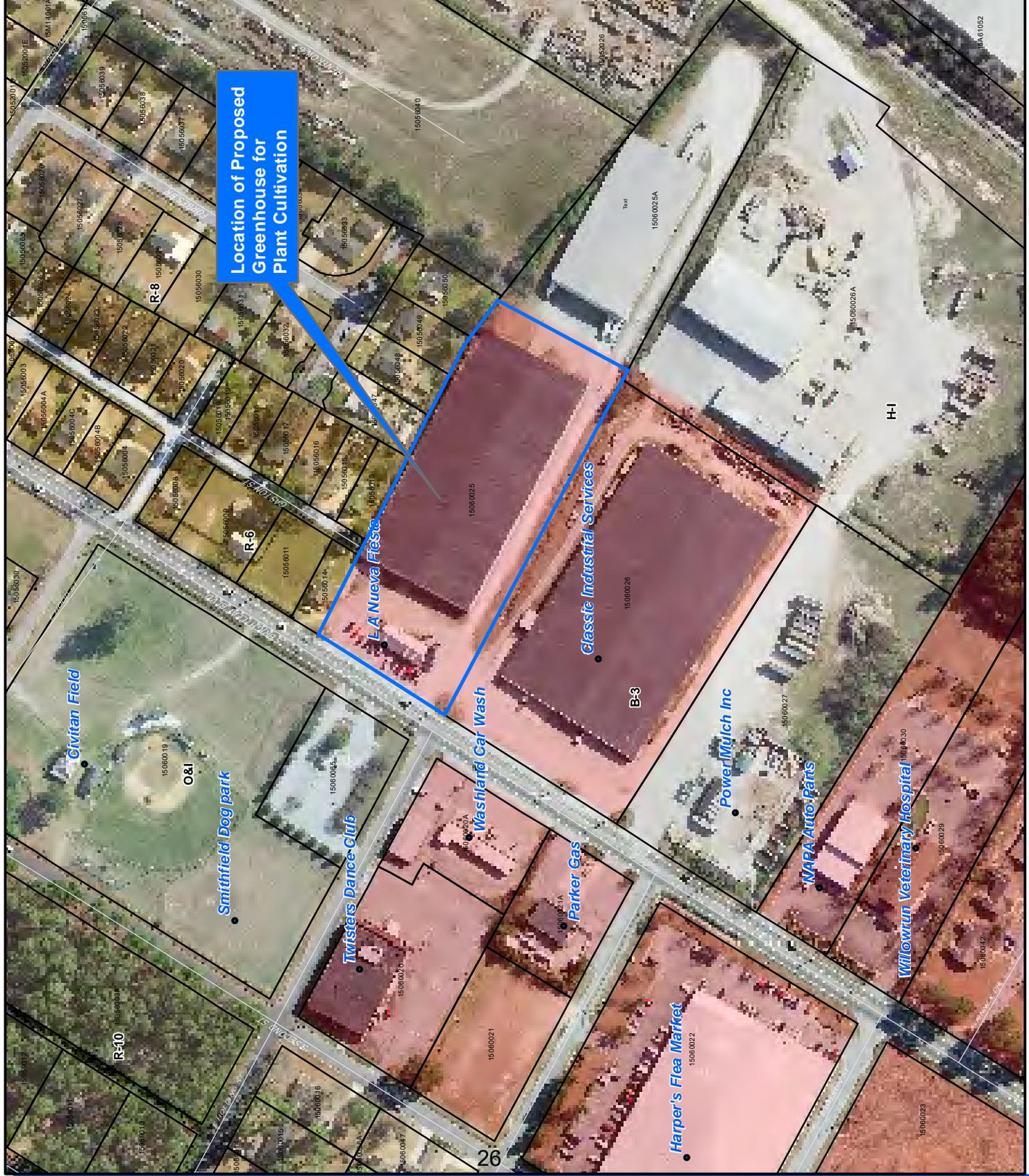
Address:
1219 South
Brightleaf Blvd

Tax ID#
15060025

Zoning District:
B-3 (Highway
Entrance Business)



Map created by
Mark Helmer, AICP
Senior Planner,
GIS Specialist
on 6/24/2019



TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15056049	169309-25-0385	HOPKINS, JOSHUA	402 FORBES DR	SMITHFIELD	NC	27577-4207
15060025	169309-15-9306	TIMA LLC	PO Box 148	SMITHFIELD	NC	27577-0000
15056013	169309-15-8453	DJ'S PROPERTIES INC	1001 NC 210 HWY	SMITHFIELD	NC	27577-0000
15056014	169309-15-7510	GEORGE C MCLAMB PROPERTIES LLC	5494 WILSONS MILLS RD	CLAYTON	NC	27520-0000
15056050	169309-25-1341	JONES, JIMMY B	404 FORBES DRIVE	SMITHFIELD	NC	27577-0000
15056047	169309-15-9473	MILLER, EVELYN ANN LIFE ESTATE	314 FORBES DRIVE	SMITHFIELD	NC	27577-0000
15056048	169309-25-0339	MCCULLERS, MATTIE JEAN	316 FORBES DRIVE	SMITHFIELD	NC	27577-0000
15060025A	169309-25-2073	B W WILSON PAPER COMPANY INC	12012 VALLEYBROOK DR	HENRICO	VA	23233-1020
15060026	169309-15-7162	TIMA LLC	PO Box 148	SMITHFIELD	NC	27577-0000
15060026A	169313-24-1784	JERRY G WILLIAMS & SON INC	PO Box 2430	SMITHFIELD	NC	27577-2430



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, SUP-19-08, were notified by First Class Mail on 6-24-19.

Mark E. Helmer
Signature

Johnston County, North Carolina

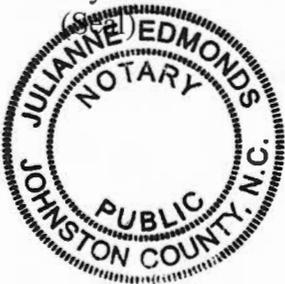
I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

24th day of June, 2019

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on Jan. 15, 2023





Request for Town Council Action

Public Hearing: SUP-19-09
Date: 07/09/2019

Subject: Multi-Family Residential SUP
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Public Hearing

Issue Statement

Bonnie Godwin is requesting a special use permit to use the property located at 812 E. Market Street (SE corner of E. Market and 9th Street) for multi-family residential.

Financial Impact

None

Action Needed

To hold a quasi-judicial public hearing and to review the petition and determine whether to approve, approve with conditions, or to deny it.

Recommendation

The Planning Department recommends approval of the special use permit, SUP-19-09 with conditions based on the findings of fact:

1. The applicant shall complete the development strictly in accordance with the plans submitted and approved by the Smithfield Town Council, a copy of which is filed in the Planning Department office.
2. That access to the parking in the rear of the property remain accessible from the shared driveway.
3. That the special use permit shall include the use of the property for a production studio, a second floor apartment and two residential units in the former single-family home.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Findings of Fact
3. Application and Aerial Photo of the site
4. Adjacent Property Owners List & Certification



Staff Report

Public Hearing: SUP-19-09

REQUEST:

Bonnie Godwin is requesting a special use permit to use the property located at 812 E. Market Street (SE corner of E. Market and 9th Street) for multi-family residential.

Application Number:	SUP-19-09
Project Name:	812 E. Market Street
TAX ID number:	15027026
Town Limits/ETJ:	Town of Smithfield
Applicant:	Bonnie Godwin
Owners:	Bonnie Godwin
Agents:	N/A

PROPERTY LOCATION /DESCRIPTION:

The property is located at 812 E. Market Street (SE corner of E. Market and 9th Street)

SITE DATA:

Acreage:	0.14 acres
Present Zoning:	B-2 General Business District
Proposed Zoning:	N/A
Existing Use:	Single family residential
Proposed Use:	Multi-family residential
Water Service:	Town of Smithfield
Sewer Service:	Town of Smithfield
Electrical Service:	Town of Smithfield
Fire District:	Town of Smithfield

ADJACENT ZONING AND LAND USES:

	Zoning	Existing Use
North:	B-2 General Business	Vacant retail and plumbing supply sales
South:	B-2 General Business	Single family residential
West:	B-2 General Business	Sanders Funeral Home
East:	N/A	CSX Railroad

ENVIRONMENTAL: There does not appear to be any environmentally sensitive areas impacted by the use.

STAFF ANALYSIS AND COMMENTARY:

The property consists of an old 3600 sq. ft. house built in 1912 that sits prominently on the corner of 9th Street and E. Market. The house is one of two remaining residential properties on commercial block. Also on the property is a roughly 2,000 square foot- 2 story commercial-residential building also fronting on Market Street. In 2016, Special Use Permit 16-04 was issued for a production studio (Grod Productions), which currently occupies the ground floor. The upper floor has been used as a residential apartment for some time. No record has been found indicating any special use permit for the 2nd floor residential apartment. Buildings occupy most of the property with the exception of some front, side and rear yard area and a few parking stalls behind the commercial/apartment building. Paved parking for the property is in the rear and is shared the adjacent single-family home located at 104 S. 9th Street (also owned by the applicant). The parking is accessed from a paved alley/driveway shared with the funeral home. The adjacent single-family home is a newer two story home with attached garage fronting on 9th Street.

The applicant is interested in converting the single family home into a duplex. The 3600 sq. ft. home is really too large for most renters. The applicant is planning to invest significant money into the property to improve its appearance and converting the property into a duplex will provide the additional income needed to complete the improvements.

If approved, this Special Use Permit should address all the uses on the property including the production studio, the second story apartment and the multi-family residential use of the house.

Parking. If approved, there will be 3 residential units and a 1,000 sq. ft. commercial office. Residential uses require 2-offstreet parking stalls per unit. The roughly 1000 sq. ft. commercial space requires 1 space per 200 sq. ft., or 5 parking stalls. The total parking required for the property is 11 parking stalls. Between this property and the adjacent residential property sharing the parking lot, a total 13 parking stalls are required. Between the two properties, owned by the applicant, there is adequate parking when considering the attached garage and driveway at 104 S. 9th Street and the shared parking in the rear of the properties.

The lack of parking on the block has been an issue for the owner. The shared paved parking in the rear of the properties has often been occupied by clients of the Sander's Funeral Home. In the past,

the applicant has blocked the parking area off from the shared driveway access to prohibit the funeral home clients from using the parking. This has resulted in the required parking being blocked off from use, including the handicapped parking stall in the rear of the property. The existing commercial tenant, Grod Productions, has mostly utilized street parking. The applicant may want to consider installing parking signs limiting parking to those occupying the applicant's properties.

Ingress/Egress. Access to the paved parking is from what appears to be an alley. This alley appears to be public based on County GIS data, however, it also appears as though the commercial building encroaches into the alley. If for some reason, the alley was vacated in the past, it is likely that the applicant would have prescriptive rights to the shared driveway as it has been shared between properties for a great many years. No change to the access is being proposed.

FINDINGS OF FACT:

The UDO, Article 4, sets forth eight findings of fact that are required for approval of a special use permit through a quasi-judicial process. Staff is in agreement with the applicant's findings of fact (*Staff's suggested findings of fact are in Bold/Italic*).

4.9.3.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. *The use of the property for multi-family and commercial (using both buildings) will not be detrimental. The use will not change the outward appearance of the properties and the additional parking needs can be met on the property.*

4.9.3.5.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located. *There will be no noticeable change to the property, therefore it will be harmonious.*

4.9.3.5.3. 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 current block is fully developed with a mix of lower value commercial and residential properties. The use will allow the property to be utilized, but will not prohibit redevelopment. For redevelopment to occur, many other actions would be required including recombining lots, vacating street rights-of-way, demolition of buildings, etc.*

4.9.3.5.4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided. *These exist currently.*

4.9.3.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Adequate ingress and egress are from a shared driveway. *There is adequate access and no change to the access is being proposed.*

4.9.3.5.6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. *The structures on the property contain many nonconformities that appear to be legal at this time.*

4.9.3.5.7. 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. *There is adequate access and no change to the access is being proposed.*

4.9.3.5.8. 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 in conformance.*

RECOMMENDED CONDITIONS OF APPROVAL:

Staff recommends the following condition:

1. The applicant shall complete the development strictly in accordance with the plans submitted and approved by the Smithfield Town Council, a copy of which is filed in the Planning Department office.
2. That access to the parking in the rear of the property remain accessible from the shared driveway.
3. That the special use permit shall include the use of the property for a production studio, a second floor apartment and two residential units in the former single-family home.

TOWN COUNCIL ACTION REQUESTED:

The Smithfield Town Council is respectfully requested to hold a quasi-judicial hearing to review the petition for SUP-19-09 and determine whether to approve, approve with conditions, or to deny it.

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

Application Number: SUP-19-09 **Name:** 812 E. Market Street

Request: The applicant seeks a special use permit to operate a greenhouse on property located within a B-2 (General Business) zoning district. The property considered for approval is located at 812 East Market Street, at the southeast corner of East Market Street and 9th Street, further identified as Johnston County Tax ID# 15027026

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-19-09** with the following condition:*

1. The applicant shall complete the development strictly in accordance with the plans submitted and approved by the Smithfield Town Council, a copy of which is filed in the Planning Department office.
2. That access to the parking in the rear of the property remain accessible from the shared driveway.
3. That the special use permit shall include the use of the property for a production studio, a second floor apartment and two residential units in the former single-family home.

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-19-09** 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-19-09 is hereby:

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

1. The applicant shall complete the development strictly in accordance with the plans submitted and approved by the Smithfield Town Council, a copy of which is filed in the Planning Department office.
2. That access to the parking in the rear of the property remain accessible from the shared driveway.
3. That the special use permit shall include the use of the property for a production studio, a second floor apartment and two residential units in the former single-family home.

_____ **denied for the noted reasons.**

Decision made this 7th day of July, 2019 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: 812 E. Market Acreage of Property: _____
 Parcel ID Number: _____ Tax ID: 15027026
 Deed Book: 3952 Deed Page(s): 185
 Address: 812 E Market
 Location: Smithfield, NC corner Market & 9th St.
 Existing Use: Residential Proposed Use: Multiple Residential Family
 Existing Zoning District: B-2 (Business)
 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): Entry Corridor

FOR OFFICE USE ONLY

File Number: SUP-19-09 Date Submitted: 5/22/19 Date Received: 5/22/19 Amount Paid: 300.00

OWNER INFORMATION:

Name: Bonnie Godwin
Mailing Address: PO Box 815 Selma NC 27576
Phone Number: 919 320 7146 Fax: 919 202 5149
Email Address: bonniegodwin1@gmail.com

APPLICANT INFORMATION:

Applicant: SAME as above
Mailing Address: _____
Phone Number: _____ Fax: _____
Contact Person: _____
Email Address: _____

STATEMENT OF JUSTIFICATION

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

House is to large for single
family. A demand for
More Residential-housing

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.

✓ B9.

- 2) The special use will be in harmony with the existing development and uses within the area in which it is to be located.

Yes B6.

- 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.

It will improve surrounding area

- 4) Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

Yes 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.

Yes provided

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

Yes

- 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.

Yes

- 8) The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

Yes

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.

OWNER'S CONSENT FORM

Name of Project: 512 E Market Submittal Date: 5-21-19

OWNERS AUTHORIZATION

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

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

Bonnie Godwin BONNIE GODWIN 5-21-19
Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

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

FOR OFFICE USE ONLY
File Number: 50219-09 Date submitted: 5/22/19 Date received: 3/22/19

800 Block of East Market Street



File Number:
SUP-19-09

Proposed Use:
Two-Family Dwelling

Property Owner:
Bonnie Mac LLC

Applicant:
Bonnie Godwin

Address:
812 East Market Street

Tax ID#
15027026

Zoning District:
B-2 (Business)



Map created by
Mark Helmer, AICP
Senior Planner,
GIS Specialist
on 6/24/2019



Location of Proposed Residential Land Use in a Non-Residential Zoning District

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15027022	169419-60-5398	SANDERS, MYRTLE P	303 PINE ST	SMITHFIELD	NC	27577-0000
15027027	169419-60-7359	BONNIE MAC LLC	PO Box 815	SELMA	NC	27576-0000
15027026	169419-60-7485	BONNIE MAC LLC	PO Box 815	SELMA	NC	27576-0000



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-19-09, were notified by First Class Mail on 6-24-19.

Mark E. Helmer
Signature

Johnston County, North Carolina

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

24th day of June, 2019

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on Jan. 15, 2023



**Draft
Town of Smithfield
Planning Board Minutes
Thursday, June 6, 2019
6:00 P.M., Town Hall, Council Chambers**

Members Present:

Chairman Stephen Upton
Oliver Johnson
Ashley Spain
Michael Johnson
Teresa Daughtry
Alisa Bizzell

Members Absent:

Vice Chairman Mark Lane
Leslie Lazarus

Staff Present:

Stephen Wensman, Planning Director
Mark Helmer, Senior Planner
Julie Edmonds, Administrative Support Specialist

Staff Absent:

CALL TO ORDER

Chairman Stephen Upton asked each board member to acknowledge themselves.

APPROVAL OF MINUTES from May 2, 2019

Oliver Johnson made a motion, seconded by Teresa Daughtry, to approve the minutes as written.
Unanimously approved

APPROVAL OF THE AGENDA

Teresa Daughtry made a motion, seconded by Michael Johnson. Unanimously approved

NEW BUSINESS

Smithfield Town Plan: Kimley-Horn & Associates and Stewart Engineering presentation of the Smithfield Town Plan.

Mr. Wensman introduced the Town Plan consultants, Jake Petrosky from Stewart Engineering Inc. and Allison Fluitt from Kimley-Horn and Associates, Inc. They will present their presentation which will be recorded and added to the Town website. It will give everyone an overview of the Town Plan. Next week we will have the full three volume plan to review and Mr. Wensman asked everyone to provide comments back to him. This will allow the Planning Board time before the next meeting on July 11th.

Mr. Upton asked if these three volumes encompass the UDO material.

Mr. Wensman said no this is entirely about land use.

Allison Fluitt came before the board to give the framework of the three volumes that compose the Town Plan. The first volume is introductory, the second volume is for the Comprehensive Growth Management Plan and the third is for transportation. She stated that this had been a community driven planning process. The Town Plan will help guide the decision making for this group and a Town as a whole in the future.

The initiation phase is where we started to show what we were doing and receive some initial feedback and vision from the public. This also allowed us to familiarize ourselves with the Town as well. We now have a greater idea of what the existing conditions are and what tools are available from a data and previous planning standpoint. We now can establish the vision and goals of what the Town is hoping to achieve with the Town Plan. We ultimately translate all the data collected from the community and formulate them into obtainable goals, objectives, policy recommendations and implementation strategies.

Some of the key milestones from this planning effort include the future land use map and a transportation plan with recommendations. We are now in the final process of this planning effort, and present to you a draft of the plan that has been compiled and available for your review.

Ms. Fluitt said the study area includes the entire Town corporate limits as well as its Extra Territorial Jurisdiction. It's been important for us to work with our agency partners such as NCDOT, Rural Planning Organization that the Town belongs to and all other groups and departments within the Town. We came to the public with both the Comprehensive Growth Management Plan and the Transportation Plan gathering feedback in a unified and consistent way. We had six focus groups as part of our Stakeholder interview process. This provided sit downs to learn more information about particular topics. We were present at the Ham and Yam festival in 2018 which provided great feedback from citizens given their vision for the Town. The first public workshop had 70 attendees. It was complimented by a survey that was run at the same time. It asked similar questions and obtained information from people. There were 189 participants which added up to 1200 data points. The second public workshop was held in February 2019 where 40 attendees showed up to review recommendations and draft findings. A second online survey came online about the same time with 175 participants.

Mr. Upton asked if there were many repeat participants.

Ms. Fluitt said yes there were some people that stuck with them through the process, as well as new faces too.

Jake Petrosky came forward to discuss the Comprehensive Growth Management Plan. Smithfield will be a place of opportunity for everyone. It will grow in ways that are true to its history, character and charm by investing in a vibrant downtown in connections to the river, balancing growth and creating safe and healthy neighborhoods. From that vision there is a little more detail in the goals in the plan. There are five goals you will read about in the plan. They are Balanced Growth, Vibrant Downtown, Healthy Neighborhoods, Community Character and Move and Connect. A big part of this plan is the future land use plan. The Future Land Use Map displays a different color and these represent each character area. It explains the kind of uses allowed and the scale of development and intensity and should change between each character area. As you read this document you will see there are particular policies that are related to individual character areas. The map is meant to provide guidance for rezoning decisions. It will also help guide where Town services should be and where growth can and should go.

In looking at the Land Use Map we wanted to balance land uses. We wanted to make sure we had enough land for industrial and employment growth. Those areas are in purple on the map. The office and higher density residential areas are in blue as well as commercial and mixed use where we would like to encourage commercial growth. They treated the Downtown differently by identifying a core and supportive area. From a residential perspective they wanted to distinguish where medium density or smaller lot subdivisions should go as well as more traditional larger lots should go. Economic development is another area we wanted to focus on. Encouraging a diverse tax base is critical. Studies have shown a lot of residential doesn't really pay for the services it needs such as police, fire or schools. We want to make sure the commercial areas that we have are healthy and there isn't an oversupply or under-utilized land. We're documenting where we want to support rezoning's in those nonresidential and mixed use areas on the Future Land Use Map. We point out where we would like to discourage commercial rezoning's, due to a bad access or underutilized property. One economic opportunity Smithfield has is the vacant shopping centers on the west side of Town. We encourage the redevelopment of those vacant shopping centers. We could see these mixed use centers transition from unutilized commercial to some commercial with a mix of housing as well. The northern gateway area by Buffalo Road over to Booker Dairy Road is another area we see opportunity for economic development. Up near Hwy 70 we're recommending a mixed use center such as office or light manufacturing or industrial if it's designed appropriately. We feel that roadway connections are critical at Buffalo and Booker Dairy. We also would like to make sure there is compatible development adjacent to Johnston Regional Airport. It's a great resource and it'll only continue to grow. We would like to coordinate with Johnston County Public Schools and make sure the Town has an open dialog with them and support their mission.

In balancing growth, you look at balancing the type of residential that the Town would receive. In one of the surveys done, there were a lot of different types of residential options currently available in the market. 51% wanted a house with a large yard, even if it isn't near shopping or services. 45% said they preferred a low maintenance patio home or townhouse near shopping and services would be of interest. 43% said a house with a small yard and within walking distance of a school or park. We have a lot of recommendations in the design of these type homes that are more medium density products because design is important when you allow for higher density stuff. Another important factor to balanced growth is environmental protection. Respecting areas historically impacted by floods is a big one. Everyone knows the damage done from Hurricane Matthew. Thinking about it proactively and limiting uses and density, especially in undeveloped areas, restricting fill and considering additional structure elevation to limit property value damage because this is tax based. One of the big things that we wanted to recommend and encourage is active uses on the ground floor frontages on downtown. We're recommending new overlay or zoning to encourage different kinds of development that can be allowed. New market rate housing within walking distance to downtown would be encouraged; there is a demand for it.

One recommendation is to complete the mountain to sea trail through Smithfield and consider some connections from the main trail. They would like to recommend ideas for maintaining and improving parks. The Towns gateway corridors were a big topic of interest at previous meetings. Primarily these would consist of Market Street and Hwy 301. Smithfield has a commercial corridor overlay district but it's not customized for Market Street and Hwy 301. That makes it hard for the Planning Department to make recommendations on how different sites should happen on those. As a board everyone here can decide what kind of modifications to the UDO is appropriate in order to accomplish the things recommended in this plan.

Ms. Fluitt discussed the transportation plan and how congestion and safety were major concerns among survey applicants. We heard a lot of feedback about the safety for pedestrians. We created a street typology. The intent is to help us look at what Jake and his group have been helping to define in terms of our proposed land uses. We focused on a few corridors or spot locations in the Growth Management Plan. The US 70 Business/ East Market Street Railroad Bridge are intended to act as a gateway into Downtown Smithfield. This corridor is recommended to have a phased approach to improvements, with access management and operational improvements as a first phase and capacity addition in the second phase. Improvements would include:

- Widening to four-lanes with a grass median and dedicated turn lanes from US 301 to I-95. §
- The Southeast Area Study recommended bicycle lanes going in both directions in addition to sidewalks. As a part of the Town Plan, this recommendation was updated to a sidewalk running along the northern section and a shared-use path running along the southern portion of the corridor. This modification provides a greater separation for bicycle and pedestrian traffic than unbuffered bicycle lanes.
- Additionally, the railroad bridge and lines are recommended to be raised to allow for sufficient clearance for trucks and other large vehicles. The bridge would also need to be widened to accommodate the additional travel lanes and bicycle and pedestrian facilities.

Another focus area is North Brightleaf Blvd. The recommendations for the corridor include:

- A four-lane divided roadway with a landscaped median
- A multi-use path along one side and a sidewalk on the other.

The number one complaint they have received in terms of safety and citizens just not happy is the Outlet Center Drive Roundabout. In asking concerned citizens what changes they would like to see to the current roundabout, most answered they didn't care what was done just so it didn't remain the same as it is now. Several alternatives were proposed and studied, including modifications of the roundabout and neighboring intersections as well as eliminating the roundabout and replacing it with a traffic signal. A modified roundabout configuration was identified as the likely preferred scenario. The modified roundabout scenario would be the most cost-effective solution, since it retains most of the existing infrastructure. This scenario also greatly reduces the possibility of a traffic backup onto I-95 since traffic would never experience a full stop condition.

Ms. Fluitt spoke on pedestrians and how the extension of the Greenway will be beneficial. She stated that the Town already has standards in place for new or redevelopment of sidewalks being constructed. What the Town has in place is doing well and should continue. She and Jake would like to identify particular areas of importance to focus on pedestrian accommodations. It could mean the tradeoff of space or what should go and what should stay. Another possibility is to look at a sidewalk and a side path. We need to be mindful of pedestrians and connections to downtown Smithfield, JCC, Johnston Health, SRAC and parks. We currently have sidewalks in the Downtown and Market Street area. However a concern for many is crossings. Crossing times, ease of crossings and safety.

Mr. Upton asked how the Town was connected to Downtown Development.

Mr. Wensman said we work closely with them but they have their own board. They get a lot of their funding from the Town. Director, Sarah Edwards is on our Steering Committee and she has worked closely with the Town on this project.

Mrs. Daughtry asked if the NCDOT Bicycle and Pedestrian Grant could be done now instead of having to wait until later.

Ms. Fluitt said yes, that's why we try to have a blend of facility recommendations. The Town would be a good candidate for this grant.

Mrs. Daughtry asked if the consultants could give a list of grants the Town could begin working on.

Mr. Petrosky said there is an action plan that identifies some things that are more short term. There are ongoing tasks and some that are short and long-term. As you read through the Transportation Plan you will find some tasks that can be done sooner than later. Give your feedback to Stephen about these projects.

Mr. Wensman mentioned to the Planning Board that they would receive the three volume set of the Town Plan for their review. He asked that each member mark them up how they wanted and provide as much feedback as possible. He would gladly accept emails or a hardcopy of the Town Plan with markups.

Mr. Upton asked when the Planning Board needed to have their comments and suggestions to Mr. Wensman.

Mr. Wensman said he would like all comments back within two weeks of receiving the Town Plan. He stated this was one of the most important roles for the board members. He offered to sit down one on one with anyone that would like to and answer any questions they may have.

Old Business

Town Council Minutes for February 21, 2019

Mr. Upton asked Mr. Wensman for an update about the Public Hearings.

Mr. Wensman said we have just reviewed several articles yesterday in the UDO Sub-Committee Meeting. They were about introducing conditional zoning to the Town. We actually have Conditional Zoning through the PUD process. Instead of Special Use Permits in the use table in some cases those Special Use Permits would now say Conditional Zoning. You would have to rezone to a conditional district in order to do those uses.

Mr. Upton asked if the Planning Board could have a say so but not a hearing about the public coming in and expressing their opinions.

Mr. Wensman said it isn't recommended that you have two hearings for a Special Use Permit. The problem is the quasi-judicial nature of the Special Use Permit is difficult for the public to provide meaningful comment.

Mrs. Daughtry stated that she didn't want us to get ourselves into cases where nothing but opinions was brought up.

Mr. Wensman stated that he understood that Mrs. Daughtry wanted cases to stay somewhat factual but the problem is the people impacted by these decisions don't have expert witnesses nor the means to pull one together to stand up to a developer. Whereas a legislative process evens the playing field and provides a say.

Mr. Wensman said the board needs to identify which land uses should remain quasi-judicial SUP and go to Town Council like they do now. Then which ones would benefit from a plan and a legislative process where you guys have a hearing and make a recommendation to Council.

Administrative Actions report

Planning Department Development Report
Site plan for Johnston County Regional Airport FBO

Adjournment

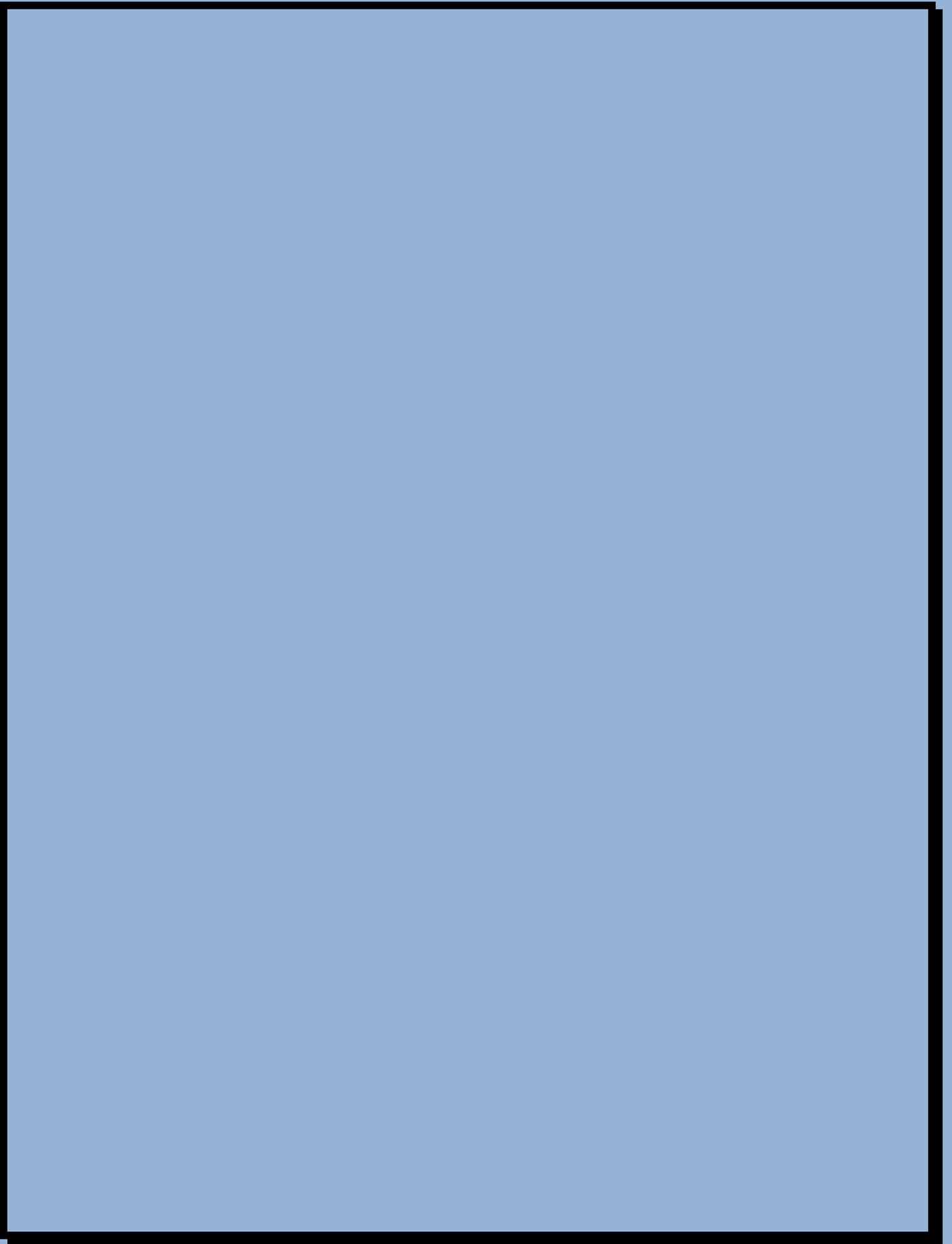
Being no further business, Ashley Spain made a motion seconded by Teresa Daughtry to adjourn the meeting. Unanimous approved.

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist

Consent Agenda Items



The Smithfield Town Council reconvened its May 7, 2019 meeting on Thursday, May 16, 2019 at 6:30 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

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

Councilmen Absent

Marlon Lee, District 1

Administrative Staff Present

Michael Scott, Town Manager
John Blanton, Fire Chief
Lenny Branch, Public Works Director
Julie Edmonds, Admin. Support Specialist
Gary Johnson, Parks and Recreation
Tim Kerigan, Human Resources/PIO
R. Keith Powell, Chief of Police
Greg Siler, Finance Director

Reconvene: May 7, 2019 Meeting

Mayor Moore reconvened the meeting at 6:30 pm

Topics of Discussion

1. Salary Study Presentation

Town Manager Michael Scott introduced Matt Reece from Piedmont Triad Regional Council. Mr. Reece and his staff conducted the pay study for the Town. Mr. Reece provided an overview of the pay plan to the Council and how the process was completed. He explained while some entry level positions needed to be adjusted or increased, there were other positions that did not.

Councilman Ashley questioned if the data received was from the North Carolina League of Municipalities or if it was received from the actual Towns. Mr. Reece responded they received data from both sources.

Mr. Reece informed the Council it was his recommendation that the Town go back to the grading structure as was typical for government entities. He further recommended that the Town conduct regular pay studies. Mr. Reece stated that for a Town the size of Smithfield, a total pay study should be completed at least every five years. Some Towns do a 1/3 of its workforce over the course of a 3-5-year period.

Mr. Reece explained the pay grade changes. He stated to implement all the recommended adjustments; it would total \$239,000. This was for all employees in all three funds.

Councilman Ashley questioned if the analysis was based on cash compensation only or did it include benefits. Mr. Reece responded it was based solely on cash compensation.

Mayor Pro-Tem Scott questioned if the \$239,000 took into consideration the proposed 2.5% salary increase. Mr. Reece responded it did not, but his recommendation was to implement the increases from the salary study first. Then if the Town had enough funds to do performance or merit increases, it could do that for a portion of the year. The Town Manager stated if the Council chose to implement the salary study results by bringing employees to the average of the comparable then in reality, the Town would still be behind a year because of when the data was collected.

Mayor Pro-Tem Scott also questioned Mr. Reece's recommendation on providing merit versus COLA increases to employees. Mr. Reece responded if the Town looked at the compensation system, you should consider adjusting the minimum and maximum salaries yearly to have progression in each pay range. A merit increase was considered an increase for all employees because the organization as a whole has done well. Performance increases are based on the performance of each individual employee. The issues with performance-based increases is that the Town has to have a performance system in place. Across the Board increases are pay increases provided to all employees. COLA increases are typically tied to some external factor. Mr. Reece explained that most Towns provide

merit or across the board increases and anyone over the maximum salary range are provided a one-time bonus.

2. Sam's Branch Development

Town Manager Michael Scott informed the Council that the developer of the East River, Sam's Branch Development, was requesting approval to award the East River phase 1 contract for the construction of public improvements to the Fred Smith Company as the lowest qualified bidder. The Town Manager explained as part of the reimbursement agreement with the Town, the developer must abide by all North Carolina bidding laws.

Councilman Barbour made a motion, seconded by Councilman Rabil, to award Phase 1 of East River to Fred Smith Company in the amount of \$386,350.00. Unanimously approved.

3. Electric rates

Town Manager Michael Scott informed the Council that the Town hired UFS to provide an update to the Electric Rates as it related to the 1.2% wholesale rate increase. UFS's recommendation was to leave the rates unchanged at this time because the Town can absorb those costs. Since there will be some potential wholesale rate increases in the next two years, UFS is recommending completing a whole new analysis in the next fiscal year. There was a possibility that we could decrease some rates this year, but they would have to likely be increased next year. The Town Manager recommended to leave electric rates unchanged this year. Any funds not placed in the Electric Fund Balance would then revert to the Rate Stabilization Fund. Mayor Pro-Tem Scott questioned the amount of funds currently in the Rate Stabilization Fund. The Town Manager responded the amount would not be known until the end of the fiscal year.

It was the consensus of the Town Council to leave the electric rates unchanged.

4. Capital Projects

a. Fire Engine

Town Manager Michael Scott informed the Council there was a need to purchase a fire engine to replace one of the American LaFrance trucks. Estimated cost for the fire engine was \$565,000. The Town Manager explained the new ladder truck should be delivered by July. The old ladder truck could be surplussed and those revenues could be used towards the purchase of the new fire engine. Councilman Rabil questioned what was the estimated funds that could be received from the sale of the ladder truck. Fire Chief John Blanton responded he estimated it to be \$25,000 - \$35,000, but there may be some local interest in purchasing the ladder truck. Councilman Barbour questioned the life cycle of a fire engine. Chief Blanton responded the life cycle for a fire engine is typically 25 years, but purchasing this engine was put off because of the economy. Chief Blanton also stated the fire engine in need of replacement is an American LaFrance truck. Since the company is out of business, finding parts for it is nearly impossible because the company trademarked all its parts. This engine also has been in and out of service for approximately 10 months and it has cost the Town over \$17,000 for repairs.

Councilman Barbour questioned how the Town would pay for the fire engine. The Town Manager responded staff would seek out a loan from local banks as it did for the fire engine that was purchased in 2017. Since it takes over 9 months to construct the fire engine, a debt service payment would not have to be made in this fiscal year. The Town Manager further explained that with the Town's debt ratio, the Town could finance the fire engine. He reminded the Council that after next year, there will still be a lot of long-term debt for the Town. Councilman Ashley asked for the Town Manager's recommendation. The Town Manager responded his recommendation was to purchase the fire engine and funds received from the surplus of the other fire engine/ ladder truck could be used towards the purchase of the new engine. The Town should finance the remaining balance, but no decision on funding or financing would need to be made until the Town received loan bids from local banks.

Mayor Pro-Tem Scott made a motion, seconded by Councilman Barbour, to include the purchase of a new fire engine into the FY 2019-2020 budget. Unanimously approved.

b. Building Expansion at the Police Department

The Town Manager informed the Council that a decision had not been made on the expansion of the Police Department. The Town Manager explained that the Police Department had outgrown its space. It was the recommendation of the Town Manager to begin the process by placing funds in the budget for the design plans.

Councilman Dunn made a motion, seconded by Councilman Rabil, to include \$27,000 in the budget for the design plans of the building expansion of the Police Department. Unanimously approved.

c. Hospital Transformer

Town Manager Michael Scott informed the Council that after further research it was determined that the transformer at the hospital was the responsibility of the Town. He reminded the Council that there was \$120,000 included in the budget to elevate the transformer since it was flooded during Hurricane Matthew. It was the consensus of the Council to leave those funds in the budget for the elevation of the transformer at the hospital.

5. Fee Schedule

Town Manager Michael Scott reviewed the Fee Schedule with the Town Council. He explained the proposed fees were recommendations made by staff. It was the consensus of the Town Council to follow the recommendation of Town Staff and approve the draft fee schedule as was presented.

6. General Fund

Town Manager Michael Scott informed the Council that based on the latest projections from revaluation, the revenue neutral rate was \$.5230 this is down from the April 11th projection of \$.5371. This equates to \$211,000.

Mayor Pro-Tem Scott reminded the Council of the financial danger the Town was once in. He stated for the Town to be successful, the tax rate should remain at \$.57.

Councilman Ashley stated that leaving the tax rate at \$.57 was a tax increase to some and a decrease to others based on their property's value.

Councilman Barbour stated other Towns increased their tax rate, fees and motor vehicle tax. He stated the Council should try to fix any problems within the Town now and prepare the Town for the future growth. He further stated the Town did not increase the tax rate; taxes were increased because of revaluation.

Councilman Dunn stated that every year expenses increase and none of those costs can be passed on the customer because they are General Fund services. It was his opinion that the Town was in a position to address the needs of the Town by leaving the tax rate unchanged.

Councilman Stevens stated these additional funds could be used to make the Town more attractive.

Councilman Ashley asked the Town Manager to provide data on the Town's tax base prior to revaluation. He also questioned if the Town was able to pay for its growth and how much that growth has increased the Town's budget. He further questioned if the Town ever double checked the County's tax collection figures. Finance Director Greg Siler stated the tax collection revenues are reviewed during the audit process. Mayor Pro-Tem Scott questioned when was the last time the tax rate was changed in Smithfield. Mayor Moore responded the tax rate has been \$.57 since 2003.

Councilman Rabil questioned was would be the decrease in revenues if the tax rate was decreased by \$.02. The Town Manager estimated the decrease would be approximately \$400,000

It was the consensus of the Council to leave the tax rate unchanged at \$.57

Mayor Pro-Tem Scott asked Town Manager Michael Scott to review the two new positions that were proposed in the budget. The Town Manager responded both positions were in the General Fund and both would be hired on or after January 1, 2020. Those positions were an Assistant Finance Director and a full-time Administrative Support Specialist at the Fire Department

Councilman Barbour questioned the decision about funding for the non-profit agencies. Mayor Pro-Tem Scott responded that most of them remain status quo. The Town Manager responded there was an increase for the Library. There was also an additional \$1,000 added for the local school since there are six schools in the Town. DSDC funds were decreased because of the motor vehicle taxes they are receiving. Also, \$2,000 was placed in the budget for the Community Garden

Adjourn

Councilman Ashley made a motion, seconded by Councilman Stevens, to adjourn the meeting. The meeting adjourned at 9:05 pm.

ATTEST:

M. Andy Moore, Mayor

Shannan L. Parrish, Town Clerk

The Smithfield Town Council met in regular session on Tuesday, June 4, 2019 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Travis Scott, Mayor Pro-Tem
Marlon Lee, District 1
David Stevens, District 2
Dr. David Barbour, District 4
Emery Ashley, At-Large
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
Julie Edmonds, Admin. Support Specialist
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Present:

Bob Spence, Town Attorney
Bill Dreitzler, Town Engineer

Administrative Staff Absent

Shannan Parrish, Town Clerk

CALL TO ORDER

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

INVOCATION

The invocation was given by Mayor Pro-Tem Scott followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman Ashley made a motion, seconded by Councilman Dunn, to approve the agenda with the following amendment:

Add to the Closed Session section (3) *“To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged”*

Unanimously approved.

PRESENTATIONS: None

PUBLIC HEARINGS:

1. **Community Development Block Grant:** The Town of Smithfield was considering submitting a Small Cities Community Development Block Grant Program (CDBG) – Neighborhood Revitalization Program Application in the amount of \$750,000 for housing revitalization

Mayor Pro-Tem Scott made a motion, seconded Councilman Rabil to open the public hearing. Unanimously approved.

Town Manager Michael Scott introduced Skip Green of Skip Green and Associates. The Town Manager explained the Town previously submitted a grant application for this type of CDBG funding, but was unsuccessful. The Town Manager further explained the Town would be more competitive this time and he felt confident the Town would receive the grant funding.

Skip Green informed the Council that since the Town was resubmitting the grant application, this second public hearing was a requirement. Mr. Green explained that within the project area and the target area, 23 houses were to be rehabilitated, 2 rehabilitations, 1 reconstruction and 3 lots with dilapidated houses would be demolished and cleared. All potentially rehabilitated homes would have to be owner occupied and those owners would have to be classified as having low or moderate income. Mr. Green explained the application was due July 16th.

Mayor Moore asked if there were any questions for the Council.

Mayor Pro-Tem Scott questioned how the owners were identified. Mr. Green responded there were a series of neighborhood meetings and he worked with area churches to ensure that everyone who wished to participate were informed. They also conducted a door to door survey. Everyone who chose to participate was required to complete an application.

The Town Manager stated the goal was to obtain funding this year and continue applying for future CDBG grants to revitalize the entire Town.

Councilman Ashley questioned how a lot could be cleared because a structure in poor condition could not be owner occupied. Mr. Green responded that demolition and lot clearance had totally separate rules than home rehabilitation.

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

Tony Nixon of 8 Cedar Drive and Chairman of the East Smithfield Improvement Organization (ESIO) stated the ESIO was in favor of the Town applying for this grant because it would be a benefit to not only the target area, but also to the entire Town. Mr. Nixon further stated as the Town's population continued to age, there would be a continued need for housing rehabilitation. These grant funds would improve the quality of life for so many residents.

Councilman Ashley made a motion, seconded by Councilman Barbour to close the public hearing.

Councilman Dunn made a motion seconded by Councilman Ashley to authorize staff to submit the application for CDBG funding. Unanimously approved.

2. **ZA-19-02 Town of Smithfield:** The Planning Department was requesting an amendment to the UDO Article 6, Section 6.5 Table of Uses and Activities to allow food trucks in the O/I (Office/Institutional), B-1 (Business), and B-2 (Business) zoning districts and Article 7, Section 7.25 Food Trucks to revise the supplemental standards for food trucks.

Councilman Dunn made a motion, seconded by Councilman Rabil, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman addressed the Council on a request by staff to amend the UDO to allow Food Trucks as permitted uses with updated supplementary standards in the O/I, B-1 and B-2 Zoning Districts. Staff discovered food trucks have been operating in Town Parks and in other commercial districts with special events since food trucks have been allowed. Staff believes the UDO should be in agreement with Town practices. Currently, food trucks were only allowed in B-3 with supplementary standards. Outside of temporary events and the flea market, there has been only one food truck in operation and it was located at the Carolina Pottery Outlets. Another was proposed for West Smithfield.

Mr. Wensman explained the proposed amendment to Section 7.25 and it is as follows:

The Article 7, Section 7.25 Supplementary Standard for Food Trucks

- 7.25.1, Food trucks to be permitted to operate from Town property or closed public right of way during a Town-sponsored civic event or Town Council approved special event.
- 7.25.2, Amending the duration of a food truck zoning permit from 20 days, three individual weekend's events, to 90 days per calendar year. The change will be easier to monitor for Staff and would provide an opportunity for seasonal food trucks in some locations.
- 7.25.3, added to location for food trucks that they must be at least 100 feet from the front door of a restaurant or dining area during business hours and changed the text to allow within 5' of a public sidewalk.
- 7.25.4, with the zoning permit, the Town will require a Johnston County Application for a Mobile Food Unit when applicable, NC Sales and Use Certificate, NC Department of Agriculture Permit when applicable, location of approved grease disposal facility, proof of food truck storage location and a copy of the vehicle or trailer registration.
- 7.25.7, allowing a small sandwich board sign for food trucks, similar to what is allowed for other businesses in Town. Food trucks often have the menu on such signs.
- 7.25.8, increased the area in which food trucks must keep the property clean.
- 7.25.9.1, created an exception for food trucks operating at the flea market. The Town has currently been allowing such food trucks to operate under the zoning permit of the flea market like other vendors utilizing the same hours of operation.
- 7.25.9.2, created an exception on the number of food trucks and location of food trucks operating under a Town-sponsored civic event or Town Council approved special event.

Planning Staff and the Planning Board recommended approval of the zoning text amendment ZA-19-02 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request was reasonable and in the public interest.

Mayor Moore asked if there were any questions from the Council

Mayor Pro-Tem Scott questioned subsection 7.25.3 if staff was recommending removing the 100 feet requirement and replacing it with 5 feet. Mr. Wensman responded the 100 feet would still be required during a restaurant's normal business hours. Mayor Pro-Tem Scott further questioned if Planning staff received any clarification from the Planning Board on beer, wine and alcohol sales from a food truck. Mr. Wensman responded there was no clarification.

Councilman Rabil questioned if the owner of the food truck would have to obtain a business license. Mr. Wensman responded they would have to have all zoning licenses and all proper permits as listed in the UDO.

Mayor Moore questioned if this amendment to the UDO limited the number of food trucks at special events. Mr. Wensman responded there would be no limits at special Town sponsored events. Mayor Moore questioned if there was a limit to the amount of food trucks that could operate at the flea market. Mr. Wensman responded there was no limit on food trucks at the flea market because they operate under the special use permit for the flea market. Under this amendment, there would be no limit to food trucks at the flea market because they are treated as another vendor.

Mr. Wensman explained if someone wanted to operate a food truck downtown, you would be allowed to have one food truck as an accessory to an existing business. The food truck owner would have to obtain a permit that would be valid for 90 days. For special events and the flea market, there would be no limit on the amount of food trucks. Special events would require the event coordinator to inform Planning Staff of the amount of food trucks and the location of the food trucks for the event. Staff would then review the information to ensure the amount and location

caused no safety issues. Since the flea market has always treated food trucks like a vendor, the flea market would continue to control where those would be set up on the property.

Mayor Moore questioned if food trucks were approved when the flea market was approved. Mr. Wensman responded it was not specifically approved with food trucks. Mayor Moore stated he had received a lot of complaints about the area in and around the flea market and he did not want to do anything that was going to cause more traffic and more hazard in the area because it was already very congested on weekends. Mr. Wensman responded the flea market was out of compliance with the special use permit and staff was trying to work with the owner of the facility to bring it into compliance. Staff was attempting to correct the ordinance to match the actual practices of the Town.

Councilman Barbour questioned who would decide an acceptable location for a food truck in Town. Mr. Wensman responded staff does not want a food truck competing with a restaurant. The food truck operator would have to locate a willing brick and mortar business partner. The specification location at that business would have to be designated and it would have to be in a safe location. The food truck cannot be a pedestrian hazard and they would have to meet all the other requirements of the code. Mr. Wensman further explained there have only been two requests for food trucks in the Town. All other permitted food trucks have been at Town sponsored special events and the flea market. Parks and Recreation has been allowing food trucks at their events for years. The Parks and Recreation Director decides where the food trucks would be located at these events. Councilman Barbour also questioned if there was a limit on the amount of food trucks. Mr. Wensman responded there could be only one food truck per business. Mayor Moore stated he still did not understand the exception of the flea market. Mr. Wensman responded that food trucks at the flea market were considered as another vendor.

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

Pam Lampe of 415 North Second Street questioned if the food trucks at the Park would be allowed to stay for 90 days. Mr. Wensman responded the Town would permit them through special event permits. They could allow them for three months, but typically they would only be there for the event. The Parks and Recreation Director would make the decision about food trucks for all park events.

Councilman Ashley made a motion, seconded by Councilman Rabil, to close the public hearing. Unanimously approved.

Mayor Pro-Tem Scott stated he had concerns about not allowing a food truck to serve alcohol near a place of worship. He also expressed his concerns about not limiting the number of food trucks at festivals and mass gatherings. The Town should be mindful of the congestion it could create and questioned how it would be policed.

Councilman Ashley questioned if the ABC Commission allowed sales of beer and wine from a food truck. Mr. Wensman responded he has seen beer and wine served from food trucks but he was unsure how it was regulated.

Councilman Barbour questioned if the Town could require some type of additional approval process if alcohol was served from a food truck. Mr. Wensman responded that when an applicant applied for a special event permit, they have to have security or police presence. Staff could handle it through the permitting process. Mr. Wensman suggested additional supplementary standards that addressed a distance requirement from places of worship.

Mayor Pro-Tem Scott questioned if it would be appropriate for the Council to table this request for 30 days. Mr. Wensman responded the Town has been in violation of this ordinance for quite some time and now that he's aware of it, it is his responsibility to make sure the Town was in compliance with the code.

Mayor Pro-Tem Scott made a motion, seconded by Councilman Stevens, to table this request until the July Town Council meeting. Revisions should include a distance requirement for the sale of alcohol from food trucks and places of worship. Unanimously approved.

Mayor Pro-Tem Scott questioned if there was any resolution to the Planning Board hearing cases before the Council hears a case. Mr. Wensman responded there was a subcommittee of the Planning Board that has been reviewing the UDO. Mr. Wensman stated he may have a potential solution recommended by the UNC School of Government called conditional zoning. This would eliminate a lot of the special use permits. Mayor Pro-Tem Scott explained the Planning Board was essential to the Town as were their recommendations to the Council.

- 3. FY 2019-2020 Budget:** In accordance with NCGS 159 -12 (b), Before adopting the budget ordinance, the board shall hold a public hearing at which time any persons who wish to be heard on the budget may appear.

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

Town Manager Michael Scott presented the FY 2019-2020 Budget to the Town Council.

The Town Manager explained the budget was balanced in all funds

\$15,020,150 - General Fund
\$16,856,000 – Electric Fund
\$ 8,544,900 – Water/Sewer Fund

The Town Manager explained there was no tax increase. The tax rate would remain at \$.057 as it has been for sixteen years. Electric fees and charges remain the same. Water fees remain the same while sewer rates will increase consistent with Johnston County's increased rate of 10%. The bulk water rate charged to Johnston County will increase by 10%

The Town Manager explained the General Fund Balance remains above the 25% Fiscal Policy requirements set back in 2011.

The Town Manager explained the budget included necessary capital expenditures in all three funds. Total capital expenditures are as follows:

\$ 1,940,300 – General Fund
\$ 1,070,000 – Electric Fund
\$ 1,338,000 – Water Sewer Fund

The Town Manager explained the Town maintained employee medical benefits at a similar level. This budget provides for a salary adjustment equal to a 2.5% increase, effective January 1, 2020 and implementation of Piedmont Salary Classification Study July 1, 2019.

The Town Manager explained there were no transfers of funds from the Electric Fund to the General Fund. Several years ago, the Council decided it no longer wanted to supplement the General Fund with Electric Funds even though a percentage of funds could be transferred as authorized by the North Carolina General Statute. All three funds operate as stand-alone funds.

The Town Manager explained some potential future issues. He explained that Utility Financial Solutions were currently evaluating Town Water Rate Structure. Electric Rates were reduced by four and one half percent (4.5%) for Town customers in FY 2018. In April, 2019 ElectricCities increased its wholesale rate for electricity by 1.2%. The Town has not passed along this increase to its customers. An additional 3% increase in the wholesale rate was projected for April of 2020. Smithfield rates are budgeted to remain steady throughout FY 2020. Additional evaluation of the rate structure will need to take place for FY 2021.

The Town Manager further stated property taxes were the major revenue source for General Fund operations such as Police and Fire protection. Unlike other communities, Smithfield does not use the motor vehicle tax to add revenues to the General Fund. The Town Manager also explained the Town's debt.

Mayor Moore asked if there were any questions by the Council.

Mayor Pro-Tem Scott stated the Council has been having budget workshops since April. The Council decided to implement a rate stabilization fund to absorb some of the electric rate increases. There was discussion of increasing the electric rate to lower the tax rate, but since only 2/3 of the Town participates in electric it was unfair to do that because citizens were not being equally taxed for the services they received. In regards to the debt service, this board made a decision to build and finance the SRAC which came at a huge cost. Based on grant agreements, we cannot simply sell the SRAC. In Smithfield we still have options, we still have garbage services while other communities have contracted out those services. Reserve funds also matter because we have suffered some major storms and those funds help us put our Town back together. Mayor Pro-Tem Scott stated he supported this budget.

Councilman Barbour stated the Council has followed a very detailed budget process. The Town of Smithfield was going to experience growth and we had to prepare for that growth. As for the SRAC, it was an asset to the community and we are half way through paying off the debt. Also, we have a lot of great employees and the Council approved a salary study to determine what our employees should be paid. We have to be good stewards of the taxes, but we also have to be good employers.

Councilman Ashley questioned the tax comparison of \$5.6 million projected in 2019 and the \$6.7 million projected in the recommended budget. The Town Manager responded half of that \$1.2 million was new development and the other was property revaluation. Councilman Ashley stated by keeping the tax rate at \$.57, it was considered a tax increase for some based on the revaluation. He stated he didn't like a budget that was not revenue neutral. He further stated the Town was now financially healthy because the Council had been frugal and had put off doing needed things that probably should not have been put off in past years. This budget sets the Town on the right track because we have had to address the real needs. The best economic development we can provide is the services our citizens want and need. We are a high service community. Councilman Ashley stated he supported this budget.

Councilman Stevens stated this was a hard budget for a lot of the Council because we have a lot to do. Two years ago, when he became a member of the Town Council, the Town was in very good shape because of the decisions made by previous Councils. With this budget, the Town had the opportunity to move forward. He stated he disliked that the taxes are the way they are because of the revaluation, but again the Town has the opportunity to move forward. The Council did not want to increase anything. Councilman Stevens stated he felt this budget was the best for the Town at the moment.

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

Emma Gemmel of 207 Hancock Street stated she appreciated the services the Town provides. She questioned if the clear well at the water plant was an elevated tank or if it was going to be something in the ground. The Town Manager responded it was a tank that sinks on the ground similar to what is currently at the water plant. Mrs. Gemmel stated that based on her and Pam Lampe's research, the additional clear well was not needed.

Leslie Lazarus of 140 Valleywood Circle questioned the Council's plans to address the SRAC since it was 7% of the Town's overall budget due to its debt service and operational expenses. She questioned the plans for the future on whether the Council should get rid of it or try to determine how to make money. The Town Manager responded the General Fund was a service provider fund and not a revenue generating fund. The Town tries to be as revenue neutral as possible, but the SRAC is not revenue neutral. The Town could increase the fees, but we would price people out of using it. He further explained the reality was it belongs to the Town and it's considered a service we provide to the community. The SRAC is a big economic development driver in the Town. Also, there is a new subdivision being built on Buffalo Road. As part of their HOA fees, those homeowners will pay to be members of the SRAC. Mrs. Lazarus asked the Town Manager to further explain his statement. The Town Manager responded that last year the Council worked with the developer of the East River Subdivision to implement an HOA rate for new subdivisions. As part of their annual HOA fees a SRAC membership would be included. Mrs. Lazarus questioned if the SRAC would be revenue neutral once the debt was paid off. The Town Manager responded when the debt was paid off, the Town would be forced to make decisions on the infrastructure needs. All of that was dependent on growth and how people use it.

Hank Daniels owner of the Sleep Inn and Suites expressed his appreciation to the Town Council for including improvements to Equity Drive in the budget. He stated the additions of sidewalks will make the entire area safer for pedestrians.

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

Councilman Barbour made a motion, seconded by Mayor Pro-Tem Scott, to adopt the FY 2019-2020 budget and fee schedule.
(Attached by reference and made a part of these official minutes is the adopted Budget and Fee Schedule)

Mayor Moore expressed his appreciation to Town Staff, Department Heads, the Town Manager and the Council for all their hard work on this budget.

CITIZENS' COMMENTS:

- Perry Harris of 1205 Baker Street stating that while going through some paperwork he found a letter dated January 28, 2013 addressed to then Mayor Daniel Evans about the financial state of the Town of Smithfield. Mr. Harris explained as a former member of the Council, he too received the same letter. He read a brief excerpt from the letter from the North Carolina Department of the State Treasurer's Office. The excerpt explained that at June 30, 2012, the Town's General Fund balance was at 4.48% which was a significant increase from .085% the previous fiscal year. Mr. Harris stated the Town had no reserve funds and it was a difficult time. At that time, the statewide average for Town's our size was 34.81% and now the Town's fund balance is in excess of 80%. Mr. Harris expressed his appreciation to the employees of the Town and Council because it was evident that everyone was doing a great job.
- Jay Creecy Johnston Community College Men's Basketball Coach introduced myself to the Council and offered his support to the community. He also asked the Council to support the activities of Johnston Community College and the young people of the community.
- Emma Gemmell of 207 Hancock Street congratulated the Council and Staff for doing such a good job in getting the Town in a better financial position than it had been. She expressed her concerns about unnecessary capital items for the water plant and the water plant expansion. She stated she would like those items removed from the budget. The Town's concerns should be aging water and sewer pipes, lost water and the UFS study.
- Pam Lampe of 415 North Second Street expressed her appreciation to the Council and staff for making Smithfield a great Town to live. She expressed her concerns about how the \$3.25 million from the bulk water agreement with the County would be spent. She stated she felt the clear well was unnecessary. She questioned if a landscape plan would be provided to the North side residents and if North Second Street by the water plant would be closed.

CONSENT AGENDA:

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

1. The following minutes were approved
 - April 15, 2019 – Special Session (Budget)
 - April 30, 2019 – Special Session (Budget)
 - May 7, 2019 – Regular Meeting
2. Career Ladder Promotion Police Department: Approval was granted to promote an employee from the rank of Police Officer II to Master Police Officer.

3. Approval was granted to place two "One-Way" signs at the entrance to Rose Manor Subdivision on West Market Street
4. Approval was granted to place the "No Through Truck" signs on Powell Street
5. Bid was awarded to Lee Electrical Construction in the amount \$78,021.17 to construct Phase I of the North Electric Circuit. Bids were received were as follows:

- Lee Electrical Construction \$78,021.17
- Carolina Power & Signalization \$314,739.00
- C.W. Wright Construction Company No bid
- Davis H. Elliot Construction No bid
- Gaylor No bid
- Irby Construction Company No bid
- MasTech North America No bid
- Sumter Utilities No bid
- Volt Power No bid

6. Approval was granted to adopt resolution #643 (10-2019) approving the NCDOT Lighting Plan for Exit 95

TOWN OF SMITHFIELD
 RESOLUTION NO. 643 (10-2019)
 Partnership between NCDOT and the Town of Smithfield
 for Lighting Construction at Exit 95 in Smithfield
 (NCDOT Project I-5972)

WHEREAS, the North Carolina Department of Transportation will be making roadway improvements at Interstate 95 and US 70 Business Interchange from Outlet Center Drive to West of Yelverton Grove Road in Smithfield, NC; and

WHEREAS, integrated into these improvements is a plan for enhanced lighting of Exit 95; and

WHEREAS, the Town of Smithfield supports the efforts of NCDOT for the installation of enhanced lighting at the most utilized Interstate 95 exit in the Town of Smithfield; and

WHEREAS, NCDOT has requested the Town of Smithfield enter into a cost-sharing partnership to improve the lighting at Exit 95; and

WHEREAS, the total estimated cost of the project is \$319,000 with NCDOT contributing 70% or \$226,000 and the Town of Smithfield contributing 30% or \$93,000 of the lighting construction cost; and

WHEREAS, NCDOT will own and maintain the interchange lighting system and will also be responsible for the annual electricity expense.

NOW, THEREFORE, BE IT RESOLVED THAT THE SMITHFIELD TOWN COUNCIL agrees to the following:

1. Contribute \$93,000 of the lighting construction cost.
2. Enter into a Municipal Agreement with NCDOT for the enhanced lighting of Exit 95 agreeable by both parties.

7. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Admin Support Specialist	General Government	10-10-4100-5100-0200 30-71-7220-5100-0200	\$14.17/hr. (\$29,473.60/yr.)

P/T Game Official	P&R – SRAC	31-72-7230-5100-0200	
P/T SRAC Instructor	P&R – SRAC	10-60-6200-5100-0210	\$20.00/hr.
P/T SRAC Instructor	P&R – SRAC	10-60-6200-5100-0210	\$15.00/hr.
P/T Pool Staff/Lifeguard	P&R – SRAC	10-60-6200-5100-0210	\$9.00/hr.
P/T Pool Staff/Lifeguard	P&R – SRAC	10-60-6200-5100-0220	\$7.50/hr.
P/T Pool Staff/Lifeguard	P&R – SRAC	10-60-6200-5100-0220	\$7.50/hr.
P/T Laborer	PU – Water/Sewer	30-71-7200-5100-0200	\$8.00/hr.

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Meter Technician	Public Utilities – Electric	31-72-7230-5100-0200
Police Officer I	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200

Unanimously approved.

Business Items:

1. Consideration and request for approval of various fiscal year end budget amendments

Finance Director Greg Siler addressed the Council on a request to approve year-end budget amendments, encumbrances, and encumbrances pertaining to purchase orders. Mr. Siler explained these were often required at year end to balance departmental budgets and/or to carry over funds for ongoing projects or items ordered through purchase orders. They are as follows:

Year End Budget Amendments

<u>GENERAL FUND</u>	<u>BEFORE</u>	<u>ADJ.</u>	<u>AFTER</u>
1. Expenditures			
10-10-4100-5125-0610 Gen Govt - Retiree Supplemental	\$ -	\$ 1,005	\$ 1,005
10-10-4100-5125-0600 Gen Govt - Group Insurance	24,900	(1,005)	23,895
10-10-4200-5125-0610 Finance - Retiree Supplemental	-	1,984	1,984
10-10-4200-5125-0600 Finance - Group Insurance	10,500	(1,984)	8,516
10-20-5100-5125-0610 Police - Retiree Supplemental	-	15,367	15,367
10-20-5100-5125-0600 Police - Group Insurance	439,220	(15,367)	423,853
10-30-5600-5125-0610 Streets - Retiree Supplemental	-	13,600	13,600
10-30-5600-5125-0600 Streets - Group Insurance	67,500	(13,600)	53,900
10-40-5800-5125-0610 Sanit. - Retiree Supplemental	-	2,188	2,188
10-40-5800-5125-0600 Sanit. - Group Insurance	162,900	(2,188)	160,712
10-60-6200-5125-0610 Pks & Rec.- Retiree Supplemental	-	4,374	4,374
10-60-6200-5125-0600 Pks & Rec - Group Insurance	<u>88,184</u>	<u>(4,374)</u>	<u>83,810</u>

To separate retiree supplemental from group insurance for better tracking and transparency

2. Revenue

10-10-3300-3307-0000 Grant - FEMA	<u>\$ -</u>	<u>\$ 3,812</u>	<u>\$ 3,812</u>
-----------------------------------	-------------	-----------------	-----------------

Expenditures

10-20-5300-5300-3350 Fire - Hurricane	\$ -	\$ 105	\$ 105
10-20-5300-5300-0250 Fire - Overtime	16,000	2,000	18,000
10-60-5500-5300-3350 Gen. Services - Hurricane	-	1,428	1,428
10-30-5600-5300-3350 Streets - Hurricane	-	1,977	1,977
10-30-5650-5300-3350 Garage - Hurricane	-	79	79
10-40-5800-5300-3350 Sanitation - Hurricane	<u>-</u>	<u>223</u>	<u>223</u>

	<u>\$ 16,000</u>	<u>\$ 5,812</u>	<u>\$ 21,812</u>
To establish and fund hurricane expenses			
3. Revenue			
10-00-3460-3100-0000 Occupancy Tax	<u>\$ 195,700</u>	<u>\$ 91,400</u>	<u>\$ 287,100</u>
Expenditures			
10-61-4110-5300-5601 Non-Depart. - Occupancy Tax	<u>\$ 190,000</u>	<u>\$ 91,400</u>	<u>\$ 281,400</u>
To increase occupancy tax expenses to match receipts			
4. Revenue			
10-20-3300-3307-0010 SAFR Grant	<u>\$ 77,600</u>	<u>\$ 34,672</u>	<u>\$ 112,272</u>
Expenditures			
10-20-5300-5100-0200 Fire - Salaries	<u>\$ 976,580</u>	<u>\$ 34,672</u>	<u>\$ 1,011,252</u>
To increase salaries paid by SAFR Grant			
5. Expenditures			
10-40-5800-5300-0760 Sanitation - Temp Labor	\$ -	\$ 11,214	\$ 11,214
10-40-5800-5300-0760 Sanitation - Salaries & Wages	<u>510,412</u>	<u>(11,214)</u>	<u>499,198</u>
	<u>\$ 510,412</u>	<u>\$ -</u>	<u>\$ 510,412</u>
To establish and fund temp services during employee shortage			
6. Expenditures			
10-10-4100-5300-3305 Gen. Govt. - Miscellaneous	\$ -	\$ 500	\$ 500
10-10-4100-5300-3310 Gen. Govt. - Non Capital			2,188
Outlay		2,188	2,188
10-10-4110-5300-5503 Non-Depart. -			19,398
Misc./Settlements and Release	-	19,398	19,398
10-10-4200-5300-3300 Finance - Supplies	10,000	1,000	11,000
10-10-4900-5300-1400 Planning - Advertising	-	317	317
10-20-5300-5700-7400 Fire - Capital Outlay	63,823	950	64,773
10-20-5400-5300-1700 EMS- Building Maint./Repair	-	5,920	5,920
10-30-5600-5300-4501 Streets - Service Contracts	-	100	100
10-40-5800-5300-4500 Sanitation - Landfill Fees	210,000	40,000	250,000
10-60-6240-5120-0500 SYCC - FICA	-	650	650
10-00-9990-5300-0000 General Fund Contingency	<u>321,696</u>	<u>(71,023)</u>	<u>250,673</u>
	<u>\$ 605,519</u>	<u>\$ -</u>	<u>\$ 605,519</u>
To balance departments at year end			
7. Expenditures			
10-10-4200-5100-0200 Finance - Salaries & Wages	\$ 59,246	\$ 1,500	\$ 60,746
10-10-4900-5100-0200 Planning - Salaries & Wages	204,787	1,200	205,987
10-20-5100-5100-0200 Police - Salaries & Wages	2,109,068	3,600	2,112,668
10-20-5300-5100-0200 Fire - Salaries & Wages	976,580	4,200	980,780
10-60-5500-5100-0200 Gen. Serv. - Salaries & Wages	187,783	1,500	189,283
10-30-5600-5100-0200 Streets - Salaries & Wages	148,034	1,400	149,434
10-40-5800-5100-0200 Sanit. - Salaries & Wages	510,412	2,450	512,862
10-60-6200-5100-0200 Parks & Rec - Salaries &			300,296
Wages	295,796	4,500	300,296
10-00-9990-5300-0000 General Fund Contingency	<u>250,673</u>	<u>(20,350)</u>	<u>230,323</u>
	<u>\$ 4,742,379</u>	<u>\$ -</u>	<u>\$ 4,742,379</u>

To fund vacation compensation program

WATER/SEWER FUND

8. Expenditures

30-71-7200-5125-0610 Wtr Plant - Retiree			\$ 2,708
Supplemental	\$ -	\$ 2,708	\$ 2,708
30-71-7200-5125-0600 Wtr Plant - Group Insurance	90,082	(2,708)	87,374
30-71-7220-5125-0610 Wtr Plant - Retiree			12,496
Supplemental	-	12,496	12,496
30-71-7220-5125-0600 Wtr Plant - Group Insurance	128,026	(12,496)	115,530
	<u>\$ 218,108</u>	<u>\$ -</u>	<u>\$ 218,108</u>

To separate retiree supplemental from group insurance for better tracking and transparency

9. Expenditures

30-71-7200-5300-3350 - Hurricane	-	519	519
30-71-7220-5300-3350 Wtr Coll/Sewer Dist - Hurricane	-	36,375	36,375
30-00-9990-5300-0000 Water/Sewer Contingency	196,763	(36,894)	159,869
	<u>196,763</u>	<u>-</u>	<u>196,763</u>

To establish and fund hurricane expenses from contingency as damages was non-reimbursable through FEMA

10. Expenditures

30-71-7200-5100-0250 - Overtime	-	11,500	11,500
30-71-7220-5100-0250 Wtr Coll/Sewer Dist - Overtime	-	10,000	10,000
30-00-9990-5300-0000 Water/Sewer Contingency	159,869	(21,500)	138,369
	<u>159,869</u>	<u>-</u>	<u>159,869</u>

To increase overtime due to hurricane

11. Expenditures

30-71-7200-5300-0771 Water/Sewer - Unemploy. Comp.	\$ -	\$ 1,400	\$ 1,400
30-00-9990-5300-0000 Water/Sewer Contingency	138,369	(1,400)	136,969
	<u>\$ 138,369</u>	<u>\$ -</u>	<u>\$ 138,369</u>

To fund unemployment claims reimbursement to the State

12. Expenditures

30-71-7200-5100-0200 Water Plant - Salaries & Wages	\$ 393,140	\$ 5,500	\$ 398,640
30-71-7220-5100-0200 Wtr Dist./Sewer Coll. - Salaries	\$ 526,100	\$ 3,000	
30-00-9990-5300-0000 Water/Sewer Contingency	136,969	(8,500)	128,469
	<u>\$ 1,056,209</u>	<u>\$ -</u>	<u>\$ 527,109</u>

To fund vacation compensation program

13. Revenue

30-71-3900-3900-0000 Fund Balance Appropriation	<u>\$ 626,432</u>	<u>\$ 500,000</u>	<u>\$ 1,126,432</u>
---	-------------------	-------------------	---------------------

Expenditures

30-71-7220-5300-4500 Water/Sewer - Sewer Treatment	\$ 2,100,000	\$ 450,000	\$ 2,550,000
30-00-9990-5300-0000 Water/Sewer Contingency	128,469	(128,469)	-
	<u>\$ 2,228,469</u>	<u>\$ 321,531</u>	<u>\$ 2,550,000</u>

To increase budget for additional sewer treatment cost

14. Revenue

30-71-3900-3900-000 Fund Balance Appropriation	<u>\$ 626,432</u>	<u>\$ 9,045</u>	<u>\$ 635,477</u>
--	-------------------	-----------------	-------------------

Expenditures

30-76-7220-5970-9102 W/S - Transfer to Booker Dairy Rd Project	<u>-</u>	<u>9,045</u>	<u>9,045</u>
To fund Engineering overages for the Booker Dairy Road Project			

ELECTRIC FUND**15. Expenditures**

31-72-7230-5125-0610 Elect. - Retiree Supplemental	\$ -	\$ 18,218	\$ 18,218
31-72-7230-5125-0600 Elect. - Group Insurance	<u>194,200</u>	<u>(18,218)</u>	<u>175,982</u>
	<u>\$ 194,200</u>	<u>\$ -</u>	<u>\$ 194,200</u>

To separate retiree supplemental from group insurance for better tracking and transparency

16. Revenue

31-72-3700-3307-0001 Grant - FEMA	<u>\$ -</u>	<u>\$ 2,002</u>	<u>\$ 2,002</u>
-----------------------------------	-------------	-----------------	-----------------

Expenditures

31-72-7230-5300-3350 Electric - Hurricane	<u>-</u>	<u>2,002</u>	<u>2,002</u>
To establish and fund hurricane expenses			

17. Expenditures

31-72-7230-5300-4800 Electric - NCEMPA/Non Demand	\$ 12,600,000	\$ (7,456,200)	\$ 5,143,800
31-72-7230-5300-4801 Electric - NCEMPA/Demand	-	6,300,000	
31-72-7230-5300-4802 Electric - NCEMPA/Non Demand Electric Purchase	<u>-</u>	<u>1,156,200</u>	<u>1,156,200</u>
	<u>\$ 12,600,000</u>	<u>\$ -</u>	<u>\$ 6,300,000</u>

To redistribute electric power purchase budget into specific categories

18. Expenditures

31-72-7230-5300-4501 Elect. - Service Contracts	\$ 213,000	\$ (70,000)	\$ 143,000
31-72-7230-5300-4401 Elect. - Debit/Credit Card Fee	<u>-</u>	<u>70,000</u>	<u>70,000</u>
	<u>\$ 213,000</u>	<u>\$ -</u>	<u>\$ 213,000</u>

To move bank charges for merchant services to expense line solely dedicated to these cost for better tracking

19. Expenditures

31-00-9990-5300-0000 Electric Contingency	\$ 441,990	\$ (1,400)	\$ 440,590
31-72-7230-5300-0771 Electric - Unemployment Comp.	<u>-</u>	<u>1,400</u>	<u>1,400</u>
	<u>\$ 441,990</u>	<u>\$ -</u>	<u>\$ 441,990</u>

To fund unemployment claims reimbursement to the State

20. Expenditures

31-72-7230-5100-0200 Electric - Salaries & Wages	\$ 919,224	\$ 8,000	\$ 927,224
31-00-9990-5300-0000 Electric Contingency	<u>440,590</u>	<u>(8,000)</u>	<u>432,590</u>
	<u>\$ 1,359,814</u>	<u>\$ -</u>	<u>\$ 1,359,814</u>

To fund vacation compensation program

Booker Dairy Road Capital Project Fund

21. Revenue

44-75-3870-3870-000 Transfer From Water/Sewer Fund	\$ -	\$ 9,045	\$ 9,045
--	------	----------	----------

Expenditures

44-71-7220-5700-4501 C.S. / Engineering	101,621	9,045	110,666
---	---------	-------	---------

To fund Engineering overages for the Booker Dairy Road Project

Firemen Relief Fund

22. Revenue

50-3900-3900-0000 Fund Balance Appropriations	\$ -	\$ 12,300	\$ 12,300
---	------	-----------	-----------

Expenditures

50-20-5310-5300-3500 Firemen Supplemental Retirement	\$ 9,060	\$ 12,300	\$ 21,360
--	----------	-----------	-----------

To balance the Firemen Relief Fund at year end

General Fund Capital Projects Fund

23. Revenue

46-10-3410-4900-4115 Visitors Wayfinding	\$ 75,000	\$ 58,919	\$ 133,919
--	-----------	-----------	------------

Expenditures

46-10-4900-5700-7400 Wayfinding	\$ 203,631	\$ 58,919	\$ 262,550
---------------------------------	------------	-----------	------------

To fund phase 2 of Wayfinding Project with Visitors Bureau Tourism funds

24. Revenue

46-75-3870-3870-0304 Transfer From GF (Hook Lift)	\$ -	\$ 13,495	\$ 13,495
46-75-3870-3870-0300 Transfer From GF	1,555,673	(13,495)	1,542,178
	1,555,673	-	1,555,673

To move Hook Lift transfer to separate designated transfer line

25. Revenue

46-75-3870-3870-0300 Transfer From GF	\$ 1,555,673	\$ 175,000	\$ 1,730,673
46-75-3870-3870-0302 Trnsfr From GF Cap. Reserv.			-
Fund	175,000	(175,000)	-
	1,730,673	-	1,730,673

To move monies set aside in capital reserve for street sweeper and bucket truck as purchases are complete

Water/Sewer Capital Projects Fund

26. Revenue

45-75-3870-3870-0302 Transfer From WF (Riverbank)	\$ -	\$ 117,000	\$ 117,000
45-75-3870-3870-0301 Transfer From WF	2,981,233	(117,000)	2,864,233
	2,981,233	-	2,981,233

To move Riverbank transfer to separate designated transfer line

Electric Fund Capital Projects Fund

27. Revenue

47-75-3870-3870-000 Transfer From Electric Fund	\$ 1,100,000	\$ 115,000	\$ 1,215,000
---	--------------	------------	--------------

Expenditures

47-72-7230-5700-7411 Bucket Truck/Tractor & Sled	\$ 150,000	\$ 115,000	\$ 265,000
--	------------	------------	------------

To move budget set aside in FY18 for half of bucket truck.

ENCUMBRANCES FROM 2018-2019 TO 2019-2020

GENERAL FUND

10-10-3300-3307-0020	Grant - Revitalization (WiFi)	\$ (25,000)
10-10-4100-5700-7400	General Gov. - Capital Outlay (WiFi)	25,000
10-61-4110-5300-5712	Non-Departmental - S.H.A.R.P Reimbursements	14,372
10-61-4110-5300-5716	Non-Departmental - PEG	2,700
10-20-5100-5300-3702	Police - Community Policing Projects	2,700
10-10-4900-5300-4502	Planning - Condemnation	25,000
10-10-4900-5300-4501	Planning – Service Contracts (Engineering Standards Manual)	30,000
10-60-5500-5300-3440	General Serv. - Appearance Commission	19,365
10-60-5500-5700-7400	General Serv. - Capital Outlay (Painting Mausoleum)	3,000
10-30-5600-5300-7301	Streets -Street Paving (Equity Drive)	173,000
10-10-3300-3307-0020	Grant - JC Visitors Bureau (1/2 half of basketball ct resurfacing)	<u>(7,500)</u>
		<u>\$ 262,637</u>

WATER FUND

30-71-7220-5700-7400	Water Plant - Capital Outlay (SCADA Upgrades	\$ 26,000
30-71-7220-5300-5710	Water Dist/Sewer Coll. - Economic Development	<u>100,000</u>
		<u>\$ 126,000</u>

Electric FUND

31-72-7230-5300-5710	Electric - Economic Development	<u>\$100,000</u>
----------------------	---------------------------------	------------------

J.B. GEORGE BEAUTIFICATION FUND

40-61-4100-5300-3400	J.B. George Projects	\$ 970
40-61-4100-5300-3410	J.P. George Projects	<u>403</u>
		<u>\$ 1,373</u>

ENCUMBRANCES FOR PURCHASE ORDERS ISSUED PRIOR TO 6/30/19

GENERAL FUND			PO Number	
10-10-4100-5700-7400	General Government	Municipal Code Corporation	20186293	\$9,600.00
10-10-4900-5300-4500	Planning	Jewell Engineering Consultants	20186704	\$54,521.80
10-10-4900-5300-4504	Planning	Stewart Engineering	20186702	\$1,648.07
10-10-4900-5300-4505	Planning	Kimley Horn & Associates	20186703	\$18,888.67

10-20-5100-5300-3600	Police	Lawmens Safety Supply	20197271	\$625.00
10-20-5100-5300-3600	Police	Lawmens Safety Supply	20197322	\$876.00
10-20-5100-5300-3600	Police	Lawmens Safety Supply	20197394	\$670.00
10-20-5100-5700-7400	Police	Deacon Jones	20197152	\$22,400.00
10-20-5100-5700-7400	Police	Eastern Emergency Equipment	20197321	\$8,345.94
10-20-5100-5700-7400	Police	FCB Visa (NCDMV)	20197407	\$1,500.00
10-60-5500-5700-7400	Public Works	Mark Gregory Roofing	20197362	\$14,800.00
10-60-5500-5700-7400	Public Works	Dennis Evans	20197408	\$10,000.00
10-60-6200-5300-1700	Parks & Rec	Blade Equipment	20197351	\$2,815.94
10-60-6200-5300-1700	Parks & Rec	Barrs Recreation	20197355	\$4,000.00
10-60-6200-5300-1700	Parks & Rec	J & J Floors	20197365	\$1,708.00
10-60-6200-5300-1700	Parks & Rec	Interstate Contract Glazing	20197370	\$1,525.42
10-60-6200-5300-1700	Parks & Rec	Molinas Tree Service	20197390	\$2,000.00
10-60-6200-5300-1700	Parks & Rec	Prosource Fitness	20197396	\$2,500.00
10-60-6200-5300-3300	Parks & Rec	Super-Net	20197350	\$3,775.00
10-60-6200-5300-3300	Parks & Rec	BSN Sports	20197354	\$3,438.65
10-60-6200-5300-3300	Parks & Rec	Power Mulch	20197395	\$2,250.00
10-60-6200-5700-7400	Parks & Rec	Capital Ford	20196913	\$47,670.00
10-60-6200-5700-7400	Parks & Rec	North State Resurfacing	20197197	\$8,950.00
10-60-6200-5700-7400	Parks & Rec	David Hinton Construction	20197280	\$15,400.00
10-60-6200-5700-7400	Parks & Rec	Barrs Recreation	20197343	\$1,706.25
10-60-6200-5700-7400	Parks & Rec	Barrs Recreation	20197344	\$4,943.00
10-60-6200-5700-7400	Parks & Rec	Barrs Recreation	20197345	\$3,845.00
10-60-6200-5700-7400	Parks & Rec	Barrs Recreation	20197346	\$4,558.75
10-60-6200-5700-7400	Parks & Rec	David Hinton Construction	20197364	\$5,000.00
10-60-6220-5300-3900	Parks & Rec	Colorado Time Systems	20197254	\$1,089.35
10-60-6220-5300-3900	Parks & Rec	Creative Caps	20197352	\$1,000.00
10-60-6220-5300-3900	Parks & Rec	Southern Metro Swim League	20197353	\$1,200.00

\$263,250.84

WATER FUND

**PO
Number**

30-71-7200-5300-1700	Water Plant	FCX Performance	20197413	\$1,000.00
30-71-7200-5300-3300	Water Plant	Clear Water	20197172	\$30,000.00
30-71-7200-5300-3300	Water Plant	Mechanical Equipment Co	20197357	\$17,803.00
30-71-7220-5300-3300	Water/Sewer	Tec Utilities	20197381	\$1,997.80

\$50,800.80

GENERAL CAPITAL PROJECT FUND

46-10-4900-5700-7400	Wayfinding	ACSM Inc	20197166	\$154,549.00
46-40-5800-5700-7404	Hookleaf Truck	NCDMV	20197333	\$2,006.00
46-40-5800-5700-7404	Hookleaf Truck	Carolina Industrial Equipment	20197334	\$212,840.00
46-60-6200-5700-7407	Miracle Park/Phase II	David Hinton Construction	20197280	\$34,387.00

\$403,782.00

**ELECTRIC CAPITAL PROJECT
FUNDFUND**

47-72-7230-5700-7407	Voltage Conversion	Anixter	20197422	\$227,944.55
47-72-7230-5700-7407	Voltage Conversion	Wesco	20197423	\$6,851.80
47-72-7230-5700-7411	Bucket Tk/Tractor	Terex	20196863	\$784.00
47-72-7230-5700-7411	Bucket Tk/Tractor	Terex	20196864	\$203,923.00

\$439,503.35

Councilman Ashley Made seconded by Councilman Rabil, to approve the budget amendments, the encumbrances and the encumbrances pertaining to purchase orders. Unanimously approved

Mayor Pro-Tem Scott questioned the contingency line item in the General Fund. Mr. Siler responded there was \$321,000 available in the contingency fund. \$71,000 was used to balance General Fund Department budgets and \$20,350 was used to fund the approved vacation pay outs for General Fund employees that participated. Depending on revenues received, \$230,000 may be returned to the fund balance or may be used for expenses.

2. FY 2019-2020 Budget Discussion

Due to the adoption of the budget, this item was not needed.

Councilmembers Comments: None

Town Manager’s Report:

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

- Movie in the Park will take place at Johnson Park on June 22nd. This event was postponed due to rain.
- The Three Little Pigs Triathlon was scheduled for June 15th
- The Police Department will hold its next Coffee with a Cop on June 22nd at Starbucks.
- The 301 Endless Yard Sale was scheduled for June 14th and June 15th. There will be extra Police presence for this event.
- A highlight of each department’s monthly activities was given to the Council

Close Session pursuant to NCGS 143-318.11 (a) (3) & (4)

Mayor Pro-Tem Scott made a motion, seconded by Councilman Stevens, to go into close session pursuant to the aforementioned statute. Unanimously approved at 9:12

Reconvene in Open Session

Councilman Dunn made a motion, seconded by Mayor Pro-Tem Scott, to reconvene in Open Session. Unanimously approved at 10:00pm.

Adjournment

Being no further business, Councilman Barbour made a motion, seconded by Councilman Dunn, to adjourn the meeting. Unanimously approved. The meeting adjourned at approximately 10:01 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent Agenda Item: Application for Temporary Use Permit
Date: 07/09/2019

Subject: Temporary Use Permit
Department: First Missionary Baptist Church
Presented by: Planning Department
Presentation: Consent Agenda Item

Issue Statement

The Council is asked to authorize First Missionary Baptist Church to hold a Community Outreach Day at 403 Caswell Street on June 29, 2019 from 9:00 am-3:00 pm. They have requested to close Caswell Street between Fourth and Fifth Street.

Financial Impact

N/A

Action Needed

Approval of the Temporary Use Permit Application

Recommendation

Staff recommends **approval of this event**

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

First Missionary Baptist Church would like to hold a Community Outreach Day on June 29, 2019. The event would begin at 9:00 am and end at 3:00pm. Amplified sound would take place from 10:00 am to 2:00 pm. Caswell Street has been requested to be closed off between Fourth and Fifth Street. The applicant anticipates well over 100 people to attend and requested one trash can to be delivered.



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

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield Planning Department **at least four weeks prior to the event**. Email applications to julie.edmonds@smithfield-nc.com or drop off in the Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

PERMIT FEE \$100

TYPES OF EVENT

- | | |
|--|--|
| <input type="checkbox"/> Expansion or replacement of existing facilities | <input type="checkbox"/> Construction Trailer |
| <input type="checkbox"/> Sale of agricultural products grown off-site | <input type="checkbox"/> Real estate sales office or model home |
| <input type="checkbox"/> Sale of fireworks | <input type="checkbox"/> Sale of non-agricultural products, except fireworks |
| <input checked="" type="checkbox"/> Special event, over 100 people in attendance | <input type="checkbox"/> Not-for-profit event, over 100 people in attendance |
| <input type="checkbox"/> Athletic event on streets, greenways | <input type="checkbox"/> Town recognized event _____ |
| <input type="checkbox"/> other (please describe) _____ | <input checked="" type="checkbox"/> Live Band or Amplified Sound _____ |

EMBC Community Outreach Day	403 Caswell St.
Name of Event	Location of Event (exact street address)

Applicant Name Teresa McDonald E-mail Address tmcadona@ncsu.edu
 Address 403 Caswell St. Smithfield Zip 27577
 Phone Number (919) 272-8580 Event Date June 29, 2019
 Event Start Time 9:00 am Event End Time 3:00 pm
 Sound Amplification Hours 10am-2pm Will Food or Goods be sold? NO
 Security agency name & phone, if applicable: N/A
 Will any Town property be used (i.e., streets, parks, greenways)? NO
 If any Town streets require closure, please list all street names. Caswell between 5th & 4th St.
 Are event trash cans needed? Yes How many? 1

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

Teresa McDonald _____ 6-7-19 _____
 Applicant's Name (print) Signature Date

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

Planning Director: [Signature] Date: 6/10/19



Request for Town Council Action

Consent Agenda Item: Application for Temporary Use Permit
Date: 07/09/2019

Subject: Temporary Use Permit
Department: Clayton General Store Vendor Event
Presented by: Planning Department
Presentation: Consent Agenda Item

Issue Statement

The Council is asked to authorize Clayton General Store to hold a vendor event at 1025 Outlet Center Drive on Saturday, June 22, 2019 from 9:00 am- 7:00 pm.

Financial Impact

N/A

Action Needed

Approval of the Temporary Use Permit Application

Recommendation

Staff recommends approval of this event

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Event Site Plan



Staff Report

Consent
Agenda
Item: Application
for
Temporary
Use Permit

Clayton General Store is requesting to hold a vendor event at 1025 Outlet Center Drive on Saturday, June 22, 2019. The event will start at 9:00 am and end at 7:00 pm. They will have 25 vendors set up in 10x10 tents selling goods in the parking lot. This is a fundraiser event to benefit Mason Fannin a 7 year old battling cancer. No security or event trash cans have been requested by the applicant.

Approved 6.18.19



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

Temporary Use Permit Application

Completed applications should be submitted to the Town of Smithfield Planning Department at least four weeks prior to the event. Email applications to julie.edmonds@smithfield-nc.com or drop off in the Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

TYPES OF EVENT

- Expansion or replacement of existing facilities
- Sale of agricultural products grown off-site
- Sale of fireworks
- Special event, over 100 people in attendance
- Athletic event on streets
- other (please describe) _____
- Construction Trailer
- Real estate sales office or model home
- Sale of non-agricultural products, except fireworks
- Not-for-profit event, over 100 people in attendance
- Town recognized event _____
- Live Band or Amplified Sound _____

Clayton General Store Vendor Event	1025 Outlet Center Drive
Name of Event	Location of Event (exact street address)

Applicant name Scott Eason E-mail address scotteason30@gmail.com

Address 214 Waverly Drive Clayton, NC Zip 27527

Phone number 919-592-5126 Event date June 22, 2019

Event start time 9:00 am Event end time 7:00 pm

Sound amplification Hours N/A Will food or goods be sold? Yes

Security agency name & phone, if applicable: N/A

Will any Town property be used (i.e., streets, parks, greenways)? N/A

If any Town streets require closure, please list all street names. N/A

Are event trash cans needed? N/A How many? _____

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

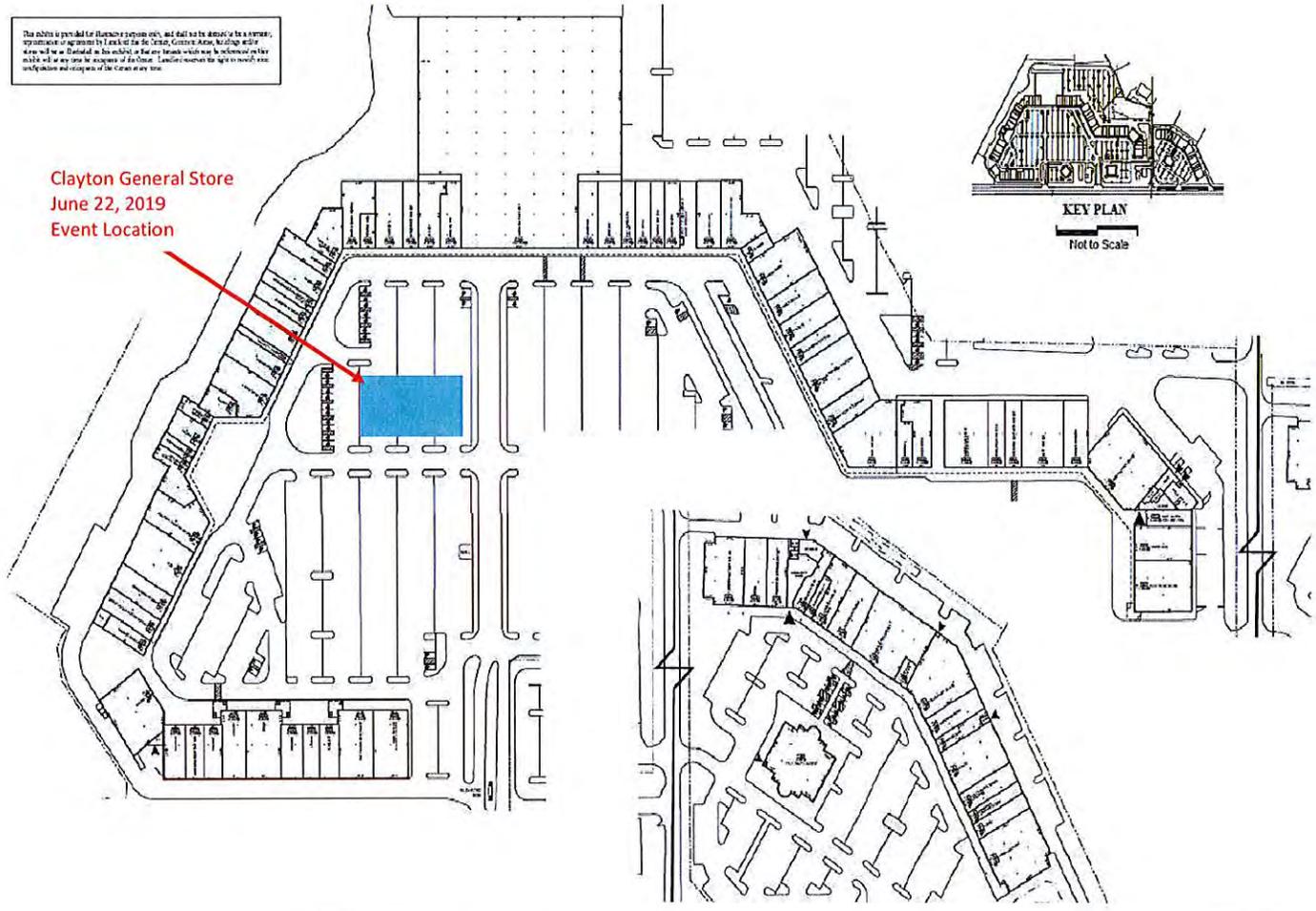
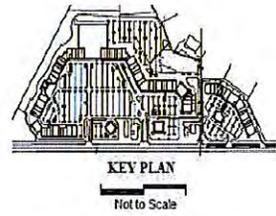
Applicant's Name (print)	Signature	Date
--------------------------	-----------	------

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

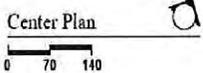
Planning Director: [Signature] Date: 6/20/19

The exhibit is provided for Hampton's reference only, and shall not be deemed to be a contract, representation or agreement by Hampton for the Clayton Center's design. Hampton's review of the exhibit will be as provided in the exhibit, and the only document which may be referred to for the exhibit will be any one of the exhibits of the Center. Location is subject to change without notice and Hampton will not be responsible for the Center at any time.

Clayton General Store
 June 22, 2019
 Event Location



DATE
 (PREPARED BY) - Under Construction
 (PROJECT NAME) - 10/18/18



Modified May 13, 2016

Carolina Premium Outlets
 1025 Outlet Center Drive
 Smithfield, NC 27577
 OSAP # 7183 PREMIUM OUTLETS

APPLICATION FOR PERMIT TO USE COMMON AREA

Form 138 ((Rev. 3-09))

Shopping Center
Carolina Premium Outlets

Instructions: Please TYPE or PRINT all information.

Name of Individual / Organization Clayton General Store	Describe the nature of the activity Vendor Event / Food Trucks
Street Address 1025 Outlet Center Drive Suite 270	
City, State, Zip Smithfield NC 27577	
Telephone No. 919-300-1166	

DATE REQUESTED	TIME REQUESTED		NAME OF PERSON WHO WOULD BE IN CHARGE
6/22/19	From: 9:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	To: 7:00 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	Scott Eason
	From: <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	To: <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	
	From: <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	To: <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	

If use of special decorations, signs, displays, or devices is requested, explain

NA

GENERAL RELEASE AND INDEMNITY

(Please read carefully)

Applicant agrees to defend, indemnify and hold the shopping center owners, managers and tenants harmless from and against any and all claims for personal injuries, death, damages, costs, and/or other expenses, including reasonable attorney's fees, arising from or in any way connected with the use of the Common Area or any other part of the Shopping Center by the Applicant, its members, partners, associates, agents, contractors and employees, and the Applicant releases and discharges the shopping center owners, managers and tenants from any and all liabilities, claims, and actions for any damages or injuries either to the person or property sustained by reason of any condition of the Common Area or the shopping center, or due to any act of any employee or agent of the shopping center owners, managers and tenants.

ACKNOWLEDGEMENT

(Please read carefully)

The undersigned represents that he/she is the Applicant or an officer or other authorized agent of the Applicant and that he/she is 21 years of age or over. The undersigned further acknowledges he/she has read and is familiar with the Rules and Regulations Governing Use of the Common Area of the Shopping Center (see reverse side) and agrees that permission to use the Common Area is expressly conditioned upon Applicant's acceptance and continuing observation of the Rules and Regulations.

Name of person completing application Scott Eason	Street Address (if different than above) 214 Waverly Drive	
Title (if any) owner	City, State, Zip Clayton NC 27527	
Signature 	Date 6-14-19	Phone No. 919-592-5126

PERMIT TO USE COMMON AREA

The Individual/Organization named above has permission to use the designated portion of the Common Area during the hours and date(s), stated above subject to the Shopping Center's policies and to the Rules and Regulations stated on the reverse side.

Please locate the exhibit, display, or equipment in the Mall Common Area as indicated on the attached map of the Mall.

Authorized Signature 	Date 6/14/19
For: Carolina Premium Outlets	
1025 Outlet Center Dr.	
Smithfield NC 27577	



Request for Town Council Action

Consent Non-
Agenda Departmental
Item: Request
Date: 07/09/2019

Subject: Non-Departmental Request - Schools
Department: Non-Departmental/General Government
Presented by: Town Manager - Michael Scott
Presentation: Consent

Issue Statement

During the FY 2019-20 budget process, \$6,000 was included in the non-departmental budget for contributions for Smithfield Schools at the discretion of the Council. This action is intended to distribute these funds.

Financial Impact

\$6,000

Action Needed

Approve allocation as described in staff report.

Recommendation

Approve Distribution

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Consent Non-
Agenda Departmental
Item: Request

During the FY 2019-20 budget workshops, \$6,000 was allocated for Smithfield schools to be distributed at the discretion of the Council. The Manager believes the budgeted funding was to be distributed as follows:

Smithfield Selma High School	\$1,000
Smithfield Middle School	\$1,000
South Smithfield Elementary	\$1,000
Innovation Academy	\$1,000
West Smithfield Elementary	\$1,000
<u>Neuse Charter School</u>	<u>\$1,000</u>
	\$6,000

This action by the Council would approve the distribution of these funds as indicated above.



Request for Town Council Action

Consent
Agenda
Item:
Date: 07/09/2019

Inter-local
Agreement
for Fire
Protection

Subject: Inter-local Agreement for Fire Service with Johnston County
Department: Fire Department
Presented by: Chief John Blanton
Presentation: Consent Agenda

Issue Statement

The Smithfield Fire Department is seeking consideration to authorize the approval of the 2019 Inter-local Agreement for Fire Service with Johnston County. The Smithfield Fire Department provides service in the unincorporated areas around the Town of Smithfield. This agreement is renewed every two years for the provision of service and collection of Rural Fire Tax.

Financial Impact

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

Action Needed

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

Recommendation

The Fire Department recommends approval of this contract

Approved: Town Manager Town Attorney

Attachments:

1. Interlocal Agreement



April 26, 2019

CERTIFIED MAIL

Smithfield Fire Department – Town of Smithfield
111 S. Fourth Street
Smithfield, NC 27577

Dear Chief Blanton:

We have made necessary revisions to our current fire services contract to most appropriately reflect the current conditions and needs. Our current contract expires on June 30, 2019. The proposed changes were discussed at the Chiefs meeting held on April 11, 2019. **The current contract will expire on June 30, 2019, coinciding with the execution of this new contract.**

Enclosed, you will find two copies of your 2019-2020 fire contract for your department's approval signatures. Please examine this document and notify me immediately if there are any questions or discrepancies. The following actions are required of your agency

1. Sign Page 7 of the contract document as designated for approval (two signatures)
2. Examine the appendices to be sure that they are correct and accurate for the voluntary services that your department provides.
3. **Return the signed documents to our office by June 24, 2019.**

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

Sincerely,

Adam R. Stanley
Fire Division Chief/Fire Marshal

Enclosures



**NORTH CAROLINA
JOHNSTON COUNTY**

INTERLOCAL AGREEMENT FOR PROVISION OF FIRE PROTECTION SERVICES

This Agreement (sometimes referred to as "Contract"), made and entered into this the first day of July, 2019, by and between County of Johnston, a political subdivision of the State of North Carolina, hereinafter referred to as the "County," and the Town of Smithfield, a body politic and corporate of the State of North Carolina, hereinafter referred to as the "Town" or "Contractor";

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

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

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

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



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

- 7) Fire Department agrees that County has the right to inspect all books and accounts of Fire Department at any time. Said inspection shall be conducted by the Johnston County Board of Commissioners through the Johnston County Fire Marshal, the Johnston County Finance Officer, or other designees of the Johnston County Board of Commissioners. The Fire Department shall furnish all applicable materials and financial statements for the purpose of the annual audit conducted by the Town in conformity with General Accepted Accounting Principles or other comprehensive basis of accounting. The Town shall follow the applicable statutory procedures for letting of public contracts for fire apparatus, equipment, and construction as may be amended by the North Carolina Legislature from time to time. Fire Department shall maintain an accurate inventory of any property with a purchase price of \$5,000.00 or greater purchased in whole or in part with County Fire District funds for the purpose of providing and furnishing fire protection services to the Fire District pursuant to this Agreement.

- 8) If any condition of this Agreement is not being fulfilled by Fire Department to the satisfaction of County, in County's sole discretion, the Johnston County Finance Officer has the right to withhold any and all funds to be paid to Fire Department under this Agreement at any time and until such time as the Fire Department complies with the terms of this Agreement. If Fire Department refuses or fails to provide fire protection services, facilities, or functions as contemplated under this Agreement and to the sole satisfaction of County, the Johnston County Fire Marshal shall investigate the cause of said refusal or failure. During the investigation by the Johnston County Fire Marshal, County may withhold any and all funds due and payable to Fire Department. If the investigation by the Johnston County Fire Marshal determines that Fire Department has refused or failed to perform the duties and obligations of it as required herein, and certifies the results of the investigation to the County Manager, the County Manager may instruct the Finance Officer to withhold any and all funds to be aid to Fire Department under this Agreement until a resolution regarding the refusal or failure to perform is reached by the parties. If a resolution is unable to be reached by the parties, County, in its sole discretion, may withhold nay and all funds to be paid to Fire Department under this Agreement, terminate this Agreement for cause, or take any other such action as County deems necessary to protect the citizens of the District. Fire Department's failure to file reports required of it to any Federal, State, or local authority shall be grounds for County to terminate this Agreement with Fire Department for cause. If this Agreement is terminated by County for cause, Fire Department shall be liable to County for any and all funds appropriated and paid to Fire Department during the fiscal year in which the



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

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



12) The Fire Department shall provide annually to the Johnston County Fire Marshal's Office a current and complete roster of members of the Fire Department to include contact numbers for the Chief and Assistant Chief(s).

13) The Fire Department agrees to provide automatic and mutual aid services to other emergency services providers in Johnston County. The Fire Department understands that other agencies will maintain their own liability policies and be responsible for their own expenses. The Fire Department further agrees that it will be responsible for its own expenses while responding to a request for mutual aid to another agency within the county. The current automatic aid agreement is included in Appendix A of this contract.

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

14) The following minimal performance standards are agreed upon by the County, Town, and the Fire Department and are part of this contract:

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



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



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

- 15) This agreement shall become effective the first day of July 2019, and remain in effect for a period not to exceed two years, subject to the continued legal existence of the District and the Fire Department, and further subject to the termination provisions of paragraph 8 and 17 hereof.
- 16) This agreement may not be transferred or assigned by the Town, nor may the services contracted for herein be sub-contracted to other parties unless approved by the Johnston County Board of Commissioners.
- 17) This contract may be terminated by either party upon advance notification to the other party by certified mail at least sixty (60) days prior to termination.
- 18) Either party may propose an amendment to this agreement by submitting the amendment in writing at least sixty (60) days in advance of the amendment's proposed effective date. Amendments to this agreement must be approved by both the County and the Town prior to becoming effective.
- 19) If any part of this Contract is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that part shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this Contract.
- 20) This contract is not intended to serve for the benefit of any third party. The rights and obligations contained herein belong exclusively to the entities that are parties hereto and no third party shall rely upon anything contained herein as a benefit to that third party.
- 21) The terms and provisions herein contained constitute the entire agreement by and between the County and the Town and shall supersede all previous communications, representations, or agreements, either oral or written between the parties hereto with respect to the subject matter hereof.
- 22) **RELATIONSHIP OF THE PARTIES.** The relationship of the parties established by this Agreement is solely that of independent contractors, and nothing contained in this contract shall be construed to (i) give any party the power to direct or control the day-to-day activities of the other; (ii) constitute such parties as partners, joint ventures, co-owners or otherwise as participants in a joint or common undertaking; (iii) make either party an agent of the other for any purpose whatsoever; or (iv) give either party the authority to act for, bind, or otherwise create or assume any obligation on behalf of the other. Nothing herein shall be deemed to eliminate any fiduciary duty on the part of the Fire Department to the County that may arise under the law or under the terms of this Agreement.



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

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

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

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

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

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

**JOHNSTON COUNTY
EMERGENCY SERVICES**



Kevin Hubbard,
Emergency Services Director

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

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

Johnston County Board of County Commissioners

By: _____
Chairman: Ted G. Godwin

Attest:

Clerk

Town of Smithfield

By: _____
Mayor

Attest:

Clerk

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

By: _____
J. Chad McLamb, Finance Officer

**NORTH CAROLINA
JOHNSTON COUNTY**

FIRE PROTECTION SERVICES AGREEMENT

APPENDIX A

AID AGREEMENT FOR FIRE PROTECTION

AID AGREEMENT FOR FIRE PROTECTION

NORTH CAROLINA

JOHNSTON COUNTY

This Aid Agreement for Fire Protection ("Agreement") is made and entered into this the 1st day of November, 2014 by and between the Town of Benson, Town of Clayton, Town of Selma, Town of Smithfield, and Town of Zebulon, all municipal corporations and the 50-210 Community Fire Department, Inc., Antioch Fire Department, Incorporated, Archer Lodge Volunteer Fire Department, Inc., Bentonville Volunteer Fire Department, Inc., Bethany Rural Fire Department of Johnston County, Inc., Blackman's Crossroads Volunteer Fire Department, Inc., Brogden Rural Fire Department, Inc., Cleveland Fire Department, Incorporated, Corinth-Holder Volunteer Fire Department, Inc., Elevation Fire Department, Incorporated, Four Oaks Volunteer Fire Department, Inc., Garner Volunteer Fire/Rescue Incorporated, Kenly Volunteer Fire Department, Inc., Meadow Volunteer Fire Department, Inc., Micro Volunteer Fire Department, Inc., Nahunta Volunteer Fire Department, Inc., Newton Grove Fire & Rescue, Inc., Oakland Volunteer Fire Department, Inc., Pine Level Volunteer Fire Department, Inc., Princeton Volunteer Fire Department, Incorporated, Strickland Crossroads Fire Department, Incorporated, Thanksgiving Fire Department, Incorporated, West Johnston Fire Department, Incorporated, Wilson's Mills Fire and Rescue Department, all corporations existing under the laws of the State of North Carolina.

WITNESSETH:

THAT, WHEREAS, the General Assembly of North Carolina did enact into law an act to authorize mutual aid assistance between fire departments whereby full authority may be exercised for fire departments to send firefighters and apparatus beyond the territorial limits which they normally serve, said act having been codified as Section 58-83-1 of the General Statutes of North Carolina;

WHEREAS, the purpose of this agreement is to provide each of the parties hereto, through their mutual cooperation, a pre-determined plan by which each of them might render aid to the other in case of conflagration, holocaust, civil disorder, natural disaster, or other emergency, any of which demand fire services to a degree beyond the existing capabilities of either party;

AID AGREEMENT FOR FIRE PROTECTION

WHEREAS, it is deemed to be in the public interest for parties hereto to enter into an agreement for aid assistance in fire protection and in order to increase fire defenses and to assure proper fire control, as well as providing reserves needed to assure the community of adequate fire protection;

WHEREAS, by action of the governing bodies creating and supporting aforesaid fire departments, this agreement for mutual and reciprocal aid assistance was duly authorized;

NOW, THEREFORE, in consideration of the mutual covenants contained herein and between and among the parties hereto, it is hereby agreed as follows:

- 1) Should it become necessary to activate the terms of this agreement as herein set forth, due to conflagration, holocaust, civil disorder, natural disaster, or other emergency, the Chief of either Fire Department shall have the implicit authority, upon notification of one of the parties to the other that such an emergency does, in fact, exist and that aid is needed, to order available apparatus, equipment and manpower into action to assist the requesting party as may be required.
- 2) It shall be the responsibility of the chief of the fire department of the responding party to ensure that all personnel responding to the request for assistance are responsible persons and that the conduct and actions of said personnel shall be the responsibility of the party sending assistance.
- 3) Each party to this agreement shall assume all liability and responsibility for damage to its own apparatus and/or equipment. The party responding shall also assume all liability and responsibility for any damage caused by its own apparatus while responding to or returning from a specific location.
- 4) The party responding under the terms of this agreement shall assume no responsibility or liability for property damaged or destroyed at the actual scene of any disorder, holocaust, conflagration, natural disaster, or other emergency due to firefighter and rescue operations, fire control tactics and strategy or other operations as may be required or ordered; said liability and responsibility shall rest solely with the party requesting such aid and within whose boundaries the property shall exist, or the incident occur.
- 5) The party who requests aid shall in no way be deemed liable or responsible for the personal property of the members of the fire department of the responding party which may be lost, stolen or damaged while performing their duties under the response terms herein.

AID AGREEMENT FOR FIRE PROTECTION

- 6) Each party to this agreement shall assume all costs of salaries, wages, bonuses or other compensation for its own personnel that responds for duty under the terms of this agreement and shall assume all costs involving the use of apparatus, equipment, tools used specifically in response to the request for aid and shall make no charge for such use to the party requesting assistance; however, any special extinguishing agents used by the responding party from its own supply shall be paid for by the party requesting the aid upon receipt of an itemized statement of costs for such extinguishing agents.
- 7) Upon receipt of a request for assistance by the officer of the fire department from the requesting party, and upon a determination by the officer of the fire department of the responding party that the request be honored without impairing the capacity to provide fire protection within its own jurisdiction, the officer of the responding fire department may take such steps as necessary to furnish apparatus, manpower and assistance to the requesting party as he/she deems appropriate. Such response shall remain solely the decision of the officer of the fire department of the responding party. Neither party to this agreement shall be bound to dispatch apparatus, equipment or personnel to the assistance of the other but every effort should be made to furnish such assistance if, in the judgment of the officer of the fire department of either party, such dispatch would not impose upon his/her own respective community a serious impairment to the fire defenses and fire protection.
- 8) The fire chief, officer-in-charge, or incident commander of the fire department in whose community or fire district where the emergency exists shall in all instances be in command of the emergency as to the aspects of strategy, fire control tactics and overall direction of the operations.
- 9) Either party may, at any time, terminate this agreement, through its respective fire chief, upon the serving of a thirty-day written notice to the fire chief of the other party.
- 10) When fire department personnel are sent to respond to a request for aid pursuant to this agreement, the jurisdiction, authority, rights, privileges and immunities, including coverage under worker's compensation laws, which they have in their normal service area shall be also enjoyed by them outside their normal service area when said personnel are acting within the scope of their authority or in the course of their employment and pursuant to the terms of this agreement until

AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Town of Benson

Willie W. Messenger
Mayor

ATTEST:

Ernie M. Sorrell
Clerk



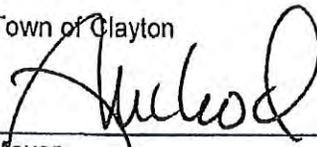
AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

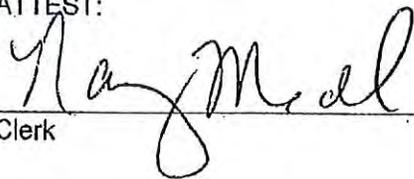
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Town of Clayton



Mayor

ATTEST:



Clerk

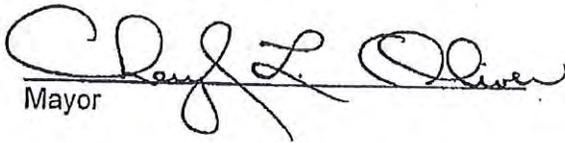
AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

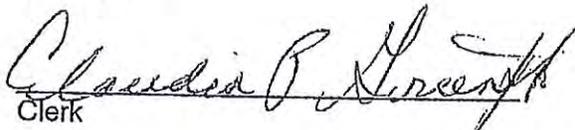
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Town of Selma



Mayor

ATTEST:



Clerk

AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

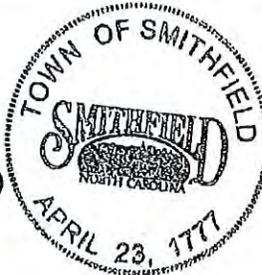
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Town of Smithfield


Mayor

ATTEST:


Clerk



AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

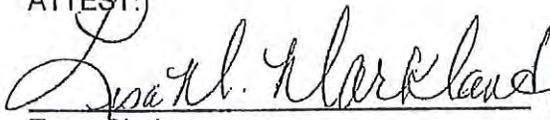
- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation has caused this instrument to be signed in its corporate name by its Fire Chief, attested by its Town Clerk and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Town of Zebulon


Fire Chief

ATTEST:


Town Clerk



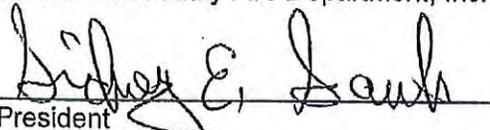
AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

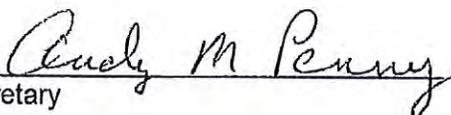
- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

50-210 Community Fire Department, Inc.


President

ATTEST:


Secretary

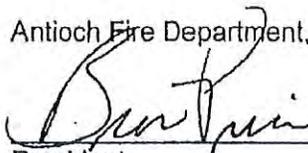
AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

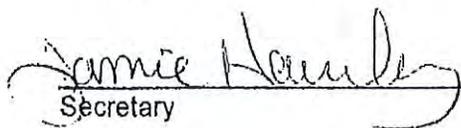
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Antioch Fire Department, Inc.



President

ATTEST:



Secretary

AN AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

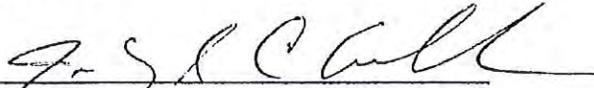
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Archer Lodge Volunteer Fire Department, Inc.



President

ATTEST:



Secretary

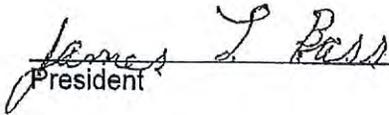
AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Bentonville Volunteer Fire Department, Inc.



President

ATTEST:



Secretary

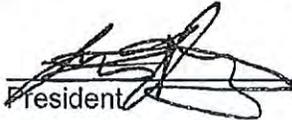
AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Bethany Rural Fire Department of Johnston County, Inc.



President

ATTEST:



Secretary

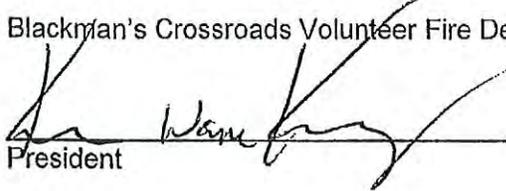
AIL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Blackman's Crossroads Volunteer Fire Department


President

ATTEST:


Secretary

AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Brogden Rural Fire Department, Inc.

Clarence F. Morris, Jr.
President

ATTEST:

x Randy B. Whitley
Secretary

ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Cleveland Fire Department, Incorporated



President

ATTEST:



Secretary

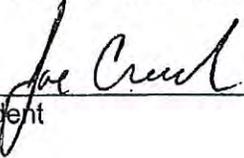
ALL AGREEMENT FOR FIRE PROTECTION JN

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

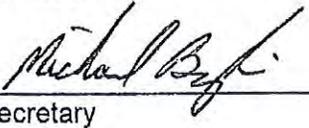
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Corinth-Holder Volunteer Fire Department, Inc.



President

ATTEST:



Secretary

ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Elevation Fire Department, Incorporated



President

ATTEST:



Secretary

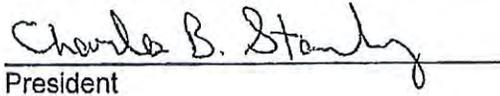
ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

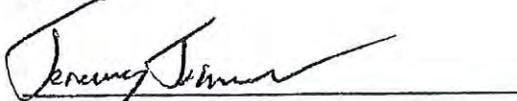
- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF; the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Four Oaks Volunteer Fire Department, Inc.


President

ATTEST:


Secretary

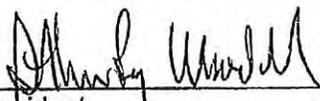
ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Gamer Volunteer Fire/Rescue Incorporated



President STEPHEN RAY WOODALL

ATTEST:



Secretary

ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Kenly Volunteer Fire Department, Inc.

Bobby J. Pope
President



ATTEST:

[Signature]
Secretary

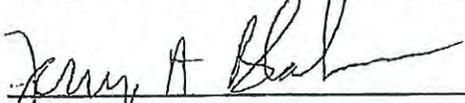
AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Meadow Volunteer Fire Department, Inc.



President

ATTEST:



Secretary

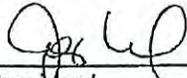
AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

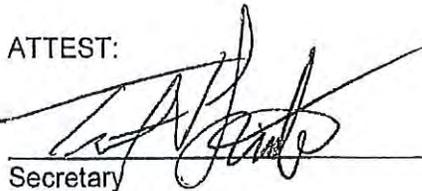
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Micro Volunteer Fire Department, Inc.



President

ATTEST:



Secretary

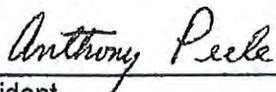
AID AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Nahunta Volunteer Fire Department, Inc.



President

ATTEST:



Secretary

ALL AGREEMENT FOR FIRE PROTECTION JN

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Newton Grove Fire & Rescue, Inc.



President

ATTEST:



Secretary

AIL AGREEMENT FOR FIRE PROTECTION JN

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Oakland Volunteer Fire Department, Inc.



President

ATTEST



Secretary

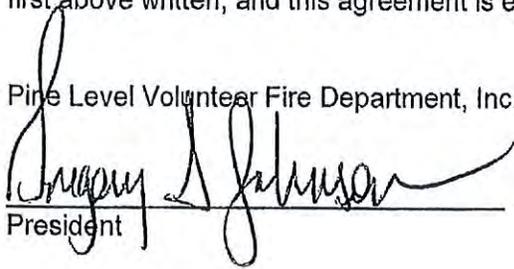
ADDENDUM AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Pine Level Volunteer Fire Department, Inc.



President

ATTEST:



Secretary

ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

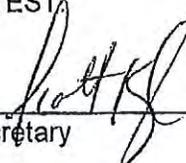
- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Princeton Volunteer Fire Department, Incorporated



President

ATTEST


Secretary

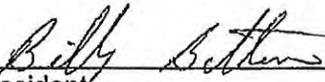
ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Strickland Crossroads Fire Department, Incorporated



President

ATTEST:



Secretary

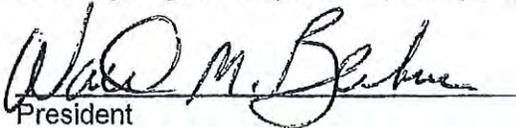
ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

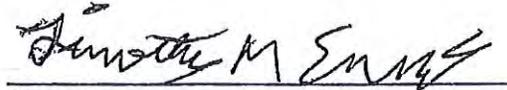
- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Thanksgiving Fire Department, Incorporated


President

ATTEST:


Secretary

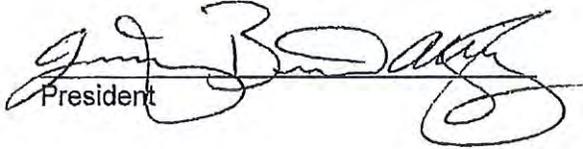
ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

West Johnston Fire Department


President

ATTEST:


Secretary

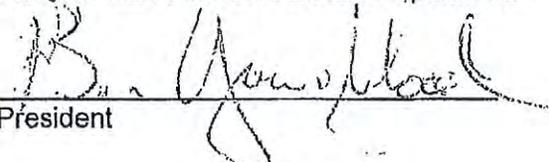
ALL AGREEMENT FOR FIRE PROTECTION

completion of the entire incident, it being the intent of this agreement to preserve all authority, rights, privileges and immunities to the full extent allowed by N.C. Gen. Stat. § 58-83-1.

- 11) When any party contained in this agreement is providing automatic aid to another party, it is agreed to respond with a minimum of one piece of fire apparatus capable of carrying a minimum of 1,000 gallons of water.

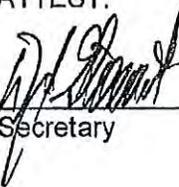
IN WITNESS WHEREOF, the municipal corporation have caused this instrument to be signed in its corporate name by its Mayors, attested by its Town Clerks and its corporate seal affixed, and, the corporations, have likewise caused this instrument to be signed in its corporate name by its President, attested by its secretary and its corporate seal affixed, all on the day and year first above written, and this agreement is executed in duplicate.

Wilson's Mills Fire and Rescue Department



President

ATTEST:



Secretary



APPENDIX B

NORTH CAROLINA
JOHNSTON COUNTY

FIRE DEPARTMENT MEDICAL RESPONDER AGREEMENT

WHEREAS, Johnston County and all emergency medical providers desire to promote better medical care for its constituency; and,

WHEREAS, that in cases of severe life-threatening illness and/or trauma, the intervention of trained personnel at the earliest possible time can greatly enhance the chances of recovery by the victim; and,

WHEREAS, Fire Departments agreeing to participate in the Fire Department Based Medical First Response Program have been approved by the Johnston County Emergency Services Department for that purpose;

THEREFORE, let it be resolved that Smithfield Fire Department – Town of Smithfield agrees to become a participating party in the Johnston County Fire Department Based Medical First Response Program and that the following provisions and conditions will be in force and that the parties to this understanding agree to abide by the following:

- A. The Fire Department will organize and maintain a medical responder unit that will comply with the applicable terms of the Johnston County Emergency Services EMS Division Fire Department Based Medical First Response Program Guidelines.
- B. The Fire Department will operate at the Johnston County First Responder, NC EMR or NC EMT certification level, as approved by the Johnston County EMS System per the Johnston County Emergency Services EMS Division Fire Department Based Medical First Response Program Guidelines.
- C. The Fire Department will properly document all relevant incident information into the provided Johnston County Records Management software.

This Agreement will be in effect from _____ until such time as either party terminates the agreement upon sixty (60) days written notice to withdraw.

Executed this the _____ day of _____, 20__.

DIRECTOR
JOHNSTON CO. EMERGENCY SERVICES

PRESIDENT/MAYOR/MANAGER/CHIEF
FIRE DEPARTMENT



APPENDIX C

NORTH CAROLINA
JOHNSTON COUNTY

RESCUE SERVICES AGREEMENT

WHEREAS, Johnston County and the Johnston County Fire Departments desire to provide and promote the highest level of emergency services possible for Johnston County; and,

WHEREAS, the Fire Department is currently under contract with Johnston County to provide fire protection and emergency services and is a participant in the Johnston County Mutual Aid Agreement; and,

WHEREAS, the Fire Department voluntarily agrees to accept additional emergency duties for its designated geographic area; and,

NOW THEREFORE, let it be resolved that **Smithfield Fire Department – Town of Smithfield** agrees to become a participating party in the program(s) indicated below:

- EXTRICATION SERVICES PROVIDER
- LIGHT RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
- MEDIUM RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
- HEAVY RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
- WATER RESCUE – DIVE RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)
- WATER RESCUE – OPEN WATER (STILL WATER) RESCUE PROVIDER (as outlined by N.C. Assoc. of Rescue and EMS)

AND THEREFORE, let it be resolved that the following provisions and conditions will be in force and that the parties to this understanding agree to abide by the following:

- A. The Fire Department will maintain the necessary equipment to provide the service(s) indicated above.
- B. The Fire Department will ensure that members involved are properly trained to provide the services(s) indicated above.
- C. The Fire Department will be available for response twenty-four hours daily to the extent possible, realizing that the number of responders may be limited.

This Agreement will be in effect from _____ until such time as either party terminates the agreement upon sixty (60) days written notice to withdraw.

Executed this the _____ day of _____, 20____.

DIRECTOR
JOHNSTON CO. EMERGENCY SERVICES

PRESIDENT/MAYOR/MANAGER/CHIEF
FIRE DEPARTMENT



NORTH CAROLINA JOHNSTON COUNTY

CARDIAC ARREST ASSISTANCE AGREEMENT

WHEREAS, Johnston County and all emergency service providers desire to promote better care for its constituency; and,

WHEREAS, that in cases of cardiac arrest, the intervention of trained personnel at the earliest possible time can greatly enhance the chances of recovery by the victim; and,

WHEREAS, the Fire Department is currently under contract with Johnston County to provide fire protection and emergency services and is a participant in the Johnston County Mutual Aid Agreement; and,

WHEREAS, the Fire Department voluntarily agrees to accept additional emergency duties for its designated geographic area; and,

NOW THEREFORE, let it be resolved that **Smithfield Fire Department – Town of Smithfield** agrees to be dispatched to and to provide personnel for assistance with management of cardiac arrest emergencies.

AND THEREFORE, let it be resolved that the following provisions and conditions will be in force and that the parties to this understanding agree to abide by the following:

- A. The Fire Department will maintain the necessary equipment to provide this service.
- B. The Fire Department will ensure that members involved are properly trained and certified to provide this service, specifically including certification in providing cardio-pulmonary resuscitation.
- C. The Fire Department will be available for response twenty-four hours daily to the extent possible, realizing that the number of responders may be limited.
- D. The Fire Department will properly document all relevant incident information into the provided Johnston County Records Management software.

This Agreement will be in effect from _____ until such time as either party terminates the agreement upon sixty (60) days written notice to withdraw.

Executed this the _____ day of _____, 20____.

DIRECTOR
JOHNSTON CO. EMERGENCY SERVICES

PRESIDENT/MAYOR/MANAGER/CHIEF
FIRE DEPARTMENT



Request for Town Council Action

Consent
Agenda
Item: Resolution
to submit
CDBG
Application
Date: 07/09/2019

Subject: CDBG Application Submission
Department: Administration
Presented by: Town Manager – Michael Scott
Presentation: Consent Agenda

Issue Statement

In order to submit an application for Community Development Block Grant (CDBG) the Town Council must adopt a Resolution stating such

Financial Impact

There would be no financial impact to the budget.

Action Needed

The Council is asked to adopt Resolution #644 (11-2019)

Recommendation

Staff recommends adopting Resolution # 644 (11-2019) for the submission of a CDBG application for neighborhood revitalization to benefit Southeast Smithfield

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution # 644(11-2019)



Staff Report

Consent
Agenda
Item:

Resolution
to submit
CDBG
Application

In order to formally submit a Community Development Block Grant Application to the North Carolina Department of Commerce, the Town must formally adopt a Resolution stating its intent. If awarded, the grant funds will be used to assist in neighborhood revitalization efforts in Southeast Smithfield.

TOWN OF SMITHFIELD
RESOLUTION # 644 (11-2019)

APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR
THE PHASE 1 SOUTHEAST SMITHFIELD NEIGHBORHOOD REVITALIZATION
PROJECT

WHEREAS, the **Town of Smithfield's Town Council** has previously indicated its desire to assist in community revitalization within the Town; and,

WHEREAS, the Town Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit low and moderate income residents located in Southeast Smithfield and,

WHEREAS, the Town Council wishes the Town to pursue a formal application for Community Development Block Grant funding to benefit Southeast Smithfield, and

WHEREAS, the Town Council certifies it will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program,

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

The Town is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for the North Carolina Neighborhood Program to benefit Southeast Smithfield.

The Mayor Andy Moore, and successors so titled, is hereby authorized to execute and submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant.

That Michael Scott, Manager, and successors so titled, is hereby authorized and directed to furnish such information as the North Carolina Department of Commerce may request in connection with an application or with the project proposed; to make assurances as contained in the application; and to execute such other documents as may be required in connection with the application.

Adopted this the 9th day of July, 2019 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent Grant
Item: Application
Date: 07/09/2019

Subject: Resolution of Support for NCDOT Ped Grant Application
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Consent Agenda Item

Issue Statement

Staff is requesting the Council adopt a Resolution of Support for a NCDOT Pedestrian Planning Grant Application.

Financial Impact

The NCDOT Pedestrian Planning Grant, if awarded, will require that the Town provide 20% matching funds. The 20% match, estimated to be \$15,000, is included in the adopted Planning Department Budget for 2019-2020. A completed Pedestrian Plan will help position the Town for NCDOT funding of pedestrian projects and will help the Town prioritize its spending on pedestrian facility projects.

Action Needed

The Town Council is asked to adopt Resolution # 645 (12-2019) in support of the **Town's NCDOT Pedestrian Planning Grant Application.**

Recommendation

Adopt Resolution # 645 (12-2019)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution #645 (12-2019)
3. Planning Grant Overview



Staff Report

Consent
Agenda
Item: Grant
Application

Overview:

Staff is requesting the Council adopt a Resolution of Support for a NCDOT Pedestrian Planning Grant Application. The Resolution of Support is a requirement of the grant application. The NCDOT Pedestrian Grant Application is due on August 2, 2019. The Town Plan, which includes the draft Transportation Plan, recommends the Town pursue a NCDOT grant through the Bicycle and Pedestrian Planning Grant Program. Once a Pedestrian Plan is in place, the Town will be well positioned to pursue funding opportunities with NCDOT for pedestrian projects. The Plan will also help the Town prioritize its spending on pedestrian facility projects.

TOWN OF SMITHFIELD
RESOLUTION #645 **(12-2019)**

SUPPORTING THE SUBMISSION OF A PEDESTRIAN PLANNING GRANT APPLICATION
TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Town Council has indicated its desire to place more emphasis on providing facilities for biking and walking in the Town of Smithfield and to encourage a healthy lifestyle for all its residents and visitors; and

WHEREAS, comprehensive planning documents are an integral part of developing bicycle and pedestrian transportation systems in the Town of Smithfield; and

WHEREAS, to encourage the development of comprehensive local bicycle and pedestrian plans, the North Carolina Department of Transportation, Division of Bicycle and Pedestrian Transportation and Transportation Planning Branch have created a matching grant program to fund plan development; and,

WHEREAS, if awarded, NCDOT will contribute 80% of the planning grant funds and the Town will contribute 20%; and

WHEREAS, **the Town's has budgeted the required match in the 2019-2020 Town Budget.**

WHEREAS, the Town Council wishes to pursue a formal application for the Pedestrian Planning Grant Initiative.

NOW, THEREFORE BE IT RESOLVED, **by the Town of Smithfield's Town Council that the** Town of Smithfield is authorized to submit a formal application to the North Carolina Department of transportation for a pedestrian planning grant.

Adopted this the ____ day of _____, 2019 in Smithfield, North Carolina.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

Bicycle and Pedestrian Planning Grant Initiative Program Overview

The Bicycle and Pedestrian Planning Grant Initiative is a matching grant program that encourages municipalities to develop comprehensive bicycle plans and pedestrian plans. The Division of Bicycle and Pedestrian Transportation (DBPT) and the Transportation Planning Branch (TPB) sponsor this grant. All North Carolina municipalities are eligible and are encouraged to apply. Counties with populations of less than 50,000 may apply on behalf of incorporated or unincorporated communities within their jurisdiction. Calls for proposals open annually.

Program Background

Communities throughout North Carolina have begun to place more emphasis on providing facilities for biking and walking. A desire for better modal choices, the demand for more walkable and bikeable communities and a focus on smart growth initiatives have combined to highlight the need for better, more complete bicycle and pedestrian transportation systems. Comprehensive planning documents are an integral part of developing these systems, and can guide both local and state efforts to improve conditions for bicycling and walking.

To encourage the development of comprehensive local bicycle plans and pedestrian plans, the NCDOT Division of Bicycle and Pedestrian Transportation (DBPT) and the Transportation Planning Branch (TPB) have created a matching grant program to fund plan development. This program was initiated through a special allocation of funding approved by the North Carolina General Assembly in 2003 along with federal funds earmarked specifically for bicycle and pedestrian planning by the TPB. The planning grant program was launched in January 2004, and it is currently administered through NCDOT-DBPT. Over the past fifteen grant cycles, 205 municipal plans have been selected and funded from 475 applicants. A total of approximately \$6 million has been allocated.

Who Can Apply

All North Carolina municipalities are eligible and are encouraged **to apply for a bicycle or pedestrian planning grant. Counties with populations of less than 50,000 may also apply** on behalf of incorporated communities and/or unincorporated areas within their jurisdiction. Due to the limited amount of funding, counties with populations greater than 50,000 are not eligible to apply, nor are colleges/universities or other non-municipal entities. Applications submitted and received for previous grant cycles do not carry over — municipalities/counties must re-apply each year to be considered within the current process. Please note that all applications and relevant documents will be accepted via email only (see Application Instructions for more information).

Municipalities (and counties with populations of less than 50,000) who currently have bicycle plans and/or pedestrian plans, either through this grant program or otherwise, may also apply to update their plan provided it is at least five years old.

Smaller municipalities (below 10,000 population) are eligible to apply for a joint bicycle and pedestrian plan, but still have the option of applying for a stand-alone pedestrian or a standalone bicycle plan. Municipalities/counties with populations of 10,000 and over may choose to apply for funding to undertake either a bicycle plan or a pedestrian plan in any given fiscal year. Municipalities/counties may apply for funding for the other type of plan in subsequent years. Funding is intended to support the development of a comprehensive bicycle or pedestrian transportation plan. If neighboring municipalities wish to file a joint application, please contact DBPT for instructions and guidance.

In addition to the traditional bike and pedestrian plans, DBPT recently opened up the application process for **project acceleration plans**. **Eligible for municipalities with a population of 5,000 or less**, these abbreviated plans will primarily focus on priority project identification and project implementation. Like the planning grants mentioned above, selection of these projects will be based on a competitive review process. (Note: there is a separate application for the project acceleration plans.)

Submitting an application for planning funds is a competitive process. However, an effort will be made to award grants based not only on the merit of the proposal but to achieve statewide geographic distribution as well. Consideration will be given to funding a cross-section of municipality types.

The Role of MPO's and RPO's

The relevant approval processes and procedures of MPO and RPO organizations should be followed by any municipality applying for funding. **A resolution by the local MPO and or RPO is required**. It is strongly encouraged that the appropriate resolution be sent in with the grant application (via email), which is due by 5:00 pm on **August 2, 2019**. Staff from the MPO or RPO may assist with preparation of the application and should also be part of the steering committee guiding development of the plan.

Important Dates

Key dates for the FALL 2019 NCDOT Bicycle and Pedestrian Planning Grant Initiative are shown below. (Subject to change.)

Activity	Date
Issue Call for Proposals	May 3, 2019
Application submission deadline - 5:00 pm (Thursday)	August 2, 2019
Awards Committee makes recommendations to NCDOT	October 4 or 11, 2019
Board of Transportation gives approval	November 7, 2019
Municipalities notified of award	November 8, 2019
Municipal Reimbursement Agreement executed and Notice to Proceed issued (and consultant assignments)	Within 6 months from award notification
Plan completion deadline (standard plan)	Within 12 to 15 months from Notice to Proceed

Plan Development

Plans will be developed by consultants that are prequalified by NCDOT. Also, **a full-time permanent employee of the municipality must be assigned as project manager to oversee/coordinate the plan development**. A task force/steering committee must also be formed to oversee development of the plan. This group should include relevant local staff, regional planning staff, advocates and representatives of stakeholder groups as well as a DBPT staff member. The level of funding provided to a municipality for plan development will be determined by estimated cost and a matching grant formula.

Any plan developed with these funds will be comprehensive in nature and be a stand-alone plan. While NCDOT encourages the inclusion of bicycle and pedestrian elements in local comprehensive plans, transportation plans, land use plans, recreation plans, greenway and open space plans, etc., applications for funding to develop such elements is not within the scope of this grant.

An outline of required content standards for traditional bicycle and pedestrian plans, project acceleration plans, and plan updates has been developed to assure that plans are comprehensive in nature and to help the municipality/county identify all necessary bicycle or pedestrian needs, priorities and opportunities for improvements. (See documents under Content Standards for NCDOT Bicycle and Pedestrian Plans, (<https://connect.ncdot.gov/municipalities/PlanningGrants/Pages/Planning-Grant-Initiative.aspx>))

Completed plans can be found in this section:

<https://connect.ncdot.gov/municipalities/PlanningGrants/Pages/Grant-Recipients-and-Completed-Plans.aspx>

Matching Grant Formula

NCDOT planning grant funds will be provided on a sliding scale, based on municipal/county population, as shown in the table below. Neither in-kind services nor other state or federal funds from NCDOT can be used for local participation.

Municipal Population	DOT Participation	Local Participation
Less than 10,000	90%	10%
10,000 to 25,000	80%	20%
25,000 to 50,000	70%	30%
50,000 to 100,000	60%	40%
Over 100,000	50%	50%

Estimated Costs

Average costs associated with the development of comprehensive bicycle and pedestrian plans vary greatly depending upon the size of the municipality/county and the complexity of issues to be addressed. Average costs associated with a plan update are 50%-75% of the cost of a standard plan. Cost may vary depending on the extent of the update; however, communities should budget for the maximum estimate. A range of estimated costs for plans developed by consultants is shown below. The cost of all plans funded through this initiative shall be within these established ranges. After awardee notification, the specific cost of the plan will be determined through discussions between NCDOT and the municipality/county and through contract negotiations between NCDOT/municipality/county and the selected consultant.

Population	Estimated Consultant Costs
Less than 5,000 (Project Acceleration Plan)	\$25,000 to \$35,000
Less than 10,000	\$40,000 to \$50,000
10,000 to 25,000	\$45,000 to \$60,000

25,000 to 50,000	\$55,000 to \$70,000
50,000 to 100,000	\$65,000 to \$100,000
Over 100,000	\$85,000 to \$190,000

Note: Average costs associated with a plan update are 50%-75% of the cost of a standard plan. Cost may vary depending on the extent of the update; however, communities should budget for the maximum estimate.

Staff costs and in-house services are not eligible for reimbursement with these grant funds. Allowable expenses include consultant costs associated with plan development and delivery; GIS/mapping services, as appropriate; preparation of technical illustrations and graphic design/layout of plan undertaken by consultant; non-staff costs associated with data collection and public involvement activities; and, printing/copying of plan and maps.

All electronic files, maps, technical illustrations, etc. produced with these funds will become the property of the NCDOT Division of Bicycle and Pedestrian Transportation and the funded municipality/county.

Selection Process

DBPT and key planning professionals will conduct a preliminary review of all applications for completeness and general appropriateness. Applications that pass the initial screening will then be reviewed by the Planning Grant Initiative Awards Committee. This group will include DBPT and individuals with professional experience in developing, administering, and/or implementing bicycle plans and pedestrian plans. These individuals will represent municipalities of varying sizes, MPO's and RPO's, COG's and other appropriate agencies and organizations. The Awards Committee will review each proposal and evaluate it based on the stated vision, goals and needs of the municipality; comprehensiveness of scope; understanding of issues and opportunities; level of local commitment; and, feasibility of successful plan completion. The Awards Committee will forward their recommendations to the NCDOT for final approval.

Selection Criteria

The Awards Committee will consider the following elements in evaluating applications for bicycle and pedestrian planning grant funds. For the project acceleration plans, the criteria will be similar but with a lesser focus on program and policy components.

- Identify critical local needs for planning and/or implementation of infrastructure improvements
- Identify targeted roadway, adjacent land and existing conditions for corridor plan that are most realistic for maximizing existing infrastructure and improving conditions
- Demonstrate an understanding of needs of the particular modal user (bicyclist, pedestrian)
- Recognize the need to serve diverse populations
- Focus on the development of a comprehensive bicycle or pedestrian transportation system
- Identify how having a bicycle or pedestrian plan would help improve the health of a community
- Assure assignment of appropriate level of staff to oversee / undertake plan development
- Consider policy issues and describe how multi-modal transportation needs will be incorporated into municipal processes
- Recognize the value of developing education, enforcement and awareness initiatives

- Demonstrate widespread local support including from elected local officials and stakeholders.
- Demonstrate an understanding of interrelationships with other adopted plans.
- Demonstrate involvement of local, regional and state organizations in plan development processes and current level of support (such as through support letters).
- Identify a realistic plan implementation strategy involving multiple resources and partners.

Conditions of Project Award

NCDOT will utilize prequalified on-call firms to prepare the bicycle and pedestrian plans. NCDOT maintains a select number of firms specializing in bicycle and pedestrian plans and studies. Described below are the overall process and primary responsibilities. Dates are estimates.

- In December 2019, DBPT will send the local government a municipal reimbursement agreement.
- NCDOT/DBPT maintains an on-call list of experienced, pre-qualified consultants to prepare bicycle and pedestrian plans funded through the Planning Grant Initiative Program. DBPT staff will select a firm to prepare a community's plan whose skills match the needs of the local jurisdiction (with input from the local government when necessary). Consultant assignment will also be influenced by current workload/available staff. Final plan development cost will be negotiated between DBPT and the selected cost with final cost falling within the plan cost range noted earlier in this document.
- Agreements between the locality and NCDOT will be signed in January – March 2020. The locality will be responsible for the local match at this time.
- Plan start date is anticipated in April/May 2020.
- The consultant will be responsible for submitting quarterly progress reports to NCDOT.
- NCDOT-DBPT will handle all consultant invoicing and all other related documentation.
- The local government will establish the project steering committee consisting of local citizenry. A primary local contact will serve as the liaison between the locality, consultant and NCDOT.

As outlined above, the funded municipality/county must be willing to execute a legal agreement with the NCDOT prior to receiving funding. This agreement will outline the responsibilities of each party, the terms of reimbursement and the deliverables. This agreement must be executed within three months of being awarded the grant.

The municipality/county must be willing to submit the final plan to the Town/City/County Council or other approving authority for adoption.

It is anticipated that selected consultants will have twelve months from the date of receipt of an NCDOT written Notice to Proceed to complete the plan. Final timeframes will be determined during creation of agreements and finalization of consultant contracts.

Municipalities/counties must credit the North Carolina Department of Transportation for project participation in the plan document, in all press releases and other announcements and promotional materials related to the project.

All electronic files, maps, technical illustrations, etc. produced with these funds will become the property of the NCDOT Division of Bicycle and Pedestrian Transportation and the funded municipality/county. GIS files created for plan development must adhere to NCDOT's PBIN geodatabase standards (for more information see: <https://connect.ncdot.gov/projects/BikePed/Pages/PBIN.aspx>).

Additional Conditions of Project Award

According to General Statute legislation, NCDOT's Division of Bicycle and Pedestrian Transportation is required to produce an annual report on the implementation of projects identified in funded plans. **Therefore, local governments receiving funds for the development of bicycle and/or pedestrian plans will be required to annually respond to a project implementation survey.**

As stated in the legislation (§ 136-41.5): "The Division of Bicycle and Pedestrian Transportation of the Department of Transportation shall submit an annual report by May 15 on the progress of projects identified in plans (i) submitted to the Division over the 10-year period prior to the report and (ii) funded from Bicycle and Pedestrian Planning Grant funds. The Division shall submit the report required by this section to the chairs of the House of Representatives Appropriations Committee on Transportation, the chairs of the Senate Appropriations Committee on the Department of Transportation, and the Fiscal Research Division of the General Assembly."

Administration / Technical Assistance

Staff from the NCDOT Division of Bicycle and Pedestrian Transportation (DBPT) will be available to directly administer the grant process as described above. DBPT staff will also provide various forms of technical assistance, attend steering committee meetings and review/approve plan drafts throughout the plan development process.

How to Apply

The application deadline is 5:00 pm Friday, August 2, 2019

1. The application forms are available as a fillable PDF document. The applications are designed so that applicants can download the application form and complete the form electronically for submittal. Application form and relevant documents will be accepted in digital format only and should be emailed to Bryan Lopez at balopez@ncdot.gov, with subject title, FALL 2019 Planning Grant Initiative Application – Your Municipality (or County) Name. Every effort should be made to convert any additional files to PDF format. (There is a maximum 25 megabyte application packet size for emailing per municipality).
2. Please use only the space provided to answer the questions. The FALL 2019 *Planning Grant Application* and *Application Instructions* can be found in the right-hand column of the following page: (<https://connect.ncdot.gov/municipalities/PlanningGrants/Pages/Planning-Grant-Initiative.aspx>).
3. The signature of an authorized City/Town/County staff member is required in the space provided on the first page of the application for the proposal to be eligible for consideration

(e.g. City/Town/County Manager, Administrator, Mayor, etc.). Please also print the name and title of this signatory in the space provided. The first page should then be scanned and either added to the application or included as a separate document.

4. A resolution from the municipality is required. A resolution from an MPO or RPO, as appropriate, is also required. Arrangements should be made far enough in advance to allow time to acquire the appropriate resolution so that it may be sent in with the application.
5. Other specific information on how each application packet should be formatted may be found under "Submission Instructions" section of the *Application Instructions* document (<https://connect.ncdot.gov/municipalities/PlanningGrants/Pages/Planning-Grant-Initiative.aspx>)
6. Applications will be accepted via e-mail only.
 - Maximum application packet size per municipality must be no larger than 25 megabytes.
 - Completed application form and relevant scanned documents should be converted to PDF format.
 - Online/links references to large files like maps is preferred.

Email to:

Bryan Lopez at balopez@ncdot.gov

Subject: FALL 2019 Planning Grant Initiative Application – Your Municipality Name

For questions:

Bryan Lopez, 919.707.2606 or Kathryn Zeringue, 919.707.2610



Request for Town Council Action

Consent Agenda Item:	Surplus Property
Date:	07/09/2019

Subject: Surplus Property
Department: Police Department
Presented by: Chief R.K. Powell, Public Works Director Lenny Branch &
Town Clerk Shannan Williams
Presentation: Consent Agenda

Issue Statement

The Police Department and Public Works Department are requesting to have vehicles and equipment declared as surplus property. The vehicles and equipment can be auctioned on **Govdeals.com, thus removing them from the Town's inventory.**

Financial Impact

None

Action Needed

Approval of Resolution #646 (13-2019) Authorizing the sale of certain personal property at public auction.

Recommendation

Staff recommends the items listed on the resolution be declared surplus property and allow them to be auctioned on GovDeals.com

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution # 644 (11-2019)



Staff Report

Consent
Agenda
Item

Surplus
Property

Staff is requesting the following items be declared surplus property thus allowing them to be sold at the online Public Auction site, GovDeals.com.

Dept.	Vin/Ser.#	Description
Police	2B3CL1CT5BH556480	2011 Dodge Charger
Police	2B3CL1CT5BH556481	2011 Dodge Charger
Police	2B3CL1CT9BH556476	2011 Dodge Charger
Police	2G1WS553181267144	2008 Chevrolet Impala
Police	2G1WS553681266930	2008 Chevrolet Impala
Public Works	3862080	1994 Scag Turf Tiger
Public Works	4310878	1998 Scag Turf Tiger
Public Works	8731665	2004 Scag Turf Tiger
Public Works	A6200146	2005 Scag Turf Tiger
Public Works	C770066	2008 Scag Turf Tiger
Public Works	2929601641	Scag Mower
Public Works	4040548933	Heavy Duty Tire Changer
Public Works	601062132	2001 Hustler Z Mower

TOWN OF SMITHFIELD RESOLUTION # 646 (13-2019)
 AUTHORIZING THE SALE OF CERTAIN
 PERSONAL PROPERTY AT PUBLIC AUCTION

WHEREAS, the Town Council of the Town of Smithfield desires to dispose of certain surplus property of the Town in accordance with NC GS 160A-270; and

WHEREAS, the Town Council of the Town of Smithfield desires to utilize the auction services of a public electronic auction service.

NOW, THEREFORE, BE IT RESOLVED by the Town Council that:

1. The following described property is hereby declared to be surplus to the needs of the Town:

Dept.	Vin/Ser.#	Description
Police	2B3AA4CT0AH217531	2010 Dodge Charger
Police	2B3CL1CT5BH556480	2011 Dodge Charger
Police	2B3CL1CT5BH556481	2011 Dodge Charger
Police	2B3CL1CT9BH556476	2011 Dodge Charger
Police	2G1WS553181267144	2008 Chevrolet Impala
Police	2G1WS553681266930	2008 Chevrolet Impala
Public Works	3862080	1994 Scag Turf Tiger
Public Works	4310878	1998 Scag Turf Tiger
Public Works	8731665	2004 Scag Turf Tiger
Public Works	A6200146	2005 Scag Turf Tiger
Public Works	C770066	2008 Scag Turf Tiger
Public Works	2929601641	Scag Mower
Public Works	4040548933	Heavy Duty Tire Changer
Public Works	601062132	2001 Hustler Z Mower

2. The Town Manager or his designee is authorized to receive, on behalf of the Town Council, bids via public electronic auction for the purchase of the described property.
3. The public electronic auction will be held beginning no earlier than July 19, 2019.
4. The Town Council further authorizes the disposal of Town surplus property by use of a public electronic auction system provided by GovDeals Inc. The

property for sale can be viewed at www.govdeals.com. Citizens wanting to bid on property may do so at www.govdeals.com. The terms of the sale shall be: All items are sold as is, where is, with no express or implied warranties; All items will be sold for cash or certified check only; Payment must be received for all items sold before they may be removed from the premises; All items sold must be paid for and removed from the site of the sale within 5 business days of the sale, or they will be subject to resale.

5. The Town Clerk shall cause a notice of the public auction for surplus property to be noticed by electronic means in accordance with G.S. 160A-270(c), available on the Town of Smithfield website www.smithfield-nc.com
6. The highest bid, if it complies with the terms of the sale, may be accepted by the Finance Director or his designee and the sale consummated.

Adopted this the 9th day of July, 2019.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Staff Report

Consent New Hire
 Agenda / Vacancy
 Item: Report
 Date: 07/09/2019

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:

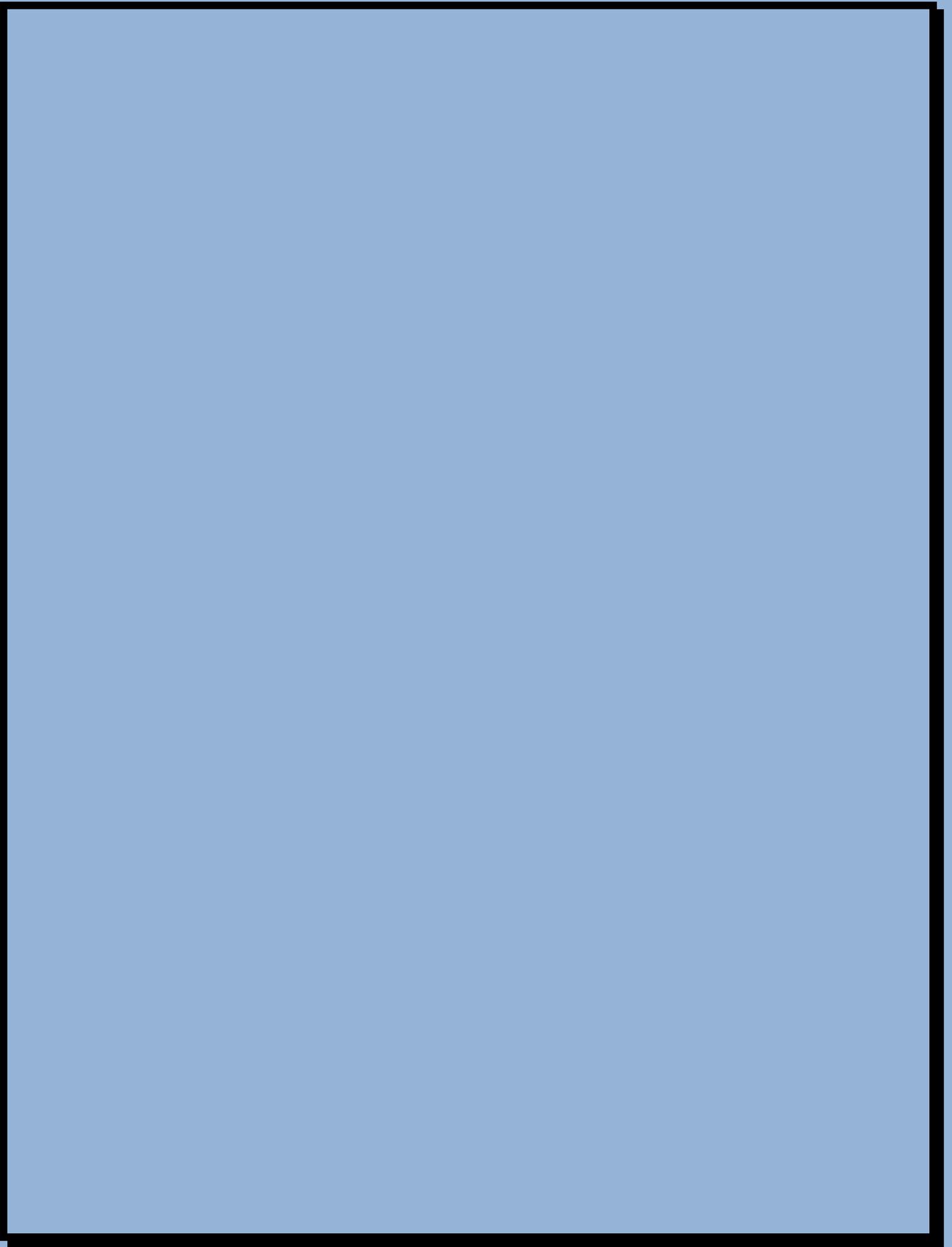
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Meter Technician	Public Utilities – Electric	31-72-7230-5100-0200
Payroll/Accounting Technician	Finance	10-10-4200-5100-0200
	Public Utilities – W/S	30-71-7220-5100-0200
	Public Utilities - Electric	31-72-7230-5100-0200
Police Officer I	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 18-19 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Pump Station Mechanic	Public Utilities – W/S	30-71-7220-5100-0200	\$14.17/hr. (\$29,473.00/yr.)
P/T Scorekeeper	P&R – SRAC	10-60-6200-5100-0210	\$10.00/hr.
P/T SRAC Instructor	P&R – SRAC	10-60-6200-5100-0230	\$10.00/hr.
P/T Pool Staff/Lifeguard	P&R – SRAC	10-60-6200-5100-0220	\$7.50/hr.
P/T Pool Staff/Lifeguard	P&R – SRAC	10-60-6200-5100-0220	\$7.50/hr.
P/T Pool Staff/Lifeguard	P&R – SRAC	10-60-6200-5100-0220	\$7.50/hr.
P/T Pool Staff/Lifeguard	P&R – SRAC	10-60-6200-5100-0220	\$7.50/hr.
Utility Line Mechanic	Public Utilities – W/S	30-71-7220-5100-0200	\$14.88/hr. (\$30,950.40/yr.)

Business Items





Request for Town Council Action

Business Item: Stormwater Report
Date: 07/09/2019

Subject: Stormwater Management Action Plan Adoption
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Business Item

Issue Statement

In early 2018, Jewell Engineering was hired by the Town to prepare a Stormwater Management Action Plan. A draft of the final report has been completed for review by the Council.

Financial Impact

None.

Action Needed

To review the Stormwater Management Action Plan and adopt, or suggest changes to the report for future adoption.

Recommendation

Staff recommends the Town Council adopt the Stormwater Management Action Plan.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Stormwater Management Action Plan



Staff Report

Business
Item: Stormwater
Report

OVERVIEW:

The Town of Smithfield has had significant flooding issues over the years, and in particular with recent hurricane events. In late 2017, the Town received a Golden LEAF Foundation Grant in the amount of \$70,000 for the preparation of the Plan. In late 2017, the Town issued a Request for Proposals for the Plan and received several proposals, but selected Jewell Engineering to prepare the Plan.

The purpose of the Stormwater Management Action Plan was to identify, prioritize and plan to address flooding and stormwater quality problems throughout the community. The preparation of the Plan is the first step in the development of a comprehensive, long-term stormwater program.

STORMWATER MANAGEMENT PLAN:

The preparation of the Stormwater Management Action Plan involved a review of existing and future stormwater regulations, and current stormwater program activities and needs, and public engagement to both raise awareness, but also to allow residents to voice their concerns as it relates to flooding and water quality. The public engagement process involved an all-Town staff survey, public survey and a public meeting held at the Sarah Yard Center. The Report includes findings and recommendations, summarized in the executive summary in the attached report.

RECOMMENDATION:

Staff recommends the Town Council adopt the Stormwater Management Action Plan.



Town of Smithfield

Stormwater Management Program Action Plan

Prepared by:

(JEWELL-LJB logo to come)

June 2019

Table of Contents

	<u>Page</u>
Executive Summary	2
Introduction and Overview	7
Existing Municipal Stormwater Program and Services	10
Stormwater Problems, Issues, and Program Needs	16
Future Stormwater Program Recommendations	26
Appendices:	
Appendix 1 – Staff Workshop Survey Results	33
Appendix 2 – Public Workshop and Survey Results	44
Appendix 3 – Charter for Stormwater Advisory Committee	56
Appendix 4 – Capital Improvement Assessment	61



Executive Summary

Regulatory requirements for stormwater management within Smithfield were examined in the *Stormwater Management Program Action Plan* project along with initial public outreach and public input to begin to define the extent and level of needed and desired future municipal stormwater services. In light of stormwater-related challenges and opportunities facing Smithfield, this report provides a summary of findings and recommendations regarding the current and potential future Town of Smithfield Stormwater Management Program for managers and officials to consider for development and implementation going forward.

The *Stormwater Management Program Action Plan* was facilitated and prepared by JEWELL Engineering Consultants, an LJB, Inc. company (JEWELL-LJB) in support of the Town of Smithfield. The JEWELL-LJB Team expresses sincere appreciation to Town Manager Mike Scott, Town Staff including Stephen Wensman (Planning Director), Lenny Branch (Public Works Director), Gary Siler (Finance Director), Tim Kerigan (Human Resources Director/PIO/EDL), Gary Johnson (Parks and Recreation Director), John Blanton (Fire Chief), Keith Powell (Police Chief), Ted Credle (Public Utilities Director), Bill Dreitzler (Town Engineer) and many others, the Honorable Mayor Andy Moore and Town Council Members, and many citizens for their support and involvement in the project.

Following are major findings and recommendations from the Smithfield Stormwater Management Program Action Plan project. The findings and recommendations are focused on programmatic topics. More detail on key components of the Action Planning project is found within the body of the report.

1. The Town of Smithfield is required by state law to develop and implement a stormwater program to comply with the State of North Carolina’s Neuse River Basin – Nutrient Sensitive Waters Management Strategy (NSWMS). The stormwater portion of this strategy is known as the Neuse Stormwater Rule (NSR). The Town’s stormwater program was effective February 1, 2001 and continues in force. Current requirements are:
 - a. New development review and approval
 - b. Protect and maintain riparian areas
 - c. Implement a public education program
 - d. Identify and remove illegal discharges
 - e. Identify suitable locations for potential stormwater retrofits
 - f. Submit an annual report documenting progress on and net changes to nitrogen load from Smithfield’s planning jurisdiction.
2. In general, the NSR requires that Smithfield develop and implement stormwater management programs to protect the Neuse River and other surface receiving waters by reducing nitrogen discharges from the Municipal Separate Storm Sewer System (MS4) to 70% of 1995 (baseline) levels.
3. In a letter dated March 22, 2010, the NC Environmental Management Commission (EMC) notified Smithfield that it had considered the Town for inclusion in the National Pollutant Discharge Elimination System (NPDES), Phase II, and had determined not to include Smithfield at that time. The EMC may consider including Smithfield in the NPDES program in the future. It is expected that Smithfield will be re-considered for inclusion in the NPDES Ph II program when new population numbers are determined from the coming 2020 census.



4. In February 2019, NC Department of Environmental Quality (NCDEQ) published notice that the EMC plans to revise the NSR program with revised rules to go into effect November 1, 2019. Proposed rule changes include updates to the following aspects of the NSR program:
 - a. New development plan review and approval
 - b. Stormwater control measure (SCM) maintenance
 - c. Rule enforcement procedures
 - d. Public education
 - e. Storm sewer system mapping
 - f. Illegal discharge removal

Additional development project requirements are proposed to limit flow of nutrients from new development and to demonstrate compliance with riparian buffer protection requirements. More information concerning proposed rule changes can be found on the NC DEQ website in the section Division of Water Resources/Water Planning/Non-Point Source Planning/Nutrient Rules Readoption.

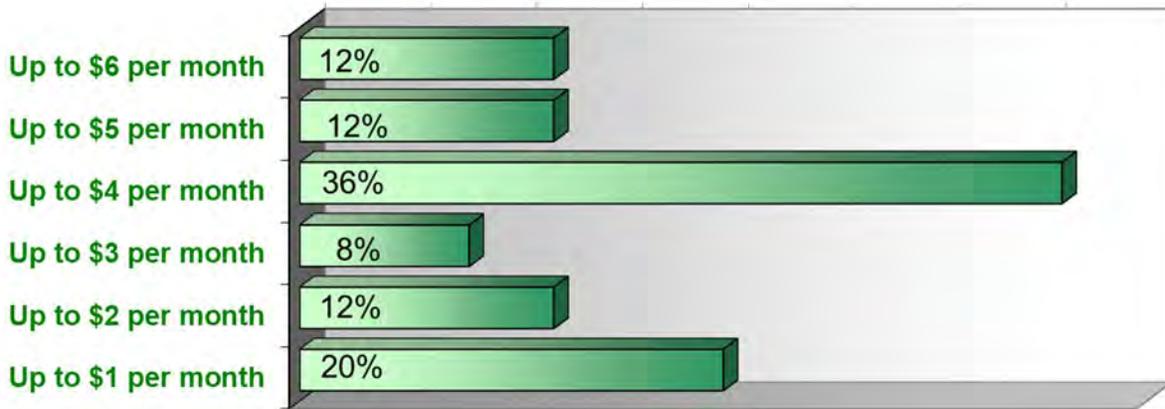
5. Sound Rivers is a private, non-profit organization dedicated to monitor, protect, and preserve the Neuse and Tar/Pamlico rivers and their watersheds. Smithfield is located in the Upper section of the Neuse (above the Wayne/Lenoir county line) and a Riverkeeper is assigned to this section of the Neuse. Sound Rivers provides a valuable resource to Smithfield and its citizens as a local stakeholder group to support clean water initiatives and protect the Neuse River. The Sound Rivers organization website can be found at www.soundrivers.org.
6. The Town currently provides the following stormwater-related programs and services by Department/Division at an approximate annual general fund cost of approximately \$70,250 (including leaf collection and street sweeping¹):
 - a. Stormwater program administration (Planning)
 - b. Stormwater drainage system operation and maintenance (Public Works)
 - c. Stormwater engineering, plan review, and initial NPDES Phase II program (Engineering)
 - d. Stormwater public education and outreach (Engineering & Manager's Office)
7. The local Erosion and Sediment Control (E&SC) program is administered and provided by the NC DEQ, Division of Environment, Minerals and Land Resources (DEMLR) (Raleigh Regional Office). The Town does not provide any supplemental funding to the E&SC program for services within Smithfield.
8. The current stormwater system maintenance program in Smithfield may be described as reactive and comparable to similar-sized municipal programs in North Carolina that are funded by the general fund. The traditional and current focus of stormwater management and infrastructure maintenance in Smithfield is within the street system right-of-way. A more comprehensive stormwater program could satisfy the Neuse Stormwater Rule (NSR) requirements, better maintain and replace aging public drainage infrastructure, plan for needed stormwater and stream system improvements on an objective and prioritized basis, help reduce drainage and flooding hazards, further protect the Neuse River and receiving water quality, and enable enhanced stormwater services for Smithfield residents and property owners.

¹ Municipalities vary in consideration of leaf collection and street sweeping as a stormwater management service. For the purposes of this analysis, 50% of the costs of leaf collection and street sweeping was used as a suitable cost to the stormwater program.



9. Input from Town officials, administrators, staff (see Appendix 1), and the interested public (see Appendix 2), during the action planning project support development of a more comprehensive stormwater management program for Smithfield, building the program in a logical stepwise manner over the next several years. It is recommended that the Town first create a *Stormwater Program Manager* position to administer the overall municipal stormwater program for Smithfield, including NSR requirements.
10. A key component of the *Action Planning* project was a Public Meeting held on November 13, 2018 at Sarah Yard Community Center. The Town recognizes the importance of making its citizens and property owners aware of the state and federal regulatory requirements as well as continuing to satisfy needs for other municipal stormwater services. Citizens are often most concerned with the “visible” problems caused by unmanaged stormwater runoff – such as minor or major flooding, land and streambank erosion, clogged or undersized storm drainage infrastructure, and increased runoff from nearby properties.
11. Water quality problems in surface waters are generally not as visible and are often more chronic in nature than drainage or flooding-related problems. It is important to understand and remember that surface water quality is important to the health of the overall environment and aquatic environment in particular. Also, Neuse River is a critical drinking water supply and must be protected by law and for the good of the citizens.
12. Direct input was received from citizens attending the Public Meeting and also through a *Stormwater Services Survey* (see Appendix 2) that was made available to interested residents. Highlights from preliminary survey feedback received from 29 citizens included the following.
 - a. Approximately 93% own their residence and almost 80% rate overall quality of life in Smithfield as “excellent” or “good”.
 - b. 85% rated the importance of Smithfield’s natural environment either 1 or 2 on a declining scale of 1 to 5 where 1 is “Very Important”.
 - c. 86% rated the importance that Smithfield provide programs and services to minimize runoff pollution either 1 or 2 on a declining scale of 1 to 5 where 1 is “Very Important”.
 - d. 82% believe that the drainage system does not always work well. Of the 82%, 32% responded that the drainage system often fails to work well and presents a major public safety concern.
 - e. 70% claimed that their property or neighborhood has drainage problems.
 - f. 96% noted the importance of the Town providing services that help reduce drainage and flooding problems.
 - g. 64% were aware of the existence of Neuse River Stormwater Rule regulations prior to the public stormwater survey.
 - h. 62% of respondents reported contacting the Town within the last two years for stormwater-related assistance. 40% of those who contacted the Town were not satisfied with the outcome of their inquiries.
 - i. 53% of respondents claimed they would be willing to pay for improved Town services to help reduce drainage and water pollution concerns in Smithfield. Of the 53% who would be willing

to pay for improved stormwater services, the following chart shows how much they would be willing to pay per month:



13. The Town of Smithfield does not currently have a dedicated fund for MS4 and other stormwater-related Capital Improvement Projects (CIP). While there will always be a need to react to acute system failures and short-term drainage maintenance problems, increased resources would allow the Town to repair and replace MS4 assets on a more predictable and proactive basis, thereby increasing cost effectiveness in many cases by avoiding costs associated with catastrophic system failures.
14. Additional detailed work beyond the *Action Planning* project is required to fully define the needed and desired future municipal stormwater program, including the level to which regulatory programs are developed and advanced. The NSR regulations require Smithfield to develop new programs and services to minimize pollutants in stormwater runoff from the MS4, but there are different approaches and corresponding funding levels that may be used to develop, implement, and advance these programs and practices.
15. In the next phase of Smithfield’s stormwater program development, it is recommended that Town Management and Town Council establish a Stormwater Advisory Committee (SWAC) that is representative of the varied community interests. Establishing an Advisory Committee will also help satisfy a requirement of the NSR program to educate the public. Working with a group facilitator, the SWAC would be given a charge to review and discuss a range of municipal stormwater services including regulatory programs and make advisory-level recommendations to Town Management and Council regarding the extent and level of the Town’s future stormwater program(s). On behalf of the citizens, elected Council would then make the final decision on the needed and desired future municipal stormwater management program that best fits Smithfield. (See Appendix 3 for details on the recommended Smithfield SWAC)
16. It is recommended that the Town of Smithfield evaluate potential development of a stormwater utility to fund the needed and desired future stormwater program as an integral mandate to the representative Stormwater Advisory Committee (SWAC). Once the extent and level of the future stormwater management program is determined, the committee can then thoughtfully evaluate and develop recommendations for how best to pay for the program, including continued general tax-based funding and/or a stormwater utility public enterprise fund (dedicated fee-based funding). A potential stormwater management utility would also be consistent with the Town’s strategy of moving more towards a fee-based budget.



- 17. According to a 2018 survey performed by the UNC School of Government, Environmental Finance Center, over 80 cities and towns along with several counties in North Carolina faced with similar stormwater regulatory requirements and other stormwater-related challenges have chosen to develop and implement a dedicated and equitable stormwater utility fee. From the SoG, EFC survey, monthly stormwater fee rates for 2,000 square feet of impervious area on residential properties ranged from \$.50 (Person County) to \$13.50 (Carolina Beach)².
- 18. Following early stormwater utilities in the 1970’s, hundreds of local governments across the nation have developed stormwater utilities to provide an appropriate level of financial resources for needed municipal stormwater programs. The stormwater utility is typically established as a public enterprise fund for stormwater management generally comparable to water and sewer enterprise funds. A municipal stormwater utility public enterprise is fully authorized under North Carolina state law and statutes. The state of North Carolina requires that all revenue from a stormwater utility be used solely for stormwater management.
- 19. If and when resources allow, the Town should also consider development of watershed-based stormwater master plans that would include design for improvements of specific drainage and water quality problem areas, both current and future.
- 20. Three preliminary planning levels of an enhanced future municipal stormwater program for Smithfield are described within the Action Plan.
- 21. The following table summarizes the key *Stormwater Management Program Action Plan* recommendations:

Recommended Priority Order	Recommended Actions
Step 1	Budget Additional Resources for NSR Program Requirements
Step 2	Create a full-time Stormwater Program Manager Position
Step 3	Charter a Smithfield Stormwater Advisory Committee (SWAC)
Step 4	Perform a Representative Town-Wide Stormwater Services Survey
Step 5	Evaluate Options to Fund the Future Municipal Stormwater Program

² https://efc.sog.unc.edu/sites/default/files/2019/NC2018_19_StormwaterFeeTables_0.pdf



Introduction and Overview

Smithfield is the county seat and largest community in Johnston County, North Carolina. With a population documented of 11,342³ and land area of approximately 12.1⁴ square miles situated astraddle the Neuse River, Smithfield offers residents and businesses a high quality of life and a wide range of municipal services.

The focus of this report is on the Town’s stormwater management program and services. Smithfield receives an average of 47.8 inches of rainfall and 2 inches of snowfall each year⁵. While rainfall provides life-sustaining benefits, the negative impacts of stormwater runoff must be comprehensively managed to protect quality of life for the community. Like many growing cities around the state and nation, Smithfield is faced today with a wide variety of stormwater-related impacts, challenges, issues, and regulatory requirements to address issues such as:

- the need to satisfy state and federal stormwater quality regulatory mandates including State of North Carolina’s Neuse River Basin – Nutrient Sensitive Waters Management Strategy (NSWMS),
- the need to reduce land erosion, flooding hazards, and property damage from increased stormwater runoff,
- the need to protect the quality of the Neuse River as a vital public drinking water supply source,
- the need to repair, replace, clean, and maintain public drainage infrastructure,
- the desire to be responsive to citizen concerns, complaints, and damages resulting from stormwater runoff,
- the need to manage floodplains and mitigate flooding hazards without stifling growth and prosperity,
- the need to educate and involve the public in the local stormwater management program,
- the desire to protect, stabilize, and restore degraded local streams, and
- the need to identify dedicated funding and other resources to implement the required and desired municipal stormwater management programs and services.

Stormwater management requirements placed on Smithfield to comply with the Neuse NSWMS are placing demands for more comprehensive stormwater services to minimize pollution conveyed to receiving waters from the Municipal Separate Storm Sewer System (MS4). NSWMS and other regulatory requirements are only expected to increase in coming years as actions to further minimize pollution into receiving waters from both point and non-point sources are expanded. It is likely that in the future Smithfield will be designated to participate in the EPA/NCDEQ National Pollutant Discharge Elimination System (NPDES) program. Such designation will require Smithfield to obtain an NPDES permit that will place additional responsibilities on the Town for stormwater management. State officials indicate the Town may be considered for inclusion in the NPDES program once population figures from the 2020 census are available.

This *Stormwater Management Program Action Plan*, developed in cooperation with Town officials and administrators, Town staff, citizens, and local stakeholders, provides an outline and framework for further development of Smithfield’s Stormwater Management Program. In accordance with its vision, the Town of Smithfield desires to efficiently and effectively satisfy regulatory requirements while also considering

³ Correspondence, Michael Cline, NC Office of State Budget and Management, August 27, 2018

⁴ https://en.wikipedia.org/wiki/Smithfield,_North_Carolina

⁵ <https://www.usclimatedata.com/climate/smithfield/north-carolina/united-states/usnc0636>



new or improved stormwater services for its residents. Enhanced municipal stormwater programs and services will require additional funding and resources, which should be developed in an equitable, sufficient, and reliable manner. Equitable in the sense that the cost burden of program enhancements should be shared equitably by the entities who contribute to the problem and benefit from the solution. Sufficient in that adequate resources are provided for the Town to perform the desired and needed stormwater management functions. Reliable in that the source of funds can be relied upon to enable the Town to plan its program and activities for multiple years out. The stormwater problems which Smithfield faces have taken decades and generations to develop and the solutions will require decades or generations to fully implement.

This report provides summary information, findings, and recommendations from tasks utilized by the Town of Smithfield and JEWELL Engineering Consultants, an LJB, Inc. company (JEWELL-LJB), to develop the *Stormwater Management Program Action Plan*. Key tasks involved in developing Smithfield’s Stormwater Action Plan are summarized below in Table 1.

Table 1 – Key Tasks in Developing the Stormwater Management Program Action Plan

Action Planning Task	Key Outcome(s)
Town Staff Workshop June 27, 2018	<ul style="list-style-type: none"> • Education on NSWMS stormwater program requirements for Town staff • Collaborative discussions on existing municipal stormwater program, services, and annual estimated expenditures including system maintenance • Discussions of probable needs for future stormwater program and services • Preliminary discussions of equitable ways and means to fund future stormwater program and services
Town Staff Survey June 2018	<ul style="list-style-type: none"> • Survey Town management and staff understanding and perception of stormwater quality and stormwater quantity problems and issues in Smithfield • Identify and engage multiple departments and staff involved in stormwater program and service delivery • Survey probable needs for future stormwater services based on collective staff experiences within the municipality and community
Field Review Drainage & Stream System June 27, 2018	<ul style="list-style-type: none"> • Observe and document representative existing conditions of the local public storm drainage system and receiving surface waters including Neuse River
Public Workshop November 13, 2018	<ul style="list-style-type: none"> • Education for citizens on NSWMS stormwater program for Smithfield • Public discussion on existing municipal stormwater services along with potential needs and desires for future stormwater services • Early opportunity for elected officials and Town staff to interact with and involve citizens and local stakeholder groups in development of the Town’s stormwater program action plan
Citizen Survey November 2018	<ul style="list-style-type: none"> • Preliminary gauge of citizens’ understanding and perception of stormwater quality and stormwater quantity problems and issues in Smithfield • Preliminary gauge of probable needs for future stormwater services based on collective public experiences • Preliminary gauge of public willingness to pay for municipal stormwater services



Town of Smithfield Stormwater Management Program Action Plan

Charter for Stormwater Advisory Committee June 2019	<ul style="list-style-type: none">• Develop recommended representation, purpose, goals, objectives, and process for future Smithfield Stormwater Advisory Committee (SWAC)
Public Education & Outreach November 2018 (Press release)	<ul style="list-style-type: none">• Press release in advance of November 13, 2018, public workshop and survey to invite and encourage public input and participation in the Action Plan
Action Plan Report & Presentation(s) July 9, 2019	<ul style="list-style-type: none">• Smithfield's Stormwater Management Program Action Plan presentation to Council



Existing Municipal Stormwater Program and Services

The Town of Smithfield provides a wide range of public services including police and fire protection, emergency management, traffic and transportation management, street maintenance and construction, planning and zoning, community development and economic assistance, engineering, building inspections and code enforcement, libraries (in partnership with Johnston County), cemeteries, solid waste collection, recycling, parks and recreation, water supply and distribution, sanitary sewer collection and treatment, and electricity supply and distribution. The Town’s most recent annual budget to provide these important municipal services totals approximately \$13.7 million.⁶ Figure 1 gives an overview of the Town of Smithfield’s organizational structure.

Smithfield’s Planning Department is responsible for the Town’s adherence to regulations related to Neuse Stormwater Rule (NSR) requirements and for development and implementation of ordinances and regulations related to stormwater management. The Planning Department also tracks statistics and data related to stormwater management and reports that information in its annual report to the North Carolina Department of Environmental Quality in accordance with NSR requirements.

Maintenance and repair of the Town’s drainage system is performed on an as-needed basis by the Drainage/Streets Division of the Public Works Department. Reporting to the Town Manager, the Public Works Department Director has overall responsibility for the maintenance of the Town’s drainage system within the right-of-way and on Town property. The Town has traditionally not performed work on private property, however, work off the right-of-way is allowed if there is a demonstrated public need or value to work on private property. As such, ditch maintenance is occasionally performed off the right-of-way to promote positive and adequate drainage.

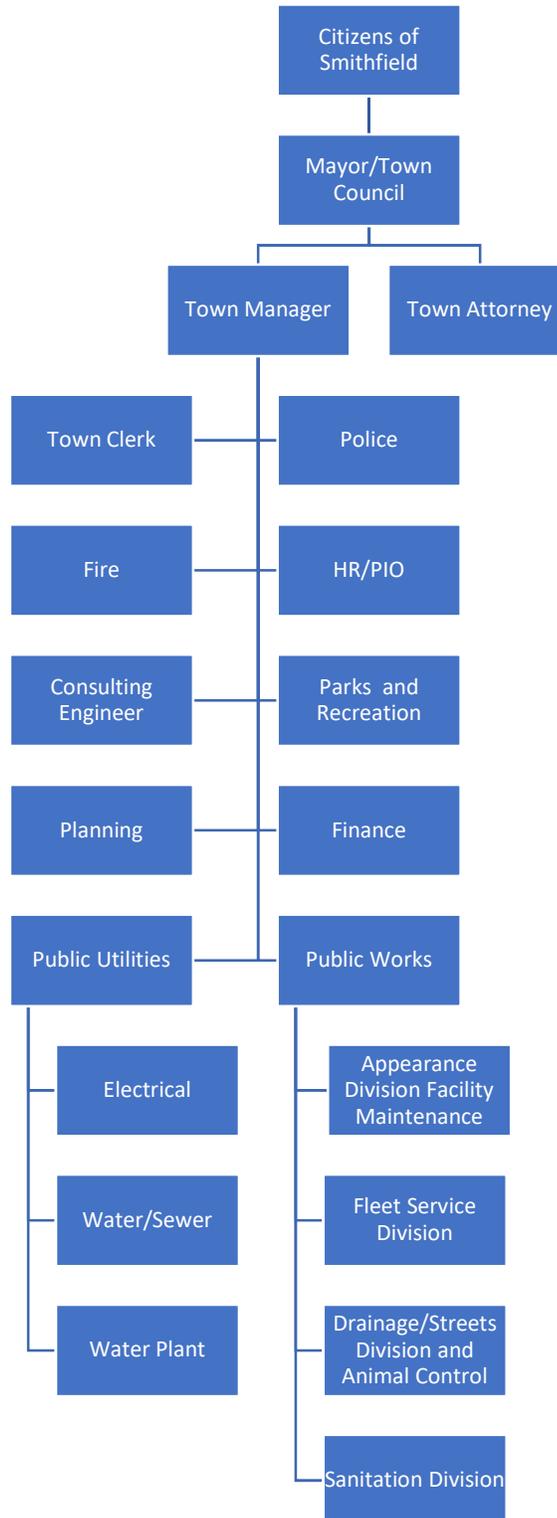
Smithfield performs a robust seasonal program to remove leaves and limbs from Town right-of-way. Removal and disposal of this material benefits stormwater quality by not allowing this organic matter to enter and degrade surface waters. Decaying organic matter releases harmful nutrients and depletes oxygen in surface waters. In the same manner, the Town also has a strong street-sweeper program to remove trash and debris from Town streets. This program also enhances surface water quality by removing trash, debris, and other pollutants that would otherwise impair lakes, streams, and the Neuse River.

Smithfield utilizes the contracted services of a Professional Engineer to assist with site plan review and to ensure compliance with the Town’s stormwater and flood control ordinances. The Town’s contracted engineer reports to the Town Manager and coordinates his work with the Planning and Public Works departments. The Town’s Unified Development Ordinance requires that owners of new development and re-development projects submit a stormwater management plan and obtain a stormwater permit before construction. These plans and permits help the Town ensure compliance with the Neuse Stormwater Rule (NSR) requirements.

The Town relies on the Clean Water Education Partnership (CWEP), a program of the Triangle J Council of Governments, to provide educational materials and resources that carry the message of stormwater quality into the community. By funding the work of the CWEP, Smithfield can take advantage of the resources provided by CWEP and satisfy the NSR requirement to provide public education resources to the community. Coordination between the Town and CWEP is handled through the Smithfield Planning Department.

⁶ Reference to Town of Smithfield Fiscal Year 2018-2019 Adopted Budget Document

Figure 1 – Town of Smithfield Organizational Chart





Smithfield is required by the NSR to identify and remove illegal discharges to the environment. The Town performs this function by receiving reports of illegal discharges (from citizens, Town staff, etc.) and following up to ensure discharges are stopped. In the case of spills and emergency discharges, the Town fire department handles such events.

Erosion and sediment minimization is a major factor in the health of an aquatic eco-system and thus an effective Erosion and Sediment Control (E&SC) program not only will enhance water quality but is also required by the State of North Carolina. The E&SC program in Smithfield is handled by the NC Department of Environmental Quality office in Raleigh. That office performs plan review/approval functions and inspects construction sites for compliance with approved plans. They also follow up on reported violations of E&SC regulations.

Smithfield does not maintain a dedicated fund for stormwater management in its annual budget. Stormwater-related costs are covered in the Town's departmental general operating budgets. Smithfield currently spends approximately \$70,250 annually on stormwater programs and services. These functions and estimated costs are broken down by department as follows:

- Planning (\$9,000) – plan review, SCM tracking and inspections, public education and outreach, annual NSR report
- Engineering (\$7,500) – plan review
- Public Works (\$53,750) – drainage maintenance and repair within right-of-way, leaf/limb collection (50% of estimated costs), street sweeping (50% of estimated costs)

To help understand the existing municipal stormwater program and services, an interactive workshop with Town Managers and Town Staff was an early component of the Stormwater Management Program Action Planning Project. The Town Departments and staff best know the Smithfield community and priority public issues based on years of dedicated experience serving Smithfield residents. Table 2 highlights the current municipal stormwater services provided by Smithfield by each department/division.

Staff supporting the delivery of stormwater services in Smithfield has over 350 years of cumulative municipal experience with the Town of Smithfield. 29% of the staff stakeholders are also residents of Smithfield. This valuable staff and community experience lends itself to establishing a “stormwater program baseline” for the Town to evaluate as it considers building a more comprehensive stormwater management program over the next several years as regulatory requirements and stormwater service needs of citizens grow. A key policy question for Town officials and administrators to answer is, “*Do the existing levels of municipal stormwater programs and services adequately satisfy regulatory requirements, public infrastructure and drainage system needs, and community needs?*” To help answer this important question, the Town's baseline stormwater program will be compared to three enhanced levels of service and corresponding preliminary program funding estimates in the recommendations section of this report.



Table 2 – Delivery of Stormwater Services by Department within Smithfield

	Office Administration	Planning / Engineering	Public Works / Sanitation	Finance	Parks & Recreation	IT	Police / Fire
Maintenance and repairs - storm drainage system			✓		✓		
Review of stormwater/ watershed/floodplain plans for site development and redevelopment		✓	✓				
Response to citizen’s drainage inquiries and complaints		✓	✓				
Public information and educational services		✓	✓		✓	✓	
Emergency response services for floods and/or hazardous spills		✓	✓				✓
Street cleaning, street sweeping, litter collection, and leaf collection			✓		✓		
Planning & engineering of stormwater/ drainage capital improvement projects		✓	✓				
Providing drainage, floodplain, and/or watershed information to citizens and businesses		✓	✓			✓	
Reviewing zoning and re-zoning requests for potential stormwater impacts		✓	✓				
Developing planning standards that include stormwater management		✓					
Preparing the Town’s Neuse Stormwater Rule annual report		✓	✓				
Helping implement the Town’s Neuse Regulations stormwater program		✓	✓				
Working with citizen/stakeholder groups on stormwater-related issues		✓	✓				
Administration of the local water-supply watershed protection ordinance		✓	✓				
Administration of the local floodplain management ordinance		✓	✓				
Inspection of private development and/or Town construction projects		✓	✓				
Town administrative services (Management, Budget/Finance, HR, MIS, etc.)	✓	✓	✓	✓			



The primary municipal stormwater services currently provided by the Town of Smithfield may also be described and classified under major stormwater program functions shown in Table 3 (below).

Table 3 – Current Municipal Stormwater Services by Major Function

<u>Stormwater Program Function</u> (Department or Division)
<u>Stormwater Program Administration</u> (Planning)
<u>Stormwater Planning and Engineering</u> (Planning) <ul style="list-style-type: none"> >Development of stormwater management program guidelines, technical criteria for drainage system design standards, management of professional services contracts. >Responsible for stormwater management plan review for proposed new site development and redevelopment >Administration of water-supply watershed protection
<u>Neuse Stormwater Rule (NSR) Program</u> (Planning) <ul style="list-style-type: none"> >New development review and approval >Illegal discharge detection and elimination >Retrofit location identification >Public education
<u>Stormwater System Operation & Maintenance</u> (Public Works) <ul style="list-style-type: none"> >Public R/W drainage infrastructure cleaning, maintenance, repair, and replacement >Ditch cleaning and maintenance >Street cleaning, street sweeping, litter collection, and leaf collection
<u>Stormwater Capital Improvements</u> <ul style="list-style-type: none"> >Currently no dedicated funds for stormwater capital improvement projects

The existing municipal stormwater program and stormwater services are funded under the Town’s general fund. The general fund annual budget totals about \$13.7 million and is the largest fund within the Town of Smithfield. General funding covers a wide range of local governmental services including public safety, transportation, parks and recreation, economic and community development, and general governmental administration. Revenue for the general fund is largely tax-based. Ad valorem taxes generate over \$6 million in revenue for the general fund. An issue that a number of municipalities in North Carolina have discovered, however, is that the costs (expenditures) to operate a stormwater management program are often not commensurate with or fully equitable based upon revenue generated from property taxes.

Yearly costs to provide Smithfield’s stormwater programs and services are estimated and summarized in Table 4. It should be noted that costs may vary somewhat from year to year depending upon actual needs, expenditures, and Council appropriations. The estimates in Table 4 serve to provide approximate costs for Smithfield’s existing (baseline) stormwater programs and services and to aid in planning-level decision making regarding potential enhanced future programs and services.



Table 4 – Current Stormwater Program Expenditures by Function

Stormwater Program Function	Annual Estimated Expenditures
Program Administration	\$3,500
Engineering, Plan Review	\$7,500 (contracted engineering services)
Public Education & Outreach	\$2,500 (CWEP)
NSR / Water Quality	\$3,000 (Annual Report)
Drainage System Operation & Maintenance	\$24,000
Leaf/Limb Collection (50% of cost)	\$26,000
Street Sweeping (50% of cost)	\$3,750
Capital Improvement Program (CIP)	\$0

Existing stormwater programs and services offered by Smithfield are comparable to other similar-sized municipalities in North Carolina that fund stormwater activities under the municipal general fund. However, cities and towns that have developed a dedicated stormwater utility fee generally have a greater extent and level of public stormwater services than currently provided by Smithfield. An advantage of a stormwater utility enterprise is that it equitably generates revenue required for stormwater services based on a properties’ respective contribution to stormwater runoff. General Fund revenue (tax based) does not correlate to a property’s contribution to stormwater runoff.

Stormwater Problems, Issues, and Program Needs

This section focuses on strategically defining Smithfield’s stormwater-related problems, issues, and probable municipal stormwater program needs. At this early stage in the planning process, the scope of the project does not include a detailed assessment of specific water quality and drainage-related problems and technical solutions. Integrating feedback from Town staff, elected officials, and interested citizens, the report paints a broad picture of the major challenges and opportunities facing the Town’s stormwater program. Town officials will then have a framework to help evaluate the existing (baseline) and future municipal stormwater program in light of problems, issues, and needs.

Under a separate contract, JEWELL-LJB and its partner firm Woolpert, Inc., assessed the stormwater capital improvement needs of Smithfield and determined that fifteen projects have been identified and are justified. This assessment was performed by reviewing previous studies and reports from work prepared by other consultants. A rating/ranking process was developed and applied to the fifteen projects to establish a prioritized list of stormwater capital improvement projects. An example CIP plan was developed based on assumed adequate funding that is not currently available. This work indicates that significant stormwater capital improvement work is needed in Smithfield and that the cost for this work will be very high. The Town will require a major source of dedicated revenue to plan and construct these needed CIP projects. Note that the current example plan is not a specific roadmap to perform these projects, but rather provides insight into the magnitude of need and a potential execution scenario. Appendix 4 contains background information on this assessment.

Smithfield’s Quality of Life and Natural Environment

Stormwater management has a key role in protecting quality of life for citizens and the natural environment in Smithfield. In general, Smithfield provides a high-quality environment in which to live and work. Figure 2 shows how interested citizens and Town staff stakeholders rate the overall quality of life in Smithfield.

Figure 2 – Staff and Citizen Ratings of Smithfield’s Quality of Life

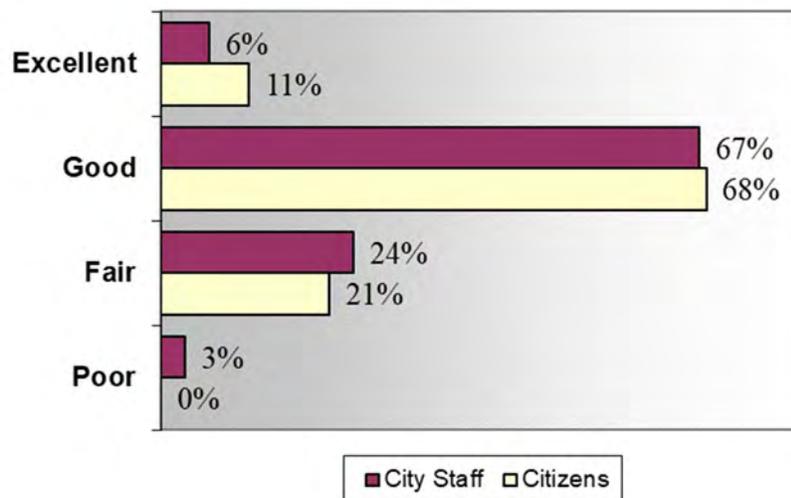
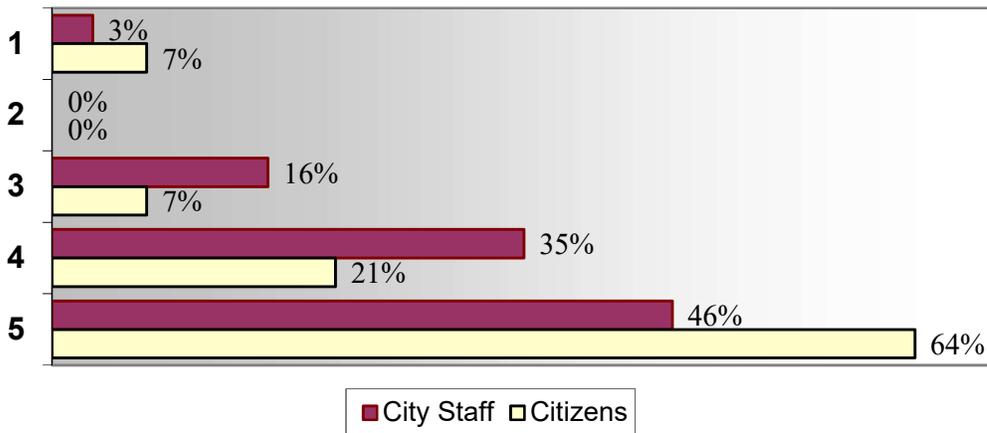


Figure 3 indicates the importance of the natural environment to overall quality of life in Smithfield. Without a comprehensive stormwater management program, however, the increasingly negative impacts from stormwater runoff will degrade both overall quality of life and the natural environment. It is beneficial and

cost-effective to deal with stormwater proactively rather than reactively. Significant public safety and physical impacts from unmanaged stormwater runoff include:

- increased hazardous flooding that affects public safety and/or causes significant public street or property damage,
- increased minor or nuisance flooding that may affect public safety and/or damage property,
- increased land and streambank erosion that may affect public streets and/or properties, and
- increased non-point source pollutants entering local streams and lakes that may impair receiving water quality including that of the Neuse River (public drinking water supply).

Figure 3 – Staff and Citizen Ratings of Importance of Smithfield’s Natural Environment



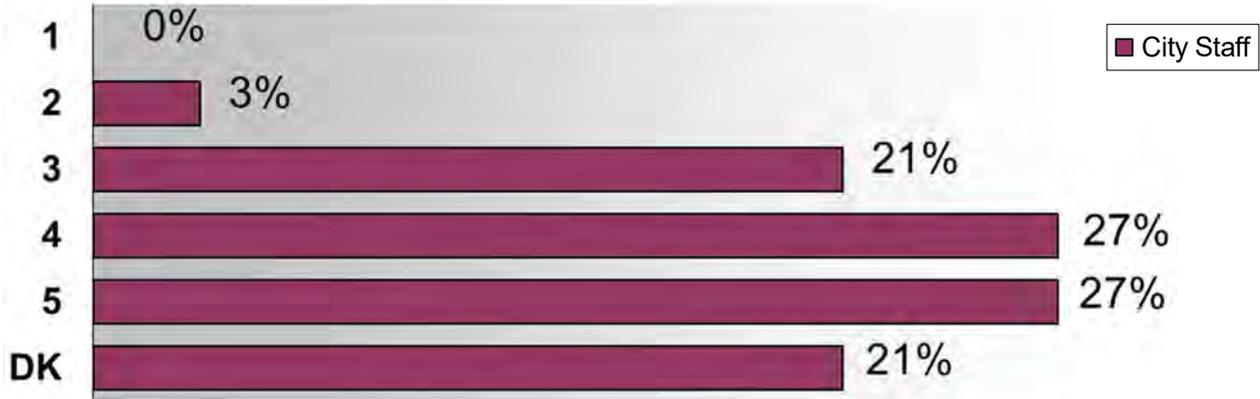
(On a scale from 1 to 5 where 1 = "not important" and 5 = "very important")

Drainage and Flooding Problems

The most obvious and potentially hazardous impact from stormwater runoff is flooding. While even an advanced municipal stormwater program cannot prevent floods that may occur from extreme and/or intense rainfall events, local stormwater programs can help mitigate flooding hazards over time as drainage system capital improvement projects are planned and implemented, as public awareness increases, and as watershed and floodplain management plans are prepared and implemented. As a broad gauge of existing conditions in Smithfield, experienced Town staff were asked to rate the severity of drainage and flooding problems Town wide (see Figure 4).

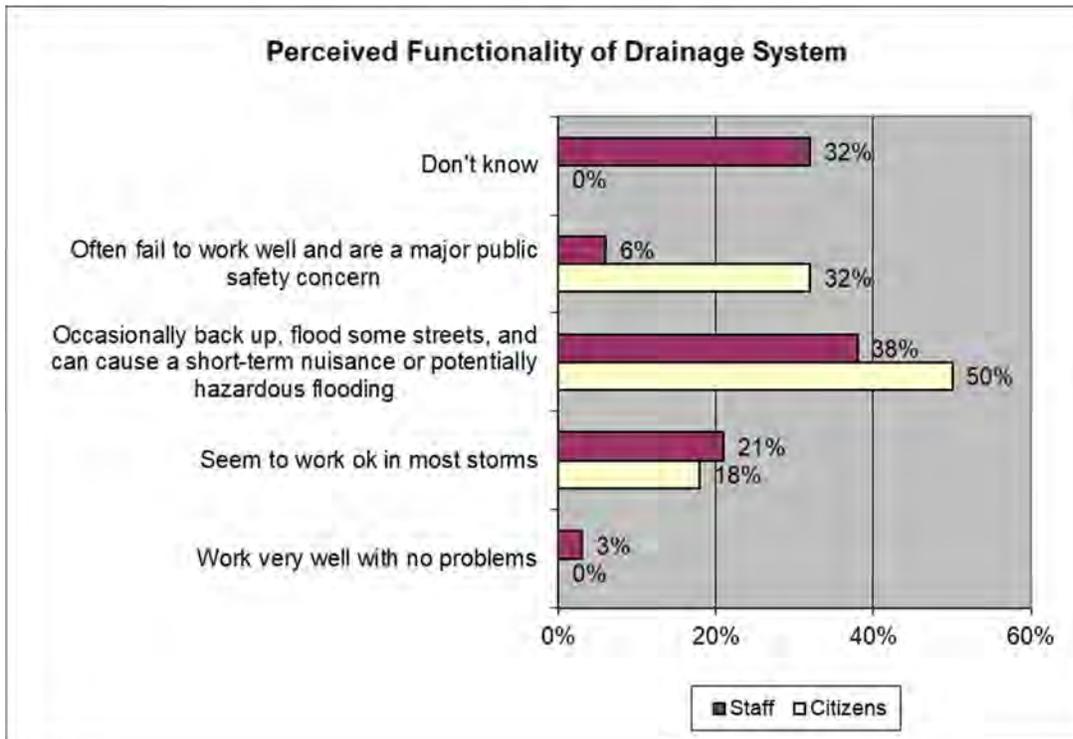
Figure 4 – Staff Assessment of Town-wide Drainage and Flooding Problems

(On a scale from 1 to 5 where 1 = “Not a Serious Problem”, 5 = “Very Serious Problem” and “DK” = Don’t know)



How do residents perceive the severity of drainage and flooding problems Town wide? Citizens attending the November 13, 2018 Public Workshop on Stormwater Services, and others, were asked in a survey to rate the functionality of storm drains, culverts under roadways, and drainage channels within Smithfield. Figure 5 compares both interested citizen and staff perceptions of the general functionality of the municipal drainage system.

Figure 5 – Staff and Citizen Assessment of Local Drainage System Functionality





Twenty citizens attended a public meeting to discuss stormwater issues held November 13, 2018 at the Sarah Yard Community Center. The general sentiment of those attending the meeting is that the Town has numerous drainage problems, many of which are long-standing, and some are beyond the Town's control. Local flooding is often seen in road over toppings and standing water on streets and private property. New and increased development upstream of flooding trouble spots is often blamed for increased flooding and water quality problems. It was a general consensus that the citizens feel the Town can and should do more to resolve flooding problems. Note that the primary focus of citizens is on water quantity problems over water quality problems.

Twenty-nine citizens responded to the Town's stormwater action planning survey. (Complete results from the initial citizen survey are provided in Appendix 2). Residents who completed the stormwater survey have lived in Smithfield an average of over 33 years. Comments from citizens echoed a theme that drainage-related problems have gotten progressively worse. Decades of increasingly higher rates and volumes of stormwater runoff have caused stream banks to erode, widen, and deepen resulting in losses to adjacent properties and higher sediment loads causing drainage and water quality impairments over time.

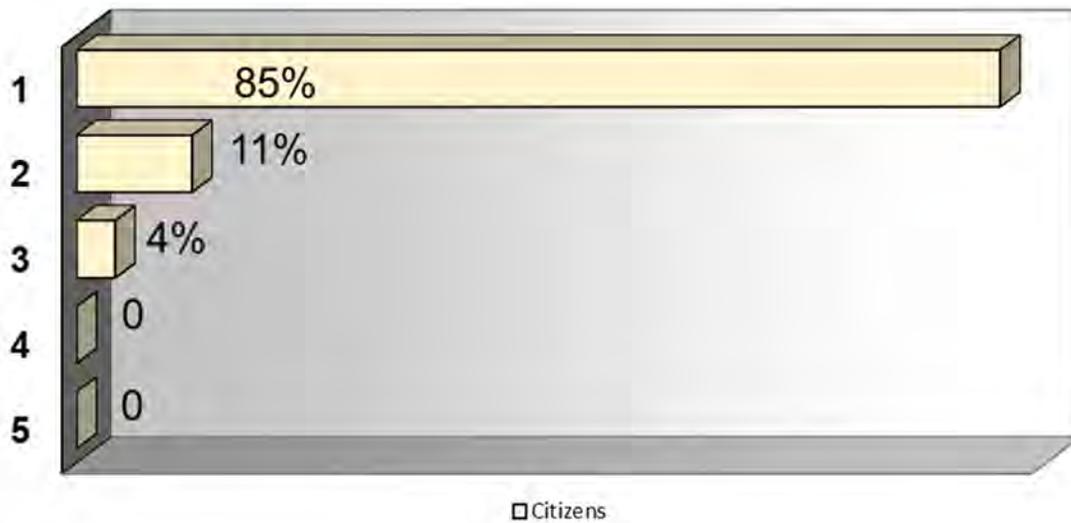
This trend of eroding and degrading local streams is typical of many growing municipalities' experiences. As a component of watershed planning and management, stream stabilization and restoration projects are needed for many urbanizing areas of North Carolina including Smithfield. While well-funded local stormwater programs may include major stream restoration projects within their current scope of services for capital improvement projects, the State of North Carolina has historically taken the lead in stream restoration to date through the Ecosystem Enhancement Program (NC EEP). Formal stream restoration projects are expensive, often costing in the hundreds of dollars per linear foot of stream depending on stream conditions, utilities, easements, and other requirements. Currently the State mitigation fee is more than \$507 per linear foot. Millions of dollars have been and more will be spent on stream stabilization and restoration projects across the state.

While resources to help with needed stream restoration projects could be a component of a future municipal stormwater program, interested citizens who responded to the stormwater survey overwhelmingly believe that it is important for the Town to provide stormwater services that help reduce local drainage problems. The Town currently manages and maintains stormwater infrastructure within the street right-of-way while offering technical advice to private property owners for problems outside the public right-of-way. Solutions to drainage problems can take many forms depending on the specific situation. Some solutions could involve shoring up an eroding section of stream bank to protect property. In other cases improvements or new storm drainage infrastructure may solve or reduce the severity of localized drainage problems. In yet other cases a combination of major capital improvements or acquisitions to benefit the public throughout a local watershed may be required to reduce drainage and flood-related problems. Detailed watershed master plan studies are required to answer these questions.

Whatever form drainage improvements may take, Figure 6 indicates that 85% of citizen survey respondents think it is "very important" for the Town to help reduce drainage problems. Unless the situation only involves stormwater runoff from private property, the local municipal government is often the best and most significant resource to help residents with drainage problems.

Figure 6 – Citizen Ratings of Importance of Town Drainage Improvement Services

(On a scale from 1 to 5 where 1="very important" and 5="not important")



Town staff reports that common drainage-related complaints and inquiries are the following:

(Following are comments we typically see from citizens. Town to review and determine applicability in Smithfield)

- Will the Town fix and/or maintain storm drainage systems on private property?
- Increased runoff from construction and new development upstream causing problems for downstream properties.
- Storm drain inlets and basins that are clogged requiring clean-out and maintenance.
- Drainage problems caused by runoff from private property to private property.
- Minor flooding problems, along streets and in yards.
- Need for repairs or upgrades to legacy storm drainage infrastructure.
- Trash and debris in streams and lakes.
- Drainage channel and stream bank erosion causing impacts to property.
- Erosion and sediment from sites under construction.

Water Quality Problems

The water quality of the Neuse River and selected water bodies in Smithfield are monitored by the NC Department of Environmental Quality, Division of Water Resources. The status of this monitoring can be found at <https://deq.nc.gov/about/divisions/water-resources/water-resources-science-data> . Currently only two water bodies are listed with potential water quality problems: Neuse River and Swift Creek are listed as “Grey”. NCDEQ’s Grey listing means “There are only data inconclusive assessments or at least one pathogen assessment is data inconclusive (except for Mercury in Fish Tissue).” In layman terms this means there are indications from sampling efforts that pollutants (in addition to mercury. Note all NC waters are considered impaired by State for mercury.⁷) may be present in the water body, but no conclusive evidence of such has yet been determined. This assessment has not been performed on all water bodies in Smithfield, thus there may be pollution present in other locations that has not been identified.

⁷ <https://deq.nc.gov/about/divisions/water-resources/planning/modeling-assessment/special-studies/mercury-tmdl>

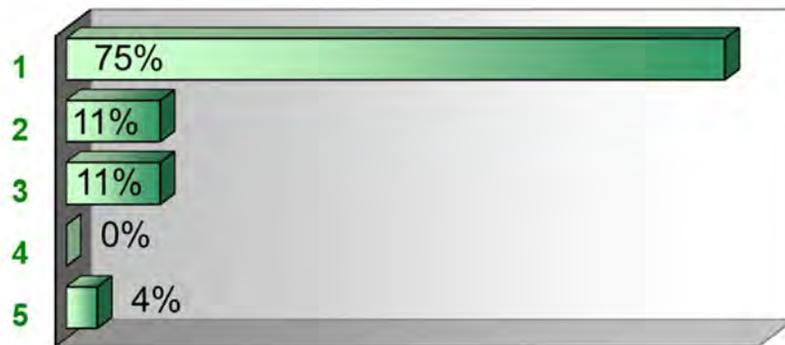
Water quality problems in streams and lakes are often not as obvious as drainage and flooding-related problems. Perhaps residents have seen a creek, pond, or lake with green algal blooms on the water surface resulting from high levels of nutrients such as nitrogen and phosphorus. In many cases, however, water quality impairments are not readily visible to the lay public. Some water quality problems are also acute, such as may be caused by oil or chemical spills into streams and lakes. The majority of water quality problems in surface waters are more chronic in nature.

Throughout North Carolina polluted stormwater runoff from non-point sources is the leading cause of water quality impairment for receiving surface waters.⁸ A major goal of stormwater management programs is to develop and implement Stormwater Control Measures (SCMs) (formerly Best Management Practices) to reduce pollution from varied non-point sources such as commercial and industrial areas, residential neighborhoods, institutional areas, agricultural areas, public streets, and other types of land uses and activities.

The primary pollutant that was observed during limited field reconnaissance throughout Smithfield for the current planning project was sediment along with some debris in receiving surface waters. Sediment is a primary pollutant throughout the state as well. The most preventable water pollutant is trash and debris. Increased public awareness and involvement will play a key role in helping reduce trash that runs off streets and other land surfaces into storm drains and streams.

State and federal regulatory requirements are typically the primary drivers for stormwater quality management at local municipal levels. Water-supply watershed protection, erosion and sediment control during construction, and Neuse Stormwater regulations require that Smithfield develop and implement a stormwater quality management program. Whereas most water quality programs are regulatory-driven, interested citizens in Smithfield agree that it is important for the Town to provide stormwater services that help reduce pollution entering local streams and lakes (see Figure 7).

Figure 7 – Citizen Ratings of Importance of Reducing Stormwater Pollution



(Rated from 1 to 5, with 1 = “Very Important” and 5 = “Not Important”)

Looking at Smithfield’s local watersheds, 100% of the Town’s land area drains to the Neuse River either directly or through one of many tributary streams, channels, ditches, swales, or pipes. A smaller percentage of surface runoff passes through various natural swamps or man-made impoundments on its way to the Neuse. Water-supply watershed protection has been mandated by the State of North Carolina since the early 1990’s and includes stream buffers and permanent structural stormwater controls (such as ponds) for high-density development with greater than 24% built-upon area (impervious area). Above Smithfield’s

⁸ <https://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management>



raw water intake, the Neuse River is classified as WS-IV and below that point the River is classified WS-V.

The following table gives the classifications of the larger streams in Smithfield.

Stream	Classification
Neuse River (above water plant intake)	WS-IV, NSW, CA, PA
Neuse River (below water plant intake)	WS-V, NSW
Poplar Creek	WS-IV, NSW
Buffalo Creek	C, NSW
Swift Creek	C, NSW
Spring Branch	Not classified, too small
Black Creek	C, NSW

Following are descriptions of the various classifications.

Water Supply IV (WS-IV)

Waters used as sources of water supply for drinking, culinary, or food processing purposes where a WS-I, II or III classification is not feasible. These waters are also protected for Class C uses. WS-IV waters are generally in moderately to highly developed watersheds or Protected Areas.

Water Supply V (WS-V)

Waters protected as water supplies which are generally upstream and draining to Class WS-IV waters or waters used by industry to supply their employees with drinking water or as waters formerly used as water supply. These waters are also protected for Class C uses.

Class C (C)

Waters protected for uses such as secondary recreation, fishing, wildlife, fish consumption, aquatic life including propagation, survival and maintenance of biological integrity, and agriculture. Secondary recreation includes wading, boating, and other uses involving human body contact with water where such activities take place in an infrequent, unorganized, or incidental manner.

Nutrient Sensitive Waters (NSW)

Supplemental classification intended for waters needing additional nutrient management due to being subject to excessive growth of microscopic or macroscopic vegetation.

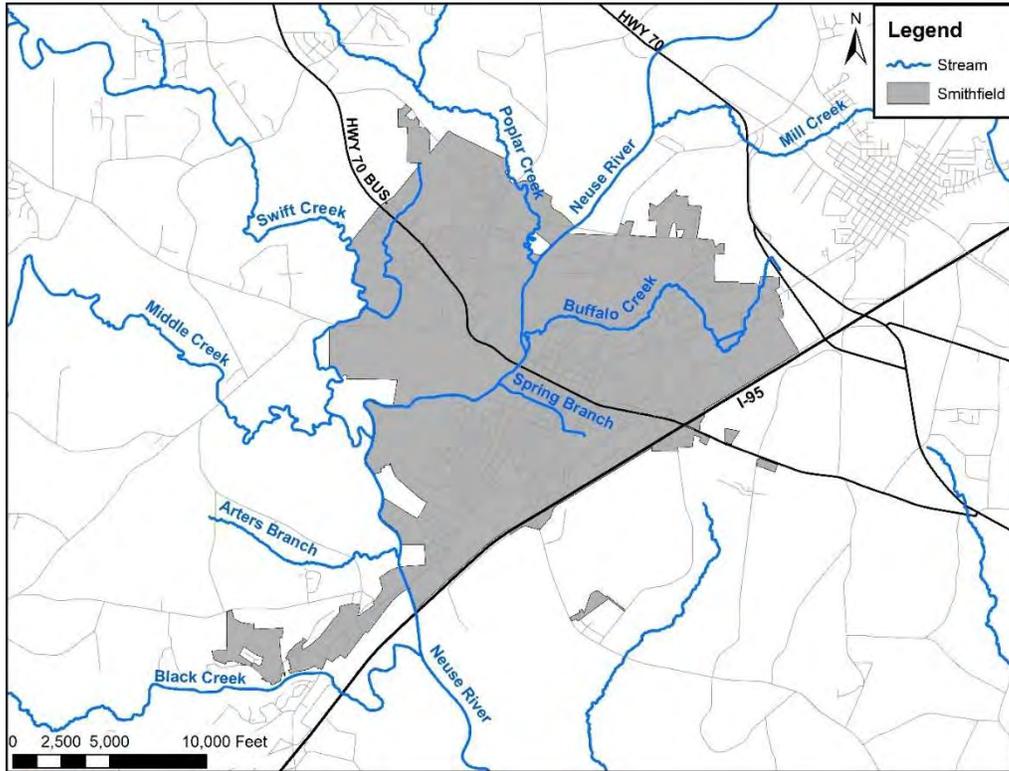
Critical Area (CA)

Land adjacent to a water supply intake where risk associated with pollution is greater than from remaining portions of the watershed. Critical area is defined as land within one-half mile upstream and draining to a river intake or within one-half mile and draining to the normal pool elevation of water supply reservoirs. Critical areas are more restrictive than areas outside this area.

Protected Area (PA)

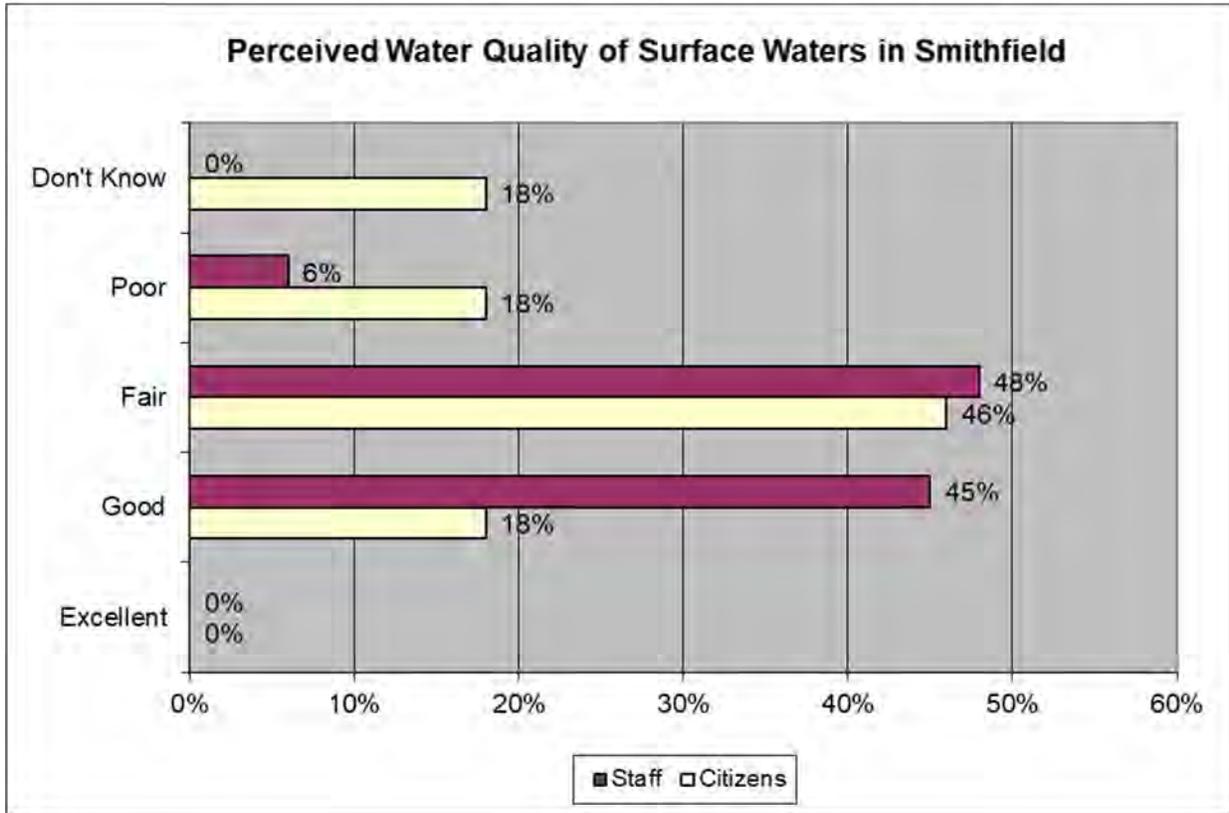
Protected areas are only located within WS-IV watersheds. A protected area is defined as land within five miles and draining to the normal pool elevation of water supplies/reservoirs or within ten miles upstream and draining to a river intake.

Figure 8 – Smithfield’s Major Streams and Watersheds



How do experienced staff and involved long-time residents perceive the current water quality of Smithfield’s streams and other surface waters? Figure 9 portrays the perceived water quality of creeks, streams, and ponds in Smithfield based on staff and resident knowledge and opinion.

Figure 9 – Citizen and Staff Ratings of Surface Water Quality in Smithfield



What does the available monitoring data indicate regarding the water quality of Smithfield’s streams? The North Carolina Division of Water Quality (DWQ) monitors and rates representative streams, lakes, and rivers throughout the state to determine if they are meeting their intended uses such as public drinking water supply, support for aquatic life, outstanding resource waters, or other. Currently, no surface waters in Smithfield are listed on the State’s 303(d) list of impaired waters.

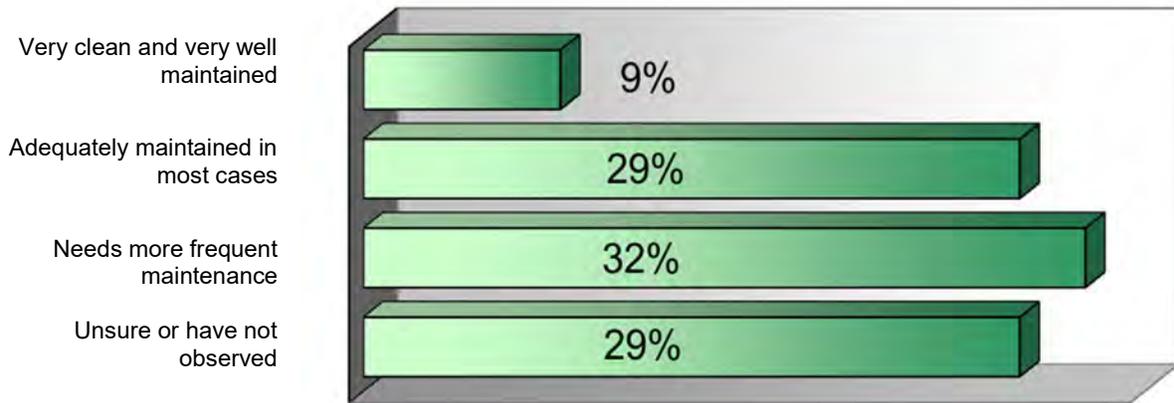
Municipal Separate Storm Sewer System (MS4) Maintenance and Replacement

There are hundreds of Municipal Separate Storm Sewer System (MS4) components within Smithfield, including yard inlets, curb inlets, catch basins, junction boxes, outfalls, stormwater control measures (SCMs) (formerly BMPs), pipes, culverts, ditches, swales, creeks, and other conveyances. The storm drainage system is separate from the sanitary sewer system. Only 29% of Smithfield’s citizen participants in the action planning survey understand that stormwater runoff goes untreated directly into nearby river, streams, and lakes. This relatively low level of understanding indicates a need for additional education so that citizens will understand the direct links between stormwater runoff, drainage infrastructure, and potential downstream impacts.

The Town of Smithfield is tasked by NSR to develop an inventory of its MS4. Although a formal valuation and condition assessment of the MS4 is not currently available, tens of millions of dollars would likely be required to replace and upgrade the public drainage system. The MS4 is a significant and important public asset to Smithfield.

Like the extensive water and sanitary sewer system, much of the MS4 is located underground and often out of sight unless a problem occurs. The MS4 is generally comprised of drainage inlets along streets, drainage catch basins of varying types and sizes, miles of different sizes and materials of pipes that convey runoff from streets and discharge into receiving waters, many different types and sizes of culverts under roadways, open stream channels, and junction boxes to connect and help the Town maintain underground pieces of the system. As is the case with any type of public infrastructure, the MS4 must be maintained, repaired, and replaced over time. Smithfield has been maintaining its MS4 for decades to the extent and level available through general funding. Figure 10 provides a preliminary assessment of existing MS4 maintenance services from the perspective of experienced Town staff.

Figure 10 – Staff Ratings of Current MS4 Maintenance Services



Smithfield is not unlike other similar-sized cities in North Carolina that provide general-funded resources to routinely sweep public streets, perform routine inspections and replacements of drainage system infrastructure, and repair drainage system failures, all within public rights-of-way.



Future Stormwater Program Recommendations

Based on preliminary reviews of the existing municipal stormwater program in Smithfield, initial observations of representative local stormwater issues and probable program needs, surveys and interviews with experienced staff, involved elected officials, and interested citizens, this section provides a summary of recommended next steps and actions in developing a more comprehensive future municipal stormwater management program.

Actions are recommended in order of highest importance based on current Neuse Stormwater Rule requirements and probable near-term stormwater program needs. It should also be noted that key steps in the program development process may run in parallel. For example, the Town may budget additional resources to satisfy immediate NSR requirements and designate or create a Stormwater Program Manager position while chartering and beginning an Advisory Committee process. Based on experiences of other cities in North Carolina, the process of building a comprehensive municipal stormwater management program often takes a number of years.

Protecting and enhancing quality of life with a comprehensive stormwater management program will result in enhanced protection of water quality in local streams and the Neuse River, reduced nuisance and problematic flooding, well-maintained and upgraded drainage systems, desired sustainable economic development with reduced stormwater impacts, and contribute to protection of drinking water supplies as well as valuable natural resources within the community.

While it is recommended that an Advisory Committee be created by Council to help develop final recommendations for the future Smithfield Stormwater Management Program, the report also provides three (3) preliminary estimates for potential program enhancements and corresponding broad funding levels by major stormwater functions. The most significant issue facing the Town of Smithfield’s Stormwater Management Program is the need for dedicated additional funding and resources.

Based on experience in other locales and observing the growing stormwater management challenges across the state, Smithfield’s Town leaders and administrators are to be commended for moving forward with the stormwater action plan and establishing the framework for a comprehensive stormwater program to meet today’s needs while planning for the future.

Step 1 – Budget Designated Resources for NSR Requirements

As stated before, the Town of Smithfield operates under the Neuse Stormwater Rule as mandated by 15A NCAC 02B .0235. As stormwater requirements are anticipated to grow in the future, it is recommended that the Town budget additional resources to satisfy the baseline requirements to comply with the Neuse Stormwater Rule. The following Table 6 provides information and recommendations specific the NSR requirements.



Table 6 – Recommendations to Support Implementation of the Neuse Stormwater Rule (NSR)

Neuse Stormwater Rule Program	Action Plan Recommendations (Bold)
Stormwater management plans for new development.	<ul style="list-style-type: none"> The Town is mandated to review and ensure plans for new development include measures limiting discharges of nitrogen to set standards. The Rule also limits peak discharge rates of flow in the 1-year, 24-hour event. These review and approval activities are performed by the contracted Town Engineer.
Riparian Buffer Protection	<ul style="list-style-type: none"> The Town is mandated to protect riparian buffers. Development plans for riparian buffer areas are reviewed for approval by the contracted Town Engineer and Planning Department. Recommend inspecting and approving new construction to ensure compliance with approved plans. Recommend establishing a process with Johnston County by which Occupancy Certificates will not be issued until all inspections are satisfactorily completed.
Public education, program	<ul style="list-style-type: none"> The Town participates in the Clean Water Education Partnership, a program of Triangle J Council of Governments. Recommend developing an enhanced public education program that includes an increased participation in CWEP. Recommend developing and implementing education initiatives directly benefitting the citizens of Smithfield to involve citizens in stormwater quality educational activities (e.g. Clean Sweep, inlet stenciling, utility billing flyers, public school activities, pollution prevention materials, etc.)
Illegal discharges	<ul style="list-style-type: none"> The Town currently will respond to illegal discharges if reported to Town staff. Recommend developing and implementing technical procedures to detect, track, and eliminate illicit discharges. Recommend educating business and citizens about illegal discharges and the process for remedy. Recommend mapping the Town’s primary outfalls so that emergency response can be made quickly to illegal discharges.
Annual report	<ul style="list-style-type: none"> The Planning Department is charged with preparing and submitting the Annual NSR Report. Recommend enhancing and automating the reporting process through the use of GIS and templates to manage and report required data.

Step 2 – Create a full-time Stormwater Program Manager (SPM) Position

The NSR rule and other stormwater program functions provides a full-time workload for a position to be created within the Town to serve as Stormwater Program Manager (SPM). In addition to helping carry out the required NSR requirements, the new SPM may oversee or perform the following: (Certain functions are currently carried out by Planning and the Town’s contracted engineer.)

- overall responsibility for the Town’s Stormwater Management Program
- serve as a management-level liaison to Public Works on drainage system maintenance services
- coordinate contracted engineer services to review and inspect new development stormwater plans and construction
- manage the watershed protection and floodplain management programs
- track public and private stormwater SCM implementation, maintenance and annual inspections
- develop and facilitate a StormWater Advisory Committee (SWAC) in reviewing the extent and level of future stormwater programs and funding
- work with and manage consultants supporting the Town in stormwater program development and implementation
- work with and manage consultants designing drainage improvements as a part of a comprehensive Capital Improvement Program



- manage construction of Capital Improvement Projects
- track data and prepare and submit annual reports as required by NCDEQ
- coordinate with partnering agencies to benefit Smithfield’s Stormwater Management Program
- represent the Smithfield Stormwater Management Program at State and regional level conferences and meetings
- coordinate the Town’s Public Awareness program for stormwater
- oversee the Town’s illicit discharge detection and elimination program
- meet with and respond to citizen inquiries and complaints related to stormwater
- represent the Stormwater Management Program before elected officials

Following is a preliminary job description for the Smithfield SPM position. Additional stormwater staff may be required in future years, but it is recommended that the Town begin building its future municipal stormwater program with creation of the SPM position and hiring of the SPM.

Preliminary Job Description

The well-qualified Stormwater Program Manager (SPM) for the Town of Smithfield will be responsible for managing growth, implementation, and reporting of the Town’s NSR program. The SPM will work closely with the Town Manager’s Office, Planning Department, Town Engineer, and Public Works Department, with responsible roles in stormwater service delivery to fully implement the Town’s Neuse River Rule stormwater regulatory requirements, watershed protection programs, and other municipal stormwater services. The SPM will work closely with the Public Works Department to ensure municipal drainage system maintenance programs and practices meet regulatory requirements and citizen needs for stormwater services. The SPM will work closely with the proposed Stormwater Advisory Committee and manage any funding initiatives that are directed by City Council. The SPM will develop and manage a Stormwater Capital Improvement Program to implement needed large CIP projects. The SPM will manage a funding mechanism to provide needed finances for the Stormwater Program.

Step 3 – Charter a Town of Smithfield Stormwater Advisory Committee (SWAC) to Develop Recommendations for a Future Stormwater Management Program and Funding

Development of the Town of Smithfield’s future stormwater management program will be best accomplished by means of working with an officially appointed StormWater Advisory Committee (SWAC) with members who are representative of various local community interests such as homeowner associations, developers, business owners, manufacturers, environmentalists, etc. The purpose of the SWAC is to provide Town Management and Town Council with advisory-level feedback and counsel on the range of key stormwater policy issues that comprise the extent and level of service for the future municipal stormwater management program.

Policy issues range from extent and level of stormwater maintenance services to desired level of stormwater system master planning and stormwater capital improvement projects to how the Town implements different components of its NSR program in compliance with regulatory requirements. With recommendations for the needed and desired future stormwater program, the SWAC can then carefully review potential ways and means to pay for the stormwater program and services.

With Town Management review and approval, SWAC recommendations regarding the future stormwater program and how it may be equitably funded would then be presented to the elected Town Council for final review and decision making on behalf of the Smithfield community. An enhanced future municipal stormwater program would help protect and improve quality of life in the Smithfield community.



Appendix 3 provides further recommended details for the Smithfield SWAC.

Step 4 – Perform a Town-wide Representative Stormwater Services Survey

A representative survey of Smithfield’s residents would be an effective tool to help determine the level of public interest and willingness to pay for a more comprehensive future stormwater program. The current action planning project received survey feedback from 29 interested and involved citizens. For a Town-wide survey, a random sample designed to generate feedback from around 200 residents should be adequate to provide statistically representative results. The representative survey would include questions about stormwater awareness and the need and desire for enhanced stormwater services from the Town. From this baseline survey, future periodic surveys could also be performed to help measure the effectiveness of public education and public involvement programs.

Step 5 – Continue and Expand Stormwater Program Collaboration with Local Governments in the Smithfield Region

Efficiencies in certain components of the stormwater program may be gained through developing collaborative programs with other affected local governments in the Smithfield and Greater Johnston County region. For example, many public education program components can be effectively and efficiently administered at sub-regional levels. Local governments in the Triangle and Piedmont Triad regions of North Carolina have implemented successful regional education programs in recent years.

Similar post-construction stormwater ordinances and enforcement programs amongst the local governments near Smithfield will also benefit both the Town of Smithfield and the regional community. While well-beyond the scope of the current action planning project, a regional stormwater utility would be a very proactive approach to generating the needed financial resources to fund both individual and regional stormwater programs.

In whatever partnering forms it may take, it is recommended that Smithfield establish, continue, and further expand its stormwater program collaboration with nearby Clayton, Benson, Selma and Johnston County.

Step 6 – Evaluate Options to Fund the Future Municipal Stormwater Program

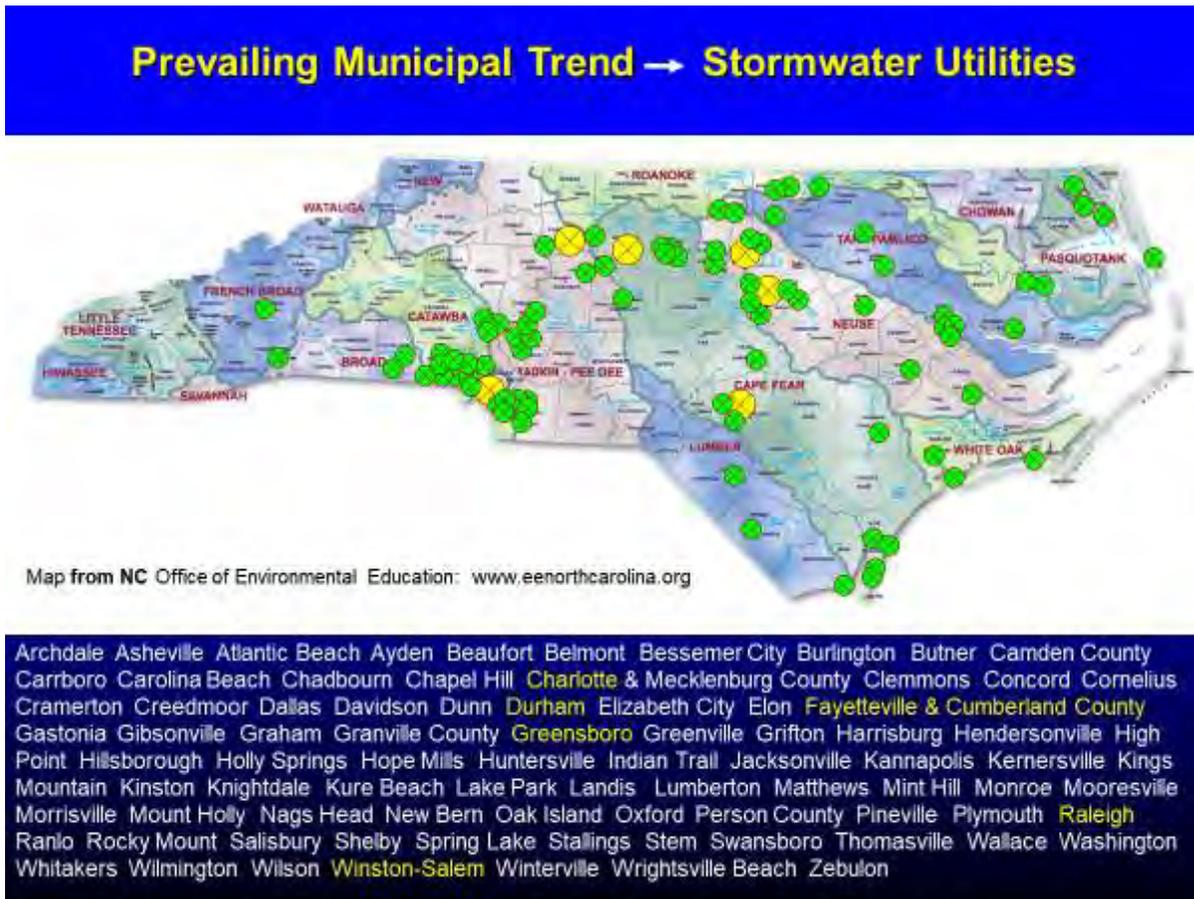
As it works to review and develop final advisory-level recommendations for the future stormwater program, it is further recommended that the Smithfield SWAC (identified in Step 3) process be used to develop a recommendation for the best way to fund the desired future program and services. Eighty-five, or more, local governments in North Carolina and hundreds more across the nation faced with similar regulatory requirements and other stormwater-related challenges have chosen to develop and implement a dedicated and equitable stormwater utility fee to provide an appropriate level of financial resources for needed municipal stormwater programs. Cities relatively close to Smithfield that have developed stormwater utilities and more comprehensive stormwater programs include Raleigh, Zebulon, Knightdale, Wilson, and Dunn. Other major North Carolina cities with stormwater utilities include Durham, Fayetteville, Wilmington, Rocky Mount, Chapel Hill, Burlington, Greenville, and Jacksonville (see Figure 11). The stormwater utility is typically a public enterprise fund for stormwater management generally comparable to water and sewer enterprise funds. A municipal stormwater utility public enterprise is fully authorized under North Carolina state law and statutes.

While there are a number of supplementary funding vehicles such as plan review fees or development impact fees, experience shows that there are two primary ways to fund a municipal stormwater management

program – through tax-based revenues from a general fund or through fee-based revenues from a stormwater utility enterprise fund.

As the Town of Smithfield currently funds stormwater activities through its general fund, it is recommended that the Town evaluate potential development of a stormwater utility fee to fund the needed and desired stormwater program as an integral part of the representative SWAC process going forward. Once the extent and level of the stormwater management program is determined, the committee can then thoughtfully evaluate and develop recommendations for how best to pay for the program, including continued general tax-based funding and/or a stormwater utility public enterprise fund (dedicated fee-based funding).

Figure 11 – Representative Cities in North Carolina with Stormwater Utilities



Step 7 – Apply for Available State/Federal Stormwater Quality Grant(s) Funding

As the Town’s stormwater program develops, one of the best ways to demonstrate value to citizens and the local community is to pursue and leverage outside funding resources. In North Carolina the Clean Water Management Trust Fund (CWMTF) encourages interested local governments and non-profit organizations to apply for funding of water quality protection and improvement projects including stormwater management projects. Since matching funds are often required by the CWMTF and other external grant agencies it is recommended that the Town of Smithfield first determine how it will develop its primary source of funding for the required and desired municipal stormwater program. The NC Ecosystem Enhancement Program, mentioned earlier in the report, is also an excellent outside resource for performing



stream restoration projects by partnering with local governments. Note that funding of an ongoing stormwater program is not feasible through one-time grants.

Preliminary Options for Enhanced Municipal Stormwater Program and Services

As part of the Stormwater Program Action Plan, the Town of Smithfield requested a preliminary estimate of the potential costs to meet minimum NSR requirements as well as potential costs for stormwater services associated with three enhanced levels of service. Table 7 provides a concise summary of three potential future options and broad cost estimates for the Town’s Stormwater Management Program.

Table 7 – Preliminary Options for Enhanced Smithfield Stormwater Program

Stormwater Program Function	Existing / Baseline Program GF Funding	Level 1 Enhanced Program SW Fee \$1/ERU	Level 2 Enhanced Program SW Fee \$3/ERU	Level 3 Enhanced Program SW Fee \$5/ERU
Program Administration & Engineering	\$13,500	\$120,000	\$158,000	\$263,000
NSR / Water Quality	\$3,000 (annual report)	\$10,000	\$32,000	\$53,000
Drainage System Operation & Maintenance	\$53,750 (includes 50% of leaf/limb, street sweeping)	\$80,000	\$182,000	\$384,000
Capital Improvement Program (CIP)	\$0	\$0	\$258,000	\$350,000
Totals	\$70,250	\$210,000	\$630,000	\$1,050,000

The envisioned **Level 1 Enhanced Program** would allow the Town to create the position and fund a full-time Stormwater Program Manager. Dedicated funds to initiate a mapping program to meet NSR IDDE requirements could be added. There could be an increased allocation of funds for stormwater maintenance services. Level 1 also assumes the Town moves forward with the chartered SWAC process.

The preliminary **Level 2 Enhanced Program** should include the enhancements identified in Level 1. It would allow the Town to begin initial watershed studies and initiate development of stormwater master plans in addition to an improved level of maintenance services. The stormwater system inventory can be developed faster and with several potential applications (asset management, maintenance, system modeling, etc.) under Level 2 funding. Maintenance capabilities could be enhanced with additional staff and/or equipment. Level 2 may also provide resources to initiate a stormwater CIP and the opportunity to develop a stormwater improvement program for residents and property owners dealing with drainage problems from public runoff. Level 2 can also provide a higher level of public education and outreach activities along with a heightened focus on implementing and enforcing NSR programs. A new part-time stormwater technician could also be funded under a Level 2 program. Level 2 also assumes the Town moves forward with the chartered SWAC process.



The preliminary **Level 3 Enhanced Program** should include the enhancements identified in Levels 1 and 2. It would provide a significantly improved extent and level of stormwater services to operate and maintain the drainage system than currently offered by the Town of Smithfield. Highlights of Level 3 could include additional dedicated stormwater program staff over Level 2, system-wide drainage basin studies and master plans over a handful of years, a complete storm system inventory with multiple municipal applications, improved and expanded MS4 maintenance programs including a dedicated drainage maintenance crew, moderately advanced public education and public involvement programs, and a stormwater CIP that would provide more visible results for Smithfield's residents. Level 3 also assumes the Town moves forward with the chartered SWAC process.

Appendix 1 – Staff Workshop Survey Results

Survey Participants by Town Department/Division:
 Office Admin (1)
 Public Works/Sanitation/Streets (20)
 Planning & Development (5)
 Finance (3)
 Parks & Recreation/SRAC (6)
 IT (1)

(36 Total Staff Participants)

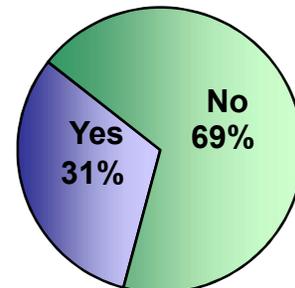
1. What is the length of your service as an employee of the town of Smithfield?

	Office Administration	Public Works/ Sanitation/Streets	Planning/Development	Finance	Parks & Recreation/SRAC	IT	Overall
Surveyed Employees per Department	1	20	4	3	6	1	35
Average Number Years of Service	1	9.5	6.5	10	16	1.5	10.25

2. Have you worked in other Departments during your employment with Smithfield?

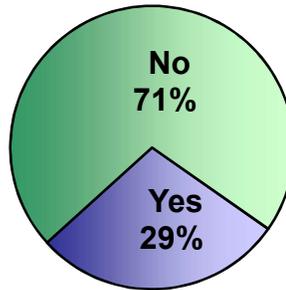
If yes, which other departments?

Public Works/Sanitation Street
 Park & Recreation/SRAC Facility Maintenance
 Customer Service Fire/Police
 Planning Meter Department

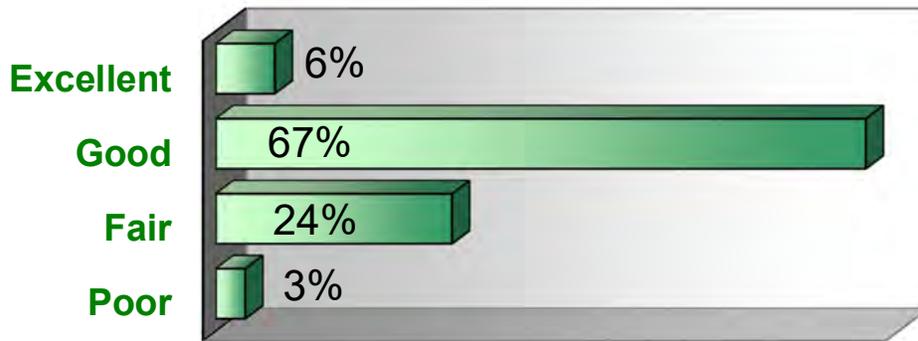


3. Are you a resident of

Smithfield?

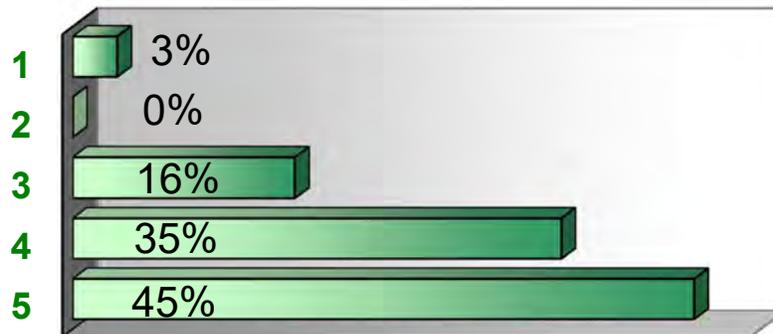


4. How would you rate the overall quality of life in Smithfield?

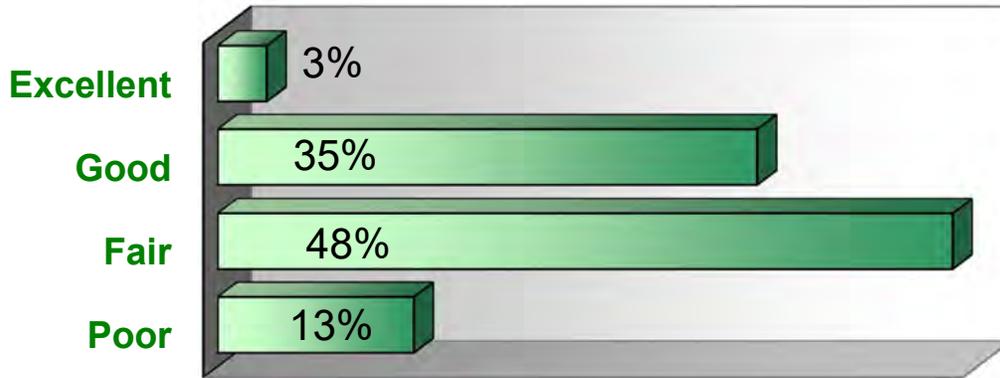


5. How Important is the natural environment in your measure of quality of life in the Smithfield community?

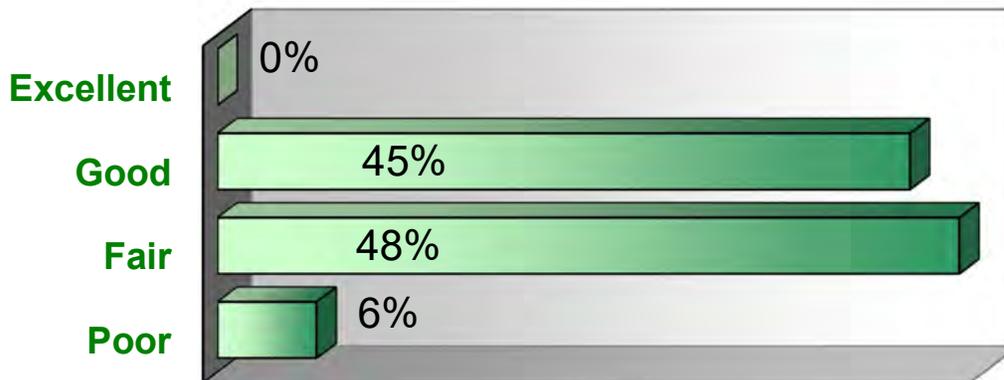
(On a scale from 1 to 5, where 1 = "Not Important" and 5 = "Very Important")



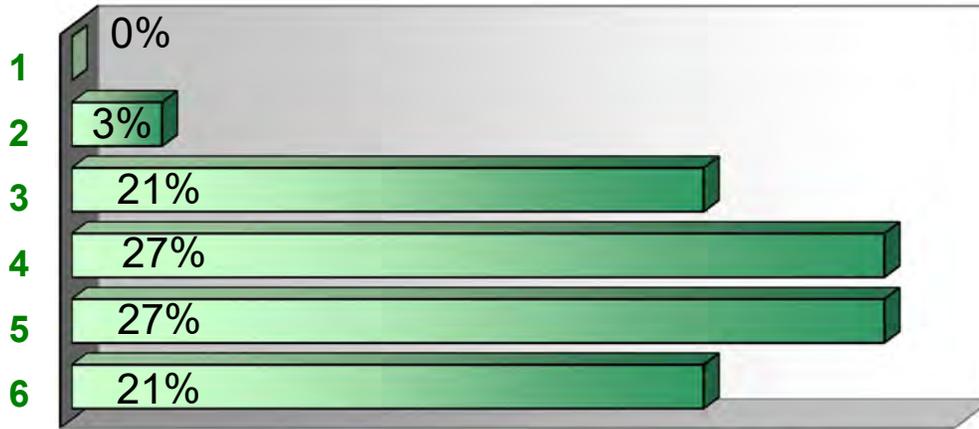
6. To the best of your knowledge, rate the overall water quality of the Neuse River in Smithfield.



7. To the best of your knowledge, rate the overall water quality of creeks, streams, and lakes within Smithfield? (Not including the Neuse River)



8. Town-wide, how serious are drainage and flooding problems from stormwater runoff?
 (On a scale where 1 = “Not a Serious Problem” and 5 = “Very Serious Problem”, 6 = Don’t know)



9. What are the most common types of stormwater-related inquiries from citizens and property owners that you are aware of, if any?

- Full ditches and water standing in streets and yards
- Yards/ditches being flooded/standing water
- Flooding
- Flooding during heavy rains in low-lying areas
- Poor water runoff

10. Which municipal stormwater programs and services do you think are most important and valued by Smithfield’s citizens and property owners?

- Residential storm drainage systems and regional ponds for commercial developments
- Street and drainage



11.

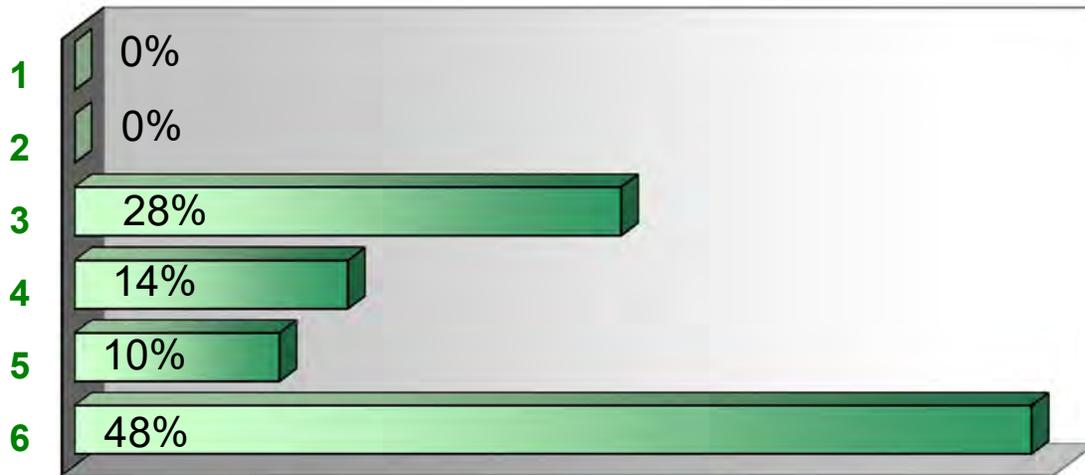
What drainage and stormwater-related activities, programs, and services have your Department and/or Division provided for Smithfield to date?	Office Administration	Planning / Engineering	Public Works / Sanitation	Finance	Parks & Recreation	IT	Police / Fire
Maintenance and repairs of the storm drainage system			✓		✓		
Review of stormwater/watershed/floodplain plans for site development and redevelopment		✓	✓				
Response to citizen's drainage inquiries and complaints		✓	✓				
Public information and educational services		✓	✓		✓	✓	
Emergency response services for floods and/or hazardous spills		✓	✓				✓
Street cleaning, street sweeping, litter collection, and leaf collection			✓		✓		
Planning & engineering of stormwater/drainage capital improvement projects		✓	✓				
Providing drainage, floodplain, and/or watershed information to citizens and businesses		✓	✓			✓	
Reviewing zoning and re-zoning requests for potential stormwater impacts		✓	✓				
Developing planning standards that include stormwater management		✓					
Preparing the Town's Neuse Regulations stormwater permit application		✓	✓				
Helping implement the Town's Neuse Regulations stormwater permit and program		✓	✓				
Working with citizen/stakeholder groups on stormwater-related issues		✓	✓				
Administration of the local water-supply watershed protection ordinance		✓	✓				
Administration of the local floodplain management ordinance		✓	✓				
Inspection of private development and/or Town construction projects		✓	✓				
Town administrative services (Management, Budget/Finance, HR, MIS, etc.)	✓	✓	✓	✓			

Other current Town services related to or in support of stormwater management? Please describe:

- working on stormwater BMP O&M compliance for commercial properties
- updating the Town's stormwater management regulations

12. To what degree do the Town’s stormwater programs and services have an impact or bearing upon the programs and services of your Department?

(Please use scale & circle 1 to 5, where 1 = “No Impact” and 5 = “Very High Impact”, 6 – Don’t know)



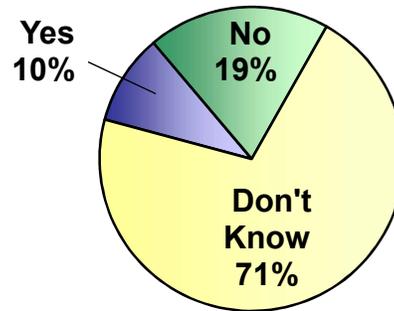
In what ways?

- A stormwater management plan should make administering stormwater regulations much easier
- Unable to access meters for reading/billing. Water meters under water. Sometimes EL meters due to yards with standing water. Example—Pine Acres area
- Flooding of Greenway/ball fields
- We are in the business of flooding and helping the community
- Determine approval for new or existing business which includes stormwater plan to manage stormwater problems
- Only when water covers the greenway near bridge
- If flooding occurs, facilities (ex. greenway, Town, Commons) are flooded

13. On average, about how many hours per regular work week do YOU spend on or in support of the Town’s stormwater-related activities, programs, and services?

	Office Administration	Public Works/Sanitation	Planning/Development	Finance	Parks & Recreation/SRAC	IT	Totals
Less than 4 hours per week	1	6	2	2	4		15
Between 4 and 8 hours per week		3	1				4
Between 8 and 16 hours per week		1	1				2
Between 16 and 24 hours per week		1					1
Between 24 and 32 hours per week		3					3
Up to 40 hours per week		2				1	3

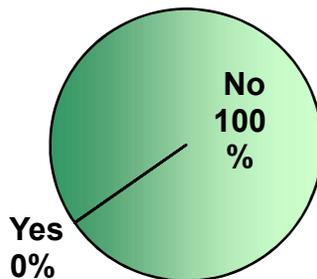
14. Do you think the Town has adequate current resources (staff and budget) to satisfy stormwater management regulatory requirements and other public needs for stormwater services?



15. Please rank the significance of each of the following potential sources of water pollution to water quality of creeks, streams, lakes, and the Neuse River within Smithfield? Please check one for each below. (“Runoff” is the rainfall or snow melt that runs off the ground, roofs, roads, lawns, fields, and other land surfaces in Smithfield. Smithfield receives an average of about 48 inches of rainfall and 2 inches of snowfall each year.)

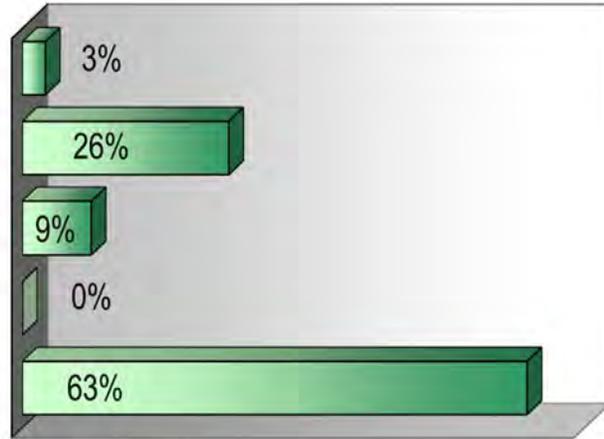
Potential Sources of Water Pollution	Very Significant	Significant	Not Significant	Don't Know
a. Sewage treatment plants	16%	16%	6%	63%
b. Pollutants (like acid rain) that fall from the sky	0%	26%	26%	48%
c. Runoff from parking areas and streets	16%	35%	3%	45%
d. Runoff from farms	7%	27%	23%	43%
e. Runoff from forested or undeveloped land	0%	27%	27%	47%
f. Runoff from residential development	0%	45%	10%	45%
g. Runoff from commercial development	6%	42%	6%	45%
h. Runoff from construction sites	3%	42%	15%	39%
i. Stream bank erosion	0%	45%	7%	48%
j. Oil, chemicals, trash, and other wastes illegally dumped in storm drains or ditches	19%	19%	16%	45%
k. Fuel or chemical spills	19%	13%	16%	52%
l. Leaks from septic systems	16%	13%	10%	61%
m. Leaks or spills from sanitary sewer systems	16%	13%	10%	61%
n. Improperly applied fertilizers and pesticides	13%	13%	13%	61%

16. Are you aware of any other potential sources of water pollution to surface waters in Smithfield not listed above (in #15)?



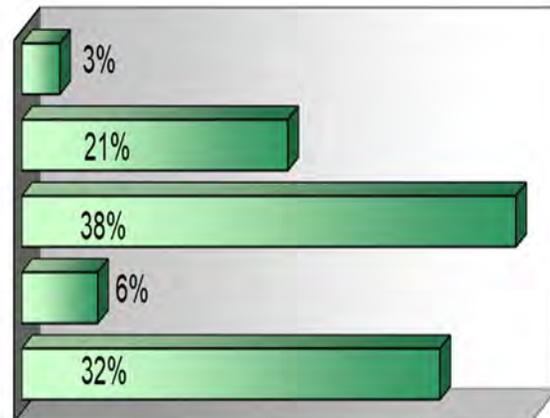
17. Construction sites in Smithfield are _____ ?

- Always well-protected with no dirt or mud leaving the sites.
- Usually well-protected with only minor amounts of dirt or mud leaving the sites.
- Sometimes unprotected with large amounts of dirt or mud leaving the sites.
- Often unprotected with large amounts of dirt or mud leaving the sites.
- Don't know



18. How well does the storm drainage system (catch basins, drainage pipes, drainage culverts under roadways, drainage ditches and channels, etc.) generally function in Smithfield?

- Works very well with no problems.
- Seems to work ok in most storms.
- Occasionally backs up water, floods some streets; can cause either a short-term nuisance or potentially dangerous flooding
- Often fails to work well and is a major public safety concern.
- Don't know



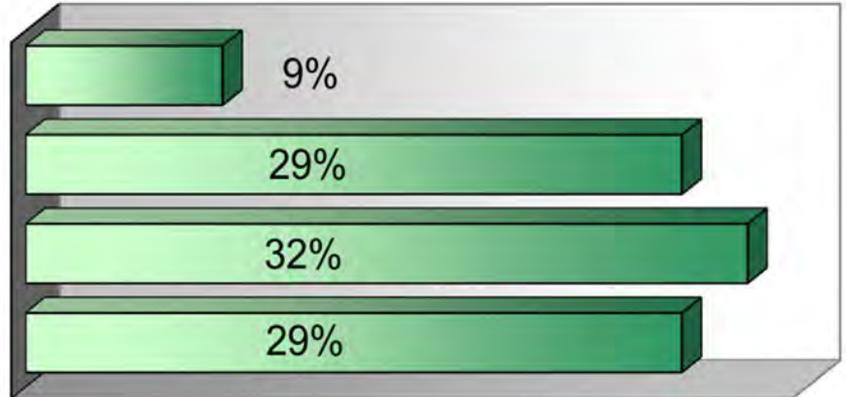
19. How would you generally rate the maintenance of the storm drainage system (includes catch basins, drainage pipes, drainage culverts under roadways, drainage swales and channels, etc.) in Smithfield?

Very clean and very well maintained

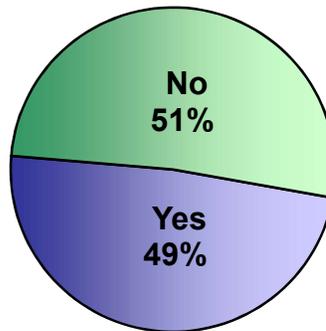
Adequately maintained in most cases

Needs more frequent maintenance

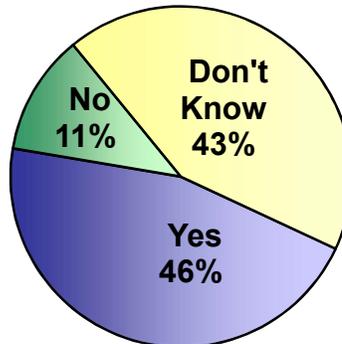
Unsure or have not observed



20. Prior to this survey, were you aware that the Town of Smithfield must comply with increased stormwater regulations from the state and federal governments?



21. Do you think it would be helpful for Town employees to receive more information and training on the stormwater regulations, requirements, and programs?



If yes, what type of stormwater information and training would be most helpful for your department?



Planning

- Planning department could use more training
- Knowledge of basic regulations and requirements for employees who are not familiar with stormwater information

Parks & Recreation/SRAC

- Regulation information/training
- If it relates to the job

Public Works/Sanitation

- Flooding and prevention and spreading the word
- More info.

22. Please share any other *comments, suggestions, questions, observations, etc.* regarding the Town of Smithfield’s stormwater management permit and/or program(s):

Planning

- The Town is supposed to provide education as part of our program and has done little. Assistance with the Educational component would be helpful. Updating our website to provide information on our stormwater program is being worked on by the Planning Department, and assistance might be helpful.

Public Works/Sanitation

- Town residents should know not to put debris in roadway which causes drains to get stopped up. That would solve a lot of problems.
- Survey totally out of my knowledge
- Hire more workers/people



Appendix 2 – Public Workshop & Survey Results

Smithfield provided notice to citizens in advance of the November 13, 2018 Stormwater Action Planning Workshop through use of its local governmental website and press releases to local media. A *2018 Stormwater Services Survey* (results below) was also prepared and provided to citizens attending the public workshop.

The public was provided an introduction to stormwater quality and stormwater quantity management issues, an overview of the Neuse River Rules requirements in effect for Smithfield, a description of the wide range of programs and services that a municipal stormwater program may provide residents, and initial public input was sought for the future Smithfield stormwater program.

Initial comments and feedback from citizens included requests for additional support from the Town with localized drainage concerns, support for the Town developing a more proactive stormwater management program, and early indications of potential public willingness to pay for improved stormwater services.

The survey was available to citizens attending the public meeting and to the general public on the Town's website (www.smithfield-nc.com). Citizens could also obtain a copy of the survey at Town Hall. The Town's Public Information Office issued a press release to local news media in advance of the public meeting and survey.

The survey was not designed nor intended to provide statistically inferential results.

Completed surveys were requested by December 15, 2018. A total of 29 completed surveys were received and included within the analysis and summary of results presented herein.

The 17-question survey is followed by an analysis and summary of survey results.



Introduction & Overview

“Thank you for your interest and participation in this important citizen survey on local stormwater management. Smithfield is reviewing its current level of public services in stormwater management and needs your input to help determine how the Town is doing. The Town is responsible for implementing state and federal stormwater regulations related to the Neuse River Nutrient Management Strategy, as well as maintaining existing drainage infrastructure within public rights-of-way and reviewing proposed development plans to require appropriate stormwater management. In addition to helping assess public satisfaction with current municipal stormwater services, the survey will help us understand if residents and property owners may desire any new or expanded services in the future.”

-Stephen Wensman, Planning

Director

Please return completed surveys by December 15th to:

Smithfield Planning Director
350 East Market Street
P.O. Box 761
Smithfield, NC 27577

Please answer the following questions:

1. Are you a resident of the Town of Smithfield? [] Yes [] No

If Yes, how long have you been a resident? _____ year(s)

2. Do you rent or own your residence? [] Rent [] Own

3. How would you rate the overall quality of life in Smithfield?
[] Excellent [] Good [] Fair [] Poor

4. How important is Smithfield’s natural environment in your measure of the quality of life?

(Circle a number from 1 to 5, with 1 = “Very Important” and 5 = “Not Important”)

Very Important 1 2 3 4 5 Not Important

5. Where does stormwater go after it enters storm drains in Smithfield?

- [] To the Johnston County wastewater treatment plant
[] To a separate stormwater treatment plant
[] To a creek, stream, or lake
[] Don’t know

6. Based on your current knowledge and opinion, please rate the water quality of the Neuse River in Smithfield.

[] Excellent [] Good [] Fair [] Poor [] Don’t know

7. Based on your current knowledge and opinion, please rate the water quality of creeks, streams, and lakes in Smithfield.

[] Excellent [] Good [] Fair [] Poor [] Don’t know



8. How important is it to you for the Town to provide stormwater services that help reduce the amount of pollution entering local creeks, streams, and lakes?

(Circle a number from 1 to 5, with 1 = "Very Important" and 5 = "Not Important")

Very Important 1 2 3 4 5 Not Important

9. From your observations, how well do storm drains, drainage culverts under roadways, drainage ditches and channels generally function within Smithfield? They...

- work very well with no problems
seem to work ok in most storms
occasionally back up, flood some streets, and can cause either a short-term nuisance or potentially dangerous flooding
often fail to work well and are a major public safety concern
Don't know

10. Does your property or neighborhood have drainage or flooding problems?

- Yes No Don't know

11. How important is it to you for the Town to provide stormwater services to help reduce drainage and flooding problems within Smithfield?

(Circle a number from 1 to 5, with 1 = "Very Important" and 5 = "Not Important")

Very Important 1 2 3 4 5 Not Important

12. Have you contacted the Town within the last two years for assistance with a stormwater-related issue (such as drainage, flooding, erosion, water pollution, or request for information)?

- Yes No

13. If YES to # 12, were you satisfied with the response and service you received from the Town?

- Yes No Not applicable

If No, please explain why.

14. Construction sites you have seen in Smithfield are _____?

- always well-protected with no dirt or mud leaving the sites.
usually well-protected with only minor amounts of dirt or mud leaving the sites.
sometimes unprotected with large amounts of dirt or mud leaving the sites.
often unprotected with large amounts of dirt or mud leaving the sites.
Don't know

15. Prior to this survey, were you aware that the Town of Smithfield must comply with stormwater regulations from the state and federal governments?

- Yes No



16. Would you be willing to pay for improved services to help minimize drainage, flooding, and water pollution concerns within your neighborhood and throughout Smithfield?
 Yes No Don't know

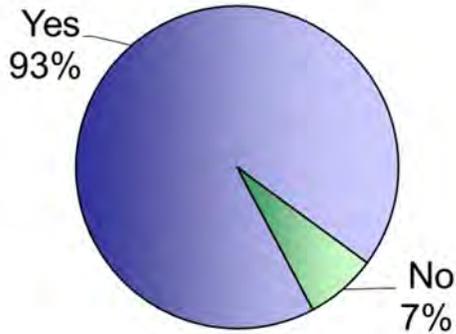
If Yes, how much would you be willing to pay for improved Town stormwater services?

- Up to \$1 per month Up to \$2 per month Up to \$3 per month
- Up to \$4 per month Up to \$5 per month Up to \$6 per month

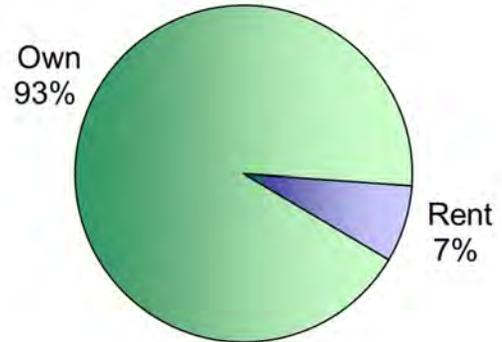
17. Please share any comments, concerns, questions, or suggestions that you may have regarding the Town of Smithfield's stormwater management programs and services:

Town of Smithfield Stormwater Services Survey Results

1. Are you a resident of the Town of Smithfield?



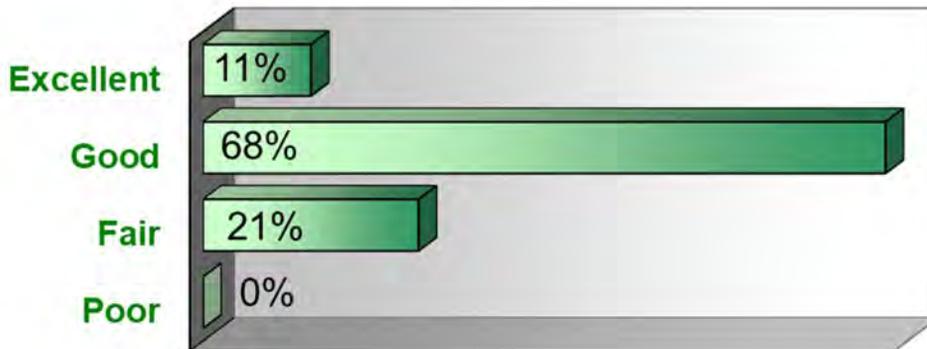
2. Do you rent or own your residence?



If Yes, how long have you been a resident?

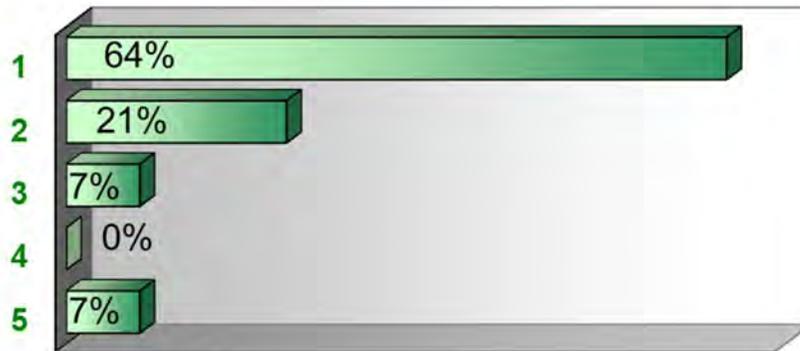
Average: 33.2 years

3. How would you rate the overall quality of life in Smithfield?



4. How important is Smithfield’s natural environment in your measure of the quality of life?

(Rated from 1 to 5, with 1 = “Very Important” and 5 = “Not Important”)



5. Where does stormwater go after it enters storm drains in Smithfield?

To the Johnston County wastewater treatment plant

To a separate stormwater treatment plant

To a creek, stream, or lake

Don't know



8. Based on your current knowledge and opinion, rate the water quality of the Neuse River in Smithfield.

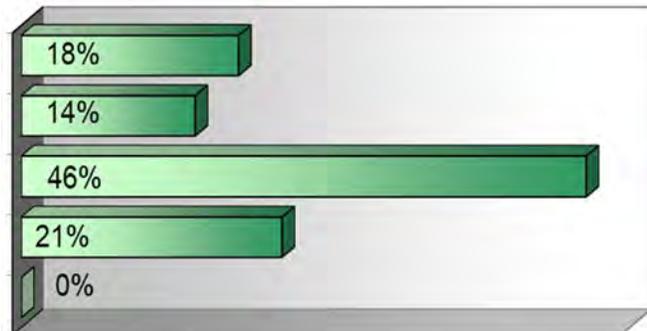
Excellent

Good

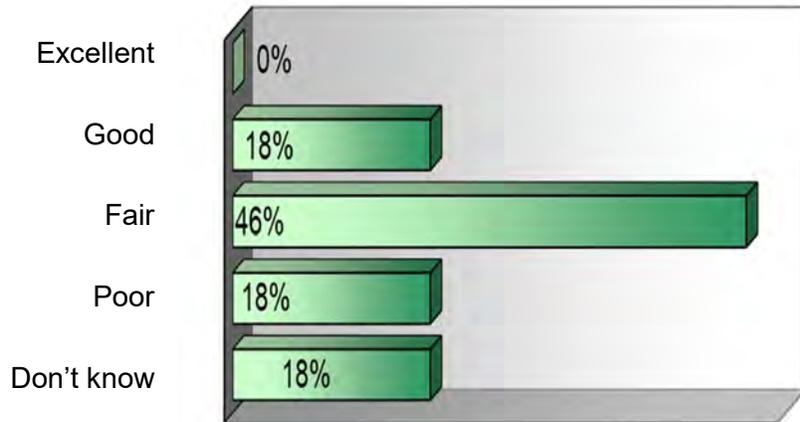
Fair

Poor

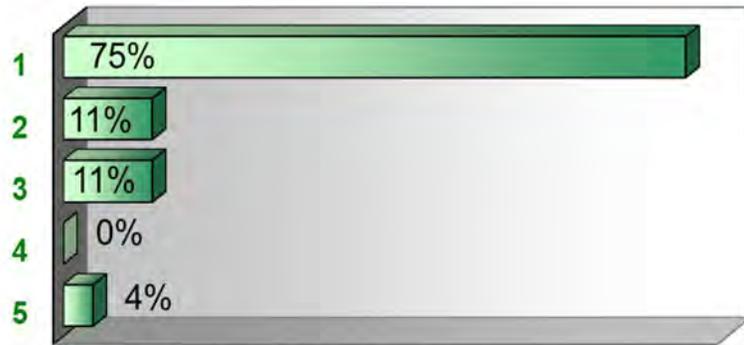
Don't know



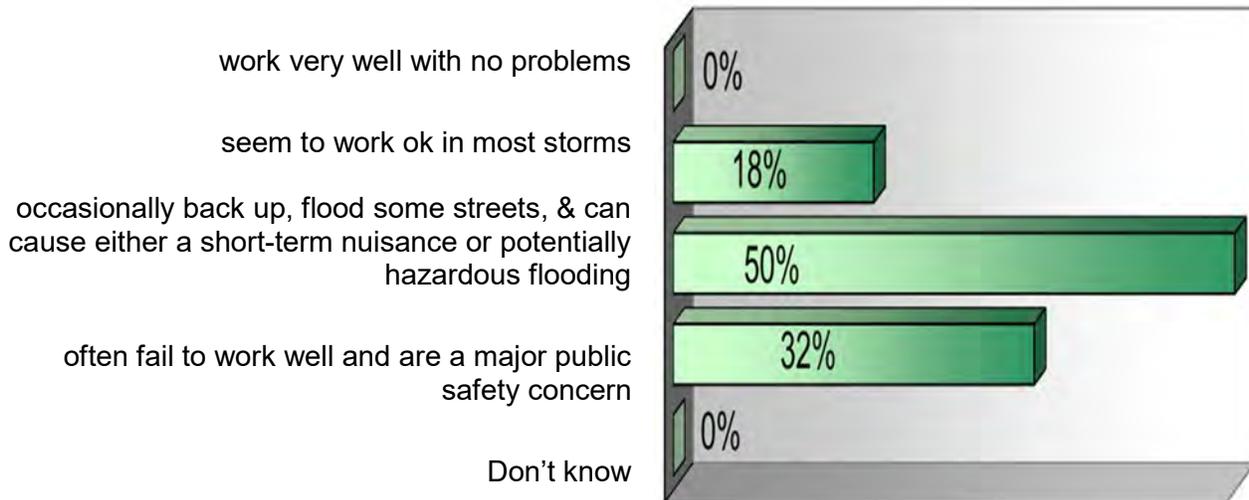
9. Based on your current knowledge and opinion, rate the water quality of creeks, streams, and lakes in Smithfield.



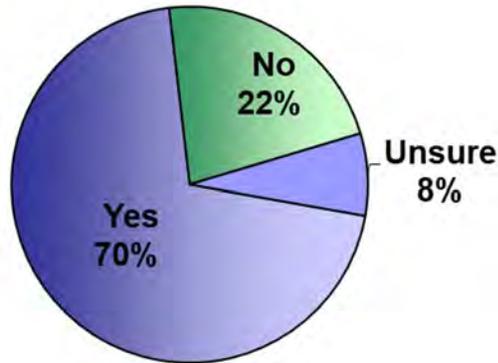
8. How important is it for the Town to provide stormwater services that help reduce the amount of pollution entering local creeks, streams, and lakes?
(Rated from 1 to 5, with 1 = "Very Important" and 5 = "Not Important")



9. How well do storm drains along public streets, drainage culverts under roadways, and open drainage channels generally function within Smithfield? They...



10. Does your property or neighborhood have drainage problems?

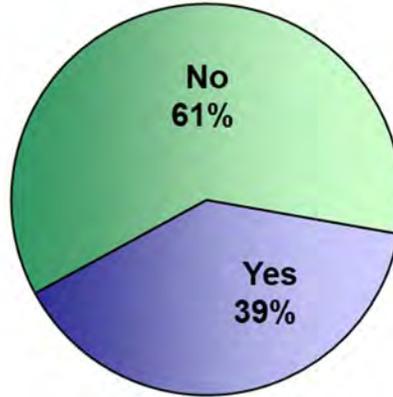


11. How important is it for the Town to provide stormwater services that help reduce drainage problems within Smithfield?

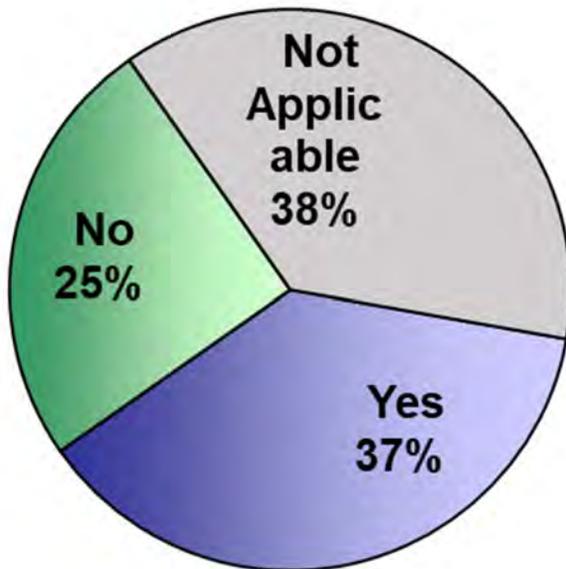
(Rated from 1 to 5, with 1 = "Very Important" and 5 = "Not Important")



12. Have you contacted the Town within the last two years for assistance with a stormwater-related issue (such as drainage, flooding, erosion, water pollution, or request for information)?



13. If Yes to # 12, were you satisfied with the response and service you received from the Town? If No, please explain why:



Comments:

- * Always get great service but no improvements.
- * A temporary fix
- * 1014 North Street. Road-front always holds water but not a nuisance. All town services brilliant for me.
- * Haven't had an issue.
- * My end of Birch St is lower and the town will not build up this end of street so water can run off, drainage pipe do not go all the way to my end of street. I have complained more than once about the water issue.
- * Not enough people to do work needed, Services have been outsourced so work is done infrequently

14. Construction sites you have seen in Smithfield are _____ ?

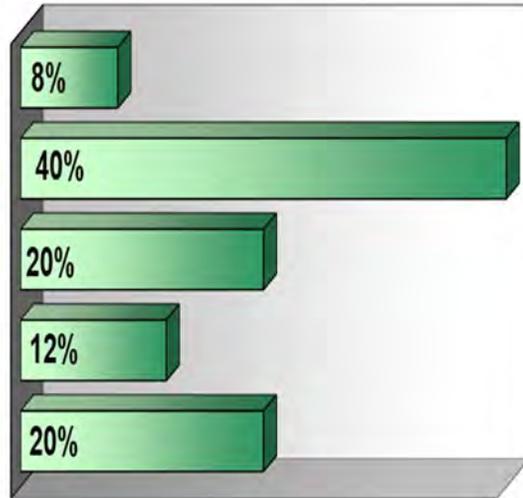
always well-protected with no dirt or mud leaving the sites.

usually well-protected with only minor amounts of dirt or mud leaving the sites.

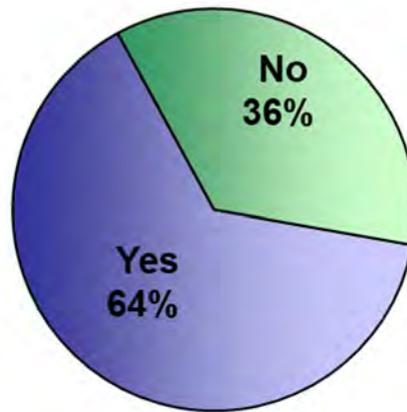
sometimes unprotected with large amounts of dirt or mud leaving the sites.

often unprotected with large amounts of dirt or mud leaving the sites.

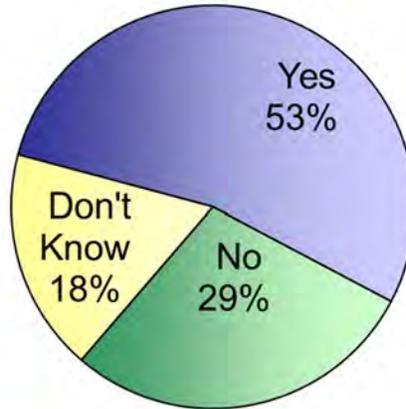
Don't know



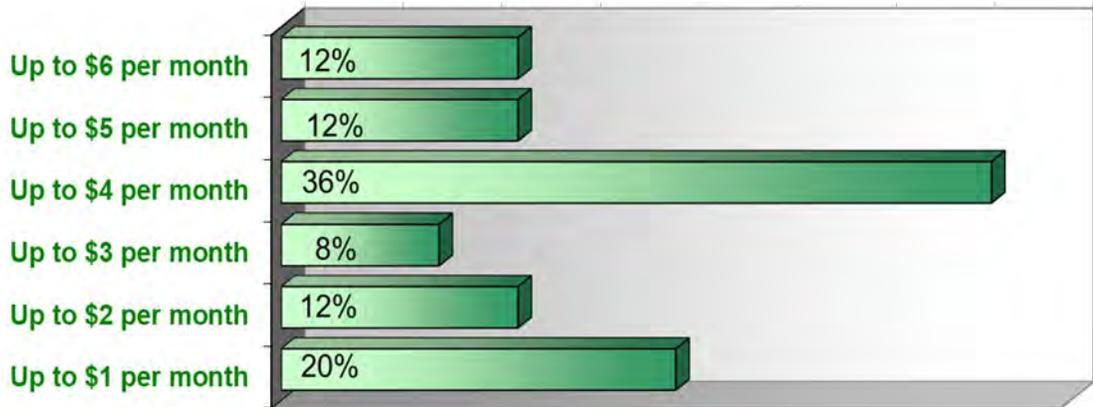
15. Prior to this survey, were you aware that the Town of Smithfield must comply with new stormwater regulations from the state and federal governments?



16. Would you be willing to pay for improved services to help minimize drainage, flooding, and water pollution concerns within your neighborhood and throughout Smithfield?



If Yes to #16, how much would you be willing to pay for improved Town stormwater services?



17. Please share any comments, concerns, questions, or suggestions regarding the Town of Smithfield’s stormwater management programs and services:

- During Hurricane Matthew, we saw a lot of flooding in some places and didn't typically flood. While this was a major event, stormwater management maybe could have alleviated flooding from some of these areas.
- Establish District meetings to discuss the most concerns for each area and rank strategies to address each within a time period of years.
- I spoke at the meeting, so I won't waste your time again.
- If problems are not fixed, I will be moving.



- The infrastructure is aged and inadequate. As with other towns, growth has not been well managed.
- What happened to the 100 yr. pond that was constructed across College Road from JCC? Does it have a purpose now?
- Taxes in Smithfield are already the highest around. It is difficult to understand that this issue is not properly addressed at present.
- Former Neuse River Keeper volunteer. Cleaned Hwy 42 bridge near Clayton Elem. School. See water, in general, as critical issue for 21st century, all phases. We only have one mother earth to love and respect. Think global warming is valid. Was KJCB volunteer years ago.
- This survey is a good beginning for correcting existing problems.
- For our future generation, use the funds to fix the problems.
- Until finding takes place, we must implement very aggressive preventative maintenance, leaf awareness for citizens via mailings on trash receptacles or social media.
- Check sanitary sewage in the stormwater drain behind library to the river. Somebody is dumping sewage in the stormwater culvert.
- With all the taxes that homeowners have to pay, should take care of the stormwater services.



Appendix 3 – Charter for Smithfield Stormwater Advisory Committee

Charter for the Smithfield Stormwater Advisory Committee (SWAC)

It is recommended that the Smithfield SWAC be created and charged with five key goals:

- Goal 1** - Assess current and future required municipal stormwater extents and levels of service
- Goal 2** - Identify citizen needs and expectations for municipal stormwater services
- Goal 3** - Review and develop strategic-level recommendations for the Town’s future stormwater management program
- Goal 4** - Review and develop program funding recommendations
- Goal 5** - Develop a program implementation plan

Recommended Makeup of the SWAC

The SWAC should be comprised of an adequate number of appointed members to cover the key stakeholder interests in Smithfield. The SWAC should be officially established and its members appointed by the Smithfield Mayor and Town Council. Experience in other North Carolina local governments indicates that a balanced and representative SWAC ranging from 10 to 18 members, with a target of around 12 to 14 often works well. A larger advisory committee of more than 20 members, for example, may require significantly more time and effort to reach a clear or majority consensus on stormwater policy issues. Groups larger than 30 members have been used to develop stormwater program advisory recommendations, but large groups are often only required for large cities and/or multi-jurisdictional or regional stakeholder efforts.

While Town Management and Town Council should review and make final decisions regarding number of members and specific representation of the Smithfield SWAC, following is an initial framework for consideration.

Smithfield SWAC

Up to 14 members total

- 1 member from Smithfield Town Council
- 1 member from Smithfield Town Management
- 2 members representing single-family residential property owners / neighborhood interests
- 1 member representing multi-family, apartment complexes, and/or public housing interests



- 3 members representing major businesses / industries / economic development interests
 - 1 member representing retail / commercial interests
 - 1 member representing industrial interests
 - 1 member representing development interests

- 3 members representing natural resource, conservation, and/or environmental protection interests

- 1 member representing faith-based and other non-profit organizations

- 1 member representing the educational / academic sector

- 1 member representing county and/or regional interests that directly relate to the municipal stormwater management program

Volunteer SWAC members should be committed, willing, and able to serve for up to a year.

Anticipate monthly meetings, at a minimum, to develop future program and funding recommendations. A future, permanent SWAC (if desired by the Town of Smithfield) could meet on a quarterly or less frequent basis.

Preliminary Stormwater Program Policy Issues for SWAC Review

The following municipal stormwater program policy topics may serve as a starting point for consideration by the SWAC over a series of defined meetings. In the next phase of the project these topics can be reviewed further and a final listing of issues will be developed by the Town of Smithfield for the SWAC.

Building upon work and findings from the Stormwater Management Program Action Plan, the SWAC will be asked to consider and respond to five key questions:

1. What stormwater programs and services does the Town of Smithfield currently provide?
2. What are the stormwater-related problems, issues, and needs in Smithfield?
3. What are the key priorities to guide the future stormwater program in Smithfield?
4. What are the key components of the future stormwater program and what will the program and services cost?
5. What is the best way to pay for the required and desired future stormwater program in Smithfield?

As an integral part of the SWAC process, it will be appropriate to provide concise informational and educational materials for members on each topic so they will be prepared to make sound and objective



recommendations regarding the extent and level of future municipal stormwater program that best fits Smithfield.

A tentative listing of specific meeting topics for the Smithfield SWAC follows:

1. SWAC Kickoff Meeting
 - a. Review municipal stormwater program purpose
 - b. Review strategic goals
 - c. Review for the stormwater advisory committee
 - d. Include an educational primer on stormwater issues
2. Review existing Town stormwater programs, services, and ordinances – define current program extent and level of service
3. Review stormwater-related problems along with citizen needs and expectations for municipal stormwater services
4. Review and recommend major priorities for future municipal stormwater program
5. Review integrated public education, outreach, and public involvement programs
6. Review construction, post-construction stormwater management programs, and public and private stormwater control measures (SCMs)
7. Review stormwater system master planning, capital improvement, and drainage assistance programs for property owners
8. Review stormwater system operation and maintenance programs
9. Develop cumulative stormwater management program recommendations
10. Review program funding options relative program extent and levels of service
11. Complete review of program funding options
12. Develop final recommendations
 - a. stormwater management program,
 - b. program funding strategy, and
 - c. program implementation recommendations

Suggested Process for SWAC Policy Recommendation Development

1. Kickoff meeting with SWAC to discuss purpose and strategic vision for Smithfield stormwater management program (as noted above)
2. Kickoff meeting will also present envisioned “roadmap of key issues” and policy recommendation development process for SWAC.
3. Provide up-front background information for SWAC members.
4. The envisioned municipal stormwater program policy recommendation development process with the SWAC is as follows:
 - a. Plan for 12 key topics/issues to be discussed with SWAC (drawing upon their official charge from Town Council)
 - b. Town staff & consultant team (as needed) develop draft policy and suggested alternatives/approaches for topic/issue of interest based on research & analysis, review of regulatory requirements and other, and collective experience
[Program and/or Funding Topic/Issues #1 – 12, for example]
 - c. Send draft policy paper/issue #1 analysis and background information to SWAC members at least one week in advance of meeting
 - d. Present issue #1 to SWAC. Discuss and receive comments/feedback on issue #1 from SWAC members.
 - e. Working with Town staff, develop draft policy recommendation statement for issue #1. Send draft policy recommendation statement for issue #1 to SWAC members.
 - f. Returning to step 4-b, staff & consultant team (as needed) develop draft policy and suggested alternative/approaches for issue #2. Send draft policy paper/issue #2 analysis to SWAC at least one week prior to next meeting.
 - g. At next scheduled SWAC meeting, briefly review resulting draft policy recommendation statement for issue #1 and then move into presentation and discussion of issue #2.
 - h. Stepwise process continues until key topics/issues are covered that collectively will define the Smithfield municipal stormwater program and corresponding funding recommendation(s).
5. Town staff and Consultant team (as needed) develops draft and final reports of findings and recommendations for the extent and level of needed and desired stormwater management program and funding strategy for Smithfield.
6. Findings and recommendations are presented to Town Managers and elected Officials for review and potential implementation.



Some Keys for the Smithfield SWAC

- > The SWAC should have a clear up-front definition of their purpose and a defined roadmap for the task force discussions.
- > The Town may wish to create a permanent SWAC for the future stormwater management program once it is defined and established.
- > It is recommended that the SWAC be defined by Council as advisory-level only in development of recommendations that will be later reviewed and considered for implementation by Town Managers and elected Town Officials.
- > The SWAC facilitator should encourage program policy recommendation development process to be based on principles and objective criteria, avoiding individual and disparate positions within the group.
- > A schedule for the SWAC meetings should be established up-front. In setting the meeting schedule it is appropriate to include several breaks for holidays and other busy periods as SWAC members are volunteering their time.
- > Understand that certain topics may require more than one meeting so plan for scheduling flexibility as required.
- > The facilitator(s) should have an experienced understanding of the range, extent, and level of potential outcomes for the Town's stormwater program.



Appendix 4 – Stormwater Capital Improvement Projects Assessment

The following memoranda describe work done to assess the status of stormwater capital improvement projects that have been identified and studied in previous work by various Town consultants. This effort did not re-perform the previous studies, rather the focus was to collect and re-visit the previous work in order to validate the needs addressed and to develop and implement a process to rate and rank the projects for better use in an overall Stormwater Capital Improvement Program. The work herein described also gives a better picture of the funds that will be needed to support a viable Stormwater Capital Improvement Program.



Request for Town Council Action

Business
Item: ANX-19-01
Date: 07/09/2019

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

Issue Statement

Reid Smith has petitioned the Town to annex the 68.16 acre East River PUD residential development into the Town of Smithfield.

Financial Impact

Annexation will increase the Town's property tax base and will require Town to serve the future homes with trash and yard pickup, police and fire protection and other Town services.

Action Needed

The Town Council is asked adopt Resolution # 647 (14-2019) directing the Town Clerk to investigate the sufficiency of the annexation petition.

Recommendation

Adopt Resolution # 647 (14-2019)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Annexation Petition
3. Map of the Proposed site
4. Resolution #647 (14-2019)



Staff Report

Business ANX-
Item 19-01

The Town of Smithfield received a petition to annex approximately 68.16 acres at 1899 Buffalo Road, NC Pin# 169520-80-0490.

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

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

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



Annexation Petition
 Submittal Checklist

Please include all of the following (check off). If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit:

<input checked="" type="checkbox"/>	Electronic Word document of the written metes and bounds must be e-mailed to: Stephen.Wensman@smithfield-nc.com or Mark.Helmer@smithfield-nc.com .	
<input checked="" type="checkbox"/>	Survey or Plat showing above written metes and bounds description of the property to be annexed must be submitted electronically in .pdf format, if possible.	
<input checked="" type="checkbox"/>	Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number (Z-__-__, etc.) or <div style="text-align: center; margin-left: 100px;">2A-18-04</div>	Copy of Subdivision Plat submitted for lot recording approval with Town file number (S-____-__, etc.)
<input checked="" type="checkbox"/>	Projected Market Value of Development at build-out (land and improvements).	
<input checked="" type="checkbox"/>	General Annexation Area Data: Linear feet of public streets, total annexation area acreage, number of proposed residential units or square footage of commercial space, type of utility connections involved, specific land uses proposed.	
<input checked="" type="checkbox"/>	This application form completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines noted in section B of this application, page 2.	

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

<input checked="" type="checkbox"/>	Correct Parcel Identification Number(s) (PIN). Call Johnston County Geographic Information Services at 919-989-5153, if there is any question about the parcel identifier. This is very important. Please indicate if the property being requested for annexation is only a portion of an existing parcel.
<input checked="" type="checkbox"/>	Owner's Signatures and Date of Signatures. See page 3 of this application. All real property owners must sign the application, and the <u>date of signature MUST be filled in!</u>
<input type="checkbox"/> N/A	Corporate Seal for property owned by a corporation.
<input checked="" type="checkbox"/>	Rezoning Application , if the property is currently outside Town of Smithfield.

Annexation Petition

Submittal Deadlines

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

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

Section C Summary Information / Metes and Bounds Descriptions

Development Project Name

EAST RIVER RID (ZA-18-04)

Street Address

1899 BUFFALO RD., SMITHFIELD, NC 27577

Town of Smithfield Subdivision approval #

(S- _____) or (ZA-18-04)

Building Permit Transaction #

_____ or _____

Site Plan approval # for multi-family

(SP- _____ - _____)

Johnston County Property Identification Number(s) list below

P.I.N.

169520-80-0490

P.I.N.

P.I.N.

P.I.N.

P.I.N.

P.I.N.

Acreage of Annexation Site

68.16 AC

Linear Feet of Public Streets within Annexation Boundaries

+/- 7,753

Annexation site is requesting Town of Smithfield

Water

and/or Sewer

ELECTRICITY

Number of proposed dwelling units

315 (MAX.)

Type of Units:

Single Family

Townhouse

Condo _____

Apartment _____

Building Square Footage of Non-Residential Space

N/A

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

RESIDENTIAL RID

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

53,671,000 TO \$60,165,000

Person to contact if there are questions about the petition

DONNIE ADAMS

Name

ADAMS & HODGE ENGINEERING, P.C.

Address

314 EAST MAIN ST., CLAYTON, NC 27520

Phone

919-763-7278

Fax #

N/A

Email

donnie@adamsandhodge.com

Annexation Petition

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

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

<input checked="" type="checkbox"/>	Contiguous to the present corporate limits of the Town Of Smithfield, North Carolina, or
<input type="checkbox"/>	Not Contiguous to the municipal limits of the Town of Smithfield, North Carolina, not closer to the limits of any other municipality and is located within three miles of the municipal limits of the Town of Smithfield, North Carolina (pursuant to Chapter 989 of the Sessions Law of North Carolina, 1967)

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

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

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

Signed this _____ day of _____, 20____ by the owners of the property described in Section C.

Owner's Signature(s)

Signature <u><i>Reid Smith</i></u>	Date <u>6/19/19</u>
Signature _____	Date _____
Signature _____	Date _____
Signature _____	Date _____

Corporate Seal

Print owner name(s) and information

Name <u>Reid Smith</u>	Phone <u>919-813-0123</u>
Address <u>114 West Main St Clayton NC 27520</u>	
Name _____	Phone _____
Address _____	
Name _____	Phone _____
Address _____	
Name _____	Phone _____
Address _____	

Above signature(s) attested by

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

Signature of Town Clerk _____

Metes and Bounds for Annexation Petition

BEGINNING AT AN IRON PIPE WITH CAP, HAVING NC GRID COORDINATES OF
N: 650708.13', E: 2199713.25' (NAD83/NSRS2011)

THENCE S 19°34'19" W A DISTANCE OF 1143.21' TO AN IRON PIPE;
THENCE S 89°26'23" W A DISTANCE OF 284.59' TO AN IRON PIPE;
THENCE S 89°41'02" W A DISTANCE OF 210.42' TO AN IRON PIPE;
THENCE N 89°50'16" W A DISTANCE OF 63.22' TO AN IRON PIPE;
THENCE N 89°36'15" W A DISTANCE OF 750.00' TO AN IRON PIPE;
THENCE N 89°36'15" W A DISTANCE OF 1095.02' TO AN EXISTING AXLE;
THENCE N 53°05'31" E A DISTANCE OF 100.90' TO AN IRON PIPE;
THENCE N 45°29'41" E A DISTANCE OF 203.12' TO AN IRON PIPE;
THENCE N 38°44'59" E A DISTANCE OF 236.00' TO AN IRON PIPE;
THENCE N 34°44'10" E A DISTANCE OF 181.09' TO AN IRON PIPE;
THENCE N 26°35'47" E A DISTANCE OF 157.03' TO AN IRON PIPE;
THENCE N 29°50'52" E A DISTANCE OF 455.65' TO AN IRON PIPE;
THENCE N 37°13'33" E A DISTANCE OF 145.22' TO AN IRON PIPE;
THENCE N 37°05'31" E A DISTANCE OF 60.31' TO AN IRON PIPE;
THENCE N 43°05'41" E A DISTANCE OF 264.72' TO AN IRON PIPE;
THENCE N 41°00'18" E A DISTANCE OF 473.57' TO AN IRON PIPE;
THENCE S 64°03'50" E A DISTANCE OF 183.10' TO AN IRON PIPE;
THENCE S 64°03'50" E A DISTANCE OF 900.00' TO AN IRON PIPE WITH CAP;
THENCE S 64°03'50" E A DISTANCE OF 16.90' TO AN IRON PIPE;
THENCE S 00°38'25" W A DISTANCE OF 59.59' TO AN IRON PIPE;
THENCE S 66°33'31" E A DISTANCE OF 8.51' TO AN IRON PIPE;
THENCE S 66°33'33" E A DISTANCE OF 436.50' TO THE POINT OF BEGINNING;

HAVING AN AREA OF 3,052,413 SQUARE FEET, 70.07 ACRES

AS SHOWN ON A SURVEY BY GREENBROOK SURVEYING, P.C. DATED FEBRUARY 23, 2018

AND RECORDED IN PLAT BOOK 87 PAGE 302, J.C.R.

TOWN OF SMITHFIELD
RESOLUTION # 647 (14-2019)
DIRECTING THE CLERK TO INVESTIGATE A PETITION
RECEIVED UNDER G.S. 160A-58.1

WHEREAS, a petition requesting annexation of an area described in said petition was received on July 9, 2019 by the Smithfield Town Council; and

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

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

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

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

Adopted this the _____ day of _____, 2019.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Business
Item: ZA-19-02
Date: 07/09/2019

Subject: Zoning Text Amendment
Department: Planning
Presented by: Stephen Wensman, Planning Director
Presentation: Business Item

Issue Statement

The Planning Department is requesting an amendment to the UDO Article 6, Section 6.5 Table of Uses and Activities and Article 7, Section 7.25, supplementary standards for food trucks.

Financial Impact

None.

Action Needed

The Town Council is respectfully requested to review the request for the zoning text amendment and to make a decision whether to approve, approve with changes, or to deny the request.

Recommendation

Planning Staff and the Planning Board recommend approval of the zoning text amendment ZA-19-02 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Draft Zoning Text Amendment
2. Consistency Statement
3. Application



Staff Report

REQUEST:

The Planning Department is requesting an amendment to the Town of Smithfield Unified Development Ordinance (UDO) Article 6, Section 6.5 Table of Uses and Activities to allow Food Trucks in the O/I District, B-1 District, and B-2 District as a permitted use with supplementary standards and to update the supplementary standards for food trucks, Section 7.5.

UPDATED AMENDMENT:

At the June 2019 Council meeting, the Council had questions/issues about/with Food Trucks selling alcoholic beverages near churches and desired a minimum buffer be inserted into the location requirements for food trucks. Staff researched the issue and found that Food Trucks selling alcoholic beverages are permitted in NC. They are treated the same as a restaurant serving alcohol, needing designated seating, 50 distance to a church and other requirements. Most often food trucks serving alcohol are allowed with Limited Special Occasion Permits (one-time permit), most often issued to a nonprofit or political organizations, or onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a reception, wedding, party or other special occasion being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held. The One Time Permit from the ABC Board would be required in order for the Town to issue a zoning permit for a food truck serving alcohol.

The draft ordinance, Section 7.25.3 Food Truck Location has been changed to include a minimum buffer distance of 50 feet from a place of worship (consistent with ABC regulations for restaurants serving alcohol) for food trucks serving alcoholic beverages.

Staff also amended Section 7.25.9.1, to allow food trucks at flea markets, but require them to be regulated under an approved special use permit (striking zoning permit). Regulating under the Special Use Permit is the most appropriate way to set limits, location, hours of operation, etc. for food trucks at flea markets.

ANALYSIS:

Currently, food trucks are only permitted in the B-3 Zoning District with supplementary standards, Section 7.25). A recent request for a Temporary Event Permit in the O/I District was denied because it included a request for a food truck. Soon after the denial, Staff learned that the Parks Department routinely has food trucks or slushy trucks operating in Town parks, in the O/I Zoning District. Food Trucks have also been in the B-1 and B-2 Districts with various events in the past, such as with the Ham and Yam festival and some Town Council approved special events. This caused the Planning Department to review the Food Truck regulations and to request an amendment to the Table of Uses and Activities to allow food trucks in all the commercial districts.

Staff reviewed the supplementary standards, Section 7.25, and found a number of issues with the ordinance and has recommended a number of changes to reflect how Food Trucks have been regulated in the past and to make improvements to the standards.

Outside of temporary events and the flea market, there has been only one food truck operating in Town, at it is located at the Carolina Premium Outlets, in a B-3 Zoning District. Another is proposed in West Smithfield, also in the B-3.

PROPOSED AMENDMENT:

The Article 6, SECTION 6.5 TABLE OF USES AND ACTIVITIES is proposed to be amended to read as follows:

Uses	O/I	B-1	B-2	B-3	Supplemental Regulations
Food Trucks	<u>PS</u>	<u>PS</u>	<u>PS</u>	PS	Section 7.25

The Article 7, Section 7.25 Supplementary Standard for Food Trucks is proposed to be amended with the following changes (See attached draft text amendment):

- Amended to clarify exceptions to the supplementary standards
- 7.25.1, Food trucks to be permitted to operate from Town property or closed public right of way during a Town-sponsored civic event or Town Council approved special event.
- 7.25.2, Amending the duration of a food truck zoning permit from 20 days, three individual weekends events, to 90 days per calendar year. The change will be easier to monitor for Staff and would provide an opportunity for seasonal food trucks in some locations.
- 7.25.3, added to location for food trucks that they must be at least 100 feet from the front door of a restaurant or dining area during business hours and changed the text to allow within 5’ of a public sidewalk.
- 7.25.4, with the zoning permit, the Town will require a Johnston County Application for a Mobile Food Unit when applicable, NC Sales and Use Certificate, NC Department of Agriculture Permit when applicable, location of approved grease disposal facility, proof of food truck storage location and a copy of the vehicle or trailer registration.
- 7.25.7, allowing a small sandwich board sign for food trucks, similar to what is allowed for other businesses in town. Food trucks often have the menu on such signs.
- 7.25.8, increased the area in which food trucks must keep the property clean.
- 7.25.9.1, created an exception for food trucks operating at the flea market. The Town has currently been allowing such food trucks to operate under the zoning permit of the flea market like other vendors utilizing the same hours of operation.
- 7.25.9.2, created an exception on the number of food trucks and location of food trucks operating under a Town-sponsored civic event or Town Council approved special event.

CONSISTENCY STATEMENT:

The zoning text amendment as proposed is consistency with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

PLANNING BOARD RECOMMENDATION:

The Planning Board reviewed the zoning text amendment and recommended approval as drafted.

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of the zoning text amendment ZA-19-02 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

DRAFT ORDINANCE # ZA-19-02
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 6, SECTION 6.5, TABLE OF USES AND ACTIVITIES
AND ARTICLE 7.25 FOOD TRUCKS

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to allow for expanded use of Food Trucks in all the O/I (Office Institutional) B-1 (Business) and B-2 (Business) and other Town sponsored events and other special events.

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

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

[Revise Article 6, Section 6.5, to allow for the expanded use of Food Trucks in all the O/I (Office Institutional) B-1 (Business) and B-2 (Business) zoning districts and revise Article 7.25 Food Trucks that allow for the permitting of Food Trucks at Town sponsored events, Town Council approved special events and refinements to the supplemental standards for Food Trucks]

PART 1

SECTION 6.5 TABLE OF USES AND ACTIVITIES.

Uses	O/I	B-1	B-2	B-3	Supplemental Regulations
Food Trucks	<u>PS</u>	<u>PS</u>	<u>PS</u>	PS	Section 7.25

PART 2

SECTION 7.25 FOOD TRUCKS.

Food trucks shall be permitted in accordance with Section 6.5 ~~the Table of Uses and Activities,~~ and subject to the following standards:

7.25.1. ~~Exceptions to the Process.~~ 7.25.1.1. Food trucks may conduct sales while parked on a public street when the Town Council has approved a temporary street closing or on property owned by the Town for a Town-sponsored or civic event such as a street festival/fair, or Town Council approved special event.

7.25.1.2. Food trucks may operate on an individual private property for a maximum of ~~twenty (20) days, three individual weekend events, or both~~ 90 days, each calendar year when utilizing a temporary event permit for each individual parcel on which the food truck is located.

7.25.23. Food Truck Location.

Food trucks must be located at least 100 feet from the front door of any restaurant and outdoor dining area during restaurant business hours and at least 50 feet from any permitted mobile food vending cart location. Additionally, food trucks are prohibited ~~must be~~ from parking ~~ed~~ closer than at least 15 feet of a ~~to~~ any fire hydrant, and closer than 5 feet of a ~~from any~~ driveway, sidewalk, utility box or vault, handicapped ramp, building entrance or exit, or emergency call box. Food Trucks serving alcoholic beverages shall be no closer than 50 feet from any place of worship. These minimum distance requirements are all measured in a straight line from the closest point of the proposed food truck location to the closest point from the buffered point, or in the case of a restaurant measured from the closest point of the restaurants main entrance. If a zoning permit is issued and a restaurant or place of worship subsequently opens within buffered distance ~~400 feet~~ (measured from the restaurants/place of worship main entrance) of the approved food truck location, the food truck may continue to operate until the permit expires.

7.25.34. Zoning Permit.

A zoning permit is required for each site and must be signed by the property owner, and completed and submitted along with a site plan or plot plan. If a property owner has a property large enough to accommodate more than one food truck, only one zoning permit is required to be submitted showing the location of all food trucks. The plot plan must show the limits of the property, the location(s) of the proposed food truck, and label adjoining uses on neighboring properties. The applicant must also submit a copy of a valid permit for a Mobile Food Unit, NC Sales and Use Certificate, NC Department of Agriculture Permit, and/or ABC Permit when applicable, location of approved grease disposal facility, proof of food truck storage location and a copy of the vehicle or trailer registration.

7.25.45. Parking.

Food trucks may not occupy any required parking stall for the primary use while the primary use is open to the public. Food trucks and the primary use may share parking spaces when having separate hours of operation. Parking stalls that are overflow or extra according to the regulations in the UDO may be used to park a food truck; however, parking stalls leased to another business or adjacent use may not be used unless the food truck is operating under separate hours of operation. Food trucks may not park in handicapped accessible parking spaces, nor can they park in access or drive aisles. The approved location for the parking trucks, as shown on the zoning permit, must be physically marked. The food truck parking space can be marked with paint, tape or other easily identifiable material. Food trucks may not be parked in an approved location after hours of operation.

7.25.56. Hours of Operation.

Food trucks may operate between the hours of 6 a.m. and 10 p.m., unless the food truck is located within 150 feet of a property with a single- or two-family residential dwelling. When located within 150 feet of this residential dwelling, the hours of operation shall be between 7 a.m. and 6 p.m. This measurement is taken from the property line of the residential dwelling in a straight line to the closest point of the approved food truck location.

7.25.67. Prohibitions.

Food trucks may not use audio amplification. ~~or~~ Freestanding signage shall be limited to a single sandwich board sign of a maximum height of four (4) feet and a maximum length of three (3) feet. All equipment and signage associated with the food trucks must be located within three (3) feet of the food truck. The food truck operator is responsible for disposing of all trash associated with the operation of the food truck. Town trash receptacles may not be used to dispose trash or waste. All areas within ~~fifteen (15)~~ ~~five (5)~~ feet of the food truck must be kept clean. Grease and liquid waste may not be disposed in tree pits, storm drains, the sanitary sewer system or public streets. Food trucks are all subject to the Town-wide noise ordinance.

7.25.78. Maximum Number of Trucks Per Property.

~~7.25.78.1.~~ Maximum of two (2) food trucks on lots of one-half acres or less.

~~7.25.78.2.~~ Maximum of three (3) food trucks on lots between one-half acre and 1 acre.

~~7.25.78.3.~~ Maximum of four (4) food trucks on lots greater than 1 acre.

~~7.25.78.4.~~ Outdoor seating associated with a food truck is only permitted on lots at least two acres in size or greater.

7.25.9. Exceptions.

~~7.25.9.1.~~ Food Trucks when located at outdoor flea markets are exempt from Section 7.25.2 and Section 7.25.4. Food trucks at outdoor flea markets shall operate under a valid special use permit for the flea market and are permitted to operate under the same hours of operation.

~~7.25.9.2.~~ The number and location of Food Trucks operating with a Town-sponsored or civic event such as a street festival/fair, or Town Council approved special event shall be regulated with the permit.

PART 3

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

PART 4

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

Duly adopted this the ___ day of _____, 20__.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-19-02

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

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

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

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment ZA-19-02 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 regularly scheduled meeting of Town Council; and

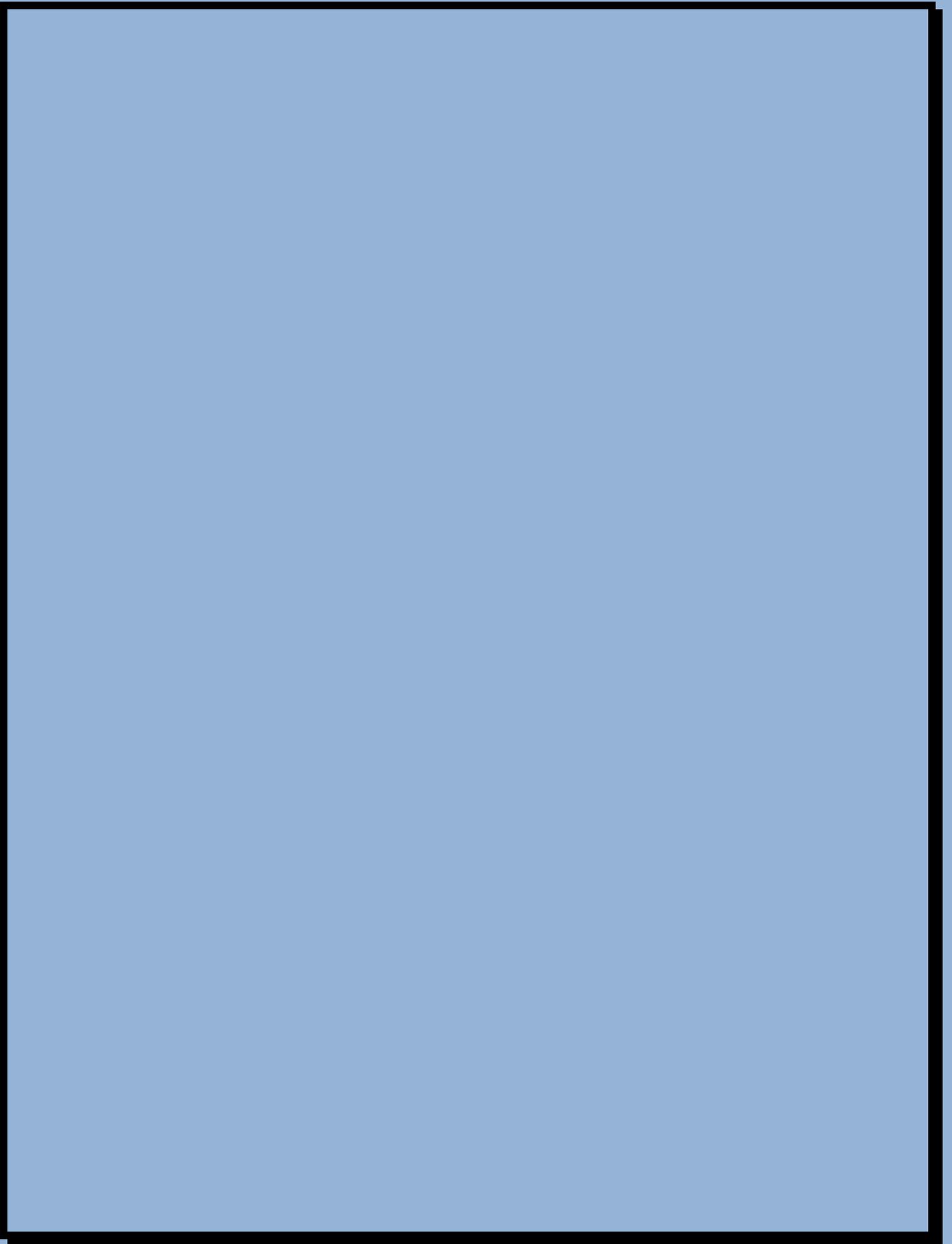
It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment promotes this by offering fair and reasonable regulations for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

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,

That the final action regarding zoning ordinance amendment ZA-19-02 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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

Department Reports



Smithfield Economic Development Implementation Activities APR/May 2019

1. BRE –A meeting was scheduled with Kent Denning with Carolina Packers for 16APR19. The intent of the meeting was to follow-up on information that we received during a previous visit and to deliver some information on Safety and OSHA training services. However, Kent called on the day of the scheduled visit with a family emergency and we agreed to reschedule the meeting the next few months.

Continued to follow-up with Greg Pari, the new manager of Penn Compression, to schedule a date for an introductory meeting. Greg stated that the combination of settling in at the plant and his required travel has put enormous pressure on his calendar. He asked for us to follow-up in a few weeks.

2. Internal/External Marketing – Met with Shanna and Randy Capps to discuss their proposal for marketing materials. After a discussion of content and page count, it was decided to go with a 24-page format. The town will provide the broad categories to be included in the materials and Shanna and Randy will do the bulk of the content development. The Capps will send print costs for various numbers of copies and then next steps will be identified.
3. Downtown Development/Brewery Attraction – The DSDC facilitated a tour of the building targeted for restaurant/brewery development with an architect and engineer to evaluate the facility vis-à-vis housing brewery equipment. The tour went well, and the results will be reported during the next working group meeting.
4. Product Development- met with Chris Johnson to discuss various issues associated with West Smithfield Industrial Park. Chris stated his desire to have the property rezoned. He has discussed this with the landowners, and they are supportive of the rezoning. He also noted that he had just responded to an RFP that had a building height of 52 feet. This would exceed the town's height restrictions. However, it is believed that the height restrictions are based on old fire fighting ability data and should be reexamined. This will be researched.
5. Retirement Development – Continue to maintain contact with the landowner who wants to develop a retirement community on one of his parcels. A meeting will be schedule with his project manager over the next several weeks to discuss the plans further and offer the town's assistance.

SMITHFIELD STRATEGIC PLAN IMPLEMENTATION-June 21 2019

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 attends Chamber meetings regularly	
		Commercial Realtors		Maintaining on-going contact with realtors.	
229		SEDAC		Maintaining on-going contact with SEDAC.	
		East Smithfield		Met with Tony Nixon to discuss needs, challenges, and opportunities in the community.	Received a listing of East Smithfield concerns submitted to the former town manager by the East Smithfield Improvement Organization.
		Business Community		Meeting with business community via BRE program.	Additional meetings with the business community are being scheduled via BRE activities.
Existing Business & Industry Support					
	Reestablish the Existing Industry Outreach Program				

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		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				
		Schedule visitations			Visitations are on-going.	Contacted several companies via phone to discuss the town's renewed emphasis on BRE.
						Continued phone conversation with Greg Pari, the new manager for Penn Compression. Seeking date for a meeting
						Follow-up meeting with Kent Denning of Carolina Packers to discuss issues identified during a previous meeting and to delivered Safety and OSHA training information, scheduled for 16APR19, will be rescheduled at his request.
		Determine Recognition Activities			Options discussed and being considered.	
New Business Recruitment						

ACTIVITY	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Attract new business investment and jobs	Identify needs of major companies in the County that Smithfield can capitalize on	JCED		Met with Chris Johnson and discussed business attraction and expansion issues, including product and workforce.	
				Met with Durwood Stephenson regarding an initiative that would be of great benefit to the town, and would assist in the recruitment of other businesses.	Met with Chris Johnson to discuss needs of new locations and expansions that are coming to the county. The number one need is product-buildings. Cold Storage facilities were identified as a specific need.
Town Image/Gateways	Gateways			Meetings to be scheduled in conjunction with Visioning/Branding and the development of the Strategic Communication Plan (SCP) to more fully discuss the issue.	Met with a developer who expressed developing a parcel located a one of Smithfield's gateways. The developer has been involved in many successful projects and what the vision he expressed for the property would greatly enhance the area and improve the aesthetics. We will follow up with the developer to identify ways that we can encourage him to make his vision a reality.
		East Smithfield - Tony Nixon		Tony Nixon of the East Smithfield Improvement organization was identified as the best person to contact re: to East Smithfield issues.	Information will be gathered on the different areas of the town, including East Smithfield, in the development of the SCP and Visioning/Branding efforts.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
			Business Community			
	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.	Received a draft strategic communications plan from Michelle Vaught, VP of Marketing for ElectriCities.
					A decision on what level of Visioning/Branding effort the town feels is appropriate will be made after a review of the SCP.	
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.	

ACTIVITY	Industrial Sites and Buildings	TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Increase the Town's product inventory	County and SEDAC		<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. Searching for other suitable properties for evaluations and inclusion in the town's product inventory</p>	<p>Discussed the recertification of the WH property with Stephen Wensman. Stephen raised several questions about the property such as current zoning in the land use plan, other uses of the property, and highway access. Further research and discussions will be conducted before moving forward on recertification.</p>
					<p>The town is partnering with Johnston County Economic Development on assembling properties for an industrial park that will then be certified. Five parcels lie within the town's corporate limits. Land owners will be contacted to secure the properties for the project.</p>	<p>Met with Chris Johnson to discuss the rezoning of the properties in the West Smithfield Industrial Park. Chris has discussed the rezoning with the landowners and they are in agreement. The town's height restrictions were also discussed and it was agreed that they need to be reexamined as they have the potential of eliminating West Smithfield from consideration by some projects.</p>

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
						The additional information requested by SHPO has been submitted and it is anticipated that final approval of certification of West Smithfield Industrial Park will be granted at the April Steering Committee meeting.
	Infrastructure Improvements	Golden LEAF Grant	Public Works Department- Johnston County		The county has received, or will receive grant funding for economic development related projects from the Golden LEAF Foundation. One of the projects identified is the extension improvement of water/sewer lines along the U.S. 70 corridor, which will serve the new industrial park. The GL Board will approve the projects at their April meeting.	Estimates for the number of jobs that West Smithfield Industrial Park could support and the average wage of those jobs are being prepared to be included in a follow up information request from the Golden LEAF in support of the grant.
Downtown Redevelopment						

ACTIVITY	Renovation and redevelopment of Downtown properties	Redevelopment of the former Town Hall	PARTNER	RESOURCES NEEDED	STATUS	NOTES
					The final report on the redevelopment of the Old Town Hall by the UNC SOG graduate student class was presented on 30NOV17.	Condemnation proceedings have been initiated on the property. It is still hoped that some scenario can be developed to ensure that the facility can be rehabilitated and become a positive for the town.
						Spoke with Bob Spence about what condemnation of the OTH means and the current status of the proceedings.
						Facilitated a meeting with the building owner, potential brewery owner/operators, and the DSDC to discuss the path forward. The meeting went well and a working group was created to push the project forward.
						Met with a businessman who had recently purchased a building in town to discuss the redevelopment of the property. In response to his inquiry, we recommended an engineer for an evaluation of the building.
Internal/External Marketing						
	Internal	Identify the Economic Development Program Spokesman			Tim Kerigan is the spokesperson for the Economic Development Program.	Met with the Chamber's Economic Development Committee to give an update on the town's economic development efforts.
		Develop a newsletter			Exploring options for newsletter.	

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
	External	Develop Marketing Materials			The marketing flyer has been reviewed and finalized, utilizing town staff resources.	The Electricities Smart Communities Grant Award was received and will be used to enhance the town's marketing materials.
	Internal/External	Strategic Communications Plan			Received a draft strategic communications plan, social media presentation, social media content calendar, and references to additional resources for social media.	Met with Shanna and Randy Capps of Johnston County Now to discuss their proposal for marketing materials and identified next steps.
Johnston Community College						
	Identify JCC needs that can be translated into economic development activities	Convene a meeting with JCC leadership to discuss opportunities for collaboration	JCC		Follow up meeting with Dr. Johnson and Dr. McGraw to continue earlier discussion and identify other areas of collaboration.	
Incentives						

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Review the Town's Incentives to assess the Town's competitiveness			A list of typical incentive practices was developed for consideration of incentive proposals for current and future prospects	Tim, Mike Scott, and Rocky discussed what options may be available for the redevelopment of the OTH. Incentives the town may be willing to consider for the project, the recruitment of a brewery, and other economic development projects were discussed.
Retirement Development		Determine interest in advancing this initiative				Continued to follow-up with a landowner interested in developing the property as a Retirement Community. A meeting will be scheduled with the project manager over the next several weeks to discuss the plans and offer the town's assistance.
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.	Met with Sarah Edwards and Mike Fleming to revisit Mike's idea of promoting redevelopment or renovation of housing in the areas near downtown. Several communities that have had success in this area were identified and the practices and methods that they used to achieve this success will be researched.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
						Tim, Stephen Wensman, and Rocky met with Brooks Moore, Construction Management Officer to discuss Smithfield Residential Development and new school construction.
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.	Reviewed a social media promotion that supported retail in a nearby community. It was decided to approach the Chamber to support a similar initiative to promote retail in Smithfield.
						Met with the Principles of Adventure Development to discuss their plans for the redevelopment/renovations of the Pine Needles Shopping Center. We offered in support for their efforts.
						Also met with the principles of Adventure Development to discuss their interest in developing a East Market Street parcel. The asking price is too high to make the project financially feasible. Some ideas that would mitigate the cost were discussed and we will follow-up on those strategies and get back to the developers.
Public Education						Tim, Stephen Wensman, and Rocky met with Brooks Moore, Construction Management Officer to discuss Smithfield Residential Development and new school construction.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES



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

BOARD ACTIONS REPORT - 2019

May

Town Council

Zoning Map Ammendments	0
Special Use Permit	4
Zoning Ordinance Amendments	0
Major Subdivisions	0
Annexations	0
Special Events	3
Site Plan	0

Planning Board

Zoning Map Amendments	1
Zoning Ordinance Ammendments	1
Major Subdivisions	0

Board of Adjustment

Variance	0
Admin Appeal	0

Historic Properties Commission

Certificate of Appropriateness	0
Historic Landmarks	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 May 2019

		Permit Fees	Permits Issued
Zoning	Land Use	900.00	10
Site Plan	Minor Site Plan	\$350.00	8
Zoning	Sign	\$300.00	6
	Report Period	\$1,550.00	24
	Fiscal YTD Total:	\$16,700.00	225

Z19-000065	Zoning	Sign	Lendmark	338 Venture Drive
Z19-000066	Zoning	Land Use	Hair Studio	22 Noble Street
Z19-000067	Zoning	Land Use	252 Kicks Shoe Store	1025 Outlet Center Dr. Ste 1257
Z19-000068	Zoning	Land Use	TNT Fireworks	1299 N. Brightleaf Blvd
Z19-000069	Zoning	Sign	TNT Fireworks	1299 N. Brightleaf Blvd
Z19-000070	Zoning	Land Use	DSPS LLC	1329 N. Brightleaf Blvd Ste B-1
SP19-000021	Site Plan	Minor Site Plan	Deacon Jones Lighting Plan	1115 N. Brightleaf Blvd
SP19-000022	Site Plan	Minor Site Plan	Class B Manufactured Home	6162 Swift Creek Rd
SP19-000023	Site Plan	Minor Site Plan	Class B manufactured Home	6162 Swift Creek Rd
SP19-000024	Site Plan	Minor Site Plan	Class B Manufactured Home	6162 Swift Creek Rd
SP19-000025	Site Plan	Minor Site Plan	Class B Manufactured Home. Lot 4	6162 Swift Creek Rd
SP19-000026	Site Plan	Minor Site Plan	Class B Manufactured Home	3382 NC 210 Highway
SP19-000027	Site Plan	Minor Site Plan	Temporary Construction Trailer	3457 Swift Creek Road
Z19-000071	Zoning	Sign	Smithfield Selma High School	700 Booker Dairy Rd
SP19-000028	Site Plan	Minor Site Plan	Class Manufactured Home	3974-H West US 70 Highway
Z19-000072	Zoning	Land Use	SFD Rehab	528 South Sixth Street
Z19-000073	Zoning	Land Use	Roof Mounted Solar Array	500 Turnage Road
Z19-000074	Zoning	Land Use	The Speight Law Firm	610 South Brightleaf Blvd
Z19-000075	Zoning	Land Use	Results Optimized International	226 East Market Street
Z19-000076	Zoning	Sign	Results Optimized International	226 East Market Street
Z19-000077	Zoning	Land Use	Finxera, Inc.	1559-A Booker Dairy Road
Z19-000078	Zoning	Sign	Walker Auto & Truck	926 N. Brightleaf Blvd
Z19-000079	Zoning	Sign	Beverage Destruction Service Inc	3175-A S. Brightleaf Blvd
Z19-000080	Zoning	Land Use	Dogwood Luxury Pat Salon	1202 Chestnut Dr



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING May 31, 2019**

I. STATISTICAL SECTION

Month ending May 31, 2019	May 2019	May 2018	Total 2019	Total 2018	YTD Difference
Calls for Service	1684	2051	8208	9322	-1114
Incident Reports Completed	144	138	699	709	-10
Cases Closed	100	88	479	493	-14
Accident Reports	83	85	366	362	4
Arrest Reports	92	92	451	520	-69
Burglaries Reported	9	6	31	28	3
Drug Charges	29	23	153	157	-4
DWI Charges	4	5	35	26	9
Citations Issued	135	288	829	1131	-302
Speeding	31	113	170	324	-154
No Operator License	19	56	194	234	-40
Registration Violations	18	43	99	194	-95

II. PERSONNEL UPDATE

The police department is currently short 5 positions currently. 2 officers are in field training and still waiting for paperwork from training/standards on two others which will make the agency on 3 positions short. Interviews for the three remaining positions will be held shortly

III. MISCELLANEOUS

Mandatory in-service training was continued in May, with most courses be completed on line. Officers yearly firearms training has been taking place at Howell Woods. The department had a booth and officers working at the yearly Ham and Yam Festival. Officers attended Cup of Joe with a Cop at the SRAC during May. We assisted with the Litter Sweep that was hosted by the Town.

REPORTED UCR OFFENSES FOR THE MONTH OF MAY 2019

PART I CRIMES	May	May	+/-	Percent	Year-To-Date		+/-	Percent
	2018	2019		Changed	2018	2019		Changed
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	0	0	N.C.	0	3	3	N.C.
ROBBERY	1	0	-1	-100%	6	5	-1	-17%
Commercial	0	0	0	N.C.	1	1	0	0%
Individual	1	0	-1	-100%	5	4	-1	-20%
ASSAULT	1	3	2	200%	12	34	22	183%
* VIOLENT *	2	3	1	50%	18	42	24	133%
BURGLARY	6	9	3	50%	26	29	3	12%
Residential	3	7	4	133%	13	22	9	69%
Non-Resident.	3	2	-1	-33%	13	7	-6	-46%
LARCENY	39	31	-8	-21%	183	125	-58	-32%
AUTO THEFT	2	1	-1	-50%	4	7	3	75%
ARSON	0	0	0	N.C.	0	0	0	N.C.
* PROPERTY *	47	41	-6	-13%	213	161	-52	-24%
PART I TOTAL:	49	44	-5	-10%	231	203	-28	-12%
PART II CRIMES								
Drug	23	18	-5	-22%	143	109	-34	-24%
Assault Simple	7	9	2	29%	54	35	-19	-35%
Forgery/Counterfeit	2	1	-1	-50%	16	12	-4	-25%
Fraud	4	4	0	0%	20	19	-1	-5%
Embezzlement	2	0	-2	-100%	3	1	-2	-67%
Stolen Property	1	1	0	0%	11	4	-7	-64%
Vandalism	7	5	-2	-29%	23	30	7	30%
Weapons	3	0	-3	-100%	12	1	-11	-92%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	1	0	-1	-100%	1	0	-1	-100%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	1	1	0	0%	2	4	2	100%
D. W. I.	6	4	-2	-33%	26	39	13	50%
Liquor Law Violation	0	0	0	N.C.	3	4	1	33%
Disorderly Conduct	2	0	-2	-100%	5	6	1	20%
Obscenity	0	0	0	N.C.	1	0	-1	-100%
Kidnap	0	0	0	N.C.	0	1	1	N.C.
All Other Offenses	7	38	31	443%	32	152	120	375%
PART II TOTAL:	66	81	15	23%	352	417	65	18%
=====								
GRAND TOTAL:	115	125	10	9%	583	620	37	6%

N.C. = Not Calculable



Town of Smithfield
Fire Department
May 2019

I. Statistical Section

Responded to	2019 May	May IN	May OUT	2018 May	2019 IN	2019 OUT	2019 YTD	2018 YTD
Total Structure Fires Dispatched	14	7	7	7	25	28	53	46
Confirmed Structure Fires (Our District)	6	3	3	2	3	3	15	16
Confirmed Structure Fires (Other Districts)	4	0	4	1	0	0	18	4
EMS/Rescue Calls	128	122	6	108	602	28	630	714
Vehicle Fires	0	0	0	0	2	1	3	12
Motor Vehicle Accidents	12	10	2	21	78	14	92	98
Fire Alarms (Actual)	11	11	0	7	47	2	49	51
Fire Alarms (False)	6	5	1	4	47	4	51	41
Misc./Other Calls	27	21	6	30	111	12	123	125
Mutual Aid (Received)	5	0	0	4	0	0	20	27
Mutual Aid (Given)	7	0	0	3	0	0	31	29
Overlapping Calls (Calls at the same time)	45	0	0	17	0	0	214	139
TOTAL EMERGENCY RESPONSES	194	172	18	177	908	87	981	1087

* 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**).

	May	YTD
Fire Inspections/Compliance Inspections	42	195
Public Fire Education Programs	5	14
Children in Attendance	340	796
Adults in Attendance	36	254
Plans Review Construction/Renovation Projects	1	18
Fire Code Citations	0	2
Fire Lane Citations	0	0
Consultation/Walk Through	22	45
Re-Inspections	4	41

II. Major Revenues

	May	YTD
Inspections	\$1,050.00	\$6,160.00
False Alarms	\$0.00	\$2,800.00
Fire Recovery USA	\$396.00	\$2,378.00
EMS Debt Setoff	\$456.29	\$2,482.84

Major Expenses for the Month:

III. Personnel Update:

IV. Narrative of monthly departmental activities:

- We participated in an Event or Fire prevention/Training program's in the month of May:
 - Litter Sweep
 - Ride For the Wall
 - Community Day at Smith-Collins Park
 - Kool Kids Sprinkler at South Smithfield Elementary
 - Kool Kids Sprinkler at Smith-Collins Park
 - Kool Kids Sprinkler at West Smithfield Elementary
 - After School Celebration at Smith-Collins Park
 - Grand Opening of the new Fire Training facility at J.C.C.

Appearance Commission May Monthly Report:

Tree Removal

- Dead Dogwood on S Second Street (between Rose and Parker) was removed from right of way.

Concrete Work in the Downtown Area

- Replaced two sidewalk panels beside SoDoSo restaurant with stamped concrete pours.
- Replaced two sidewalk panels on N 3rd Street beside the Johnston County Heritage Center.

Above locations are areas in downtown where street trees were removed from right of way.

Next Appearance Commission meeting is scheduled on Tuesday June 18th at 5:00pm. All meetings are held in the conference room at Town Hall.

**Town of Smithfield
Public Works Department
May 31, 2019**



186 Total Work Orders completed by the Public Works Department

3 Burials, at \$700.00 each = \$2,100.00

0 Cremation Burial, \$400.00 each = \$0.00

\$2,000 Sunset Cemetery Lot Sales

\$0.00 Riverside Extension Cemetery Lot Sales

431.01 tons of household waste collected

220 tons of yard waste collected

5.8 tons of recycling collected

Sold 1760lbs. of shredder steel

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
May 31, 2019



I. Statistical Section

- 3 _____ Burials
- 8 _____ Works Orders – Buildings & Facilities Division
- 17 _____ Work Orders – Grounds Division
- 47 _____ Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$2,000.00
Riverside Ext Cemetery Lot Sales:	\$0.00
Grave Opening Fees:	\$2,100.00
Total Revenue:	\$4,100.00

III. Major Expenses for the Month:

\$3,500.00 to Molina's tree service; removed two large Oak trees on S 4th Street near Baptist Church.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-way's, buildings and facilities. The Public Works Department safety meeting was on "Power Pruner Safety" led by Joey Price, Appearance Crew Leader.

**Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
May 31, 2019**



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. Assisted in the cleanup efforts with Ham & Yam Festival.
- c. Planned 100LF of uneven sidewalk panels.
- d. 600 Linear Feet of ditches were cleaned.
- e. 19 - Work Orders – 1,245lbs. of Cold Patch was used for 41 Potholes.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

\$28,612.81 to Ashville Ford for 2019 F 250 pickup, \$201,887.80 to JP Edwards for 50% draw on 18-19 Resurfacing Project.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting was on "Power Pruner Safety" led by Joey Price, Appearance Crew Leader.

**Town of Smithfield
Public Works Department
May 2019 Drainage Report**

Location: 9 Waddell Street.
 Starting Date: 5/1/2019
 Completion Date: 5/1/2019
 Description: Cleaned 100LF of ditch bank for positive drainage. Removed 3 loads of vegetation/obstructions from location.
 Man-hours: 12hrs.
 Equipment: Mini excavator, 420 Cat backhoe and 408 Flat bed.
 Materials: N/A

Location: 218 Johnston Street, N 2nd Street beside Wells Fargo bank, 502 Hancock Street, 414 S 2nd Street.
 Starting Date: 5/1/2019
 Completion Date: 5/1/2019
 Description: Planned 100LF of uneven sidewalk panels.
 Man-hours: 11.5hrs.
 Equipment: 402 pickup plus Gas planer.
 Materials: N/A

Location: 933 Rand Street.
 Starting Date: 5/2/2019
 Completion Date: 5/2/2019
 Description: Repaired two sinkholes in ditch bank.
 Man-hours: 2hrs.
 Equipment: 420 Cat backhoe and 401 pickup plus hand tools.
 Materials: 3 yards of fill dirt.

Location: College Road and MLK, 808 Martin Street, 2nd Ave lot beside 721, Right of Ways on Blount, 1108 Fuller Street, Riverside Dr, S 3rd beside Travel Odyssey, S 5th FEMA lots, Woodall and SBL, Blount Street across from Smith Collins Park, Outlet Center Drive, S 9th Street between Market and SBL, 808 NC 210, 665 NC 210, 307 Woodall, 115 E Riverside Drive, 406 Caswell, Ward Street and 2nd Ave, Martin Street, Broadway, Old Goldsboro Road, Collier, Rand Street, West Street, Blount and Lee Street.
 Starting Date: 5/2/2019
 Completion Date: 5/30/2019
 Description: Cut FEMA lots, East Smithfield Right of Ways and town owned lots.
 Man-hours: 73.5hrs.
 Equipment: New Holland tractor with side cutter, scag mowers Bobcat tractor plus bush hog, weed eaters and blower.
 Materials: N/A

Location: Downtown area.
 Starting Date: 5/3/2019
 Completion Date: 5/3/2019
 Description: Swept downtown for Ham and Yam Festival.
 Man-hours: 2hrs.
 Equipment: Street sweeper.
 Materials: N/A

Location: Woodsdale and Bookerdairy Road, Hamilton and Wilson Mills Road, Church and 7th, 407-408-412-415 S 2nd Street, 869-902 Berkshire Road, Hospital Rd and Berkshire, Daughtry and Wilson Mills Road, 230 N Equity Drive, 207 Meadowbrook, 31-59 Towbridge, Maple and Cherry, Longview and Brookside, Futrell Way and Fayetteville, MLK and Harris.

Starting Date: 5/3/2019
Completion Date: 5/24/2019
Description: Repaired 41 potholes.
Man-hours: 3.83hrs.
Equipment: 401 Pickup plus hand tools.
Materials: 20.75 bags of Perma Patch asphalt.

Location: Ham and Yam Festival.

Starting Date: 5/3/2019
Completion Date: 5/4/2019
Description: Delivered 59 traffic cones, 18 traffic barrels and 24 event containers for festival. Crews came in to assist in cleanup efforts after event.
Man-hours: 22hrs.
Equipment: Both trash trucks, Street sweeper plus hand tools.
Materials: N/A

Location: Dogwood Street ditch bank.

Starting Date: 5/8/2019
Completion Date: 5/9/2019
Description: Cleaned 200LF of ditch bank for positive drainage. 3 flatbed loads of debris/obstructions were removed from location.
Man-hours: 9hrs.
Equipment: 420 Cat backhoe, 408 flatbed plus hand tools.
Materials: N/A

Location: 1024 Cherry Street.

Starting Date: 5/9/2019
Completion Date: 5/9/2019
Description: Removed vegetation from ditch bank and blew out 100LF of driveway culverts. Hauled off 2 loads of debris/obstructions from location.
Man-hours: 13hrs.
Equipment: 420 Cat backhoe, 408 flatbed plus hand tools.
Materials: N/A

Location: Smith Collins Park.

Starting Date: 5/13/2019
Completion Date: 5/15/2019
Description: Cleaned ditch bank that runs behind park for positive drainage. Crew also clean cut vegetation around the outer portion of park.
Man-hours: 72.25hrs.
Equipment: Bobcat tractor, 420 Cat backhoe, New Holland tractor with side cutter.
Materials: N/A

Location: Smithfield Crossings.
Starting Date: 5/20/2019
Completion Date: 5/20/2019
Description: Relocated I-95 sign due to tree obstructions.
Man-hours: 6hrs.
Equipment: 420 Cat back hoe, 401 pickup plus hand tools.
Materials: N/A

Location: South Smithfield Alleyways.
Starting Date: 5/22/2019
Completion Date: 5/22/2019
Description: Repaired ruts in alley caused by trash trucks.
Man-hours: 21hrs.
Equipment: 420 Cat backhoe, 408 flatbed plus hand tools.
Materials: 3 yards of crush and run.

Location: 121 N 4th Street.
Starting Date: 5/22/2019
Completion Date: 5/23/2019
Description: Delivered 12 traffic cones and 6 event containers for Parking Lot Party.
Man-hours: 2.67hrs.
Equipment: 905 pickup plus trailer.
Materials: N/A

Location: Downtown district.
Starting Date: 5/24/2019
Completion Date: 5/24/2019
Description: Put up American flags for Memorial Day.
Man-hours: 5hrs.
Equipment: 402 pickup plus ladder.
Materials: N/A

Location: Pine and Old Goldsboro Road.
Starting Date: 5/28/2019
Completion Date: 5/28/2019
Description: Tree fell across roadway. Crew came in to remove debris and open road.
Man-hours: 10hrs.
Equipment: 420 Cat backhoe, 405 dump truck, knuckleboom truck plus hand tools.
Materials: N/A

Location: Smith Collins Park.
Starting Date: 5/25/2019
Completion Date: 5/28/2019
Description: Delivered 8 event containers for Community Day Fun Festival.
Man-hours: 2hrs.
Equipment: 317 pickup plus trash truck.
Materials: N/A

Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
May 31, 2019



I. Statistical Section

 2 Preventive Maintenances

 0 North Carolina Inspections

 26 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

Paid \$ 658.93 to Stage 3 Motor Sports for the purchase of a Hidden Winch Mount Kit for towing.

IV. Personnel Update:

None for the month.

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting was on "Power Pruner Safety" led by Joey Price, Appearance Crew Leader.

**Town of Smithfield
Public Works Sanitation Division
Monthly Report
May 31, 2019**



I. Statistical Section

The Division collected from approximately 4100 homes, 4 times during the month

- a. Sanitation forces completed 57 work orders
- b. Sanitation forces collected tons 431.01 of household waste
- c. Sanitation forces disposed of 110 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 0 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.69 tons of recyclable plastic
- h. Recycled 3400 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 4260 lbs. of plastics & glass (co-mingle) from the Convenient Site Center.

II. Major Revenues

- a. Received \$0 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$0
- c. Sold 1760 lbs. of shredder steel for \$74.80 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$3,366.00 for disposal of yard waste and debris.
American Tires Distributors was paid \$831.93 for sanitation truck 310.

IV. Personnel Update:

No new employees hired.

V. Narrative of monthly departmental activities:

May 3rd. the department worked closely with Sarah Edwards with "Ham & Yam Event" delivered 59 traffic cones 24 Event containers. May 18th. Litter Sweep provided Safety vest and trash bags and picker uppers for community cleanup day. May 21st Spring Parking lot Event at 121 N. 4th Street delivered 6 roll out containers. May 24th. Deliver 4 roll outs to Furlong Drive community center. May 24th. Provided traffic control devices and event containers for special events held at the Smith Collins Park. May 30th. Delivered 12 traffic cone for "Ava Gardner Event"

Safety meeting dealing with Joey Price on Pole saw safety. May 8, 2018.
Community Service Workers worked 32 hrs.



PARKS AND RECREATION

MONTHLY REPORT FOR MAY, 2019

PROGRAMS STATISTICS	MAY, 2019		MAY, 2018	
NUMBER OF PROGRAMS	12		14	
TOTAL ATHLETICS PARTICIPANTS	578		411	
TOTAL NON/ATHLETIC PARTICIPANTS	165		923	
NUMBER OF GAMES PLAYED	115		61	
TOTAL NUMBER OF PLAYERS (GAMES)	2732		1464	
NUMBER OF PRACTICES	30		34	
TOTAL NUMBER OF PLAYER(S) PRACTICES	384		408	
SARAH YARD COMMUNITY CENTER VISITS	278			
	MAY, 2019	18/19 FY YTD	MAY, 2018	17/18 FY YTD
PARKS RENTALS	40	401	39	242
USERS (PARKS RENTALS)	3548	20138	1555	18484
TOTAL UNIQUE CONTACTS	7,107		4,761	
	MAY, 2019	18/19 FY YTD	MAY, 2018	17/18 FY YTD
PARKS AND RECREATION REVENUES	\$ 15,182.00	\$ 75,416.00	\$ 5,237.00	\$ 80,327.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 77,709.00	\$ 670,689.00	\$ 66,951.00	\$ 610,121.00
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ -	\$ 112,168.00		\$ 133,807.00

HIGHLIGHTS

Hosted USSSA Girls Softball Tournament with 14 teams (1000+ visitors)



SMITHFIELD RECREATION AND AQUATICS CENTER

SRAC MONTHLY REPORT FOR MAY, 2019

PROGRAMS SATISTICS	MAY, 2019		MAY, 2018	
NUMBER OF PROGRAMS	26		26	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	4787		3275	
	MAY, 2019	18/19 FY YTD	MAY, 2018	17/18 FY YTD
SRAC MEMBER VISITS	4485	42081	5856	55689
DAY PASSES	1635	9630	1034	8355
RENTALS (SRAC)	47	596	83	7404
USERS (SRAC RENTALS)	5365	39414	5571	38641
TOTAL UNIQUE CONTACTS	16,272		15,736	
	MAY, 2019	18/19 FY YTD	MAY, 2018	17/18 FY YTD
FINANCIAL STATISTICS				
SRAC REVENUES	\$ 95,615.00	\$ 605,776.00	\$ 83,419.00	\$ 638,115.00
SRAC EXPENDITURES	\$ 101,869.00	\$ 845,453.00	\$ 66,061.00	\$ 791,327.00
SRAC MEMBERSHIPS	2608		3736	

HIGHLIGHTS

Alligator Steps Swim Program exceeded 2000 participants
Hosted 3 Basket ball tournaments (2500+ visitors)



SMITHEFIELD
NORTH CAROLINA
Utilities Department
Monthly Report
May 2019

- **Statistical Section**

- Electric CP Demand 27,734 Kw relative to April's demand of 19,523 Kw.
- Electric System Reliability for was 99.999%, with one (1) recorded outage; relative to April's 99.995%.
- Raw water treated on a daily average was 4.392 MG relative to 3.771 MG for April; with maximum demand of 5.650 MG relative to April's 4.278 MG.
- Total finished water to the system was 126.312 MG relative to April's 104.660 MG. Average daily for the month was 4.075 MG relative to April's 3.376 MG. Daily maximum was 5.109 MG (May 30th) relative to April's 3.848 MG. Daily minimum was 3.313 (May 4th), relative to April's 3.199 MG.

- **Miscellaneous Revenues**

- Water sales were \$218,076 relative to April's \$215,284
- Sewer sales were \$348,302 relative to April's \$358,346
- Electrical sales were \$1,177,669 relative to April's sales of \$1,237,731
- Johnston County Water purchases were \$186,346 for 93.173 MG relative to April's \$118,456 for 59.228 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$1,128,038 relative to April's \$871,069.
- Johnston County sewer charge was \$160,502 for 48.181 MG relative to April's \$275,764 for 82.038 MG.

- **Personnel Changes –**

- There were no changes in personnel in May



**Town of Smithfield
Electric Department
Monthly Report
May, 2019**

I. Statistical Section

- Street Lights repaired –19
- Area Lights repaired -6
- Service calls – 51
- Underground Electric Locates –169
- Poles changed out, installed or removed-11
- Underground Services Installed/Repaired -2

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- Utility Dept. had a two Safety meeting on Audiology testing & asbestos .

V. Miscellaneous Activities:

- Continuing conversion work on the south side of Town. (Holding St. to Wellons St.)
- Energized JCC transformer.
- Energized Outlet Store electrical vehicle charging station for Electrify America.
- Relocated/Replace equipment for better communication of the AMI Nexgrid system.
- Installed 4" conduit for Tesla Charging Station at Sheetz.
- Energized transformer for 200 Kellie Dr. Assisted Living Center.



WATER & SEWER

MAY 2019 MONTHLY REPORT

● DISCONNECT WATER	4
● RECONNECT WATER	3
● TEST METER	1
● TEMPORARY METER SET	0
● DISCOLORED WATER CALLS	6
● LOW PRESSURE CALLS	3
● NEW/RENEW SERVICE INSTALLS	6
● LEAK DETECTION	24
● METER CHECKS	45
● METER REPAIRS	20
● WATER MAIN/SERVICE REPAIRS	10
● STREET CUTS	10
● REPLACE EXISTING METERS	28
● INSTALL NEW METERS	10
● FIRE HYDRANTS REPAIRED	2
● FIRE HYDRANTS REPLACED	1
● SEWER REPAIRS	8
● CLEANOUTS INSTALLED	9
● INSPECTIONS	8

- SEWER MAIN CLEANED 3629LF
- SERVICE LATERALS CLEANED 670LF
- SERVICE CALLS 148
- LOCATES 174

- 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 OF MAY

- Corbett finishing redoing station #5.
- Corbett starting replacement of sewer lines in East Smithfield.
- JF Wilkerson finished Durwood Stephenson waterline project.

PERSONNEL UPDATES

- Will be conducting interviews for Pump Station Mechanic.
- Will be conducting interviews for Utility line Mechanic.

UPCOMING PROJECTS FOR THE MONTH OF JUNE

- Braswell will be continuing to work on Kellie Dr. water and sewer installation.
- McClung's will be starting the upgrades at SLS #5.
- Corbett will be continuing the sewer and water work in East Smithfield.

Hydrant Flushing

Smithfield Water Plant Distribution Sampling Site Plan

Street Name	Date	Chlorine	Time	Gallons	Psi	Street Name	Date	Chlorine	Time	Gallons	PSI
Stephson Drive	05/20/19	32	15	7965	10	North Street	05/30/19	3	15	17820	40
Computer Drive	05/20/19	3.4	15	31860	10	West Street	05/30/19	3.4	15	78030	50
Castle Drive	05/20/19	3.4	15	7965	10	Regency Drive	05/30/19	3	15	63720	60
Parkway Drive	05/20/19	3	15	63720	40	Randers Court	05/30/19	3	15	15930	40
Garner Drive	05/20/19	3.2	15	63723	40	Noble Street	05/30/19	3.2	15	15930	40
Hwy 210 LIFT ST.	05/20/19	3.2	15	15930	40	Fieldale Dr#1(L)	05/30/19	3.2	15	63720	40
Skyland Drive	05/20/19	3.4	15	7965	10	Fieldale Dr#2(R)	05/30/19	3.2	15	63720	40
Bradford Street	05/21/19	3.4	15	15930	10	Heather Court	05/30/19	3	15	15930	40
Kellie Drive	05/21/19	3.2	15	7965	10	Reeding Place	05/30/19	3	15	15930	40
Edgewater	05/21/19	3	15	7965	10	East Street	05/30/19	3.4	15	63720	40
Edgecombe	05/21/19	3	15	15930	40	Smith Street	05/30/19	3.2	15	63720	40
Valley Wood	05/21/19	3.2	15	63720	40	Wellons Street	05/30/19	1.2	15	63720	40
Creek Wood	05/21/19	3.2	15	63720	40	Kay Drive	05/16/19	1.2	15	38985	15
White Oak Drive	05/21/19	3.2	15	7965	10	Huntington Place	05/16/19	1.2	15	38985	15
Brookwood Drive	05/21/19	3.4	15	22515	5	N. Lakeside Drive	05/16/19	1.2	15	9750	15
Runnymede Place	05/21/19	3.2	15	31860	10	Cypress Point	05/16/19	1	15	34890	12
Nottingham Place	05/21/19	3.2	15	38985	10	Quail Run	05/16/19	1.2	15	8715	12
Heritage Drive	05/21/19	3.2	15	38985	10	British Court	05/16/19	1.4	15	8715	12
Noble Plaza #1	05/22/19	2.8	15	9750	10	Tyler Street	05/16/19	1.4	15	78030	60
Noble Plaza #2	05/22/19	3	15	9750	10	Yelverton Road	05/16/19	1.4	15	63720	40
Pinecrest Street	05/22/19	2.8	15	19500	10	Ava Gardner	05/16/19	1.4	15	63720	40
S. Sussex Drive	05/22/19	3.4	15	31860	10	Waddell Drive	05/23/19	3	15	7965	10
Elm Drive	05/22/19	3	15	9750	10	Henly Place	05/23/19	3.2	15	8715	12
						Birch Street	05/15/19	3.4	15	34890	12
Coor Farm Supply	05/22/19	3.2	15	7965	10	Pine Street	05/15/19	3.4	15	38985	15
Old Goldsboro Rd.	05/22/19	3.2	15	7965	10	Oak Drive	05/15/19	3.4	15	37695	14
Hillcrest Drive	05/29/19	3.4	15	31860	10	Cedar Drive	05/15/19	3.4	15	31860	10
Eason Street	05/29/19	3.2	15	38985	40	Aspen Drive	05/15/19	3.4	15	34890	12
Magnolia circle	05/29/19	3	15	78030	40	Furlonge Street	05/23/19	3.4	15	34890	12
Rainbow Drive	05/29/19	1.8	15	19500	60	Golden Corral	05/23/19	3.2	15	40290	16
Rainbow Circle	05/29/19	1.8	15	19500	60	Holland Drive	05/23/19	3.4	15	9750	15
Moonbeam Circle	05/29/19	1.8	15	19500	60	Davis Street	05/23/19	3	15	34890	12
Ray Drive	05/29/19	2.8	15	15930	60	Caroline Ave.	05/23/19	3	15	31860	10
Will Drive	05/29/19	2.8	15	63720	40	Johnston Street	05/23/19	3.2	15	38985	15
Michael Lane	05/29/19	3.4	15	63720	40	Ryans	05/23/19	3	90	9750	15
Ward Street	05/29/19	3.2	15	15930	40						

1282815 2260698

977883



MONTHLY WATER LOSS REPORT

MAY, 2019

(6) Meters with slow washer leaks

2" Meter with washers leaking

(3) ¾" Line, 1/8" hole – 1day

(3) 3/4" Line, 1/8" hole – 1week

¾" Line, 1/16" hole – 1day

(3) 2" Line, 1/8" hole – 1day

2" Line, 1/8" hole – 5days

(2) Fire Hydrant slow drip