



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

David Stevens

Travis Scott

David Barbour

Stephen Rabil

Roger A. Wood

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

## Town Council

## Agenda

## Packet

Meeting Date: Tuesday, November 10, 2020

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577





**TOWN OF SMITHFIELD  
TOWN COUNCIL AGENDA  
REGULAR MEETING NOVEMBER 10, 2020  
7:00 PM**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Approval of Agenda**

**Page**

**Presentations: None**

**Public Hearings:**

- 1. ZA-20-04 Town of Smithfield:** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Table 6.5 Table of Uses and Activities to allow for a Columbarium as an accessory use to Churches/Places of Worship with supplemental regulations in the O/I Office-Institutional Zoning District and adding two definitions to Appendix A.  
(Planning Director – Stephen Wensman) See attached information.....1
  
- 2. Bond Agreement Hearing for Johnson Court Apartments**  
(Town Manager – Michael Scott & Town Attorney – Bob Spence) See attached information...17
  
- 3. ZA-20-03 Town of Smithfield:** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Articles 3, 4, 5, 6 and 7 to allow conditional zoning, provide for quasi-judicial approvals of preliminary subdivision plats, adoption of Historic Preservation Commission regulations, incorporating 160D enabling legislation changes and corrections to text designed to reduce ambiguities and provide additional clarity.  
(Planning Director – Stephen Wensman) See attached information.....35

**Citizens Comments**

**Consent Agenda Items:**

- 1. Approval of Minutes:**
  - a. October 6, 2020 – Regular Meeting
  - b. October 6, 2020 – Closed Session (Under Separate Cover)
  - c. October 20, 2020 – Special Meeting
  - d. October 20, 2020 – Closed Session (Under Separate Cover).....49
  
- 2. Consideration and request for approval to promote a Utility Line Mechanic to the vacant Pump Station Mechanic position in the Public Utilities Water/ Sewer Department**  
(Public Utilities Director – Ted Credle) See attached information.....69
  
- 3. Consideration and request for approval to adopt the updated salary schedule**  
(Human Resources Director – Tim Kerigan) See attached information.....71
  
- 4. Consideration and request for approval to designate and install signage for “No through Trucks” on Britt Street.**  
(Chief of Police – R. Keith Powell & Town Manager – Michael Scott)  
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- 5. Bid Award to Deacon Jones in the amount of \$74,919.00 for the purchase of three 2021 Dodge Chargers for the Police Department**  
(Chief of Police – R. Keith Powell) See attached information.....85
  
- 6. Bid Award to Owens Roofing, Inc. in the amount of \$62,636.00 for the replacement of the roof at Fire Station No. 1**  
(Fire Chief – John Blanton) See attached information.....97
  
- 7. Bid Award to NexGen in the amount of \$106,700 and contract approval for the installation of AMI water meters in West Smithfield**  
(Public Utilities Director – Ted Credle) See attached information.....107
  
- 8. Consideration and request for approval to bring forward budget encumbrances from the 2019-2020 fiscal year to the 2020-2021 fiscal year**  
(Finance Director – Greg Siler) See attached information.....111
  
- 9. Consideration and request for approval of East River Phase II Final Plat (S-18-01)**  
(Planning Director – Stephen Wensman) See attached information.....117
  
- 10. Consideration and request for approval to adopt Resolution No. 668 (17-2020) accepting public dedication for S-18-01 East River Phase 2**  
(Planning Director – Stephen Wensman) See attached information.....133

**11. Consideration and request for approval to adopt Resolution No. 669 (18-2020) donating personal property to Smithfield Selma Senior High School**  
(Fire Chief – John Blanton & Town Clerk -Shannan Parrish) See attached information.....137

**12. New Hire Report**  
(HR Director/ PIO – Tim Kerigan) See attached information.....141

**Business Items:**

**1. Consideration and request for approval for Riverbank Refurbishment along the Greenway**  
(Town Manager – Michael Scott & Engineer – Bill Dreitzler) See attached information...143

**2. Consideration and request for approval of the Spring Branch Community restoration Project Contract with KCI**  
(Planning Director – Stephen Wensman) See attached information.....149

**3. Consideration and request for approval for Easement Amendment for Kamden Ranch**  
(Planning Director – Stephen Wensman) See attached information.....185

**4. Consideration and request for approval of a Social Media Policy for appointed board members and elected officials**  
(HR Director – Tim Kerigan & Town Manager – Michael Scott)  
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**Councilmember’s Comments**

**Town Manager’s Report**

- Financial Report (See attached information).....197
- Department Reports (See attached information).....201
- Manager’s Report (Will be provided at the meeting)

**Adjourn**



# Public Hearings





# Request for Town Council Action

**Public  
Hearing:** ZA-20-04  
**Date:** 11/10/2020

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**Subject:** Zoning Text Amendment  
**Department:** Planning  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

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## Issue Statement

Request to amend Article 6, Table 6.5 Table of Uses and Activities to allow Columbaria as an accessory use to Churches/Places of Worship in the O/I Office-Institutional Zoning District with supplemental regulations (Article 7) and add definitions to Appendix A.

## Financial Impact

None

## Action Needed

The Town Council is respectfully requested to hold a public hearing, review the zoning text amendment and to make a decision whether to approve, approve with changes, or to deny the request.

## Recommendation

Planning Staff and Planning Board recommend approval of the zoning text amendment ZA-20-04 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
4. Planning Board Minutes



# Staff Report

Agenda ZA-  
Item: 20-04

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## REQUEST:

Staff is requesting the amendment to Article 6, Table 6.5 Table of Uses and Activities to allow Columbaria as an accessory use to Churches/Places of Worship in the O/I Office-Institutional Zoning District with supplemental regulations (Article 7) and definitions in Appendix A.

## ANALYSIS:

A Columbarium is defined in GS 65-48 (8) as a structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of a deceased person. A Columbarium is typically associated with a cemetery and in fact, GS 65-48 (3) defines cemetery as:

*"Cemetery" means any one or a combination of more than one of the following in a place used or to be used and dedicated or designated for cemetery purposes:*

- a. A burial park, for earth interment.*
- b. A mausoleum.*
- c. A columbarium.*

Columbaria have increased in popularity as the costs of funerals and cemetery plots have increased. In response, many churches have been adding columbaria to their churches or church properties. The Town recently had an inquiry about adding a columbarium to a church and after researching the issue found that there are at least 2 columbaria already on church property in the O/I zoning district in town. The Episcopal Church has an urn plot in a small garden setting and the Presbyterian Church as an even larger columbarium. Staff has also discovered that St. Ann's Catholic Church is planning to construct a columbarium, however they are currently located in the B-3 zoning district. Upon research of other towns, there seems to be columbaria on church properties throughout Raleigh and in many other smaller towns across North Carolina and across the Nation. Some jurisdictions are regulating columbaria on church properties to address potential issues, such as:

- Internment of cremated remains require maintenance in perpetuity just as with a cemetery plat. A church with a columbarium could be abandoned at some future date leaving the fate of the deceased remains in question.
- The location of a columbarium adjacent to residential property could become a nuisance when there are ceremonies, or the columbarium is large.
- Internment of remains in a columbarium can be expensive, \$1200 or more, and could become a potential revenue source for a small congregation. Regulation on the size

of the columbarium might be needed so it does not become fundamentally a cemetery.

**DRAFT UDO AMENDMENT:**

The attached UDO Amendment would make columbaria accessory to churches and places of worship in the O/I Zoning District with supplemental regulations. The O/I District contains most of the Town's large places of worship and is where the existing columbaria are known to exist presently. The placement of columbaria with places of worship in the O/I District are unlikely to be a nuisance or cause problems for adjacent properties, unlike with places of worship located in residential districts. The amendment addresses the various columbarium situations: an indoor or outdoor columbarium, or an urn plot. The supplemental regulations include regulations to address long term maintenance costs and alternate plans for future interment, dimensional considerations, number of allowed interments, appearance, and signage. The ordinance amends Table 6.5 Table of Uses and Activities, Article 7 Supplemental Regulations, and Appendix A Definitions.

**CONSISTENCY STATEMENT (STAFF'S OPINION):**

Planning Staff and the Planning Board believe the zoning text amendment is consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

**RECOMMENDATION:**

Planning Staff and Planning Board unanimously recommended approval of the zoning text amendment ZA-20-04 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.

**RECOMMENDED MOTION:**

Staff recommends the following motion:

***"move to approve of zoning text amendment ZA-20-04, adding Columbarium as an accessory use to Churches/Places of Worship with supplementary standards and adding definitions to Appendix A, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."***

**DRAFT ORDINANCE # ZA-20-04**  
**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD**  
**UNIFIED DEVELOPMENT ORDINANCE**  
**ARTICLE 6, SECTION 6.5, TABLE OF USES AND ACTIVITIES, ARTICLE 7**  
**SUPPLEMENTAL REGULATIONS, AND APPENDIX A**

**WHEREAS**, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to allow columbarium as an accessory use to churches and places of worship in the O/I (Office Institutional) District; and

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

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

[Revise Article 6, Section 6.5, to allow columbarium as an accessory use to churches and places of worship in the O/I (Office Institutional), Article 7 adding supplemental regulations for columbarium, and Appendix A. Definitions, adding definitions for Columbarium and Urn Plots.

**PART 1**

**SECTION 6.5 TABLE OF USES AND ACTIVITIES.**

Accessory Uses/Buildings	R-20A	R-10	R-8	R-6	R-MH	PUDs	O/I	B-1	B-2	B-3	LI	HI	Supplemental Regulations
<u>Columbarium accessory to places of worship</u>							<u>PS</u>						<u>Section 7.35</u>

**PART 2**

**SECTION 7.35 COLUMBARIUM.**

A columbarium, an indoor or outdoor columbarium, an outdoor columbarium, or an urn plot, shall be permitted as accessory uses to Churches and Places of Worship accordance with Section 6.5 and subject to the following standards:

7.35.1. Any place of worship may establish an indoor columbarium, an outdoor columbarium, or an urn plot as an accessory structure as an accessory to its permitted use provided the following are submitted to the Planning Department and approved:

7.35.1.1. A site plan of the proposed area approved by the Planning Department where the columbarium or urn plots are to be located showing the location of each urn, the dimensions of the space, and a 20 foot access area for maintenance and visitation that has relatively flat and firm topography such that maintenance equipment could access the burial area;

7.35.1.2. A plan of perpetual care and maintenance trust fund to be available if the Institution closes or no longer operates the columbarium or urn plot which is segregated for just the columbarium or urn plot with funds retained from half the price of each space. The place of worship may spend annually from the fund 3% of the trust fund.

7.35.2. All Indoor Columbarium within the building of a place of worship must comply with the following physical requirements:

7.35.2.1. **Alternate Plan.** The Place of worship must present a plan with a dedicated outside area for internment of the urns in the event the place of worship ceases to operate or manage the columbarium.

7.35.3. All Outdoor Columbarium must comply with the following physical requirements:

7.35.3.1. **Location.** A columbarium must be located outside a building owned and occupied by a church or place of worship as defined by the Unified Development Ordinance, Appendix A

7.35.3.2. **Height.** Outdoor columbarium must be no higher than six (6) feet as measured from the average grade elevation where the columbarium meets the grade. An outdoor columbarium that is not visible from off-property public is not subject to the six (6) feet requirement and may be higher.

7.35.3.3. **Setback.** Columbarium structures shall meet the setback and yard requirements of the O/I Office/Institutional district.

7.35.3.4. **Appearance.** Columbarium shall be complementary or consistent in material and design with the primary structure.

7.35.3.5. **Signage.** Signage shall be limited to inscriptions on the face of a columbarium niche and commemorative plaque on the columbarium structure. Commemorative plaques may be no larger than 12 inches by 12 inches.

7.35.3.6. **Number.** The columbarium must have spaces for no more than 200 urns.

7.35.4. All Outdoor Urn Plots must comply with the following physical requirements:

7.35.4.1. **Location.** A columbarium must be located outside a building owned and occupied by a church or place of worship as defined by the Unified Development Ordinance, Appendix A

7.35.4.2. **Setback.** Outdoor urn plot structures shall meet the setback and yard requirements of the O/I Office/Institutional district.

7.35.4.3. **Appearance.** Urn Plot shall be complementary or consistent in material and design with the primary structure.

7.35.4.4. **Number.** The place of worship shall not provide urn plot spaces for more than 100 spaces.

7.35.4.5. **Signage.** Signage shall be limited to inscriptions on the face of a urns in the ground with one sign not exceeding 2 sq. ft.

**SECTION A.3 DEFINITIONS.**

**Columbarium**

A Columbarium is defined in GS 65-48 (8) and is so defined herein as a structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of a deceased person.

**Urn Plots**

Urn Plots in the ground are not defined by statute. Urn Plots are defined herein as urns set in the ground according to a predesigned and approved plot plan to contain cremated human remains.

**PART 4**

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 11 day of November 2020.

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M. Andy Moore, Mayor

ATTEST

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Shannan L. Parrish, Town Clerk

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
ZA-20-04**

**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-20-04 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the 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-20-04 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

**Petition for Amendment to the Unified Development Ordinance**

*Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.*

**APPLICANT INFORMATION:**

TOS	350 East Market Street
Petitioner's Name	Address or PO Box
Smithfield 27577	919-934-2116
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:  
 To allow columbarium as accessory to churches in the O/I District

(Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

	9/21/20
Signature of Petitioner	Date

**FOR OFFICE USE ONLY**

File Number: _____	Date Received: _____	Amount Paid: _____
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**Draft  
Town of Smithfield  
Planning Board Minutes  
Thursday, October 1, 2020  
Town Council Chambers  
6:00 PM**

Members Present:

Chairman Stephen Upton  
Vice Chairman Mark Lane  
Teresa Daughtry  
Michael Johnson  
Debbie Howard

Members Absent:

Alisa Bizzell  
Ashley Spain  
Doris Wallace

Staff Present:

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

Staff Absent:

**CALL TO ORDER**

**IDENTIFY VOTING MEMBERS**

**APPROVAL OF AGENDA**

Michael Johnson made a motion, seconded by Teresa Daughtry to approve the agenda.  
Unanimously approved

**APPROVAL OF MINUTES** from August 6, 2020

Mark Lane made a motion, seconded by Michael Johnson to approve the minutes as written.  
Unanimously approved

**NEW BUSINESS**

**ZA-20-03 Town of Smithfield** the applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance (UDO) Articles 3, 4, 5, 6 and 7 to allow conditional zoning, provide for quasi-judicial approvals of preliminary subdivision plats, adoption of Historic Preservation Commission regulations, incorporating of 160D enabling legislation changes and corrections to text designed to reduce ambiguities and provide additional clarity.

Mr. Wensman stated that conditional zoning was a negotiated approach to a legislative decision (rezoning) allows maximum flexibility to tailor regulations to a site and project. Essentially, it's like our PUD ordinance that is a type of conditional zoning that we already have. We will also change Major Preliminary Plat approvals from Administrative to Quasi-Judicial. This will allow the Town Council to conditionalize subdivision approvals and provide for public comment/expert comments.

This change will also allow developers to submit preliminary plats without complete engineered construction plans as currently required. The Town Council approval of plats will allow for conditions to be incorporated into the preliminary plat approval, such as requiring construction drawings conform to the UDO. As mentioned earlier, adopting 160D enabling legislation by July 1<sup>st</sup>, 2021. We also want to adopt the Historic Preservation Commission and its regulations into the UDO. Some of the key points for tonight are conditional zoning will follow the same process as rezoning. The Planning Board will review the rezoning's and make recommendation to the Town Council. For Special Use Permits and Preliminary Subdivisions; these are both Quasi-Judicial. The current draft before you have the same process for both Subdivisions and Special Use Permits. There will be noticed public meetings, so adjacent property owners will be notified. This will provide an opportunity for community involvement outside of the quasi-judicial process. The Town Council will hold the quasi-judicial hearing and the Planning Board will hold an informal hearing for people to talk. The developer will receive feedback, neighbors will be allowed to express their concerns and the Planning Board will be able to direct them to what you think is a more palatable project. The feedback will go to the developer but not to the Town Council.

Mr. Lane asked if this was for Special Use Permits only.

Mr. Wensman said no, this is for Preliminary Plats and Special Use Permits.

Mr. Lane said how about Conditional Zoning.

Mr. Wensman said Conditional Zoning is legislative and it's what we do now with PUDs.

Mr. Lane asked if the public would still be invited to attend.

Mr. Wensman said the current code doesn't have any notice requirements.

Mr. Upton asked why not.

Mr. Wensman said it just isn't in the code that way.

Mr. Upton asked could it be added to the code.

Mr. Wensman said it could be but it's not a Quasi-Judicial process at the Council so people can speak freely at the Council. Our concern was people didn't have a say in these decisions because their locked out of the process because they aren't expert witnesses. With a legislative decision they can conduct business at the Council.

Mr. Wensman said this board can make a recommendation to the Town Council that you want the same notification for all application types.

Mr. Lane doesn't want to make a recommendation he wants it added into the UDO. It was his understanding after the August 24<sup>th</sup> meeting with Town Council that the Planning Board would have public hearings for legislative cases. For Quasi-Judicial cases they would have a public forum. They

would listen to the people and Stephen would take something to the Town Council but the Planning Board wouldn't actually make a recommendation because it was Quasi-Judicial.

Debbie Howard said she thought it was decided that the Planning Board would have public hearings on about anything but we wouldn't make a recommendation. Stephen would then present the boards thoughts and feelings to the Town Council.

Mr. Wensman said yes for Quasi-Judicial I would. For legislative we never really talked about a hearing requirement. There's already a legislative hearing at Town Council.

Mr. Upton said in his opinion the August 24<sup>th</sup> meeting with Town Council was supposed to be an opportunity to come to a conclusion along these lines.

Mrs. Daughtry said she thought they were trying to shorten the waiting period for the applicants.

Mr. Lane said it doesn't bother him that an applicant has to wait an extra 30 days for the citizens to come out and make their comments twice. The citizens are who we're supposed to be representing.

Mrs. Daughtry agrees with the some of the things that will be done in house. She agrees with Mr. Lane about the public being heard but they want growth. Developers work on a timeframe and if we can't work fast, we lose them.

Mr. Lane asked when Town Council could hear the amendment before us tonight.

Mr. Helmer said next month. It requires 30 days between Planning Board and Town Council to meet the legal requirements for notification.

Mr. Upton said all this board is looking for is for is a hearing with the public showing up before this board with a notice.

Mr. Wensman said yes, a noticed hearing before this board on all applications.

Mr. Wensman got back to the key points of this meeting. He said in the current draft major final plats will be administratively approved; currently they go to Town Council. The public dedications will still go to Council. The Final Plat is just a stamp saying it looks the same as a Preliminary Plat. If for reason a final plat is denied and the denial is appealed, the appeal would be heard by Board of Adjustments.

The current draft reestablishing the R-6 zoning district as an active zoning district to which land could be rezoned to it. Right now, it's an historic district, it's a placeholder for existing R-6 districts that no one else can rezone land to.

Multi-family residential development currently requires a special use permit and there are no standards. Mr. Wensman was going to make this a permitted use with supplementary standards but since we're having similar hearings for Special Use Permits as we are for Rezoning it will require two

stops in both cases; there really isn't a reason not to keep it as a Special Use, providing Council control in shaping approvals in both cases.

Mr. Wensman said there are proposed changes to the Table of Uses and he would like many special uses turned into permitted uses with supplemental standards. He asked the board if there were any specific uses, they would like to see remain special uses.

Mr. Wensman said he would suggest this board request noticed meetings for all rezoning's and text amendments. He also suggests that the board request multi-family become a special use.

After further review, Mr. Wensman agrees that all quasi-judicial should be treated the same way for consistency in process. He's in full agreement that if we if we are going to have Planning Board quasi-judicial reviews of plats, it should be the same process for quasi-judicial special use permits.

Mr. Wensman stated that some members of the Planning Board could attend the Town Council meeting as long as they didn't have a quorum. No more than 3 could attend.

Debbie Howard made a motion to recommend approval of ZA-20-03 with the addition of noticed public meetings for rezonings and zoning text amendments finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adoptive plans and the amendment is reasonable in the public interest; seconded by Teresa Daughtry. 4 Yay and 1 Nay. Mark Lane voted against the motion because he was told Planning Board wouldn't hold public hearings for legislative matters.

Pam Lampe came forward and stated she didn't understand the conditional zoning. She asked could it be used in everything but residential zoning.

Mr. Wensman said it's a process where it is parallel to the existing district. So, all districts would be subject to that option.

Mrs. Lampe asked why even allow conditional zoning when you have existing zoning that protects you.

Mr. Wensman said it is least likely to impact existing neighborhoods unless you're on the edge of the Town. It is in the growth areas where this would likely be utilized most or for redevelopment.

Mrs. Lampe asked what other towns were doing as far as Conditional Use zones.

Mr. Wensman said most towns have a conditional zoning option and quasi-judicial subdivision processes.

Mrs. Lampe asked what a Special Use Permit and Conditional Zoning were.

Mr. Wensman said there is an extra degree of scrutiny over quasi-judicial hearing where the Council can add conditions to an approval. Special use permits are typically required for daycares, multi-

family and any use that could be problematic. Conditional Zoning is a rezoning, a legislative process. People can speak freely; it is not like a court proceeding. In government we have legislative, quasi-judicial and administrative type decisions. Administrative is typically done by staff, zoning decisions are legislative and special use permits and preliminary plats are typically quasi-judicial processes. Final plats are most often administrative.

Mrs. Lampe asked if anything in a conditional zone would be considered a special use.

Mr. Wensman said no, but they are similar in that conditions can be placed on both. Currently our code lists some uses as special uses requiring a special use permit. They are listed in the Table of Uses.

Mr. Helmer said an easy way to understand conditional zoning is that you get to see the plan with the rezoning request. If you don't like the plan you can deny it for any reason or can conditionalize the approval.

Mr. Wensman said you can't necessarily deny a special use permit but you can put conditions on it. You have to base decisions on findings of fact.

Mrs. Lampe said so you're saying you don't have to do findings of fact on conditional zoning.

Mr. Wensman said no, you can reject it for any reason.

Mrs. Lampe asked what do you get when someone submits a preliminary plat.

Mr. Wensman said a preliminary plat shows the lot lines, elevations and typical lot layouts.

Mrs. Lampe said the minutes from the legislative meetings should go to Town Council.

Mr. Wensman said quasi-judicial minutes can't go to Town Council but for everything else they will.

Emma Gemmell asked what HPC stood for.

Mr. Wensman said Historic Preservation Commission.

Mrs. Gemmell said from the State level down it is pro-development; it's not for citizens, individuals and communities that are older. She and Mrs. Lampe have tried to point out the older places in Smithfield that aren't necessarily in historic districts but they are smaller lots. They keep their houses looking nice. She thinks we need to continue being careful and allow the public to give input. When you do quasi-judicial you have expenses and the people, I'm talking about don't have that kind of money. They are having a hard time even paying their light bills. The harder and more complicated you make things; they won't show up if they need to. So, by allowing a longer window of time for the process to take place and making it more open; people will appreciate what the town is doing for them. If you cut them out, they don't even have a voice. I feel like that is happening now. She doesn't mind telling the Mayor that he is wrong when all that he wants is quick.

One issue that Mr. Wensman said there were no regulations for are the occupancy in a single-family home. She said in some homes specifically on Hancock Street, there may be 8 to 10 trucks at one residence.

Mr. Wensman said it's possible to control where people park. He thinks there can be driveways standards where they must be paved and people couldn't park all over the yard.

Mrs. Gemmell said appearance makes a big difference and nothing is being done about it. She does appreciate the notifications being sent; she thinks it is important for longer periods of time. The less you have quasi-judicial the more people can actually discuss and carry on a conversation. Unless you have some communication going on, they have no idea what is going on.

Mrs. Daughtry asked how far ahead does the public get a notice to the Planning Board meetings.

Mr. Helmer said 10 to 25 days.

Mr. Wensman said public hearings are held at Town Council meetings so the public gets a notice. Planning Board meetings don't require a public notice according to statute.

See page 4 for the voting of ZA-20-03

**ZA-20-04 Town of Smithfield:** The applicant is requesting an amendment to Article 6, Table 6.5 Table of Uses and Activities to allow columbarium as an accessory use to Churches/Places of Worship with supplemental regulations in the O/I Office- Institutional Zoning District and adding two definitions to Appendix A.

Mr. Helmer said staff is requesting the amendment to Article 6, Table 6.5 Table of Uses and Activities to allow columbarium as an accessory use to Churches/Places of Worship in the O/I Office-Institutional. Zoning District. A Columbarium is defined as a structure or building substantially exposed above ground intended to be used for the interment of the cremated remains of a deceased person. A Columbarium is typically associated with a cemetery and in fact, GS 65-48 (3) defines cemetery as: "Cemetery" means any one or a combination of more than one of the following in a place used or to be used and dedicated or designated for cemetery purposes:

- a. A burial park, for earth interment.
- b. A mausoleum.
- c. A columbarium.

The Town recently had an inquiry about adding a columbarium to a church and after researching the issue found that there are at least 2 columbaria's already on church property in the town. The Episcopal Church has an urn plot in a small garden setting and the presbyterian church as an even larger columbarium. Upon research of other towns, there seems to be columbarium on church properties throughout Raleigh and in many other smaller towns across North Carolina and across the Nation. Some jurisdictions are regulating columbaria on church properties to address potential issues, such as:

- Internment of cremated remains require maintenance in perpetuity just as with a cemetery plot. A church with a columbarium could be abandoned at some future date leaving the fate of the deceased remains in question.
- The location of a columbarium adjacent to residential property could become a nuisance when there are ceremonies, or the columbarium is large.
- Internment of remains in a columbarium can be expensive, \$1200 or more, and could become a potential revenue source for a small congregation. Regulation on the size of the columbarium might be needed so it does not become fundamentally a cemetery.

The attached UDO Amendment would make columbaria accessory to churches and places of worship in the O/I Zoning District with supplemental regulations. The O/I District contains most of the towns large places of worship and is where the existing columbaria are known to exist presently. The placement of columbaria with places of worship in the O/I District are unlikely to be a nuisance or cause problems for adjacent properties, unlike with places of worship located in residential districts. The amendment addresses the various columbarium situations: an indoor or outdoor columbarium, or an urn plot. The supplemental regulations include regulations to address long term maintenance costs and alternate plans for future internment, dimensional considerations, number of allowed interments, appearance, and signage. The ordinance amends Table 6.5 Table of Uses and Activities, Article 7 Supplemental Regulations, and Appendix A Definitions.

Debbie Howard asked if restrictions could be placed on these columbarium's in the event that 75 or 100 years from now the Church has been abandoned.

Mr. Wensman said well this is saying there would be a maintenance plan and a future internment plan should something happen to the columbarium.

Mrs. Howard asked if a restriction can be placed on the size of the columbarium.

Mr. Helmer said it is in the text here in your agenda in Section 7.35.

Planning Staff recommends the Planning Board recommend approval of the zoning text amendment ZA-20-04 with a statement declaring the request is consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Debbie Howard made a motion to recommend approval of zoning text amendment ZA-20-04, adding Columbarium as an accessory use to Churches/ Places of worship with supplementary standards finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest; seconded by Teresa Daughtry. Unanimously approved

Old Business: None

Adjournment

Being no further business, Debbie Howard made a motion seconded by Teresa Daughtry to adjourn the meeting. Unanimously approved

Next Planning Board meeting is November 5<sup>th</sup>, 2020 at 6pm.

Respectfully Submitted,

*Julie Edmonds*

Julie Edmonds  
Administrative Support Specialist

DRAFT



# Request for Town Council Action

**Bond  
Agreement  
for  
Johnson  
Court**  
**Public  
Hearing:**  
**Date: 11/10/2020**

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**Subject:** Bond Agreement for Johnson Court Apartments  
**Department:** General Government  
**Presented by:** Michael Scott, Bob Spence  
**Presentation:** Public Hearing

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## Issue Statement

Vitus is a development company that creates and renovates quality homes for families and seniors who need them. Vitas has acquired the Johnson Court Apartments at 2228 Kay Drive in Smithfield. The company is asking the Town to assist in filing documents so it can acquire bond funding for the renovations of Johnston Court Apartments.

## Financial Impact

There is no financial impact for the Town other than staff time. There is the possibility of additional revenues for our assistance.

## Action Needed

Approve the request for assistance.

## Recommendation

Approve the request for assistance.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Vitas Renovation Projects
3. NC Housing Finance Agency Letter
4. Photos of example repairs



# Staff Report

**Public  
Hearing:** **Bond  
Agreement  
for  
Johnson  
Court**

---

Vitus is a development company that creates and renovates quality homes for families and seniors who need them. Vitas has acquired the Johnson Court Apartments at 2228 Kay Drive in Smithfield. The company is asking the Town to assist in filing documents so it can acquire bond funding for the renovations of Johnston Court Apartments. They intend to utilize tax exempt bonds and the 4% Low Income Housing Tax Credit (LIHTC) to finance the rehab. Typically in North Carolina, housing authorities issue the tax exempt bonds. However, Smithfield Housing Authority has indicated that they do not wish to partake in this project. Therefore, Vitus is requesting assistance from the Town to complete this process.

This property has a history of poor management and security issues. Vitus' intention is to invest a significant amount of capital into the rehab of the property to improve the lives of the residents, extend the life of the building, and preserve affordable housing. As part of the rehab, they intend to improve security and ensure proper management and leasing protocols. Overall, we believe their proposed rehab will improve both the property and the surrounding area.

Johnson Court is part of a portfolio of 8 deals throughout the state of North Carolina Vitus is completing as one transaction. Burlington Housing Authority is issuing all of the bonds for the portfolio, but requires a sign off by the City or Housing Authority for each property to allow them to issue the bonds.

Bob Spence has been working with Vitus' Bond Attorney, Kristen Kirby of McGuireWoods LLP, to work through this process and verify that Smithfield has no legal obligation for any repayment of the bonds being solicited. Mr. Spence can better elaborate on the Town's responsibility during the council meeting. Ms. Kirby is also planning on attending the meeting.



# VITUS

## Highlighted Properties





## Company Overview

### ABOUT

Founded in 1996 by Stephen Whyte, Vitus acquires, protects and renovates affordable housing, creating vibrant, livable communities through thoughtful restoration based on Active Design principles.

Our approach offers residents access to healthier lifestyles by creating spaces for physical activity, community gardens, improved walkways and stairwells, and a variety of health, wellness, and education programs.

Vitus is dedicated to improving the lives of everyone we encounter in our daily work. Whether it's creating quality homes for families and seniors who need them, delivering financial benefit to investors or ensuring that our team has a high quality of life, Vitus is a company focused not on bricks and mortar or on spreadsheets but on people.

### PHILISOPHY

#### ***Doing well by doing good***

Others call it a double bottom line, but we just see it as the way the world works. Social impact and fiscal success are not only compatible, but they feed each other. Our team delivers results because they have a greater purpose.

### BY THE NUMBERS

**More than 25 years in business.**

**Over 100 properties developed**

**More than 25,000 residents served**

**\$1.4 billion invested**

**\$125 million in annual revenue**

### PARTNERS

**In order to make Vitus' vision possible, we partners with various prominent financial, construction, and affordable housing firms.**

Our partnership are listed below *(but are not limited to)*:  
Aegon, Alliant, Boston Capital, Boston Financial, Chase, Citibank, CREA, Community Engagement, Credit Capital, Fannie Mae, Freddie Mac, HUD, Home, Hunt Capital, IRHP, NCSHA, NH&RA, PGIM, PNC, R4 Capital, Raymond James, Regions, Sun Trust, Richman Group, Urban Land Institute, Wells Fargo



Property Overview

<u>Property Name</u>	<u>Property Address</u>	<u># of Units</u>	<u>Subsidy</u>	<u>Property Amenities</u>
<u>UNDER CONSTRUCTION</u>				
Heritage Park	7100 Snow Lane Charlotte, NC 28227	151	HAP contract on 50 units	<b>Proposed:</b> on-site leasing office, clubhouse, playground and a splash pad
Market North Apartments	111 Darlington Ave Wilmington, NC 28403	204	HAP Contract on 199 units	<b>Proposed:</b> community building, playground, on-site management and laundry facilities
Westlake Apartments	1900 Westlake Avenue Savannah, GA 31405	100	HAP Contract on 100 units	<b>Proposed:</b> community building, playground, on-site parking, playground, computer center and on-site laundry facilities
<u>UNDER AQUITION</u>				
SNAP Apartments I, II, & III	219 East Waldburg Street, Savannah, GA 31401	233	HAP Contract on 233 units	<b>Proposed:</b> on-site parking & in-unit laundry. Also near 30 acre Forsyth Park, with basketball and tennis courts, paths and historic fountain
Sandy Springs Apartments	3044 Bloomfield Drive Macon, GA 31206	74	HAP Contract on 74 units	<b>Proposed:</b> on-site leasing office and parking, playground, community pavilion, and on-site laundry
Green Meadows Town Homes	3867 Log Cabin Drive Macon, GA 31204	120	HAP Contract on 120 units	<b>Proposed:</b> on-site security and parking, playground, community pavilion, and on-site laundry
Hollywood Shawnee Apartments	1033 Hollywood Street NW Atlanta, GA 30318	112	HAP Contract on 81 units	<b>Proposed:</b> on-site leasing office and parking, playground, community pavilion, and on-site laundry



## UNDER RENOVATION



# Heritage Park Apartments

CHARLOTTE, NC



## FACTS

**Acquisition Date of Closing:** March 2019

**LIHTC dATE OF Closing:** November 2019

**Lender:** NEF (acquisition) & PNC (permanent)

**Investor:** Regions Bank

**LIHTC Award:** \$776,390

**Construction Contract:** \$55,948/unit

**Site Size:** 13.69 acres

**Construction Type:** 22 garden style buildings

**Property Type:** Family

**Amenities:** on-site management, playground and splash pad, community room and on-site laundry facilities

**Subsidies:** HAP Contract on 33% of units

Unit Mix	Units	SF
1 bed	1	670
2 bed	96	870
3 bed	54	1,170
<b>Total</b>	<b>155</b>	<b>147,370</b>



## SOURCES

Permanent Loan 1: **\$15,600,000**

Permanent Loan 2 & 3: 1,100,000

Deferred Developer Fee: 826,431

LIHTC Equity: 7,381,598

Other Equity: 800,727

**Total:** **\$25,708,756**



## USES

Property Acquisition: **\$10,200,000**

Closing Costs: 119,253

Construction Costs: 8,453,611

Other Construction Costs: 1,476,620

Reserves: 520,000

Developer Fee: 2,107,060

Other Fees and Costs: 2,832,213

**Total:** **\$25,708,756**

# Market North Apartments

Wilmington, NC



UNDER RENOVATION



## FACTS

**Acquisition Date of Closing:** July 2019

**LIHTC Date of Closing:** October 2019

**Lender:** R4

**Investor:** R4

**Construction Contract:** \$76,288/unit

**LIHTC Award:** \$1,596,166 annually

**Site Size:** 19.94 acres

**Construction Type:** 38 buildings

**Property Type:** Family

**Amenities:** On-site leasing office, community area/pavilion, , playground, and on-site parking

**Subsidies:** HAP Contract on 98% of units

Unit Mix	Units	SF
2 bed	104	810
3 bed	100	950
<b>Total</b>	<b>204</b>	<b>179,240</b>



## SOURCES

Permanent Loan **\$34,850,000**

LIHTC Equity 14,683,259

Deferred Developer Fee 483,555

**Total \$50,016,814**



## USES

Property Acquisition **\$23,600,000**

Closing Costs 310,682

Construction Costs 15,562,661

Other Construction Costs 2,845,621

Other Costs and Fees 3,889,646

Developer Fee 2,600,000

Reserves 1,208,257

**Total \$50,016,814**



# Westlake Apartments

SAVANNAH, GA



UNDER RENOVATION



### FACTS

**Date of Closing:** February 2019  
**Lender:** Citibank  
**Investor:** R4 Capital  
**Construction Contract:** \$69,976/unit  
**LIHTC Award:** \$671,736 annually  
**Site Size:** 8.8 acres  
**Construction Type:** 13 garden style buildings  
**Property Type:** Family  
**Proposed Amenities:** On-site management, Community room, playground, computer center and on-site laundry facilities  
**Subsidies:** HAP Contract on 100 % of units

Unit Mix	Units	SF
1 bed	10	616
2 bed	56	844
3 bed	30	1002
4 bed	4	1098
<b>Total</b>	<b>100</b>	<b>63,064</b>



### SOURCES

Permanent Loan: **\$7,600,000**  
 Deferred Developer Fee: 1,367,157  
 LIHTC Equity: 6,214,065  
 Other Credit Equity: 3,896,776  
**Total:** **\$19,077,999**



### USES

Property Acquisition: **\$6,400,000**  
 Closing Costs: 145,967  
 Construction Costs: 6,997,611  
 Other Construction Costs: 1,708,097  
 Financing Costs: 525,408  
 Developer Fee: 2,248,903  
 Reserves: 270,000  
 Other Fees and Costs: 782,013  
**Total:** **\$19,077,999**



# SNAP I, II, & III

SAVANNAH, GA



## FACTS

**Projected Date of Closing:** February 2019

**Lender:** Citibank

**Investor:** TBD

**Construction Contract:** \$85,500/unit

**LIHTC Award:** \$2,173,007 annually

**Site Size:** 6.54 acres

**Construction Type:** 56 one, two and three-story buildings

**Property Type:** Family

**Proposed Amenities:** On-site parking, in-unit washer/dryers

**Subsidies:** HAP Contract on 100 % of units

Unit Mix	Units	SF
Studio	7	
1 bed	29	
2 bed	92	
3 bed	77	
4 bed	28	
<b>Total</b>	<b>233</b>	

UNDER ACQUISITION



## SOURCES

Permanent Loan:	<b>\$33,000,000</b>
Deferred Developer Fee:	732,466
LIHTC Equity:	20,881,989
GA State LIHTC Equity:	12,885,920
<b>Total:</b>	<b>\$67,500,374</b>



## USES

Property Acquisition:	<b>\$34,000,000</b>
Closing Costs:	357,542
Construction Costs: Other	19,921,500
Construction Costs:	3,671,165
Financing Costs:	1,388,745
Reserves:	1,740,000
Developer Fee:	3,500,000
Other Fees and Costs:	2,921,422
<b>Total:</b>	<b>\$67,500,374</b>



## UNDER ACQUISITION



## Sandy Springs Apartments

MACON, GA



### FACTS

**Expected Date of Closing:** March 2020

**Expected LIHTC Closing:** June 2020

**Lender:** TBD

**Investor:** TBD

**Construction Contract:** \$52,000/unit

**Site Size:** 9.88 acres

**Construction Type:** 12 garden style buildings

**Property Type:** Family

**Proposed Amenities:** on-site leasing office, new playground, and outdoor pavilion with landscaping

**Subsidies:** HAP Contract on 100% of units

Unit Mix	Units	SF
2 bed	64	710
3 bed	10	893
<b>Total</b>	<b>74</b>	<b>54,370</b>

## UNDER ACQUISITION



## Green Meadows Townhomes

MACON, GA



### FACTS

**Expected LIHTC Closing:** June 2020

**Lender:** TBD

**Investor:** TBD

**Construction Contract:** \$55,000/unit

**Site Size:** 10.74 acres

**Construction Type:** 10 garden style buildings

**Property Type:** Family

**Proposed Amenities:** on-site leasing office, security gate, on-site security, new playground equipment, and a community pavilion with landscaping

**Subsidies:** HAP Contract on 100% of units

Unit Mix	Units	SF
1 bed	6	617
2 bed	60	932
3 bed	48	1,003
4 bed	6	1,317
<b>Total</b>	<b>120</b>	<b>115,668</b>

# Hollywood Shawnee Apartments

BRUNSWICK, GA



UNDER ACQUISITION



## FACTS

**Expected Date of Closing:** April 2020

**Expected LIHTC Closing Date:** July 2020

**Lender:** TBD

**Investor:** TBD

**Construction Contract:** \$45,000/unit

**Site Size:** 12.05 acres

**Construction Type:** 14 garden style buildings

**Property Type:** Family Proposed

**Amenities:** Community building, computer center, community garden and planters, and pavilion with outdoor seating

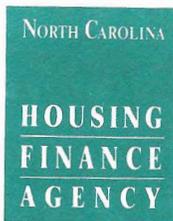
**Subsidies:** HAP Contract on 72 % of units

Unit Mix	Units	SF
1 bed	20	640
2 bed	76	778
3 bed	16	954
<b>Total</b>	<b>112</b>	<b>86,716</b>



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August 18, 2020

A self-supporting  
public agency

Johnson Court Housing Partners, LP  
1700 Seventh Ave, Suite 2000  
Seattle, WA 98101

Scott Farmer  
Executive Director

RE: Johnson Court Apartments  
Smithfield, Johnston County

PO Box 28066  
Raleigh, NC  
27611-8066

3508 Bush Street  
Raleigh, NC  
27609-7509

TEL. 919-877-5700  
FAX. 919-877-5701  
www.nchfa.com

The North Carolina Federal Tax Reform Allocation Committee (Committee) has reviewed the staff recommendation of the North Carolina Housing Finance Agency (Agency) on your application and, pursuant to Section 143-433.6 et seq. of the North Carolina General Statutes, has approved your request for allocation capacity totaling \$8,000,000 under the Unified Volume Limitations imposed by the tax-exempt bond Tax Reform Act of 1986, signed on October 27, 1986. This allocation is made from the 2020 annual resource and is made with the understanding that it is to be used for the project referenced above (Project). Any unused portion of the allocation will revert back to the statewide pool and private activity bond capacity for future allocations.

While neither the Committee nor the Agency purport to be engaged in the practice of law, and are unable to make any conclusion of the law, we certify that (a) the aggregate face amount of bonds in this issue, when added to the aggregate face amount of tax-exempt private activity bonds issued in the 2020 calendar year by authorities in North Carolina which have received an allocation of volume capacity from this Committee, does not exceed the 2020 Unified Volume Limitation for North Carolina, and (b) that based on facts now available, those bonds meet the requirements of Section 146 of the Internal Revenue Code and Treasury Regulation 1.149(e)-1(b).

This allocation of 2020 volume cap will expire on December 31, 2020.

In addition, as provided in Section 42(m) of the Code, the Project will be entitled to claim approximately \$474,584 in annual low income housing tax credits (Credits). The Committee finds that the Project meets the requirements of the 2020 Low-Income Housing Tax Credit Qualified Allocation Plan. The type of building(s) to which such Credits relate is Rehab. The actual Credit amount may be more or less, depending upon the applicable federal rate and qualified basis. This determination of eligibility for Credits is subject to the following conditions:

1. Submission of a final cost certification acceptable to the Agency and a copy of the recorded Low-Income Occupancy Extended Use Agreement.
2. Payment of a monitoring fee for this Project at the time of placement in service certification in the amount of \$1,200 per unit.

3. Submission to the Agency of confirmation that a representative of the Project owner and management agent have attended a low income housing tax credit compliance seminar sponsored by the Agency or a sponsor acceptable to the Agency.
4. Accuracy of the facts and compliance with representations contained in the Project's application as approved by the Agency.
5. Completion of the construction as depicted on the site layout, floor plan and elevations contained in the Project's application as approved by the Agency.

Failure to comply with any of the above conditions, unless waived in writing by the Agency, will preclude the Project from being eligible for Credits. The final allocation of Credits will be subject to review and analysis of the financial needs of the Project after the submission of final cost certification information to the Agency pursuant to Code Section 42(m)(2)(D).

**Owner:** Johnson Court Housing Partners, LP, a North Carolina Limited Partnership

By: AHI Johnson Court GP, LLC  
Its: General Partner

By: Affordable Housing Institute,  
Inc.  
Its: Sole Member

By:  Date: August 31, 2020  
Name: Bryan C. Hartnett  
Its: President

Committee:   
Chris Austin, Administrative Agent for  
North Carolina Federal Tax Reform Allocation Committee  
Date: SEPT 14, 2020













# Request for Town Council Action

**Public  
Hearing:** ZA-20-03  
**Date:** 11/10/2020

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**Subject:** Zoning Text Amendments to Articles 3, 4, 5, 6 and 7  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Public Hearing

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## Issue Statement

Staff has prepared and is requesting the Town Council hold a public hearing and to review a proposed UDO Amendments to Articles 3, 4, 5, 6 and 7 in order to allow conditional zoning, to provide for quasi-judicial approvals of subdivision preliminary plats, to adopt Historic Preservation Commission and regulations, to incorporate the 160D enabling legislation changes, and to fix errors, ambiguities.

## Financial Impact

None

## Action Needed

To review of proposed UDO Amendments to Articles 3, 4, 5, 6 and 7 and to decide whether to approve, approve with changes, or deny the requested amendment to the UDO.

## Recommendation

Staff and the Planning Board recommend approval of ZA-20-03 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 UDO Amendments, Articles 3, 4, 5, 6 and 7 (Separate Attachments)
3. Draft Ordinance
4. Consistency Statement
5. Application
6. UDO Benchmarks Table



# Staff Report

Public Hearing: ZA-20-03

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## REQUEST:

Planning Staff is respectfully requesting that the Town Council hold a public hearing and consider approval of the draft amendment to the Town of Smithfield Unified Development Ordinance (UDO) Articles 3, 4, 5, 6 and 7 in order to allow conditional zoning, to provide for quasi-judicial approvals of subdivision preliminary plats, to adopt Historic Preservation Commission and regulations, to incorporate the 160D enabling legislation changes, and to fix text errors, ambiguities and provide clarity to some sections.

## ANALYSIS:

The proposed UDO amendment to allow conditional zoning, to provide for quasi-judicial approvals of subdivision preliminary plats, to adopt Historic Preservation Commission and regulations, and to incorporate the 160D enabling legislation changes into the UDO requires changes to Articles 3, 4, 5, 6 and 7. The intent of the amendment is to:

- Allow for Conditional Zoning option as a parallel zoning district to each of the primary zoning districts. Conditional Zoning is a negotiated approach to a legislative decision (rezoning) allows maximum flexibility to tailor regulations to a site and project. Conditional Zoning Districts are zoning districts in which all the site-specific standards and conditions are incorporated into the zoning district regulations. Our current PUD regulations are a form of conditional zoning for mixed use developments. Conditional Zoning is a similar process but for developments that are not mixed use. The conditional zoning can only be for a land use that is permitted in the primary zoning district and the only the land use shown on the approved site plan.
- Change Major Preliminary Plat approvals from Administrative to Quasi-Judicial. This will allow the Town Council to conditionalize subdivision approvals and provide for public comment/expert comments. This change will also allow developers to submit preliminary plats without complete engineered construction plans as currently required. The TC approval of plats will allow for conditions to be incorporated into the preliminary plat approval, such as requiring construction drawings conform to the UDO.
- Adopt required changes to the UDO as a result of changes to the new combined enabling legislation both Counties and Towns, 160D. 160D requires Towns to adopted 160D changes into local regulations no later than July 1, 2001. The changes affects

all Articles of the UDO; but only those in Articles 3 ,4, 5, 6 and 7 are being addressed at this time.

- Adopt HPC and regulations into the UDO. These were left in the Town’s Administrative Code and left out of the UDO when the Planning Board and Board of Adjustments were moved to the UDO.

### **Key Points.**

1. Conditional Zoning will follow the same process as rezonings. The Planning Board will review the rezoning (Conditional Zoning) and make recommendations to the Town Council.
2. For Special Use Permits and Preliminary Subdivisions, the current draft provides for the same process at the Planning Board for all quasi-judicial applications. Noticed public meetings will be conducted at the Planning Board to provide an opportunity for community involvements outside of a quasi-judicial hearing and to provide feedback to the developer without ex-parte communication to Council.
3. What should the expiration of abandoned Special Uses be? As drafted, if a special use ceases for 6-months or more, the special use is void. This would help the Town eliminate many non-conforming sites, such as used car dealerships.
4. What land uses should be permitted, permitted with standards, special uses and special uses with standards in Table 6.5.
5. In the current draft, Major Subdivision Final Plats be administratively approved by Staff with appeals to BOA. Public dedications will require Council approval.
6. In the current draft, the R-6 Zoning District will be activated, reversing a previous policy, in order to accommodate market demand for smaller lots. The South 2nd Street lot development by Civitan Field is a recent example of R-6 development.
7. Multi-family residential development currently requires a special use permit with no standards. The current draft makes Multi-Family a permitted use with supplementary standards. STAFF WANTS TO AMEND THIS TO KEEP AS A SPECIAL USE, but with supplementary standards.
8. The current draft includes many new Supplementary Standards (Article 7). These need to be carefully reviewed. What additional standards are needed?
9. Article 8, Section 8.13, has been updated since the PB packet was delivered.

## **Summary of Amendment.**

### **ARTICLE 3:**

Article 3 addresses the administrative, legislative and quasi-judicial authority under the UDO. The proposed changes to the UDO include:

- Throughout the Article references to state statute were updated as related to 160D.
- 3.1.2.9. Deletes UDO Administrator's duty to provide nonconforming determinations of expansion of nonconforming uses and structures in anticipation of a future update to Article 9.
- 3.1.2.9. Adds duty to maintain records of the HPC.
- 3.2. Updates Ethics section as required with legislative enabling legislation 160D.
- 3.3.3. Updates Planning Board composition and vacancies as required with legislative enabling legislation 160D.
- 3.3.4.12. Adds to the Planning Board's duties a review of quasi-judicial applications as requested by the Planning Board and Town Council.
- 3.4.2.1. Updates reference to state statutes as required with legislative enabling legislation 160D.
- 3.4.2.2. Updates membership of the BOA as required with legislative enabling legislation 160D.
- 4.4.2.4. Updates Quorum and Voting of BOA as required with legislative enabling legislation 160D.
- 3.5 Inserts updated HPC regulations into the UDO (it was formerly in the Town's Administrative Code and was not moved when the UDO was update in 2016).
- 3.6.1. Adds quasi-judicial review of major subdivision plats to the Town Council's authority.
- 3.6.2. Adds conditional zoning to the Town Council's legislative authority.
- 3.6.4. Cleaned up text errors.

### **ARTICLE 4:**

Article 4 addresses Legislative and quasi-judicial procedures in the UDO. Proposed changes include:

- Throughout the Article references to state statute were updated as related to 160D.
- 4.1.1. Add a summery table for required permits/approvals and process type (Admin./Legislative/Quasi-Judicial).
- 4.2. Includes updates as required with legislative enabling legislation 160D.

- 4.2.1. Strikes 45-day requirement for Town Council or BOA hearing after application submittal. The timeline was not feasible currently or under amended UDO.
- 4.3.2.1. Includes a 160D update about notice requirements.
- 4.3.2.3. Updates reference to state statutes related to 160D.
- 4.3.3. Updates the notice and public hearing section to include conditional zoning and preliminary plats and to address 160D requirements.
- 4.4. Updates expiration of permits by referencing state statutes and expirations of SUPs, including expirations of SUPs if use ceases for 6 months.
- 4.6.3. Adds noticed public meetings to the Planning Board actions.
- 4.6.4.1. Clean up of text.
- 4.6.4.6.3. Addresses changes related to 160D.
- 4.6.4.7. Adds Conditional Zoning/PUD procedures.
- 4.7. Updates vested rights references to statutes and procedures for plats, SUPs and site-specific CZ/PUD plans.
- 7.9.3.1. Clean up UDO, there are no alternates for Town Council.
- 4.9.3.5. Updates Special Use findings of fact requirements.
- 4.10. Updates reference to state statutes and updates voting requirements of the BOA.
- 4.11. Adds procedures section for preliminary subdivision plats.
- 4.12.1.2 Adds regulations for transmitting materials to various parties.

## **ARTICLE 5:**

Article 5 establishes the development review process including subdivisions. In order to incorporate quasi-judicial review of major subdivision preliminary plats and to accurately describe the development review process the text changes are proposed and the order of the sections have been changed. The changes include:

- Throughout the Article references to state statute were updated as related to 160D.
- 5.3. Add conditional zoning and clean up text.
- 5.5. Add Major Subdivision Final Plats to Administrative approvals.
- 5.5.1. Update Admin Approval Flow chart to include Major Subdivision Final Plats
- 5.5.2. Provide clarifications in the text.
- 5.5.3. Delete section because it is out of sequence.
- 5.5.5. Added a process section for Minor Subdivisions.
- 5.5.6. Added a process section for Major Subdivision Final Plats.
- 5.6. Moved Site Plan Requirements from subdivision section. Subdivision requirements are in Article 10.

- 5.7. Updated Major Subdivision Plats Section for quasi-judicial preliminary plat review and administrative final plat review.
- 5.7.3. Updated the flow chart accordingly.

## **ARTICLE 6:**

Article 6 establishes the Town’s Zoning Districts and allowed uses within each district. Changes include:

- Throughout the Article references to state statute were updated as related to 160D.
- 6.3.3. Removed irrelevant text – PUDs are a zoning district.
- 6.3.4. Delete the prohibition to new R-6 rezonings. The smaller lots are currently desired in the marketplace for both developers and home buyers.
- 6.3.5. Delete two-family dwellings from description of R-MH District and deleted text about multifamily and manufactured home parks as special uses. The table of uses dictates what uses are special uses.
- 6.3.6. Deleted PUD as a Primary Zoning District in order to move it to a Conditional Zoning District section.
- 6.3.10. and 6.3.11. Add text to distinguish light industrial from heavy industrial.
- 6.3.13. Deleted AD District. There is no land zoned for AD in the Town or ETJ. The airport will be within an Airport Overlay District setting regulations for use and height in the airport safety zones.
- 6.3.14. Deleted the OS District. There is no land zoned for OS and there are no regulations for OS.
- 6.4. Added Conditional Zoning Districts section with descriptions of the two types of conditional zoning districts, CZ Districts and PUD.
- 6.5.3. and 6.5.4. Added description to Watershed Districts
- 6.4.5. Added AHH Overlay. The current airport master plan process will produce model ordinance language to be adopted by the Town to reduce the potential for airport hazards.
- 6.4.6. Create HO Overlay. This overlay district is mapped, but there are no district regulations in the UDO.
- 6.5. Amend uses in the Table of Uses, reducing the number of special uses by adding more rigorous supplementary standards for permitted uses and to encourage more conditional zoning. Also removing PUD, AD, AHH, OS RHO and ECO from the table of uses. The site-specific plan for PUDs identifies the uses and Overlay districts provide a layer of additional regulation over the primary zoning district uses.
  - Key changes:
    - Churches/Places of worship are permitted in all primary zoning districts to comply with RLUIPA.

- Parks and playgrounds and recreation facilities are permitted uses, rather than special uses. These are typically approved with development or are Town projects. The Town can hold informational meetings with neighborhoods to shape the development of these facilities.
- Multi-family will remain a special use, but with standards. The standards are intended to be rigorous, to encourage most developers to choose Conditional Zoning to negotiate standards with a site-specific plan.
- Licensable facilities will be permitted uses with standards rather than special uses.
- Vehicle storage in conjunction with repair has been deleted as a use and new standards for vehicle storage has been incorporated into the Automobile Repair and Automobile Painting and Body Shop supplementary standards.
- Bars and Nightclubs will be the new term for private clubs, establishments that serve alcohol without food.

## **ARTICLE 7:**

Article 7 provides supplementary standards for specific land uses. With the adoption of conditional zoning, many land uses that were special uses are to be permitted with strict supplementary standards (typical of conditions that would be placed on the land use) with the intent that the strict standards will create more conditional rezonings with site-specific plans which give the Town Council an ability to shape development in a legislative decision making process.

Changes to Section 7 include:

- 7.2. Require/clarify the requirement for concrete curb and gutter between the building and the public street and other paving requirements. Allows gravel paving to the side and rear of the industrial development.
- 7.3. Updates Accessory Structure section. Allows 2 accessory structures on properties greater than ½ acre in size in the R20A District.
- 7.5.2. Adds new standard for Accessory Dwelling Units in the B-1 District. This was developed in coordination with the DSDC.
- 7.13. Updated Temporary Office Units/Modular Office Units. Temporary Uses throughout this Article have been rewritten.
- 7.15. Fairgrounds was not a standard, but rather a definition; therefore, it was moved to Appendix A- Definitions.
- 7.22. Strengthened and clarified standards for Automobile Service Stations; Gas Pumping Stations.

- 7.27 Street vendors was deleted. This is already in the Town's Administrative Code.
- 7.30 Temporary Uses section was reworked.
- 7.34. Cluster Development regulations were updated including a prohibition to stormwater SCMs within required open space.
- 7.35. Created standards for Multi-family Residential.
- 7.36. Created standards for Animal Hospital/Veterinarians.
- 7.37. Created standards for Drive-in Facilities.
- 7.38. Created standards for Automotive Repair.
- 7.39. Created standards for Car Washes.
- 7.40. Created standards for Mini-storage.
- 7.41. Created standards for Outdoor Storage.
- 7.42. Created standards for Assembly uses/Event Centers.
- 7.43. Created standards for Public Utility Pump Station/ Utility Substation/ Switch stations which adds a screening requirement.
- 7.44. Created standards for outdoor vehicle storage, sales and display.
- 7.45. Created standards for Flea Markets.
- 7.46. Created standards for Kennels.
- 7.47. Created standards for Bed and Breakfasts.

**ORDINANCE # ZA-20-03**  
**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD**  
**UNIFIED DEVELOPMENT ORDINANCE**  
**ARTICLES 3, 4, 5, 6 AND 7**

**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 provide for quasi-judicial approvals of subdivision preliminary plats, to adopt Historic Preservation Commission and regulations, to incorporate the 160D enabling legislation changes, and to fix errors, ambiguities.

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

**NOW, THEREFORE**, be it ordained that:

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

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

Duly adopted this the \_\_\_\_ day of \_\_\_\_\_ 2020.

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

ATTEST

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk

**EXHIBIT A**  
**Includes the following attachments:**

UDO Amendments to Articles 3, 4, 5, 6 and 7

DRAFT

**THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
ZA-20-03**

**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-20-03 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the 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-20-03 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

**Petition for Amendment to the Unified Development Ordinance**

*Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.*

**APPLICANT INFORMATION:**

<b>Town of Smithfield</b>	<b>PO Box 761</b>
Petitioner's Name	Address or PO Box
<b>Smithfield, NC 27577</b>	<b>919-934-2116</b>
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:  
 Amendments to Articles 3, 4, 5, 6 and 7 to allow conditional zoning, to allow for  
 quasi-judicial approvals of preliminary plats, to incorporate the 160D enabling legislation  
 (Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

\_\_\_\_\_  
 Signature of Petitioner

**10/29/2020**  
 \_\_\_\_\_  
 Date

**FOR OFFICE USE ONLY**

File Number: **ZA-20-03**      Date Received: \_\_\_\_\_      Amount Paid: \_\_\_\_\_

	Clayton	Apex	Selma	Garner	Holly Springs	Benson
<b>60' wide/6000 sq. ft lots</b>	50' /6000 sq. ft.	40' lots no min sq. ft.	50'/8000 sq. ft.	60'/9000 sq. ft.	60'-8000 sq. ft. but Code has development option allowing 50' - 5000 sq. ft.	50'-6000 sq. ft.
<b>SUP process</b>	Neighborhood Meeting /TC quasi-judicial hearing- PB has no role in process	Neighborhood Meeting /TC quasi-judicial hearing- PB has no role in process		PB reviews application for sufficiency , then referred to TC for SUP quasi-judicial hearing.	Planning Board review and recommendation/TC Quasi-judicial hearing	Neighborhood Meeting/PB review & recommendation/TC approval
<b>Preliminary Plat Subdivision Process</b>	Neighborhood Meeting with Developer/Quas-Judicial TC Hearing - PB has no role in process		Planning Board review no recommendations/TC quasi-judicial hearing	Preliminary Plats are processed as SUPs (quasi-judicial). PB reviews application for sufficiency , then referred to TC for SUP quasi-judicial hearing.	Planning Board review and recommendation/TC Quasi-judicial hearing & administrative approvals depending on development type (Subject to change with UDO update)	Neighborhood Meeting/PB review & recommendation/TC approval
<b>Final Plat Process</b>	Administrative by Staff with Council approval of Public Dedications	Administratively approved	Administrative approval by Staff- appeals to Town Council	Administrative approval by Staff- appeals to Town Council	Administrative by Staff	



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

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## **Notice Of Public Hearings**

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, November 10, 2020 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

**ZA-20-03 Town of Smithfield:** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Articles 3, 4, 5, 6 and 7 to allow conditional zoning, provide for quasi-judicial approvals of preliminary subdivision plats, adoption of Historic Preservation Commission regulations, incorporating 160D enabling legislation changes and corrections to text designed to reduce ambiguities and provide additional clarity.

**ZA-20-04 Town of Smithfield:** The applicant is requesting an amendment to the Town of Smithfield Unified Development Ordinance, Article 6, Table 6.5 Table of Uses and Activities to allow for a Columbarium as an accessory use to Churches/Places of Worship with supplemental regulations in the O/I Office-Institutional Zoning District and adding two definitions to Appendix A.

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

**Run legal “ad” in the Johnstonian News on 10/28/2020 and 11/4/2020**

# Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, October 6, 2020 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

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

Councilmen Absent

Administrative Staff Present

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

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

Also Present

Bob Spence, Town Attorney  
Bill Dreitzler, Town Engineer

Administrative Staff Absent

**CALL TO ORDER**

Mayor Moore called the meeting to order at 7:04 pm.

**INVOCATION**

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

**APPROVAL OF AGENDA:**

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

Add to the Consent Agenda:

- *Consideration and request for approval to allow the Downtown Smithfield Development Corporation to close South Third Street every Saturday in October for the Third StrEATery events.*
- *Consideration and request for approval to award the CDBG Neighborhood Revitalization Legal Service contract to Spence & Berkau, P.A.*

Unanimously approved.

**PRESENTATIONS:**

**1. Administering Oath of Office to new Police Officer Julie Carroll**

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

**2. Community Development Block Grant (CDBG)–Neighborhood Revitalization Update**

Skip Green provided the Council with an update on the CDBG Neighborhood Revitalization grant.

Mr. Green explained the paperwork for the release of funds has been completed. In the original application, there were twenty-two households that submitted applications to be considered for housing rehabilitation. There were delays in the loan application process due to COVID-19 because staff could not personally meet with the applicants. When all the applicants were contacted, staff discovered that two applicants had deceased and three applicants no longer wished to participate in the program. Seventeen applicants wished to continue in the program. Of those seventeen, fourteen have completed their loan applications. Mr. Green explained that legal services were solicited twice, and the Town received one proposal. This proposal was on tonight's agenda for approval. It was estimated that the title searches would take several weeks to complete. Once those have been completed, staff would begin working on the housing write-ups. In the first quarter of 2021, Mr. Green stated they would begin entering into rehab contracts. Mr. Green stated he was working on a similar project in Dunn, NC in which there were about seven contractors beginning housing rehabilitations. Those jobs should be completed in the first quarter of 2021. The hope is that staff will have a group of contractors whose craftsmanship is known. Additional contractors would also be solicited. Because of COVID-19, one thing that will have to be brought to the Town will be a certification in which each homeowner would have to sign acknowledging COVID-19 and authorizing the Town to proceed with the housing rehabilitation. We do not want to do anything the homeowners do not want done until the time is right. Within the construction contracts, there will also be a section specific to COVID-19 in which the contractors would be required to meet whatever Executive Order is in effect at the time of construction. Plus, there are OSHA requirements for COVID-19 that must be met by the contractors.

Mayor Pro-Tem Dunn questioned the total grant amount. Mr. Green responded it was \$750,000. There were twenty-two home to be rehabilitated and five or six home to be removed because they were unoccupied and dilapidated. The funds would also be used for administrative purposes.

## **PUBLIC HEARINGS:**

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

- 1. Special Use Permit Request – Michael Sherman (SUP-20-09):** The applicant was requesting a Special Use Permit to a construct a single-family dwelling on property located within a B-2 (Business) zoning district. The property considered for approval was located on the south side of the intersection of East Lee Street and South Sixth Street and further identified as Johnston County Tax ID# 5036038

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

Planning Director Stephen Wensman testified the applicant intended to remove the home and replace it with another single-family home. Since the home was in the B-2 zoning district, a special use permit was required to demolish and replace the home. Mr. Wensman testified the property to the north was zoned R-8 (single family residential). The property to the south was zoned B-2 (funeral home). The property to the west was zoned R-8 (single family residential). The property to the east was zoned B-2 (insurance agency). The applicant submitted a sketch plan but was seeking approval of the special use permit before investing in completed plans. A survey will be required before construction. There was adequate water, sewer, and electricity on the site. Currently there is a loop driveway that connects the two streets. The new plan included two parking spaces off Lee Street.

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

### **STAFF'S FINDINGS OF FACT**

1. The public's health, safety, or general welfare have been addressed with the proposed site plan.

2. The special use is complementary to the surrounding residential land uses and will be in an asset to the community at large.
3. The special use will not impede normal and ordinary development of the residential district. A single-family dwelling at this location will not impeded commercial activities along the South Brightleaf Boulevard corridor.
4. Adequate utilities, off parking, access and other facilities exist or are being adequately provided for.
5. Adequate egress and ingress currently exist to the site. The proposed egress and ingress are configured to allow for access two off street parking spaces.
6. With a special use permit, the use will conform to the applicable regulations.
7. There are no conflicts with the Town's adopted plans.
8. With a special use permit, the use is permitted within the zoning district.

The Planning Department recommended approval of the Special Use Permit, SUP-20-09, with the following conditions:

1. That a site plan be submitted for review in accordance with the Town's Unified Development Ordinance

Planning Director Stephen Wensman incorporated his entire record and provided it to the Council in written form in the October 6, 2020 agenda packet.

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

Councilman Scott questioned if the property was currently being used as single family residential. Mr. Wensman responded it was a residential use. Councilman Scott further questioned if staff knew how long the property had been zoned B-2. Mr. Wensman responded Senior Planner Mark Helmer has been employed by the Town for over 15 years and during his time with the Town, the property has always been zoned B-2. The Comprehensive Growth Management Plan designation of this property did not change with the new Comprehensive Growth Management Plan.

Councilman Rabil questioned if it should be rezoned to R-8. Mr. Wensman responded that was not the request, but if it were zoned R-8 a special use permit would not be required.

Councilman Barbour questioned if installation of a fence would be necessary based on the property's location to the insurance business. Mr. Wensman responded it was not something recommended by staff, but the Council could make that a condition of approval.

Mayor Moore asked the applicant if he agreed with the testimony offered by Planning Director Stephen Wensman. The applicant, Michael Sherman of 1990 Keen Road, Four Oaks, NC, testified that he agreed with Mr. Wensman's testimony. Mr. Sherman testified the house he owned on Lee Street was old and dilapidated. It would be less expensive to demolish the existing house and build a new house than it would be to continue repairing the existing house. Mr. Sherman further testified that he would prefer that property be a commercial use, but Senior Planner Mark Helmer talked him out of that because the property was too small to meet the commercial use requirements. He stated he was trying to make an eyesore better. Mr. Sherman stated a fence had never been installed on the property and there had never been any issues. Since the insurance office does not have a lot of traffic, it does not cause any issues with Mr. Sherman's tenants. The backyard has a large brick fence installed by the adjacent funeral home.

Town Attorney Bob Spence asked the applicant if he would be willing to install a fence as a condition of approval for the special use permit. Mr. Sherman responded he would not agree to installing a fence between his property and the insurance office.

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

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

Councilman Wood stated he was in favor of requiring the applicant to install a fence between his property and the insurance office for the safety and well-being of the future tenants. Mr. Sherman responded he has owned the house for fifteen years and it has never been a problem.

Councilman Barbour questioned the typical lot size for the B-2 zoning district. He stated that a developer could purchase the adjacent lots from Brightleaf Boulevard to Mr. Sherman's property and construct a business there. That would never have to be approved by the Council since all the properties are in the B-2 zoning district. Mr. Wensman responded that to do that, the lots would have to be consolidated and the proposed use would have to meet all the UDO requirements. Mr. Wensman stated it would be more complicated, but could be done with lot consolidation and variances. Councilman Barbour further questioned if the adjacent lots were consolidated would the Council have an opportunity to ask the property owner to install a fence between the commercial use and Mr. Sherman's property. Mr. Wensman responded it would be dependent on the business use. Some businesses would require a special use permit which would have to be approved by the Council. Regardless, a commercial development adjacent to a residential property would require a 25-foot buffer yard. For that reason, it would be difficult for someone to develop commercially adjacent to existing residential property. Higher and more intense land use are required to provide a buffer.

### **The Written Finding**

Councilman Scott made a motion, seconded by Councilman Rabil, to approve the eight findings of fact for Special Use Permit SUP20-09 as recommended in the staff report on pages 5 and 6 of the agenda packet. Unanimously approved.

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

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.

**Record of Decision: Approval of Special Use Permit Application Number SUP-20-09**

Councilman Barbour made a motion, seconded by Councilman Rabil, to recommend approval of SUP-20-09 for the construction of a single-family dwelling on property located within the B-2 (Business) zoning district with the following condition:

1. That a site plan be submitted for review in accordance with the Town's Unified Development Ordinance

Unanimously approved.

2. Community Development Block Grant (CDBG) Covid-19: The Town of Smithfield was considering submitting a Covid-19 Community Development Block Grant Program (CDBG-CV). The CDBG-CV application requests a \$900,000 CDBG-CV grant to: (1) make broadband improvements at four locations to upgrade internet service within the Town's corporate limits; (2) make improvements to the Town's Park Amphitheater; and project administration.

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

Skip Green explained the Community Development Block Grant program required two public hearings before an application could be submitted. The first public hearing was held on September 22, 2020 and provided a general explanation of the Community Development Block Grant program. The second public hearing was required to describe the application and receive any citizen input. Mr. Green further explained the Town would be requesting a \$900,000 Community Development Block Grant (CDBG-CV) under the COVID-19 program to make broadband improvements at four locations to upgrade internet services at an estimated cost of \$225,000. Also, in the application would be improvements to the Town's amphitheater at an estimated cost of \$625,000 which would include architectural design. Project administration would cost \$50,000.

Mr. Green informed the Council that the purpose of the CBDG-CV program was to assist with COVID recovery. With social distancing, reduced capacity, and restrictions on public gatherings; as well, as businesses and school operations, staff believed there was an increased need for broadband internet services. Also, the spatial restrictions and capacity restrictions on businesses resulted in a need for outside space. The amphitheater area would allow patrons of local restaurants to enjoy outdoor lunches. The Town has met with businesses and have letters of support for the amphitheater project. The design would incorporate the needs of the local businesses. All the improvements to the amphitheater would be outside the floodplain. After the public hearing, if the Council chose to authorize the submission of an application, staff would be able to submit the application to the State in approximately a week. Currently, there is approximately \$27 million for this program, but applications are being reviewed on a first come first service basis. If awarded, the \$900,000 would not be counted toward the total amount of \$1.25 million a municipality can receive in CDBG funds per year. The COVID program is a special program, so the Town may still be eligible to apply for more CDBG funding.

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

Councilman Scott stated Mr. Green had mentioned the amphitheater would not be in the floodplain. Mr. Green responded there were parts of the amphitheater project that were not in the floodplain. From an environmental standpoint, it would be must easier if CDBG improvements were restricted to outside the floodplain. If the Town chose to make improvements in the floodplain, the Town

would have to obtain flood insurance for the structure if it were to be considered for these funds.

Councilman Scott stated he was curious as to why this project would include expansion of the Wi-Fi since the Town recently installed Wi-Fi downtown. Economic Development Liaison Tim Kerigan responded the initial downtown Wi-Fi stretches from Neuse River to Fifth Street and one block to the north and south of Market Street. This Wi-Fi would be expanded to a park in each of the four districts: Community Park in the north district, Civitan Field in the south district, Smith Collins Park in the east district and Gertrude B. Johnson Park in the west district. Mr. Kerigan explained that not only have they obtained letters of support for the amphitheater project, but they have obtained letters of support for the Wi-Fi project. The CDBG Coronavirus grant would provide people with free Wi-Fi which would allow them to search for health care, have the ability to work from home and allow school children access to a reliable network for remote learning. The school system has provided children with tablets, but many families cannot afford reliable internet service. The Town has open spaces where people can socially distance and still be able to access the internet. This Wi-Fi would be like what is currently in place downtown. Hours would be restricted and security would be in place on the network. Mr. Kerigan explained the Johnston County Schools Superintendent supports this project.

Mayor Pro-Tem Dunn questioned the overall Wi-Fi footprint in each location. Mr. Kerigan responded it was a mesh network so that one would not lose connectivity within that mesh. For the parks, the network would be solely within the park so once you exited the park, you would lose connectivity. The network would not extend into the adjacent neighborhoods or businesses.

Councilman Barbour questioned if the amphitheater was in the floodplain. He questioned which portion of the amphitheater project was not within the floodplain. Town Manager Michael Scott responded staff believed they would be able to utilize most of the area. The Town had a low-rise study conducted for the amphitheater itself. Since the Town was not going to change the footprint, improvements can be made using the existing posts which were included in the plans for the upgrade to the amphitheater.

Councilman Barbour stated it was his understanding the bulk of the cost of the amphitheater improvements was not the pavilion itself, but it was making the area ADA accessible. Mr. Kerigan responded the bulk of the cost was grading the area and making the entire facility accessible. In the higher elevations of the project, there would be benches and shade covers.

Councilman Barbour questioned how much of the amphitheater project was in the floodplain and if the bulk of the cost were to make the whole area handicap accessible. Parks and Recreation Director Gary Johnson responded the floodplain begins at the very front of the stage. In front of the stage, the mezzanine seating area to the top of the hill are either in the 100- year or 500-year flood plain. Councilman Barbour stated the Town could possibly have to cover the cost of the actual stage, but these grant funds would significantly reduce the overall cost of the project.

Councilman Scott stated he believed it was appropriate for the Town to seek grant funding for projects, but he felt there were other priorities in the Town such as residential housing and businesses that have been flooded. He was interested to know if there were other projects that have more of a priority that these funds could be used for. The Town Manager responded the biggest issue was the CDGB grant had to be associated with COVID-19 and how the Town could assist its citizens and visitors to socially distance and seek prevention from contracting COVID-19. The Town Manager explained this was not a competitive grant, but a first come first serve grant. The quicker the Town submitted its application, the more likely the Town would receive funding. Staff looked throughout the Town and evaluated different projects that would benefit the Town. These projects were what staff believed would benefit the Town the most at this time.

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

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

No action needed as the approval of the application submission could be found as Consent Agenda

**CITIZEN'S COMMENTS:**

- David Johnson of 125 Cypress Point, Smithfield, NC informed the Council that on September 1<sup>st</sup>, there was 24 inches of water inside his building on 1621 South Brightleaf Boulevard. In 1987, the building was not in the floodplain, but as of 2018, it is in the flood plain. He stated the Council and staff were aware of the flooding in the area. He explained he was having difficulties renting his building because of flood issues. While he understood the issue was caused by CSX railroad and the Town has exhausted its efforts in trying to get CSX to fix its issues, he stated he had nowhere else to turn then to the Town since this was a stormwater issue. He asked if the Town was willing to pay for the improvements to add two 48-inch drains if he could get CSX to allow the Town to facilitate the improvements. He further questioned if the Town would suspend his property taxes or a portion of his property taxes so he could purchase flood insurance. Mayor Moore stated the Town would not suspend Mr. Johnson's property taxes because the Town had State laws it had to abide by.

**CONSENT AGENDA:**

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

1. The following minutes were approved
  - August 24, 2020 – Special Meeting
  - September 1, 2020 – Regular Meeting
  - September 1, 2020 – Closed Session
  - September 22, 2020 – Special Meeting
2. Special Event: Theater in the Park - Approval was granted to allow Cista Lueeze's Brunch House, Inc to close Front Street and a section of the Greenway by the Neuse River Amphitheater on October 24, 2020 The Temporary Use Permit was approved for this event at the August 4, 2020 Town Council Meeting.
3. Special Event: Church Service- Approval was granted to allow Alice Wells to conduct a church service on October 11,2020 from 2:00pm until 4:00pm at Smithfield Community Park. Amplified sound was approved for this event.
4. Special Event: Documentary Showing – Approval was granted to allow Margaret Scovil to show a free documentary on October 23, 2020 from 6:30pm until 8:30pm and October 25, 2020 from 4:00pm until 6:00pm at the Town Commons. Amplified sound and the closure of Front Street at East Johnston Street were approved for this event.
5. Special Event: Fireworks Display – Approval was granted to allow Smithfield Parks and Recreation to conduct a Veteran's Day fireworks display on November 11, 2020 from 5:00pm until 7:00pm from Smithfield Community Park. Amplified sound was approved for this event.
6. Career Ladder Promotion – Police Department: Approval was granted to promote a Police Officer from the rank of Police Officer II to the rank of Master Police Officer.
7. Approval was granted to adopt resolution No. 666 (15-2020) authorizing the disposition of certain surplus property and the auctioning of most of that property by the electronic auction service of GovDeals.com

**TOWN OF SMITHFIELD RESOLUTION # 666 (15-2020)  
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
General Gov		41 Computers
General Gov		41 Monitors
General Gov		Keyboards & Cables
General Gov		Drive Encloser
General Gov		Projector
Finance	070X766	Hasler Mail Folder Inserter with Cabinet
Planning	JPSC72F4HT	HP model Q3716A printer with toner
Planning		Toshiba model T-FC500U-K printer with toner
Planning	2G1WS55R479259317	2007 Chevrolet Impala
Police	2B3KA43V19H597268	2009 Dodge Charger
Police	2B3CL1CT6BH556478	2011 Dodge Charger
Police	2B3CL1CT1BH554675	2011 Dodge Charger
Police	2B3CL1CT5BH556483	2011 Dodge Charger
Police	2C3DXAT6EH121240	2014 Dodge Charger
Police		6 vehicle prisoner dividers
Police		4 used ATV tires
Fire	1FMRU16W61LA24361	2001 Ford Expedition
Fire		1992 Service Truck Body
Fire	Various	Lot of 9 - 1.5" Akron Turbojet nozzle
Fire	Panther/Warb-Hp	Lot of 31 air packs
Fire	Panther/Warb-Hp	Lot of 63 masks
Fire	Panther/Warb-Hp	Lot of 59 bottles
Public Works	1FTWW32Y88EB42978	2008 Ford F-350
P & R	IFDWF36S23EB91247	2003 Ford F-350 Dump
P & R	TC2653D090624	2000 John Deer 2653A reel mower
P & R	015387	Scag Turf Tiger
P & R		John Deere 420 Tractor
P & R		Allis Chalmers 5015/9518 Tractor
P & R		John Deere Gator 4x2
P & R		Diamond Vera Pro 2000 3 wheel drag

- 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 October 19, 2020.

- 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](http://www.govdeals.com). Citizens wanting to bid on property may do so at [www.govdeals.com](http://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](http://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.
8. Approval was granted to adopt Resolution No.667 (16-2020) authorizing the submission of a Community Development Covid-19 (CDBG-CV) application.

**TOWN OF SMITHFIELD  
RESOLUTION # 667 (16-2020)  
APPLICATION FOR NORTH CAROLINA COMMUNITY DEVELOPMENT BLOCK GRANT  
CORONAVIRUS (CDBG-CV) PROGRAM FUNDING FOR SMALL BUSINESS AND  
ECONOMIC RECOVERY AND ENHANCING INTERNET ACCESS**

WHEREAS, the Town of Smithfield's Town Council has previously indicated its desire to assist in small business and economic recovery, as well as enhancing internet access within the Town; and,

WHEREAS, the Town Council has held two public hearings concerning the proposed application for North Carolina Community Development Block Grant Coronavirus (CDBG-CV) funding to benefit its most vulnerable and high-risk citizens, those lacking proper internet access and those small businesses negatively impacted by COVID-19 restrictions, and

WHEREAS, the Town Council wishes the Town to pursue a formal application for North Carolina Community Development Block Grant Coronavirus (CDBG-CV) to benefit its high proportion of low to moderate income citizens, 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 Coronavirus (CDBG-CV) 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's Rural Economic Development Division (REDD) for approval of a Community Development Block Grant Coronavirus (CDBG-CV).

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 Coronavirus (CDBG-CV).

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.

9. Approval was granted to bring forward budget encumbrances from the 2019-2020 fiscal year to

the 2020-2021 fiscal year

**ENCUMBRANCES FROM 2019-2020 TO 2020-2021**

**GENERAL FUND**

		<b>Amount Requested</b>	<b>Amount Available</b>
10-61-4110-5300-5710	Non-Departmental - Economic Development	\$ 25,000	\$ 25,000
10-61-4110-5300-5712	Non-Departmental - S.H.A.R.P Reimbursements	20,000	20,000
10-10-4110-5300-0771	Non-Departmental - Unemployment Compensation	15,000	15,000
10-10-4900-5300-4501	Planning – Service Contracts (Engineering Standards Manual & Pedestrian Planning)	30,000	30,000
10-10-4900-5700-7400	Planning - Capital Outlay	12,000	12,000
10-60-5500-5300-3440	General Serv. - Appearance Commission	26,685	4,747
10-60-5500-5700-7400	General Serv. - Capital Outlay (Painting Mausoleum)	3,000	3,000
10-30-5600-5300-7300	Streets -Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	112,406	112,406
10-30-5600-5300-7400	Streets -Capital Outlay (I95 Bridge Lighting)	93,000	93,000
10-30-5600-5300-7401	Streets -Street Paving (Equity Drive)	173,000	173,000
10-76-5800-5970-9110	Transfer to GF Capital Reserve	80,000	80,000
		<u>\$</u> <u>590,091</u>	<u>\$</u> <u>568,153</u>

**WATER FUND**

30-71-7220-5300-5710	Water Dist/Sewer Coll. - Economic Development	<u>\$</u> <u>200,000</u>	<u>\$</u> <u>200,000</u>
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**Electric FUND**

31-72-7230-5300-5710	Electric - Economic Development	<u>\$</u> <u>200,000</u>	<u>\$</u> <u>200,000</u>
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**J.B. GEORGE BEAUTIFICATION FUND**

40-61-4100-5300-3400	J.B. George Projects	\$ 2,381	\$ 2,381
40-61-4100-5300-3410	J.P. George Projects	1,148	<u>298</u>
		<u>\$</u> <u>3,529</u>	<u>\$</u> <u>2,679</u>

**ENCUMBRANCES FOR PURCHASE ORDERS ISSUED PRIOR TO  
6/30/2020**

<b>G/L ACCOUNT</b>	<b>ACCOUNT DESCRIPTION</b>	<b>DEPARTMENT</b>	<b>VENDOR</b>	<b>PO#</b>	<b>AMOUNT REQUESTED</b>	<b>AMOUNT NEEDED</b>
10-10-4100-5700-7400	Capital Outlay	Gen Gov	CB Towers LLC	20208008	\$20,317.50	\$20,317.50
10-10-4100-5700-7400	Capital Outlay	Gen Gov	Municipal Code Corp	20186293-R2	\$9,600.00	\$9,600.00
10-20-5100-5300-3100	Vehicle Supplies/Maint.	Police	Communications International	20207993	\$2,125.00	\$2,125.00
10-20-5100-5300-3100	Vehicle Supplies/Maint.	Police	Communications International	20207994	\$3,072.00	\$0.00
10-20-5100-5300-3100	Vehicle Supplies/Maint.	Police	Communications International	20207995	\$660.00	\$0.00
10-20-5100-5300-3300	Supplies/Operations	Police	Rhinehart Fire Services	20208045	\$500.00	\$0.00
10-20-5100-5300-3600	Uniforms	Police	Lawmen's	20207960	\$655.00	\$655.00
10-20-5100-5300-3600	Uniforms	Police	Galls	20207992	\$1,278.00	\$0.00
10-20-5100-5300-3600	Uniforms	Police	American Uniform Sales	20208101	\$1,200.00	\$0.00
10-20-5100-5300-3600	Uniforms	Police	Lawmen's	20208102	\$1,450.00	\$1,450.00
10-20-5100-5700-7400	Capital Outlay	Police	Performance Chrysler	20208024	\$16,365.00	\$16,365.00
10-20-5100-5700-7400	Capital Outlay	Police	Atlantic Resources	20208025	\$2,400.00	\$2,400.00
10-20-5100-5700-7400	Capital Outlay	Police	First Citizens Bank Visa(NCDMV)	20208026	\$5,000.00	\$5,000.00
10-20-5300-5125-0601	Firefighters Physicals	Fire	UNC Physicians Network	20208076	\$11,340.00	\$11,340.00
10-60-5500-5300-3440	Appearance Commission	Parks & Rec	Barrs Recreation	20207896	\$12,665.20	\$0.00
10-60-5500-5300-3440	Appearance Commission	PW-Appearance	Partners in Recognition	20207936	\$3,018.66	\$0.00
10-60-5500-5300-3440	Appearance Commission	Parks & Rec	Rodney S Blackmon	20208098	\$3,877.67	\$3,877.67
10-60-5500-5700-7400	Capital Outlay	PW-Appearance	Mark Gregory Roofing	20197362-R1	\$14,800.00	\$14,800.00
10-60-5500-5700-7400	Capital Outlay	PW-Appearance	Dennis Evans	20197408-R1	\$10,000.00	\$10,000.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks & Rec	Molinas Tree Service	20207605	\$1,800.00	\$0.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks & Rec	James Paul Edwards Inc	20208096	\$1,800.00	\$1,800.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks & Rec	James Paul Edwards Inc	20208097	\$850.00	\$850.00
10-60-6200-5300-1700	Equip Maint & Repair	Parks & Rec	Blueprint Construction	20208106	\$1,200.00	\$0.00
10-60-6200-5300-3300	Supplies/Operations	Parks & Rec	The Casey Group	20208067	\$1,510.00	\$0.00
10-60-6220-5300-1700	Equip Maint & Repair	Parks & Rec	The Sage Landscaper	20208099	\$1,500.00	\$0.00

10-60-6220-5300-1700	Equip Maint & Repair	Parks & Rec	Volt Power	20208100	\$3,420.00	\$0.00
10-60-6220-5300-3300	Supplies/Operations	Parks & Rec	Zones Inc	20208109	\$820.00	\$0.00
10-60-6220-5300-3900	Aquatic Supplies	Parks & Rec	Gupton Services	20208070	\$4,474.00	\$0.00
10-61-4110-5300-5710	Economic Development	Gen Gov	Shandy Communications	20208007	\$7,898.00	\$7,898.00
10-61-4110-5300-5710	Economic Development	Gen Gov	CB Towers LLC	20208008	\$376.75	\$376.75

\$145,972.78    \$108,854.92

**WATER FUND**

**PO Number**

30-71-7200-5300-1700	Equip Maint & Repair	PU-Water Plant	KL Shane Inc	20208062	\$17,135.00	\$0.00
30-71-7200-5300-1700	Equip Maint & Repair	PU-Water Plant	Masons Fab & Designs	20208073	\$2,100.00	\$0.00
30-71-7200-5300-4501	Service Contracts	PU-Water Plant	Inenco Inc	20207799	\$7,400.00	\$0.00
30-71-7200-5700-7400	Capital Outlay	PU-Water Plant	TA Loving Company	20207990	\$110,000.00	\$0.00
30-71-7220-5300-1700	Equip Maint & Repair	PU-Water Sewer	Nixon Power Services	20207568	\$5,030.51	\$5,030.51
30-71-7220-5300-4501	Service Contracts	PU-Water Sewer	Nixon Power Services	20207568	\$8,781.84	\$8,781.84

\$150,447.35    \$13,812.35

**ELECTRIC FUND**

31-72-7230-5300-1700	Equip Maint & Repair	PU-Electric	Mark Beauchamp	20207826	\$14,682.50	\$0.00
31-72-7230-5300-1700	Equip Maint & Repair	PU-Electric	Jackson Builders	20208042	\$2,250.00	\$0.00
31-72-7230-5300-3100	Vehicle Supplies/Maintenance	PU-Electric	Altec Industries	20207881	\$5,526.80	\$0.00
31-72-7230-5300-3300	Supplies/Operations	PU-Electric	Anixter	20207785	\$2,426.88	\$2,426.88
31-72-7230-5300-3300	Supplies/Operations	PU-Electric	National Transformers	20208000	\$8,665.00	\$8,665.00
31-72-7230-5300-3300	Supplies/Operations	PU-Electric	Anixter	20208001	\$8,910.72	\$4,926.40
31-72-7230-5300-3300	Supplies/Operations	PU-Electric	Stuart C Irby Co	20208003	\$1,343.25	\$0.00
31-72-7230-5300-3300	Supplies/Operations	PU-Electric	National Transformers	20208004	\$15,060.00	\$15,060.00
31-72-7230-5300-3300	Supplies/Operations	PU-Electric	Wesco	20208005	\$5,294.80	\$2,783.80

\$64,159.95    \$33,862.08

**GENERAL CAPITAL PROJECT FUND**

46-10-4900-5700-7400	Wayfinding	Planning	ACSM INC	20197166-R1	\$117,375.00	\$117,375.00
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46-40-5800-5700-7404	Hook Leaf Truck	PW-Sanitation	NCDMV	20197333-R1	\$2,006.00	\$2,006.00
					\$119,381.00	\$119,381.00

10. Approval was granted to replace the cardio fitness equipment at the Smithfield Recreation and Aquatics Center.

11. The following Advisory Appointment was approved:

- Paul “Sonny” Howard, Jr. was appointed to a first term on the Parks and Recreation Advisory Committee

12. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Lifeguard	P&R - Aquatics	10-60-6220-5100-0230	\$8.00/hr.
P/T SRAC General Staff	P&R – Aquatics	10-60-6220-5100-0210	\$9.00/hr.

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200
Firefighter I	Fire	10-20-5300-5100-0200
Fire Inspector (Part-time)	Fire	10-20-5300-5100-0210
Licensed Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200
Police Officer I (4 positions)	Police	10-20-5100-5100-0200
Pump Station Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

13. Special Event: Third StrEATery – Approval was granted to allow the DSDC to close South Third Street every Saturday in October of 2020

14. Approval was granted to award the CDBG Neighborhood Revitalization legal services contract to Spence & Berkau, P.A. in the amount of \$650.00 per title search per house and \$185.00 per hour for other legal services.

## Business Items:

### 1. Consideration and request for approval at accept the Governor’s Highway Safety Program Grant for a two-officer traffic team

Chief of Police R. Keith Powell addressed the Council on a request to accept the Governor’s Highway Safety Program Grant for a two-officer traffic team. Chief Powell explained the department received notification that it had been awarded the grant. For the first year, the federal portion of the grant would be \$191,852 and the Town would be responsible for \$33,800. During the first year, funds would cover all equipment, salaries, and benefits. Staff will have to reapply each year for grant funding, but all equipment would become property of the Town once the first year was completed. Chief Powell stated Captain Grady has put a lot of work into this grant and there was still more that would have to be done.

Councilman Scott made a motion, seconded by Councilman Rabil, to authorize the Police Department to accept the Governor’s Highway Safety Program grant for a two-officer traffic team. Unanimously approved.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the budget amendment as submitted. Unanimously approved.

GENERAL FUND				BEFORE	ADJ.	AFTER
<b>1. Revenue</b>						
10-20-3300-3307-0090 Grant - GHSP				\$ -	\$ 191,852	\$ 191,852
<b>Expenditures</b>						
10-00-9990-5300-0000 General Fund Contingency				\$ 401,989	\$ (33,856)	\$ 368,133
10-20-5100-5100-0200 Salaries				2,154,900	87,292	2,242,192
10-20-5100-5125-0600 Group Insurance				470,000	34,716	504,716
10-20-5100-5300-0800 Training				13,895	1,200	15,095
10-20-5100-5700-7400 Police - Capital				271,550	102,500	374,050
				\$ 3,312,334	\$ 191,852	\$ 3,504,186
To establish and fund the Governor's Highway Safety Program Grant Award						

**2. Consideration and Request for approval to adopt the design-build criteria for the proposed Police Department Expansion Project**

Town Engineer Bill Dreitzler addressed the Council on approval to adopt the design build criteria for the proposed Police Department expansion project. Mr. Dreitzler explained this was a process request. A few years ago, the general statues changed to implement the design build delivery process. As a municipality, staff must create and have Council adoption of a design build criteria which was project specific. The UNC School of Government provided the guidance and examples which staff followed. Staff was requesting the Council adopt the design build criteria which would allow staff to advertise for request for qualifications to move forward with the project under the design build delivery system. Mr. Dreitzler informed the Council in January or February of this year, staff sent out request for proposal for the architectural design to do a traditional design build process and received no responses. APR Restoration and Commercial Development contacted staff and ultimately met with staff because the company specializes in design build delivery like the Police Department expansion. When staff met with them, they felt comfortable with the process and felt this would be a good opportunity to control cost using the delivery system. The Town had an agreement with them which included the preliminary design, the construction document phase and construction. They created a preliminary design that created a floor plan for the Police Department expansion and a site plan. Staff cannot proceed with APR at this time because with the design build process, the Town is required to adopt the design build criteria and advertise the request for qualifications. The Town must receive three applications to review. If three are received, staff will make a selection based on qualifications which will be submitted to the Council for approval. If three applications are not received, the Town must readvertise. At that point if there are still less than three, the general statute allows staff to negotiate with a single firm (be it that only one company submits an application). All information provided by APR will be provided to any applicant that wants to bid this process. By providing this information, it lets contractors know what the Town wants to build. Mr. Dreitzler further explained he believed the Council could have a recommendation by staff for a contractor by the December Council meeting. Then it would four to six months for construction drawings and permitting. He explained staff was only requesting for the Council to adopt the design build criteria specific for the Police Department expansion and there was no financial obligation to the project at this time.

Councilman Scott questioned the cost savings that would be realized by doing this process and what percentage of the overall cost could be saved. Mr. Dreitzler responded he was unsure of the total savings percentage, but with the design build process, staff had control of the costs. Staff would be

able to work closely with the firm throughout the process and continually evaluate the cost of the project. This process is an interactive process with staff and the firm.

The Town Manager reminded the Council that funding for this project was not something that was budgeted from fund balance or from any of the Town's reserves. The Town would be acquiring debt for this project. Finance Director Greg Siler was investigating USDA financing and its interest rate and how this project may qualify. Mr. Siler was also investigating other funding sources.

Councilman Barbour made a motion, seconded by Councilman Wood, to adopt the design-build criteria for the proposed Police Department Expansion Project and authorize Town staff to move forward with the use of the design build delivery method for the expansion of the Police Department. Unanimously approved.

### **3. Consideration and request for approval of the Spring Branch Community Restoration Project with KCI**

Planning Director Stephen Wensman addressed the Council on a request to approve a contract with KCI to design and install the Spring Branch Community Restoration Project. Mr. Wensman explained the overall cost of the project was estimated at \$200,500. In mid-2019, staff applied for a grant with the Attorney General's Office for the full amount of the project. The Town was awarded \$100,000 which left a \$100,500 funding shortfall. In March, the Council approved the Memorandum of Understanding with the Attorney General's Office in support of the project and the grant. At that time, staff talked about funding sources by creating a wetland bank out of constructed wetlands to be able to receive wetland credits, but that has not materialized. The only potential funding source for this project would be contingency funds. Mr. Wensman explained there were two phases of the project. The first phase would be constructing the wetland and the second phase would be to create an extension of the greenway coming along the Spring Branch. The Town received a commitment from the Johnston County Visitor's Bureau to support the second phase of the project as a tourism project using 2% monies.

Mr. Wensman explained the project was located at the site of the community gardens which are FEMA buyout lots. The Comprehensive plan talked about the future expansion of the greenway by coming along the Spring Branch. Ultimately, the intention would be to connect the Spring Branch to the Neuse River and to Smith Collins Park and then back around to Johnston Community College. The idea for this project would be to create a constructed wetland on the FEMA lot. When it floods that water would pour into the constructed wetland, filtering it and storing water before it slowly released back into the Spring Branch. A concept of the project was provided to the Council.

Councilman Scott questioned how the Town would fund the additional \$100,500. The Town Manager responded contingency funds in the General Fund could be used for this grant match. If the Council chose to use contingency funds for this project, there would be approximately \$150,000 remaining in the contingency funds for the remainder of the fiscal year. The Town Manager explained this was an important project because there has been a lot of flooding downstream and in other parts of Town. The pond idea was a great idea because it will slow the flow of water through the creek bed during times of high-level stormwater. The Town Manager explained that while he did not like the idea of using contingency funds, he hated to turn away a \$100,000 grant for something that was a true need for the Town. He stated he was comfortable using contingency funds for this project. As a caveat to this, the Town Manager explained there was a problem with an embankment at the greenway. Staff has received an estimate of \$90,000 to repair that embankment. If the Council chose to proceed with the Spring Branch Restoration Project, the embankment repair would have to wait until the 2021-2022 budget and budgeted accordingly. At this time, the embankment was not a problem and was not intruding on the greenway or causing the greenway to be closed at that location, but we do not know if the condition will continue to erode. If we waited until later in the fiscal year, the Council may be able to use the balance of contingency funds to repair the embankment. The Town Manager did not recommend repairing the embankment if the Council chose to move forward with the Spring Branch Restoration Project.

Councilman Scott questioned if the greenway would be deemed a recreation facility. The Town Manager responded he determined this project would not be deemed recreation as it related to the

grant. Staff investigated using fee in lieu of funds, but staff did not feel the first phase of this project fit the criteria for using those funds. The second phase could possibly be funded through that source, but for this phase, it would not qualify because a park is not being constructed.

Councilman Scott questioned if the restricted reserved funds could be used for this project. The Town Manager responded the funds from the sale of Bingham Park were reserved funds for parks, but those funds could be moved by a vote of the Council if that was the Council's wishes. If those funds were used, in essence the Council would be using fund balance to pay for the project.

Mayor Pro-Tem Dunn questioned if the CDBG-CV funds could be used for this project. The Town Manager responded staff had investigated that possibility, but it did not meet the grant's criteria.

Councilman Scott stated he understood the Town was addressing the issues and proposed putting in a new section of the greenway, but he was struggling because it appeared the Town could not maintain what it already had. He further stated he was nervous about spending contingency funds when employees cost of living increases had not been addressed. The Town Manager explained funds were set aside for the salary increases of 2.5%. Those funds were not accounted for in the \$150,000 that would be remaining in contingency funds if this project were approved.

Councilman Barbour questioned how many emergency type events happen from October to July where contingency funds would be needed. The Town Manager responded that historically contingency funds were used for emergency type repairs like road wash outs due to flooding or greenway repairs. These examples are typically associated with hurricanes. The Town Manager stated since he could not predict what would happen in the spring of the year, it was his recommendation to not spend any more of the contingency funds until later in the fiscal year.

Councilman Barbour questioned if the greenway was closed at the embankment repair site. The Town Manager responded it was not closed because the asphalt pad had not been compromised. Staff has installed an orange fence between the greenway path and the river. Councilman Barbour further questioned if there was a potential short-term fix for that portion of the greenway. The Town Manager responded there was not a short-term fix. The path was not in danger of collapsing right now, but if it washed out more due to a flooding event, that could change.

Mayor Pro-Tem Dunn stated this was the same creek that has flooded numerous times and several houses have been damaged during the flood events. He questioned if this project would alleviate some of those issues. The Town Manager responded it was an ongoing problem in the area. This would alleviate some of the issues.

Councilman Rabil inquired as to the timeline of the grant. Mr. Wensman responded it was a three-year grant beginning September of 2019. If the project was approved tonight, it would be completed by the end of summer 2021.

Mayor Pro-Tem Dunn stated he was not comfortable having most of the contingency funds allocated this early in the fiscal year. He felt the greenway repairs should be addressed first since it appeared this project could be put on hold until later in the fiscal year. The Town Manager responded the Council did have time to decide when to move forward with this project, but it has been bid. The delay could mean the Town would lose the bidder or it could rebid the project and the bids received could be higher than the current bid.

Councilman Scott questioned the percentage of fund balance currently in the general fund. The Town Manager responded he believed it was around 90%. The fund balance was healthy and there were funds available, but staff was trying to stay within budget. Revenues for this fiscal year were reduced in order to reduce expenses due to COVID-19. Revenues could exceed expectations, but that was contingent on sale tax revenue. It was not a case of not having funds, but a case of staying within budget.

Mayor Pro-Tem Dunn stated if the Spring Branch project were to be postponed then staff could investigate other grant sources. The Town Manager responded staff has exhausted every possibility for grant funding of this project. The grantee will not provide additional funding.

Councilman Barbour stated the project wasn't as urgent as it originally appeared so it could be delayed. Mr. Wensman responded if the Town were to follow the timeline, the project would be completed by July or August. To the delay the project would mean the improvements would not be in place for the storm season.

Councilman Scott questioned how sure staff was that the second phase of the project would be funded. Mr. Wensman responded that prior to doing this project he was exploring a state trail grant to fund some of the additional trails. Mr. Wensman felt the second phase of this project could be funded by a State Trails grant and the Visitor's Bureau has committed funding.

Councilman Wood made a motion, seconded by Councilman Rabil, to approve the Spring Branch Community Restoration Project contract with KCI and contingency funds in the amount of \$100,500 would be used to complete Phase I of the project. Councilman Wood, Councilman Rabil and Councilman Barbour voted in favor of the motion. Mayor Por-Tem Dunn Councilman Lee, Councilman Stevens, Councilman Scott voted against the motion. The motion failed by a vote of 5 to 3.

Councilman Scott requested this item be placed on the November agenda. He further requested for staff to investigate other funding sources.

#### **Councilmembers Comments:**

- Mayor Moore commended DSDC Executive Director Sarah Edwards for the Third StrEATery event. Mayor Moore stated he had attended the event and encouraged everyone to attend one of the events if possible.
- Councilman Barbour informed the Council that due to COVID-19 the Annual Sky Fest was cancelled. Instead, there will be a fly over each Johnston County community conducted on Friday, October 9<sup>th</sup>. The F-15 planes will be seen over Smithfield at approximately 12:09pm.

#### **Town Manager's Report:**

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

- Expressed his appreciation to Town Attorney Bob Spence and his law firm for assisting the Town with the CDBG grant for legal services. The Town Manager explained staff was having a difficult time finding a law firm that was willing to assist the Town.
- Halloween – Staff is recommending that trick-or treating occur as normally schedule on Saturday, October 31<sup>st</sup> from 5:00 pm until 8:00 pm. The Town is asking citizens to not have events that would cause people to gather in one place; such as, haunted houses or trunk or treating. The Parks and recreation Department has suspended those types of events and have introduced two virtual events. If people want to be involved, they should turn their porch light on so trick or treaters will know that house is participating. If you do not want to participate, please leave your light off and shut your door. The Town is asking the trick or treaters to only go to the houses with lights on. The Police Department will have additional officers out that night safely handing out glow sticks.

#### **Closed Session Pursuant to NCGS 143-318.11 (a)(1), (3) & (6)**

Councilman Barbour made a motion, seconded by Councilman Wood, to enter into Closed Session pursuant to the aforementioned statutes. Unanimously approved at approximately 9:02 pm

#### **Reconvene in Open Session**

Councilman Barbour made a motion, seconded by Councilman Wood, to reconvene in Open Session. Unanimously approved at approximately 12:10 am.

**Recess**

Councilman Barbour made a motion, seconded by Councilman Wood, to recess the meeting until Tuesday, October 20, 2020 at 6:00 pm. Meeting recessed at approximately 12:11 am

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

ATTEST:

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk

DRAFT

The Smithfield Town Council reconvened its October 6, 2020 meeting on October 20, 2020 at 6:00 pm in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

John Dunn, Mayor Pro-Tem  
David Stevens, District 2 (arrived at 6:20 pm)  
Travis Scott, District 3  
Dr. David Barbour, District 4  
Stephen Rabil, At-Large  
Roger Wood, At-Large

Councilmen Absent

Marlon Lee, District 1

Administrative Staff Present

**Reconvene of the October 6, 2020 regular meeting**

Mayor Moore reconvened the meeting at 6:04 pm.

**Closed Session in Accordance with NCGS 143-318.11 (a) (6)**

Councilman Barbour made a motion, seconded by Councilman Wood, to go into Closed Session to discuss the Town Manager's annual evaluations. Unanimously approved at 6:05 pm.

**Reconvene in Open Session**

Councilman Barbour made a motion, seconded by Councilman Wood, to reconvene in Open Session. Unanimously approved at 8:33 pm.

**Open Session**

Councilman Barbour made a motion, seconded by Councilman Wood, to increase the Town's Manager's annual salary by 10% effective with the next pay period. Councilman Barbour, Councilman Wood, Mayor Pro-Tem Dunn, Councilman Rabil, and Councilman Stevens voted in favor of the motion. Councilman Scott voted against the motion. Motion passed 5 to 1.

**Adjourn**

Councilman Barbour made a motion, seconded by Councilman Wood, to adjourn the meeting. The meeting adjourned at approximately 7:35pm.

ATTEST:

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

\_\_\_\_\_  
Shannan L. Parrish, Town Clerk





# Request for Town Council Action

**Consent  
Agenda  
Item:**  
**Date:** 11/10/2020

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**Subject:** Promotion

**Department:** Public Utilities – Water/Sewer

**Presented by:** Ted Credle / Tim Kerigan

**Presentation:** Consent Agenda

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## Issue Statement

This is a request to promote from within, an employee from Utility Line Mechanic to our vacant Pump Station Mechanic position. In accordance with the Town's Employee Handbook, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater. In this case, the employee will receive the minimum of the new position.

## Financial Impact

This pay increase is accounted for in the Public Utilities – Water/Sewer budget and will not require a budget amendment to the current salary line item. In this case, the individual employee's pay increase will result in an overall increase for the budget year of \$2,069. However, that is less than the amount that was budgeted for and being paid to the previous Pump Station Mechanic. Effective date would be November 23, 2020.

## Action Needed

Approval to proceed with the requested promotion.

## Recommendation

Staff recommends the approval rate of the promotion.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report



# Staff Report

**Consent  
Agenda  
Item:**      **Promotion**

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This is a request to promote from within, an employee from Utility Line Mechanic to our vacant Pump Station Mechanic position. In accordance with the Town's Employee Handbook, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater. In this case, the employee will receive the minimum of the new position.

All four current Utility Line Mechanics were considered for this position. While we are very fortunate to have wonderful employees in this division, this particular employee exhibits the best skillset for the Pump Station Mechanic position.



# Request for Town Council Action

**Consent  
Agenda  
Item:**  
**Date:**

**Proposed  
Revision to  
the Pay  
Scale**  
**11/10/2020**

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**Subject:** Proposed Revision to the Employee Pay Scale

**Department:** General Government

**Presented by:** Human Resources Director - Tim Kerigan

**Presentation:** Consent Agenda Item

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## Issue Statement

The Pay and Class Study completed by Piedmont Triad Council of Governments in 2019 recommended a 2% increase to the Town's pay rate ranges beginning in July 2020. With caution and uncertainty in mind due to COVID-19, Council's direction to the Town Manager was to delay this revision until a time that budget proved it responsible and allowable.

## Financial Impact

If approved, this revised Pay Scale would have no adverse effect to the Adopted FY 2020-2021 Budget. This revised pay scale would implement the direction Council provided to the Town Manager at the time of the Adopted Budget.

## Action Needed

Approval to adopt the proposed Pay Scale.

## Recommendation

Staff recommends the approval and adoption of the proposed Pay Scale.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. Current Pay Scale
3. Proposed Pay Scale



# Staff Report

**Consent  
Agenda  
Item:**

**Proposed  
Revision to  
the Pay  
Scale**

The Pay and Class Study completed by Piedmont Triad Council of Governments in 2019 recommended a 2% increase to the Town's pay rate ranges beginning in July 2020. With caution and uncertainty in mind due to COVID-19, Council's direction to the Town Manager was to delay this revision until a time that budget proved it responsible and allowable.

If approved, this revised Pay Scale would have no adverse effect to the Adopted FY 2020-2021 Budget. This revised pay scale would implement the direction Council provided to the Town Manager at the time of the Adopted Budget.

This proposed revision affects all full-time employees, other than Sworn Law Enforcement Officers, as those positions were previously revised effective July 06, 2020.

**SMITHFIELD, NC 2019-2020  
GENERAL PAY SCALE**

Current

<u>Job Class</u>	<u>Range</u>	<u>Minlimum</u>	<u>Hourly</u>	<u>Bi-Weekly</u>	<u>Mid-Point</u>	<u>Maximum</u>
Part-time Seasonal or Temporary			7.25		14.25	22.50
Not Assigned	8	24,177.40	11.62	929.90	30,826	37,475
Collections Assistant	9	25,417.60	12.22	977.60	32,407	39,397
Facility Maint Specialist I Parks & Rec	10	26,686.40	12.83	1,026.40	34,025	41,364
Sanitation Worker	10	26,686.40	12.83	1,026.40	34,025	41,364
Facility Maint Specialist I Public Works	10	26,686.40	12.83	1,026.40	34,025	41,364
Street Sign Specialist	11	28,059.20	13.49	1,079.20	35,775	43,492
Street Maint Worker	11	28,059.20	13.49	1,079.20	35,775	43,492
Facility Maint Specialist II Parks & Rec	12	29,473.60	14.17	1,133.60	37,579	45,684
Customer Service Rep	13	30,950.40	14.88	1,190.40	39,462	47,973
Admin Support Specialist I Police	13	30,950.40	14.88	1,190.40	39,462	47,973
Police Records Specialist	13	30,950.40	14.88	1,190.40	39,462	47,973
Admin Support Specialist I Fire	13	30,950.40	14.88	1,190.40	39,462	47,973
Sanitation Equipment Operator	13	30,950.40	14.88	1,190.40	39,462	47,973
Admin Support Specialist I SRAC	13	30,950.40	14.88	1,190.40	39,462	47,973
Utility Line Mechanic	13	30,950.40	14.88	1,190.40	39,462	47,973
Water Plant Operator I	13	30,950.40	14.88	1,190.40	39,462	47,973
Admin Support Specialist I Gen Govt	13	30,950.40	14.88	1,190.40	39,462	47,973
Sr. Customer Service Rep	14	32,531.20	15.64	1,251.20	41,477	50,423
Meter Technician	14	32,531.20	15.64	1,251.20	41,477	50,423
Admin Support Specialist II Parks & Rec	14	32,531.20	15.64	1,251.20	41,477	50,423
Admin Support Specialist II Planning	14	32,531.20	15.64	1,251.20	41,477	50,423
Animal Control Officer	14	32,531.20	15.64	1,251.20	41,477	50,423
Assistant Aquatics Supervisor	14	32,531.20	15.64	1,251.20	41,477	50,423
Water Plant Operator II	14	32,531.20	15.64	1,251.20	41,477	50,423
Water Plant Mechanic/Operator	14	32,531.20	15.64	1,251.20	41,477	50,423
Wastewater System Tech	15	34,153.60	16.42	1,313.60	43,546	52,938
Pump Station Mechanic	15	34,153.60	16.42	1,313.60	43,546	52,938
Accounts Payable Tech I	16	35,880.00	17.25	1,380.00	45,747	55,614
Administrative Assistant -Public Works Stre	16	35,880.00	17.25	1,380.00	45,747	55,614
Equipment Mechanic Public Works	16	35,880.00	17.25	1,380.00	45,747	55,614
Zoning Enforcement Officer	16	35,880.00	17.25	1,380.00	45,747	55,614
Payroll/Accounting Technician II	17	37,710.40	18.13	1,450.40	48,081	58,451
Human Resources Technician	17	37,710.40	18.13	1,450.40	48,081	58,451
Facility Maint Supervisor - Parks & Rec	17	37,710.40	18.13	1,450.40	48,081	58,451
Public Works Crew Leader - Streets	17	37,710.40	18.13	1,450.40	48,081	58,451
Public Works Crew Leader - Sanitation	17	37,710.40	18.13	1,450.40	48,081	58,451
Equipment Operator Public Works	17	37,710.40	18.13	1,450.40	48,081	58,451
Water/Sewer Utility Line Crew Leader	17	37,710.40	18.13	1,450.40	48,081	58,451

**SMITHFIELD, NC 2019-2020  
GENERAL PAY SCALE**

Current

Water/Sewer Crew Leader	17	37,710.40	18.13	1,450.40	48,081	58,451
Marketing & Communications Specialist	18	39,582.40	19.03	1,522.40	50,468	61,353
Athletic Program Supervisor	18	39,582.40	19.03	1,522.40	50,468	61,353
Recreation Program Supervisor	18	39,582.40	19.03	1,522.40	50,468	61,353
Engineering Technician	18	39,582.40	19.03	1,522.40	50,468	61,353
Not Assigned	19	41,579.20	19.99	1,599.20	53,013	64,448
				0.00		
IT Analyst/Billing Supervisor	20	43,680.00	21.00	1,680.00	55,692	67,704
Police Accreditation Manager	20	43,680.00	21.00	1,680.00	55,692	67,704
Aquatics Center Supervisor	20	43,680.00	21.00	1,680.00	55,692	67,704
Public Works Superintendent	21	45,864.00	22.05	1,764.00	58,477	71,089
Recreation Center Supervisor	21	45,864.00	22.05	1,764.00	58,477	71,089
Chief Water Plant Operator	21	45,864.00	22.05	1,764.00	58,477	71,089
Water Plant Chemist	21	45,864.00	22.05	1,764.00	58,477	71,089
Sr. Planner	22	48,152.00	23.15	1,852.00	61,394	74,636
IT Specialist	22	48,152.00	23.15	1,852.00	61,394	74,636
Town Clerk	23	50,585.60	24.32	1,945.60	64,497	78,408
Water Plant Superintendent	23	50,585.60	24.32	1,945.60	64,497	78,408
Recreation & Aquatics Center Director	24	53,115.00	25.54	2,042.88	67,722	82,328
Assistant Finance Director	24	53,115.00	25.54	2,042.88	67,722	82,328
HR Dir/PIO	25	55,785.60	26.82	2,145.60	71,127	86,468
Water/Sewer Superintendent	25	55,785.60	26.82	2,145.60	71,127	86,468
HR Dir/PIO/Econ Develop Liaison	26	58,574.88	28.16	2,252.88	74,683	90,791
Not Assigned	27	61,487.11	29.56	2,364.89	78,396	95,305
Not Assigned	28	64,561.47	31.04	2,483.13	82,316	100,070
Finance Director	29	67,787.20	32.59	2,607.20	86,429	105,070
Parks & Recreation Director	29	67,787.20	32.59	2,607.20	86,429	105,070
Public Works Director	29	67,787.20	32.59	2,607.20	86,429	105,070
Planning Director	29	67,787.20	32.59	2,607.20	86,429	105,070
Public Utilities Director/ORC Collections	30	71,179.02	34.22	2,737.65	90,753	110,327
Not assigned	31	74,739.00	35.93	2,874.58	95,292	115,845
Town Manager	99					

<b>FIRE</b>	<b>Job Class</b>	<b>Range</b>	<b>Minimum</b>	<b>Hourly</b>	<b>Mid-Point</b>	<b>Maximum</b>
	Fire Fighter I (ABC Shift 42 hr/wk)	116	35,885	16.43	45,753	55,622
	Fire Fighter I (Day Shift)	116A	35,885	17.25	45,753	55,622
	Fire Fighter II (42 HR/W)	117	37,674	17.25	48,034	58,395
	Fire Engineer (42 HR/W)	118	39,596	18.13	50,485	61,374
	Fire Lieutenant (42 HR/W)	119	41,576	19.04	53,009	64,442
	Not Assigned	120	43,655	19.99	55,659	67,664
	Not Assigned	121	45,837	20.99	58,442	71,048
	Fire Inspector	122	48,152	23.15	61,394	74,636
	Fire Captain (42 HR/WK, ABC Shift)	122A	48,152	22.05	61,394	74,636
	Not Assigned	123	50,560	23.15	64,463	78,367
	Not Assigned	124	53,088	24.31	67,687	82,286
	Not Assigned	125	55,742	25.52	71,071	86,400
	Not Assigned	126	58,529	26.80	74,625	90,720
	Fire Department Training Chief	127	61,364	29.50	78,239	95,114
	Fire Chief	129	71,042	34.16	90,579	110,116

<i><b>POLICE Job Class</b></i>	<i><b>Range</b></i>	<i><b>Minimum</b></i>	<i><b>Hourly</b></i>	<i><b>Mid-Point</b></i>	<i><b>Maximum</b></i>
Police Officer I (43 HR/WK)	218	41,590	18.60		64,465
Police Officer II - (43 HR/WK)	219	43,646	19.52	55,649	67,651
Master Police Officer - (43 HR/WK)	220	45,838	20.50	58,443	71,049
Police Sergeant - (43 HR/WK)	221	48,007	21.47	61,209	74,411
Not Assigned	222	50,407	22.54	64,269	78,131
Police Lieutenant (43 HR/WK)	223	53,083	23.74	67,681	82,279
Not Assigned	224	55,737	24.93	71,065	86,393
Not Assigned	225	58,524	26.17	74,618	90,712
Police Captain	226	62,088	29.85	79,162	96,236
Not Assigned	227	65,192	31.34	83,120	101,048
Not Assigned	228	68,452	32.91	87,276	106,101
Not Assigned	229	71,875	34.56	91,640	111,406
Police Chief	230	74,755	35.94	95,313	115,870

SMITHFIELD, NC		ELECTRIC - PAY SCALE			2019-2020		
<i>ELECTRIC</i>	<i>Job Class</i>	Range	Minimum	Hourly	Bi-Weekly	Mid-Point	Maximum
	Electric Line Technician	318	39,902.20	19.18	1,534.70	50,875.31	61,848.41
	Not Assigned	319	41,896.40	20.14	1,611.40	53,417.91	64,939.42
	Journeyman Lineman	320	43,485.00	20.91	1,672.50	55,443.38	67,401.75
	Not Assigned	321	45,661.20	21.95	1,756.20	58,218.03	70,774.86
	Electric Line Crew Leader	322	47,910.20	23.03	1,842.70	61,085.51	74,260.81
	Not Assigned	323	50,304.80	24.19	1,934.80	64,138.62	77,972.44
	Not Assigned	324	52,819.00	25.39	2,031.50	67,344.23	81,869.45
	Not Assigned	325	55,460.60	26.66	2,133.10	70,712.27	85,963.93
	Electric Distr Superintendent	326	59,142.20	28.43	2,274.70	75,406.31	91,670.41

SMITHFIELD, NC  
2020-2021 PAY SCALE  
(Beginning 11/09/2020)

Column1	Column2	Column3	Column4	Column42	Column5	Column6
Job Class	Grade	MinImum	Hourly	Bi-Weekly	Mid-Point	Maximum
Part-time Seasonal or Temporary			8.00		16.50	25.00
Not Assigned	8	24,648.00	11.85	948.00	31,426.20	38,204.40
Collections Assistant	9	25,916.80	12.46	996.80	33,043.92	40,171.04
Facility Maint Specialist I Parks & Rec	10	27,227.20	13.09	1,047.20	34,714.68	42,202.16
Sanitation Worker	10	27,227.20	13.09	1,047.20	34,714.68	42,202.16
Facility Maint Specialist I Public Works	10	27,227.20	13.09	1,047.20	34,714.68	42,202.16
Street Sign Specialist	11	28,620.80	13.76	1,100.80	36,491.52	44,362.24
Street Maint Worker	11	28,620.80	13.76	1,100.80	36,491.52	44,362.24
Facility Maint Specialist II Parks & Rec	12	30,056.00	14.45	1,156.00	38,321.40	46,586.80
Water Plant Operator (Trainee)	12	30,056.00	14.45	1,156.00	38,321.40	46,586.80
Customer Service Rep	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Admin Support Specialist I Police	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Police Records Specialist	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Admin Support Specialist I Fire	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Sanitation Equipment Operator	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Admin Support Specialist I SRAC	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Utility Line Mechanic	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Admin Support Specialist II General	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Water Plant Operator I	13	31,574.40	15.18	1,214.40	40,257.36	48,940.32
Sr. Customer Service Rep	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Meter Technician	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Admin Support Specialist II Parks & Rec	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Admin Support Specialist II Planning	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Admin Support Specialist II Utilities	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Admin Support Specialist II General	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Animal Control Officer	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Assistant Aquatics Supervisor	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Water Plant Operator II	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Water Plant Mechanic	14	33,176.00	15.95	1,276.00	42,299.40	51,422.80
Wastewater System Tech	15	34,840.00	16.75	1,340.00	44,421.00	54,002.00
Pump Station Mechanic	15	34,840.00	16.75	1,340.00	44,421.00	54,002.00
Accounts Payable Tech I	16	36,608.00	17.60	1,408.00	46,675.20	56,742.40
Administrative Assistant -Public Works St	16	36,608.00	17.60	1,408.00	46,675.20	56,742.40
Equipment Mechanic Public Works	16	36,608.00	17.60	1,408.00	46,675.20	56,742.40
Zoning Enforcement Officer	16	36,608.00	17.60	1,408.00	46,675.20	56,742.40
Water Plant Operator III	16	36,608.00	17.60	1,408.00	46,675.20	56,742.40
Payroll/Accounting Technician II	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76

**SMITHFIELD, NC**  
**2020-2021 PAY SCALE**  
**(Beginning 11/09/2020)**

Human Resources Technician	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76
Facility Maint Supervisor - Parks & Rec (E)	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76
Public Works Crew Leader - Streets	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76
Public Works Crew Leader - Sanitation	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76
Equipment Operator Public Works	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76
Water/Sewer Utility Line Crew Leader	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76
Water/Sewer Crew Leader	17	38,459.20	18.49	1,479.20	49,035.48	59,611.76
Marketing & Communications Specialist	18	40,372.80	19.41	1,552.80	51,475.32	62,577.84
Athletic Program Supervisor	18	40,372.80	19.41	1,552.80	51,475.32	62,577.84
Recreation Program Supervisor	18	40,372.80	19.41	1,552.80	51,475.32	62,577.84
Engineering Technician	18	40,372.80	19.41	1,552.80	51,475.32	62,577.84
Not Assigned	19	42,411.20	20.39	1,631.20	54,074.28	65,737.36
IT Analyst/Billing Supervisor (E)	20	44,553.60	21.42	1,713.60	56,805.84	69,058.08
Police Accreditation Manager	20	44,553.60	21.42	1,713.60	56,805.84	69,058.08
Aquatics Center Supervisor (E)	20	44,553.60	21.42	1,713.60	56,805.84	69,058.08
Public Works Superintendent (E)	21	46,779.20	22.49	1,799.20	59,643.48	72,507.76
Recreation Center Supervisor	21	46,779.20	22.49	1,799.20	59,643.48	72,507.76
Chief Water Plant Operator	21	46,779.20	22.49	1,799.20	59,643.48	72,507.76
Water Plant Chemist	21	46,779.20	22.49	1,799.20	59,643.48	72,507.76
Sr. Planner	22	49,108.80	23.61	1,888.80	62,613.72	76,118.64
IT Specialist (E)	22	49,108.80	23.61	1,888.80	62,613.72	76,118.64
Town Clerk (E)	23	51,604.80	24.81	1,984.80	65,796.12	79,987.44
Water Plant Superintendent (E)	23	51,604.80	24.81	1,984.80	65,796.12	79,987.44
Recreation & Aquatics Center Director (E)	24	54,184.00	26.05	2,084.00	69,084.60	83,985.20
Assistant Finance Director	24	54,184.00	26.05	2,084.00	69,084.60	83,985.20
HR Dir/PIO/Econ Develop Liaison (E)	25	56,908.80	27.36	2,188.80	72,558.72	88,208.64
Water/Sewer Superintendent (E)	25	56,908.80	27.36	2,188.80	72,558.72	88,208.64
Not Assigned	26	59,737.60	28.72	2,297.60	76,165.44	92,593.28
Not Assigned	27	62,712.00	30.15	2,412.00	79,957.80	97,203.60
Not Assigned	28	65,852.80	31.66	2,532.80	83,962.32	102,071.84
Finance Director (E)	29	69,139.20	33.24	2,659.20	88,152.48	107,165.76
Parks & Recreation Director (E)	29	69,139.20	33.24	2,659.20	88,152.48	107,165.76
Public Works Director (E)	29	69,139.20	33.24	2,659.20	88,152.48	107,165.76
Planning Director (E)	29	69,139.20	33.24	2,659.20	88,152.48	107,165.76
Public Utilities Director/ORC (E)	30	72,592.00	34.90	2,792.00	92,554.80	112,517.60
Not assigned	31	76,232.00	36.65	2,932.00	97,195.80	118,159.60
Town Manager (E)	99	79				

**PUBLIC SAFETY  
2020-2021 PAY SCALE**

<i>Column 1</i>	<i>Column2</i>	<i>Column3</i>	<i>Column4</i>	<i>Column5</i>	<i>Column6</i>
<b>FIRE Job Class</b>	<b>Range</b>	<b>Minimum</b>	<b>Hourly</b>	<b>Mid-Point</b>	<b>Maximum</b>
Fire Fighter I (ABC Shift 42 HR/W)	116	36,603.84	16.76	46,669.90	56,735.95
Fire Fighter I (Day Shift - 40 HR/W)	116A	36,608.00	17.60	46,675.20	56,742.40
Fire Fighter II (42 HR/W)	117	38,438.40	17.60	49,008.96	59,579.52
Fire Engineer (42 HR/W)	118	40,382.16	18.49	51,487.25	62,592.35
Fire Lieutenant (42 HR/W)	119	42,413.28	19.42	54,076.93	65,740.58
Not Assigned (42 HR/W)	120	44,531.76	20.39	56,777.99	69,024.23
Not Assigned (42 HR/W)	121	46,759.44	21.41	59,618.29	72,477.13
Fire Inspector I (40 HR/W)	122	49,108.80	23.61	62,613.72	76,118.64
Fire Captain (42 HR/W, ABC Shift)	122A	49,118.16	22.49	62,625.65	76,133.15
Fire Inspector II (40 HR/W)	123	51,542.40	24.78	65,716.56	79,890.72
Fire Inspector III (40 HR/W)	124	54,475.20	26.19	69,455.88	84,436.56
Not Assigned (42 HR/W)	125	51,564.24	23.61	65,744.41	79,924.57
Not Assigned (42 HR/W)	126	59,710.56	27.34	76,130.96	92,551.37
Fire Training Chief (E)	127	62,587.20	30.09	79,798.68	97,010.16
Fire Chief (E)	129	72,467.20	34.84	92,395.68	112,324.16

**PUBLIC SAFETY  
2020-2021 PAY SCALE**

Police Began 07/06/2020  
Fire Beginning 11/09/2020

<b>Column1</b>	<b>Column2</b>	<b>Column3</b>	<b>Column4</b>	<b>Column5</b>	<b>Column6</b>
<b>POLICE Job Class</b>	<b>Range</b>	<b>Minimum</b>	<b>Hourly</b>	<b>Mid-Point</b>	<b>Maximum</b>
Police Officer I (43 HR/WK)	218	41,589.60	18.60	53,026.74	64,463.88
Police Officer II - (43 HR/WK)	219	43,646.72	19.52	55,649.57	67,652.42
Master Police Officer - (43 HR/WK)	220	45,838.00	20.50	58,443.45	71,048.90
Police Sergeant - (43 HR/WK)	221	48,006.72	21.47	61,208.57	74,410.42
Not Assigned (43 HR/WK)	222	50,407.06	22.54	64,269.00	78,130.94
Police Lieutenant (43 HR/WK)	223	53,082.64	23.74	67,680.37	82,278.09
Not Assigned (43 HR/WK)	224	55,736.77	24.93	71,064.38	86,392.00
Not Assigned (43 HR/WK)	225	58,523.61	26.17	74,617.60	90,711.60
Police Captain (E)	226	62,088.00	29.85	79,162.20	96,236.40
Not Assigned (40 HR/W)	227	65,192.40	31.34	83,120.31	101,048.22
Not Assigned (40 HR/W)	228	68,452.02	32.91	87,276.33	106,100.63
Not Assigned (40 HR/W)	229	71,874.62	34.56	91,640.14	111,405.66
Police Chief (E)	230	74,755.00	35.94	95,312.63	115,870.25

		ELECTRIC - PAY SCALE			(Beginning 11/09/2020)		
Column1	Column2	Column3	Column4	Column5	Column7	Column8	
<i>ELECTRIC</i>	<i>Job Class</i>	Minimum	Hourly	Bi-Weekly	Mid-Point	Maximum	
Electric Line Technician	318	40,705.60	19.57	1,565.60	51,899.64	63,093.68	
Not Assigned	319	42,744.00	20.55	1,644.00	54,498.60	66,253.20	
Journeyman Lineman	320	44,345.60	21.32	1,705.60	56,540.64	68,735.68	
Not Assigned	321	46,571.20	22.39	1,791.20	59,378.28	72,185.36	
Electric Line Crew Leader	322	48,859.20	23.49	1,879.20	62,295.48	75,731.76	
Not Assigned	323	51,313.60	24.67	1,973.60	65,424.84	79,536.08	
Not Assigned	324	53,872.00	25.90	2,072.00	68,686.80	83,501.60	
Not Assigned	325	56,576.00	27.20	2,176.00	72,134.40	87,692.80	
Electric Distr Superintendent (I	326	60,320.00	29.00	2,320.00	76,908.00	93,496.00	

DRAFT



# Request for Town Council Action

**Consent  
Agenda  
Item:** No Trucks  
on Britt  
Street  
**Date:** 11/10/2020

---

**Subject:** No Through Truck Request for Britt Street  
**Department:** Police  
**Presented by:** Chief of Police R. Keith Powell & Town Manager - Michael Scott  
**Presentation:** Consent Agenda Item

---

## Issue Statement

Britt Street is a street located in West Smithfield that connects Highway 70 Business to Wilsons Mills Road. Trucks are utilizing this road as a cut through, rather than go to the stop light at Highway 70 Business and turn left onto Wilsons Mills Road. This is a residential street with low hanging utility lines and was not constructed for truck traffic on a regular basis. Staff is recommending Britt Street be designated and so marked for no through truck traffic.

## Financial Impact

There is no financial impact for the Town other than staff time and sign costs.

## Action Needed

Approve the request for no through trucks on Britt Street.

## Recommendation

Approve the request for no through trucks on Britt Street.

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report



# Staff Report

**Consent  
Agenda  
Item:**

**No Trucks  
on Britt  
Street**

---

Britt Street is a street located in West Smithfield that connects Highway 70 Business to Wilsons Mills Road. Trucks are utilizing this road as a cut through, rather than go to the stop light at Highway 70 Business and turn left onto Wilsons Mills Road. This is a residential street with low hanging utility lines and was not constructed for truck traffic on a regular basis. Staff is recommending Britt Street be designated and so marked for no through truck traffic.



# Request for Town Council Action

**Consent  
Agenda  
Item:**  
**Patrol Car  
Purchase**  
Date: 11/10/2020

**Subject:** Purchase (3) Patrol Vehicles  
**Department:** Police Department  
**Presented by:** Chief of Police - R.K. Powell  
**Presentation:** Consent Agenda Item

### Issue Statement

The Police Department was budgeted \$91,000 for the purchase and preparation of three (3) squad cars. The police department solicited quotes from: Deacon Jones, Bleecker Dodge and Performance Automotive. The bids from the dealerships are:

Bleecker: \$25,534x 3 = \$76,602.00

Performance Automotive: \$25,528 x 3= \$76,584.00

Deacon Jones: \$24,973 x 3= \$74,919.00

### Financial Impact

Approved Budgeted Amount for FY 2020-2021: \$91,000.00

Amount of Purchase/Bid/ Contract: \$74,919.00 / Deacon Jones

### Action Needed

It is requested the council approve the low quote from Deacon Jones in Smithfield and approve the purchase of (3) three squad cars for the department. The recommended quote is within the budgeted amount for this purchase. Additional budget amount will be used for striping and moving/purchasing equipment for the new cars.

### Recommendation

Approve the low bid from Deacon Jones for purchase.

Approved:  Town Manager  Town Attorney

### Attachments:

1. Staff Report
2. Vehicle Bid Specification



# Staff Report

**Consent  
Agenda  
Item:**

**Patrol  
Car  
Purchase**

---

The Police Department was budgeted \$91,000 for the purchase and preparation of three (3) squad cars. The balance of the purchase will be needed for the striping and the moving of existing equipment from the old cars to the new and the purchasing of new partition cages. The police department solicited quotes from: Deacon Jones, Bleecker Dodge and Performance Automotive. The bids from the dealerships are:

Bleecker:  $\$25,534 \times 3 = \$76,602.00$

Performance Automotive:  $\$25,528 \times 3 = \$76,584.00$

Deacon Jones:  $\$24,973 \times 3 = \$74,919.00$

Staff is recommending entering into a contract with the low bidder, Deacon Jones, to complete the purchase.

# PERFORMANCE

AUTOMOTIVE

CHRYSLER

DODGE

Jeep



RAM



## 2021 Dodge Charger Pursuit

5.7L HEMI V-8 Rear Wheel Drive

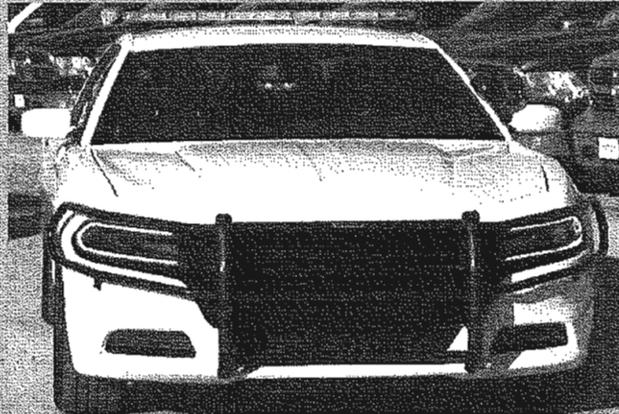
-or-

3.6L Pentastar V-6 All Wheel Drive



### 2021 Charger Pursuit Standard Features

7.0" Touch Screen Display  
800 Amp Maintenance Free Battery  
Electric Power Steering  
Engine Oil cooler  
Full Size Spare Tire  
Heavy Duty Suspension  
Adjustable Max Speed  
Integrated Voice Command w/Bluetooth  
Keyless Go  
Load Leveling and Height Control  
Police ABS 4 Wheel HD Disc Brakes  
Power 6-Way Driver Seat  
Severe Duty Engine Cooling  
Cloth Rear Seat / Vinyl Floor Covering



### Standard Configurations

#### V-8 RWD

5.7 Liter HEMI V-8 MDS VVT Engine  
8 Speed Auto 8HP70 Transmission  
Customer Preferred Package 26A  
Heavy Duty Black Vinyl Floor  
HD Cloth Front Seats / Cloth Rear Seat

#### V-6 AWD

3.6 Liter V-6 24V VVT Engine  
8 Speed Auto 850RE Transmission  
Customer Preferred Package 28A  
Heavy Duty Black Vinyl Floor  
HD Cloth Front Seats / Cloth Rear Seat

**2 Key Fobs Standard ( Must order GXQ For Additional)**

## 2021 Charger Pursuit Powertrain Options

	Model	Powertrain	Base Price
<input checked="" type="checkbox"/>	LDDE48	Charger Pursuit V-8 Rear Wheel Drive	\$ 25,223
<input type="checkbox"/>	LDEE48	Charger Pursuit V-6 All Wheel Drive	\$ 27,166

### Interior Seating Options

<input type="checkbox"/>	C8/X9	HD Cloth Front Bucket and Rear Bench Seats	N/C
<input checked="" type="checkbox"/>	X5/X9	HD Cloth Front and Vinyl Rear Bench Seat	\$ 120

### Tires & Wheels

<input type="checkbox"/>	DR3	220 MM Rear Axle	N/A
<input checked="" type="checkbox"/>	W8B	18" Wheel Covers	\$ 40
<input type="checkbox"/>	DB1	Dog Bowl Center Caps	STD
<input type="checkbox"/>	AHM	Convenience Group I	\$ 480
<input type="checkbox"/>	GUK	Power Heated Mirrors w/Man Fold Away	\$ 60
<input type="checkbox"/>	TYL	245/55R 18BSW Performance Tires	\$ 180

### Equipment Groups

<input type="checkbox"/>	AEB	Street Appearance Group	\$ 375
<input type="checkbox"/>	AYE	Patrol Package Base Prep (N/A with AYW)	\$ 2,000
<input type="checkbox"/>	AYW	Patrol Package Wiring Prep (N/A with AYE)	\$ 1,150
<input type="checkbox"/>	AWC	Fleet Safety Group	\$ 350
<input type="checkbox"/>	AV2	Uconnect 12.1" Integrated Display Screen	\$ 2,240
<input type="checkbox"/>	AYJ	Max Flow Package	\$ 150

### Interior Features

<input type="checkbox"/>	CKD	Floor Carpet	\$ 125
<input type="checkbox"/>	CUG	Police Floor Console (N/A with Uconnect 12.1 AV2)	\$ 750
<input checked="" type="checkbox"/>	LBG	Front Reading/Map Lights	\$ 75
<input type="checkbox"/>	CW6	Deactivate Rear Doors & Windows	\$ 75
<input type="checkbox"/>	CW7	Door/Window Activation Kit	\$ 100
<input checked="" type="checkbox"/>	TBF	Spare Tire Delete (Includes Tire Service Kit)	\$ (90)
<input type="checkbox"/>	TBH	Spare Tire Relocation Bracket	\$ 145
<input checked="" type="checkbox"/>	LNF	Black Left Spotlight	\$ 210
<input type="checkbox"/>	LNA	Matching Right Spotlight	\$ 210
<input type="checkbox"/>	LNX	LED Spotlight Insert (Must Have LNF or LNA)	\$ 150
<input type="checkbox"/>	HGC	Rear Shelf Silencer Insulation	\$ 40
<input type="checkbox"/>	MDA	Front License Plate Bracket	N/C
<input type="checkbox"/>	MSY	Delete Badge (Deletes Charger Badge)	N/C
<input type="checkbox"/>	NHK	Engine Block Heater	\$ 95
<input type="checkbox"/>	AFX	Equipment Mounting Bracket	\$ 100

### Key Options

<input type="checkbox"/>	GXF	Entire Fleet Key Alike - FREQ 1	\$ 140
<input type="checkbox"/>	GXA	Entire Fleet Key Alike - FREQ 2	\$ 140
<input type="checkbox"/>	GXE	Entire Fleet Key Alike - FREQ 3	\$ 140
<input type="checkbox"/>	GXG	Entire Fleet Key Alike - FREQ 4	\$ 140
<input checked="" type="checkbox"/>	GXQ	Additional Non Key Alike Key Fobs ( 6 Additional Key Fobs )	\$ 150

### Security Options

<input type="checkbox"/>	CBT	Steel Seat Back Panel Inserts	\$ 135
<input type="checkbox"/>	LSA	Security Alarm	\$ 150
<input type="checkbox"/>	XDG	Passenger Side Ballistic Door Panel	\$ 2,350
<input type="checkbox"/>	XDV	Driver Side Ballistic Door Panel	\$ 2,350

### 2021 Standard Colors

		Quantity	
<input type="checkbox"/>	PS2	Bright Silver Metallic Clear Coat (Hang on parts are black)	
<input checked="" type="checkbox"/>	PW7	Bright White Clear Coat	3.00
<input type="checkbox"/>	PX8	Pitch Black Clear Coat	
<input type="checkbox"/>	PAU	Granite Pearl Coat	
<input type="checkbox"/>	PRV	Octane Red Pearl Coat	
<input type="checkbox"/>	PSE	Triple Nickel Clear Coat	
<input type="checkbox"/>	PBM	Indigo Blue	
<input type="checkbox"/>	PR3	TorRed Clear Coat	
<input type="checkbox"/>	PAE	Smoke Show	
<input type="checkbox"/>	PEC	Sinamon Stick	
<input type="checkbox"/>	PCD	Hellraisin	
<input type="checkbox"/>	PFQ	F8 Green	
<input type="checkbox"/>	PCA	Frostbite	
<input type="checkbox"/>	PWL	White Gold Clear Coat (Low Volume Color - \$450 Add Cost) Hang on Parts are Black	

Images for Color Reference Only

Note: Low volume colors available at additional cost

### Additional Options

ADD

<input type="checkbox"/>	LOW V	Low Volume Color Upcharge Each Unit	\$ 450
<input type="checkbox"/>			
<input checked="" type="checkbox"/>		Dealer Discount	\$ (200)

**More than \$500 less  
than NC70A State  
Contract Price**

**Price Each:** \$ 25,528.00

**Units This Spec:**

**Total Price:** \$ 76,584.00

### Warranty Information

#### I. Charger Pursuit

5 Year / 100,000 Mile Powertrain Warranty  
3 Year / 36,000 Mile Bumper to Bumper Warranty

**Notes:**

Quote Date: 10-13-2020

NOTE: 2021 Dodge Charger Pursuit only comes standard with 2 Key Fobs. Order GXQ if you need more than 2 FOBS

**Agency Information:**

Agency Name: Smithfield PD  
 Contact: Captain JF Grady  
 Position: \_\_\_\_\_  
 Address 1: \_\_\_\_\_  
 Address 2: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Office Phone: \_\_\_\_\_  
 Cell Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_  
 Fax: \_\_\_\_\_

**Amy Hill  
Government & Fleet Sales**

605 Warsaw Road  
Clinton, North Carolina 28328  
[ahill@ramclinton.com](mailto:ahill@ramclinton.com)  
(336) 687-7964 Cell



**Gene Daniel  
Government Sales Manager**

605 Warsaw Road  
Clinton, North Carolina 28328  
(910) 592-5337 Dealership  
[gdaniel@ramclinton.com](mailto:gdaniel@ramclinton.com)

## Smithfield Police Department 2020 Bid Sheet Specifications

Standard Features for 2020 Dodge Charger Pursuit PATROL VEHICLES	Code	Included in Quote
2020 Dodge Charger Pursuit Police Rated Sedan (Rear Wheel Drive)	LDDE48	√
5.7L Hemi V-8 MDS VVT Engine	EZH	√
5 SPD auto W5A 580 Transmission		√
5.0" Touch Screen Display		√
800 Amp Maintenance Free Battery		√
Electric Power Steering		√
Engine Oil Cooler		√
Heavy Duty Suspension		√
High Speed Engine Controller		√
Integrated Voice Command with Blue Tooth		√
Keyless Go		√
Load Leveling and Height Control		√
Police ABS 4 Wheel HD Disc Brakes		√
Power 6-Way Driver Seat		√
Severe Duty Engine Cooling		√
Customer Preferred Package	29A	√
Heavy Duty Black Vinyl Floor	CKJ	√
18" Wheel Covers	W8A	√
HD Cloth Front Bucket and Vinyl Rear Bench Seats	X5/X9	√

## Smithfield Police Department 2020 Bid Sheet Specifications

N/A	N/A	N/A
4 Standard Key Fobs		✓
Front Reading Map/Lights	LBG	✓
Driver Side Incandescent Spotlight	LNF	✓
<b>DELETE Full Size Spare Tire</b>	<b>TBF</b>	✓
3 Vehicles,,,,, Colors are White Knuckle Clear Coat	PW7/APA	✓
Must be 8 cylinders, No all-wheel drive, No 6 cylinder...		✓

<b>Total Price For all three Vehicles</b>	\$ 74,919
<b>Taxes</b>	\$ <del>0</del>

<b>Total Quote Price for three Vehicles</b>	\$ 74,919
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Business Name / Dealership: DEACON JONES AUTO PARK

Business Address: 1115 N BRIGHTLEAF BLVD SMITHFIELD, NC

Business Phone: (919) 934-8101 EXT. 662

Authorized Representative: (Print Name) ROGER WOOD Date: 10-15-2020

Signature of Authorized Representative: *Roger Wood*

## Smithfield Police Department 2020 Bid Sheet Specifications

Standard Features for 2020 Dodge Charger Pursuit PATROL VEHICLES	Code	Included in Quote
2020 Dodge Charger Pursuit Police Rated Sedan (Rear Wheel Drive)	LDDE48	✓
5.7L Hemi V-8 MDS VVT Engine	EZH	✓
5 SPD auto W5A 580 Transmission		✓
5.0" Touch Screen Display		✓
800 Amp Maintenance Free Battery		✓
Electric Power Steering		✓
Engine Oil Cooler		✓
Heavy Duty Suspension		✓
High Speed Engine Controller		✓
Integrated Voice Command with Blue Tooth		✓
Keyless Go		✓
Load Leveling and Height Control		✓
Police ABS 4 Wheel HD Disc Brakes		✓
Power 6-Way Driver Seat		✓
Severe Duty Engine Cooling		✓
Customer Preferred Package	29A	✓
Heavy Duty Black Vinyl Floor	CKJ	✓
18" Wheel Covers	W8A	✓
HD Cloth Front Bucket and Vinyl Rear Bench Seats	X5/X9	✓

### Smithfield Police Department 2020 Bid Sheet Specifications

N/A	N/A	N/A
4 Standard Key Fobs		✓
Front Reading Map/Lights	LBG	✓
Driver Side Incandescent Spotlight	LNF	✓
DELETE Full Size Spare Tire	TBF	✓
3 Vehicles,,,,, Colors are White Knuckle Clear Coat	PW7/APA	✓
Must be 8 cylinders, No all-wheel drive, No 6 cylinder...		✓

<b>Total Price For all three Vehicles</b>	<b>\$</b> 76,062. -
<b>Taxes</b>	<b>\$</b> 2,281.86

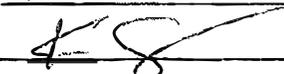
<b>Total Quote Price for three Vehicles</b>	<b>\$</b> 78,343.86
---	------------------------

Business Name / Dealership: Bleeker CDJR

Business Address: 1110 E. COMBELLANO ST. DUNN, NC. 28834

Business Phone: 910-892-1800

Authorized Representative: (Print Name) Kurt Collier Date: 10/13/20

Signature of Authorized Representative: 

BLEECKER CHRY-DODGE-JEEP INC  
 1110 EAST CUMBERLAND ST  
 DUNN, NC 283345137

Configuration Preview

Date Printed: 2020-10-13 11:38 AM VIN: Quantity: 1  
 Estimated Ship Date: VON: Status: BA - Pending order  
 FAN 1: 00P9A Town of Smithfield NC  
 FAN 2:  
 Client Code:  
 Bid Number: TB1076  
 PO Number:

Sold to: BLEECKER CHRY-DODGE-JEEP INC (68570)  
 1110 EAST CUMBERLAND ST  
 DUNN, NC 283345137  
 Ship to: BLEECKER CHRY-DODGE-JEEP INC (68570)  
 1110 EAST CUMBERLAND ST  
 DUNN, NC 283345137

Vehicle: 2021 CHARGER POLICE RWD (LDDE48)

	Sales Code	Description	MSRP(USD)	FWP(USD)
Model:	LDDE48	CHARGER POLICE RWD	35,555	34,784
Package:	26A	Customer Preferred Package 26A	0	0
	EZH	5.7L V8 HEMI MDS VVT Engine	0	0
	DFK	8-Spd Auto 8HP70 Transmission	0	0
Pain/Seat/Trim:	PW7	White Knuckle Clear Coat	0	0
	APA	Monotone Paint	0	0
	*X5	HD Cloth Bucket Seats w/Vinyl Rear	120	108
	-X8	Black	0	0
Options:	4DH	Prepaid Holdback	0	-1,082
	4ES	Delivery Allowance Credit	0	-355
	MAF	Fleet Purchase Incentive	0	-1,005
	GXQ	Additional Non-Key Alike Fobs	150	136
	W8A	18" Wheel Covers	40	35
	L8G	Front Reading/Map Lamps	75	68
	LNF	Black Left Spot Lamp	210	189
	TBF	Delete Spare Tire	-100	-90
	YEP	Manuf Statement of Origin	0	0
	6N6	Easy Order	0	0
	4FM	Fleet Option Editor	0	0
	4FT	Fleet Sales Order	0	0
	186	Zone 66-Orlando	0	0
	4EA	Sold Vehicle	0	0
Non Equipment:	4FA	Special Bid-Ineligible For Incentive	0	0
Bid Number:	TB1076	Government Incentives	0	-3,200
Discounts:	YGF	8 Additional Gallons of Gas	0	21
Destination Fees:			1,495	1,495
Total Price:			<u>37,545</u>	<u>25,104</u>

Order Type: Fleet  
 Scheduling Priority: 1-Sold Order  
 Salesperson:  
 Customer Name:  
 Customer Address:

PSP Month/Week:  
 Build Priority:

99 4th key fob  
 Prep!

150. --  
 100. --

Instructions:

25,354. --  
 760. 64  
26,114.62

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.





# Request for Town Council Action

**Consent  
Agenda  
Item:**  
**Date:** 11/10/2020

**Approval to  
repair the  
roof at Fire  
Station #1**

---

**Subject:** Roof Repair/Replacement at Station#1  
**Department:** Fire Department  
**Presented by:** Fire Chief - John Blanton  
**Presentation:** Consent Agenda Item

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## Issue Statement

Authorization to accept the bid of \$62,636.00 to Owens Roofing, Inc. for repairs to the roof at Fire Station No. 1 located at 111 South 4<sup>th</sup> Street

## Financial Impact

Approved Budgeted Amount for FY 2020-2021: \$87,000.00

Amount of Purchase/Bid/ Contract: \$62,636.00, this is one portion of the amount needed to complete the entire project. The remaining balance is for painting of the underside of the roof in the apparatus bays. We will seek bids for the painting at a later date, once the roof has been repaired.

## Action Needed

Approve the acceptance of the bid of \$62,636.00 from Owens Roofing, Inc.

## Recommendation

Staff recommends approval of this bid to Owens Roofing, Inc. in the amount of \$62,636.00.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Quotes from:
  - a. Owens Roofing, Inc.
  - b. Mark Gregory Roofing Company
  - c. Baker Roofing



# Staff Report

**Consent  
Agenda  
Item:** **Approval to  
repair the  
roof at Fire  
Station #1**

---

The Fire Department was approved during budget to seek bids for repairs to the roof at Station #1. The roof at the Fire Station is over 41 years old having been repaired many times throughout the years, is in need of replacement of the main portion of the roof. In 2008 during the partial renovation the roof over the new Training Room was replaced with a new roof. We are now needing to replace the remainder of the roof area, as it has started to leak in a few spots in the apparatus bay. We sent out RFP's (request for price) for the needed repairs to 3 different roof companies and received comparable quotes.

The request for proposal were sent out to the following companies:

- Owens Roofing, Inc. \$62,636.00
- Mark Gregory Roofing Company \$65,400.00
- Baker Roofing \$68,246.00

After vetting of these companies, the staff determined Owens Roofing, Inc. is the company that best fits the needs of this project.

# Owens Roofing, Inc.

# Proposal

1200 Short Journey Road  
Smithfield, NC 27577

Email: bert@owensroofinginc.com  
Phone (919) 821-0082 Fax (919) 821-0085

DATE October 14, 2020  
Quotation # 1014-20A  
Customer ID

Submitted To: Mr. Bentley Powell  
Smithfield Fire Station No. 1  
bpowell.smithfieldfire.nc@gmail.com  
919-915-1171

Quotation valid until: November 14, 2020  
Prepared by: Bert Owens

Description	AMOUNT
<b>Job Location: 111 S Fourth Street Smithfield, NC 27577</b>	
<b>1979 Building Built Up Roof Replacements Scope of Work:</b>	
-Remove and dispose of edge metal, flashings and other roofing debris.	
-Broom smooth loose gravel.	
-Using three inch TPO coated metal disks, fasten a new 1/2 inch gypsum coverboard over the entire roof surface using mechanical fasteners.	
-Position and trim to fit .060 TPO white roof membrane. Using a manufacturer approved robotic induction welder, fuse the TPO field sheets to the coated plates. Heat weld all sheets together forming a monolithic, Energy Star Rated roof covering	
-Flash all walls, curbs, and other penetrations with TPO flashing material fully adhered to the vertical surfaces.	
-Install new prefinished edge metal in a color chosen by the owner form the manufacturer's standard color offering.	
<b>-Installation Includes 20 Year Manufacture's No Dollar Limit Material and Labor Watertight Warranty and Two Year Contractor's Warranty</b>	
<b>TOTAL INSTALLED COSTS:</b>	<b>\$57,397.00</b>
<b>2008 Addition Recommended Repairs Scope of Work:</b>	
-Remove and replace silicone sealant at sheet metal counterflashing along the walls.	
-Remove and replace joint sealant around large antenna mount, antenna wire penetration through counterflashing, wall vents, vent pipe boots, and conduit box.	
-Remove and replace backer rod and joint sealant at the vertical expansion joint between the 1979 built up roof and 2008 addition roof.	
-Remove and replace fasteners along the wall counterflashing with new neoprene gasketed fasteners.	
-New joint sealant to be DOW 795 Silicone Building Sealant. Color to be chosen by owner form manufacturer's standard offering.	
<b>TOTAL INSTALLED COSTS:</b>	<b>\$5,239.00</b>
<b>ACCEPTANCE OF PROPOSAL:</b>	
_____	
Date	

 **Mark Gregory**  
**Roofing Company, Inc.**

1399 Old Barbour Rd  
Benson, NC 27504  
(919) 894-1089

October 16, 2020

**Proposal Submitted To:**  
Smithfield Fire Dept

**Work To Be Performed At:**  
111 South Fourth Street  
Smithfield, NC

**We hereby propose to furnish the materials and perform the labor necessary for the completion of:**

Remove loose rock from the existing roof. Overlay the roof with a one half inch structro deck high density roof fiberboard and mechanically fasten thru the steel decking. Fully adhere an 0.60 ml bright white Energy Star Rated TPO roof system with heat welded seams. Fabricate and install 0.32 bronze aluminum edge metal around the entire perimeter of the rock roof. Install pipe boots and wall flashing. Clean the existing TPO roof section with 115 cleaner and pressure wash. Apply silicone based coating at the rate of 2.5 gallons per square. Clean up and haul away all job related debris. Have both roofs inspected by the Manufacturers roof inspector and issue a twenty year standard membrane and labor warranty on the new TPO roof and a twenty year leak free warranty on the Coating.

Labor and Materials.....\$ 65,400.00

Respectfully submitted by,  
Mark Gregory  
Mark Gregory Roofing Company, Inc.

Note- This Proposal maybe withdrawn by us if not accepted within 30 days.

# Smithfield Fire Station #1

BUR Roof Installation  
111 S 4th St  
Smithfield, NC 27577



**BAKER**  
CELEBRATING 100 YEARS

*Always Good Work*  
EST. 1919



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

# PROJECT PROPOSAL

## I. PROPOSAL SUMMARY

### CLIENT INFORMATION

Client Bentley Powell  
Client Address 111 S Fourth St, Smithfield, NC 27577  
Client Company Smithfield Fire Department  
Client Primary Phone 919-915-1171  
Client Business Email [bpowell.smithfieldfire.nc@gmail.com](mailto:bpowell.smithfieldfire.nc@gmail.com)

### PROJECT INFORMATION

Site Name Smithfield Fire Station #1  
Project Description BUR Roof Installation  
Project Address 111 S 4th St  
Smithfield, NC 27577

**DESCRIPTION:**  
Baker Roofing Company is proposing to provide all tools, labor, equipment and supervision necessary to perform the roofing project on the discussed property in accordance to the specifications contained within this proposal document outlined in the following pages.

### PREPARED BY

Baker Roofing Company Rep. Quincy King  
Primary Phone 919-291-6691  
Primary Email [qking@bakerroofing.com](mailto:qking@bakerroofing.com)



## II. PROJECT SUMMARY

### BASE SCOPE OF WORK: BUR Roof Installation

1. Perform pre-construction meeting to discuss set up, staging area for equipment and loading of the roof, appropriate work hours, safety and production projections
2. Set up equipment, materials, safety lines at all roof perimeters and ground loading/dumpster area. All work to be done as per OSHA guidelines.
3. Provide all permits as required by the Town of Smithfield.
4. Scan the existing roof to locate and quantify areas of wet insulation. Remove and replace individual pieces as needed on a unit cost basis.
5. Remove the loose gravel and all debris to prepare the roof for replacement.
6. Remove the existing flashings and perimeter gravel stop/drip edge around all sides of the building.
7. Install a layer of 1/2" EPS over the existing roofing and fasten it per the manufacturer's standard fastening pattern.
8. Install a white 60 mil TPO membrane system per the manufacturer's guidelines.
9. Install associated penetration and curb flashings as required by the manufacturer.
10. Install new aluminum termination bar at the existing base wall tie in and cover the new termination bar with a shop fabricated surface mounted counter flashing.
11. Fabricate and install new 24 gauge Kynar prefinished gravel stop at all exterior non-draining perimeters. New gravel stop to have a continuous 22 gauge locking cleat.
12. Fabricate and install new 24 gauge TPO clad steel drip edge at all draining eave perimeters. New drip edge to have a continuous 22 gauge locking cleat.
13. Existing gutters and downspouts to remain and be reused in the new roofing system.
14. Metal colors to be selected by the owner from the manufacturer's full range of standard colors.
15. Clean and haul away all construction related debris.
16. Provide a 20 year No Dollar Limit (NDL) labor and material warranty upon completion and inspection of roof system by an authorized manufacturer's representative.

### ALTERNATES & UPGRADES

- a. Upgrade the 1/2" EPS to 1/4" Dens Deck.
- b. Upgrade the 1/2" EPS to 2" ISO so that the roof has an R-20 thermal value.
- c. Add gutters/downspouts to the draining eaves on the left side of the building that currently does not have gutters/downspouts.
- d. Add gutters/downspouts to the draining eaves on the left side of the building that currently does not have gutters and also replace the residential gutters/downspouts on the right side of the building.

### III. PROPOSAL PRICING

AGREEMENT made this 10/21/2020 by and between Baker Roofing Company, hereinafter called the "CONTRACTOR", **Smithfield Fire Department**, hereinafter called the "OWNER". Baker Roofing Company will furnish all labor and all materials for the previously outlined scope in accordance with the pricing listed in this section.

#### A. Base Scope of Work:

Work to Be Performed in the Base Scope of Work	Pricing
<b>BUR Roof Installation</b>	<b>\$42,623.00</b>

#### B. Alternates:

Add Alt #	Description of Work Added / Deleted	Pricing
a.	<b>Sub Dens Deck for EPS</b>	<b>\$6,867.00</b>
b.	<b>Sub 2" ISO for EPS (roof to have R-20 total)</b>	<b>\$8,555.00</b>
c.	<b>Add gutters to left side of building</b>	<b>\$4,354.00</b>
d.	<b>Add gutters to left side of building + replaced those on the right</b>	<b>\$5,847.00</b>

#### C. Unit Pricing:

Description	Unit of Measure	Pricing
<b>Wet/Damaged Insulation</b>	<b>SF</b>	<b>\$2.85</b>
<b>Walkpads</b>	<b>LF</b>	<b>\$19.95</b>
<b>Nailers</b>	<b>LF</b>	<b>\$2.85</b>



# IV. CONTRACT AGREEMENT

## TERMS OF PAYMENT

Owner agrees to pay Contractor 40% due upon delivery of materials, monthly progress billings through substantial completion to be paid according to the work performed. Final payment due upon completion and issuance of warranty. Terms net 30 days on all invoices. Finance charges at an 18% annual percentage or .05% per day plus reasonable attorney charges will apply should terms not be followed.

## CONTRACT ACCEPTANCE

The above prices, terms, specifications, and conditions are satisfactory and are hereby accepted. Contractor is authorized to do the work as specified. Payment will be made as outlined above. The Owner confirms that by signing this agreement, no existing contract / warranty to which the customer is a party is, or will be, breached. This agreement is not binding on Baker Roofing until executed by an authorized officer of Baker Roofing. The above contract may be withdrawn by Contractor if not accepted within 30 days of the Contractor's signing date.

Description	Pricing	Initial Acceptance
<b>BUR Roof Installation</b>	<b>\$42,623.00</b>	
<b>Add Alternates</b>		
<b>Sub Dens Deck for EPS</b>	<b>\$6,867.00</b>	
<b>Sub 2" ISO for EPS (roof to have R-20 total)</b>	<b>\$8,555.00</b>	
<b>Add gutters to left side of building</b>	<b>\$4,354.00</b>	
<b>Add gutters to left side of building + replaced those on the right</b>	<b>\$5,847.00</b>	

### CONTRACTOR

### AUTHORIZED 'OWNER' APPROVAL

Signature	
Name & Title	Quincy King
Date	10/21/2020

Signature	
Name & Title	
Date	

### OWNER INVOICE & WARRANTY DESIGNATION

Owner Name
Phone   Email
Billing Address
Warranty Holder Name

Phone:

Email:







# Request for Town Council Action

**Consent  
Agenda  
Item:**  
**Award of  
Contract**  
Date: 11/10/2020

---

**Subject:** Award of Contract for Water Meter Installation in West Smithfield

**Department:** Public Utilities

**Presented by:** Public Utilities Director - Ted Credle

**Presentation:** Consent Agenda Item

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## Issue Statement

As part of the approved multi-year, long-term project to install AMI water meters, the Town requires assistance of contractors to speed the process of installation of water meters; since the installation of water meters is a much more tedious and slower process than the process involving electric meters. Such installation services were advertised for bid and the low bidder has been submitted to the Council for approval.

## Financial Impact

The contract is bid at \$106,700 by NexGen. This money is budgeted in the AMI Capital Improvement Fund for water and sewer.

## Action Needed

Approve the proposed low bidder, as recommended by staff, and authorize the Town Manager to execute the proposed agreement.

## Recommendation

Staff recommends the approval of the low bidder to execute the work and allow the Town manager to execute the contract

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Bid tab



# Staff Report

**Consent  
Agenda  
Item:** **Award of  
Contract**

---

In accordance with Town purchasing policy, the installation services for the AMI water meters in West Smithfield was bid for services. The services were sent to known & trusted firms via direct e-mail solicitation. Contractors were engaged by phone; as well as, conducted site visits to determine the appropriate scope of the installation. Bids were tabulated in September of 2020 and the low bidder (NexGen) has been identified.

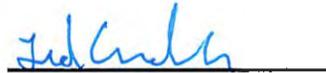
Staff is asking the Council to authorize the Town Manager to execute the contract for the proposed water meter installation services at a cost of \$106,700.

**Town of Smithfield AMI Water Meter Installation Services**

**Bid Tabulation - Bids Received: September 2020**

	Contractors	Unit Bid Price (per month)	Duration of Contract	Bid Price
1	Hydrant Mechanics	\$ 390	1,100	\$ 429,000.00
2	Neal Construction & Consulting	\$ 675	1,100	\$ 742,500.00
3	NexGen	\$ 97	1,100	\$ 106,700.00
4				
5				
6				
7				

This is to certify that bids were received in accordance with State of North Carolina purchasing guidelines and Town of Smithfield ordinances & policies.



Ted Credle, Director of Public Utilities





# Request for Town Council Action

**Consent  
Agenda  
Item:** **Bring Forward  
Encumbrances**  
**Date:** 11/10/2020

---

**Subject:** Modification to October 6, 2020, Item to Bring Forward Budget Encumbrances from the 2019-2020 Budget Year to the 2020-2021 Budget Year in the General, Water/Sewer, Electric and J.B George Funds. Attachment C was Omitted.

**Department:** Finance

**Presented by:** Finance Director – Greg Siler

**Presentation:** Consent Agenda Item

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**Issue Statement:**

Several budgeted line items in the General, Water/Sewer, Electric and J.B. George Fund were delayed in the 2019-2020 Fiscal Year for various reasons and need to be brought forward to the current year

**Financial Impact:**

As indicated by each amendment: \$677,008 in the **General** Fund, \$213,812 in the **Water/Sewer** Fund, \$233,862 in the **Electric** Fund and \$2,679 in the J.B. George Fund

**Action Needed:** Board Approval on Attachment "C"

**Recommendation:** Council Approval

Approved:  Town Manager  Town Attorney

Attachments:

1. Actual Request to Bring Forward (Attachment C)



# Staff Report

**Consent  
Agenda  
Item: Bring Forward  
Encumbrances**

On June 02, 2020, Council granted approval to bring forward funds from the 2019-2020 budget year for ongoing projects and/or items ordered through purchase orders that had not been completed or delivered. In summary, the General Fund was approved to encumber \$736,064; the Water/Sewer Fund was approved for \$350,477; the Electric Fund was approved for \$264,160; and the J.B. George Fund was approved for \$3,529. The actual amount needed in each Fund decreased as some purchases were completed. In the General Fund \$677,008 of the \$736,064 approved is needed; \$213,812 of the approved \$350,477 Water/Sewer Fund is needed; \$233,862 of the approved \$264,160 in the Electric Fund is needed; and \$2,679 of the approved \$3,529 for the J.B. George Fund is needed. Below is a summary of the approved amount compared to the actual amount needed to encumber.

	<u>Amount Approved</u>	<u>Actual Needed</u>
General Fund	\$ 736,064	\$ 677,008
Water/Sewer Fund	\$ 350,477	\$ 213,812
Electric Fund	\$ 264,160	\$ 233,862
J.B. George Fund	\$ 3,529	\$ 2,679

Budget amendments were approved during the October 6, 2020 Council meeting, However Attachment "C" was omitted from the action form. Attachment "C" requires final council approval.

**EXHIBIT C**

**BUDGET AMENDMENTS**  
**October, 2020**

	<b>Before</b>	<b>Adjustment</b>	<b>After</b>
<b>1. Revenue</b>			
10-00-3900-3900-0000 Fund Balance Appropriation	<u>\$1,020,500.00</u>	<u>\$677,007.92</u>	<u>\$1,697,507.92</u>
<b>Expenditure</b>			
10-10-4100-5700-7400 General Gov. - Capital Outlay	\$500.00	\$20,317.50	\$20,817.50
10-10-4100-5700-7400 General Gov. - Capital Outlay (Municipal Code Corp)	20,817.50	9,600.00	30,417.50
10-61-4110-5300-5710 Non-Departmental - Economic Development	25,000.00	25,000.00	50,000.00
10-61-4110-5300-5710 Non-Departmental - Economic Development (Shandy Communication	50,000.00	7,898.00	57,898.00
10-61-4110-5300-5710 Non-Departmental - Economic Development (CB Towers LLC)	57,898.00	376.75	58,274.75
10-10-4110-5300-0771 Non-Departmental - Unemployment Compensation	15,000.00	15,000.00	30,000.00
10-61-4110-5300-5712 Non-Departmental - S.H.A.R.P. Reimb	20,000.00	20,000.00	40,000.00
10-10-4900-5300-4501 Planning - C.S./Engineering Standards Manual	0.00	30,000.00	30,000.00
10-10-4900-5700-7400 Planning - Capital Outlay	0.00	12,000.00	12,000.00
10-20-5100-5300-3100 Police - Vehicle Supplies/Maintenance	86,300.00	2,125.00	88,425.00
10-20-5100-5300-3600 Police - Uniforms (Lawmens)	44,600.00	655.00	45,255.00
10-20-5100-5300-3600 Police - Uniforms (Lawmens)	45,255.00	1,450.00	46,705.00
10-20-5100-5700-7400 Police - Capital Outlay (Performance Chrysler)	271,550.00	16,365.00	287,915.00
10-20-5100-5700-7400 Police - Capital Outlay - Atlantic Resources	287,915.00	2,400.00	290,315.00
10-20-5100-5700-7400 Police - Capital Outlay (FCB Visa- NCDMV)	290,315.00	5,000.00	295,315.00
10-20-5300-5125-0601 Fire - Firefighters Physicals (UNC Physicians Network)	15,600.00	11,340.00	26,940.00
10-60-5500-5300-3440 General Services - Appearance Commission (Rodney S Blackmon)	15,000.00	3,877.67	18,877.67
10-60-5500-5300-3440 General Services - Appearance Commission	18,877.67	4,747.00	23,624.67
10-60-5500-5700-7400 General Services - Cap. Outlay (Painting Mausoleum)	20,500.00	3,000.00	23,500.00
10-60-5500-5700-7400 General Services - Cap. Outlay (Mark Gregory Roofing)	23,500.00	14,800.00	38,300.00
10-60-5500-5700-7400 General Services - Cap. Outlay (Dennis Evans)	38,300.00	10,000.00	48,300.00
10-30-5600-5300-7300 Streets - Sidewalk & Curb Repair (NCDOT Sidewalk Agreement)	17,000.00	112,406.00	129,406.00
10-30-5600-5700-7400 Streets - Capital Outlay (195 Bridge Lighting)	0.00	93,000.00	93,000.00
10-30-5600-5700-7401 Streets - Street Paving (Equity Drive)	0.00	173,000.00	173,000.00
10-76-5800-5970-9110 Transfer to GF Capital Reserve	80,000.00	80,000.00	160,000.00
10-60-6200-5300-1700 Pks & Rec - Equipment Maint. (James Paul Edwards Inc)	55,000.00	1,800.00	56,800.00
10-60-6200-5300-1700 Pks & Rec - Equipment Maint. (James Paul Edwards Inc)	56,800.00	850.00	57,650.00
	<u>\$1,555,728.17</u>	<u>\$677,007.92</u>	<u>\$2,232,736.09</u>

To bring forward encumbrances from the 2019-2020 General Fund Budget to FY20-21

<b>2. Revenue</b>				
30-71-3900-3900-0000 Fund Balance Appropriation		<u>\$0.00</u>		<u>\$213,812.35</u>
<b>Expenditures</b>				
30-71-7220-5300-1700 Water Sewer - Equip Maint (Nixon Power Services)	\$35,000.00		\$5,030.51	\$40,030.51
30-71-7220-5300-4501 Water Sewer - Service Contracts (Nixon Power Services)	265,000.00		8,781.84	273,781.84
30-71-7220-5300-5710 Water Sewer - Economic Development	<u>100,000.00</u>		<u>200,000.00</u>	<u>300,000.00</u>
	<u>\$400,000.00</u>		<u>\$213,812.35</u>	<u>\$613,812.35</u>

To bring forward encumbrances from the 2019-2020 Water/Sewer Fund Budget to FY20-21

<b>3. Revenue</b>				
31-72-3900-3900-0000 Fund Balance Appropriation		<u>\$0.00</u>		<u>\$233,862.08</u>
<b>Expenditures</b>				
31-72-7230-5300-3300 Electric - Supplies/Operations (Anixter)	\$185,000.00		\$2,426.88	\$187,426.88
31-72-7230-5300-3300 Electric - Supplies/Operations (Anixter)	187,426.88		4,926.40	192,353.28
31-72-7230-5300-3300 Electric - Supplies/Operations (National Transformers)	192,353.28		15,060.00	207,413.28
31-72-7230-5300-3300 Electric - Supplies/Operations (National Transformers)	207,413.28		8,665.00	216,078.28
31-72-7230-5300-3300 Electric - Supplies/Operations (Wesco)	216,078.28		2,783.80	218,862.08
31-72-7230-5300-5710 Electric - Economic Development	<u>100,000.00</u>		<u>200,000.00</u>	<u>300,000.00</u>
	<u>\$1,088,271.72</u>		<u>\$233,862.08</u>	<u>\$1,322,133.80</u>

To bring forward encumbrances from the 2019-2020 Electric Fund Budget to FY20-21

<b>4. Revenue</b>				
40-61-3900-3900-0000 Fund Balance Appropriation		<u>\$0.00</u>		<u>\$2,679.00</u>
<b>Expenditures</b>				
40-61-4100-5300-3400 J.B. George Projects	1,200.00		2,381.00	3,581.00
40-61-4100-5300-3410 J.P. George Projects	210.00		298.00	508.00
	<u>\$1,410.00</u>		<u>\$2,679.00</u>	<u>\$4,089.00</u>

To bring forward encumbrances from the 2019-2020 J.B. George Fund Budget to FY20-21

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

VERIFIED: \_\_\_\_\_  
Shannan Parrish, Town Clerk





# Request for Town Council Action

**Consent  
Agenda Item:** S-18-01  
**Date:** 11/10/2020

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**Subject:** East River Phase II Final Plat  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Consent Agenda Item

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## Issue Statement

Buffalo Road LLC is requesting Final Plat of East River – Phase 2 comprised of 32 single-family residential lots on 4.71-acres in the PUD district.

## Financial Impact

N/A

## Action Needed

Approve the final plat of East River - Phase 2 and accept the public dedications by Resolution.

## Recommendation

Staff recommends:

1. The Council approve the final plat of East River -Phase 2 finding it substantially consistent with the East River Preliminary Plat.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. East River Final Plat Application
3. Final Plat of East River – Phase 2
4. East River Preliminary Plat (approved 4/7/20)



# Staff Report

Consent  
Agenda Item: S-18-01

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## Overview:

Buffalo Road LLC is requesting final plat approval of East River – Phase 2. The final plat is comprised of 32 single-family residential lots on 4.71-acres acres of land, the second phase of a nine-phase planned development consisting of 281 single-family residential lots over 64.95 acres of land.

## Site Development Data:

Applicant/Property Owner: Buffalo Road, LLC  
Agent: David DeYoung, RiverWild  
Location: +/- 1400 feet north of M. Durwood Stephenson Parkway on Buffalo Road  
Tax ID: 14075013  
Acreage: 4.71-acres out of 67.88-acre PUD  
# Units: 32-Single-family residential lots  
Open Space: 0.62-acres  
Area in Lots: 2.91-acres  
Area in Street R/W: 1.18-acres  
Present Zoning: Planned Unit Development (PUD), and Water Supply Watershed Protection Overlay (WS IV-PA)  
Comprehensive Plan: Guided for Medium Density Residential  
Fire Protection: Town of Smithfield  
School Impacts: Additional students to the schools.  
Parks and Recreation: Trails and park dedication fee (\$11,842.11)  
Access: Buffalo Road  
Water and Sewer Provider: Town of Smithfield  
Electric Provider: Town of Smithfield

## Site Development History:

- Rezoned to PUD with Master Plan on April 3, 2018
- Preliminary Plat approval on December 4, 2018
- Preliminary Plat was revised and approved on April 7, 2020
- Construction Plan approval on April 20, 2020

## Final Plat Review:

The UDO Article 5 contains the procedure for obtaining final subdivision approval, in which case a final plat may only be reviewed by the Town Council after it takes action on a preliminary plat. As long as the final plat is consistent with the preliminary approval, it must be approved by the Town Council as an administrative decision – approved or not approved.

PUD Conditions:

1. That the final plat be contingent on the execution of an annexation agreement with the Town of Smithfield. ***This was approved by the Council on September 3, 2019.***
2. That the developer obtains a NCDOT Right-of-Way Permit for the street access onto Buffalo Road prior to construction approval. ***The NCDOT permit was approved on January 16, 2019.***
3. That the developers dedicate additional right-of-way for Buffalo Road as required by NCDOT. ***The Right of Way was dedicated with the final plat in Phase 1.***
4. That Homeowners Association deed restrictions and covenants will be submitted for Town Attorney review to address among other items, a statement of compliance with state, local and federal regulations, and operation and maintenance of shared open space, amenities and stormwater management facilities. These documents will require Town Attorney approval prior to recordation. ***The amended HOA documents have been submitted to the Town for Town Attorney review adding of the Phase 2.***
5. That there are no attached single-family residential units within phases 1 or 2 as identified on the approved master plan phasing plan. ***Phase 1 and 2 consist of only single-family lots.***
6. That a park dedication fee in lieu of parkland be paid prior to recording the final plat approval of each phase of the development consistent with Article 10, Section 10.112.8. ***A park dedication fee of \$11,842.11 was submitted to satisfy park dedication requirements.***
7. That the public trail is constructed, and easements be dedicated for trails adjacent to each phase with the final plat of that phase consistent with the preliminary plat. ***Phase 2 sidewalks and trails will be installed after recording of the final plat and a performance bond has been submitted for these public improvements.***
8. That the public trail in the cul-de-sac of Street D be modified such that it is independent of the sanitary sewer pump station access way. ***N/A, this will be in a future phase.***

9. The utilities shall be designed such that that extension can be made conveniently and without undue burden or expense to serve future adjacent development. ***This condition has and will be met.***
  
10. The developer will work with staff to incorporate overflow parking areas into each phase of development. ***A revised preliminary plat application has been received for the development that will impact all future phases that addresses this condition.***
  
11. The greenway trail shall go around the cul-de-sac rather than through it. ***N/A, this will be addressed in a future phase of the development.***

Staff finds the Final Plat to be consistent with the preliminary plat.

**Final Plat Summary**

	Acres in Phase I	% overall site	No. Lots	R/W	Open Space
Prelim	4.14 ac	6.37%	32	1.23 ac	0 ac
Final	4.71 ac	7.25%	32	1.18 ac	0.62 ac

**Park Dedication/Fees in Lieu:**

Park dedication fees in lieu of land dedication will be paid in the amount of \$11,842.11 based on the appraised value of the land and the calculation of 1/57 an acre per lot within the development. This payment has been submitted with the final plat application as required.

**Public Dedications:**

With the final plat, the developer is dedicating public easements for drainage and utilities, public right-of-way for an extension of Sturgeon and Sunfish Streets. G.S. 160A-374 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction. The Town’s Unified Development Ordinance, Article 10, Section 10.116.2 requires all offers of public dedication to be accepted by resolution:

**SECTION 10.116 EFFECT OF PLAT APPROVAL ON DEDICATIONS AND ACCEPTANCES.**

**10.116.1. Plat Approval Shall Not Constitute Acceptance.**

Pursuant to NCGS 160A-374, the approval of a plat shall not be deemed to constitute or effect the acceptance by the municipality or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. To be effective, all offers of dedication must be accepted by resolution.

**10.116.2. Acceptance of Dedications.**

**10.116.2.1.** At the time of submittal of a preliminary plat with streets, utilities, or other proposed to be dedicated for acceptance by the Town as public, the Town Council will decide if it will approve the dedication, subject to the street(s), parks, utilities,

sidewalks, or other complying with all Town requirements for acceptance. The Town of Smithfield is not obligated to accept any offer of dedication.

**10.116.2.2.** Acceptance of dedication will be provided by adoption of a resolution of acceptance by the Town of Smithfield Town Council.

Acceptance of the public dedications does not commit the Town to maintenance of the public improvements. These will be accepted by the Town Council after they are constructed by the developer and inspected and approved by the Town Staff. The approval of the resolution will be a separate action item for council approval

### **Public Improvements:**

Prior to final plat, all public improvements should be installed, inspected and approved by the Town. Any improvements that have not been installed, inspected and approved are required to be completed within one year after the recordation of the final plat and the developer is required to post a performance guarantee (typically a surety bond) equal to 1.25% the reasonably estimated cost of the completion.

The site is currently under construction and no public improvements have been fully installed. The developer will be posting a surety bond for the public improvements not completed prior to recordation for utilities, sidewalks, trails, lighting, landscaping, handicap ramps and final lift of pavement based on an estimated cost of improvements prepared by the developer's engineer and approved by the Town Engineer.

### **Utility Fees.**

With Final Plat, the following utility fees have been collected as required.:

- Water meter set fees (\$22,400)
- System Development fees (\$20,800)

### **Deed Restrictions and Covenants:**

The Declarations of Covenants, Conditions and Restrictions were submitted with the Phase 1 Final Plat and approved by the Town Attorney. The Phase 2 will be incorporated into these HOA documents prior to recording the final plat.

### **Recommendations:**

1. Staff recommends the Town Council approve the Final Plat of East River -Phase 2

### **Recommended Motions:**

1. ***"Move to approve the Final Plat of East River Phase 2, a 32-lot single-family residential subdivision on 4.71 acres finding it consistent with the preliminary plat"***



**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

**Final Plat Application  
 General Information**

Development Name East River Phase 2

Proposed Use Single Family Residential - PUD

Property Address(es) 1860 Buffalo Road Smithfield NC 27577

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

PIN# 169520-80-3415	TAX ID# 14075013
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Project type?  Single Family  Townhouse  Multi-Family  Non-Residential  Planned Unit Development (PUD)

**OWNER/DEVELOPER INFORMATION**

Company Name Buffalo Road LLC Owner/Developer Name Buffalo Road LLC

Address 114 W. Main Street Clayton NC 27520

Phone 919-901-3178	Email david@theriverwildteam.com	Fax n/a
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**CONSULTANT/CONTACT PERSON FOR PLANS**

Company Name RiverWild Contact Name David DeYoung

Address 114 W. Main Street Clayton NC 27520

Phone 919-901-3178	Email david@theriverwildteam.com	Fax n/a
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**DEVELOPMENT TYPE AND SITE DATE TABLE (Applicable to all developments)**

**ZONING INFORMATION**

Zoning District(s) PUD

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

Overlay District?  Yes  No **WS IV-PA WSPS Overlay District**

Inside City Limits?  Yes  No

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

## Final Plat Application

Application for Final Plat review shall be submitted to the Town of Smithfield Planning Department within 24 months of preliminary plat approval and infrastructure improvements for all approved preliminary subdivisions. The UDO Administrator shall determine whether or not the final plat substantially agrees with the approved preliminary plan and submit to the Town Council for approval. If substantial differences exist, the Town Council may deny the final plat and require that a new preliminary plat be submitted. If the plat substantially agrees with the preliminary plat, the Town Council shall approve the final plat within thirty (30) days after first consideration, if the Town Council has accepted the publicly dedicated improvements or approved a performance bond agreement. Only after the final plat has been approved and recorded at the Johnston County Register of Deeds office shall any lots be transferred or conveyed. The plat must be recorded within 30 days after approval.

Complete this application in compliance with Article 10, of the Unified Development Ordinance (UDO). In order to ensure that the proposed subdivision complies with Town regulations, we recommend that the applicant review the Town of Smithfield UDO; the Ordinance may be accessed at [www.smithfield-nc.com](http://www.smithfield-nc.com).

Final Plat Application fee is \$250.00. Assessment does not include the cost of building, zoning, sign, or use permits. All fees are charged per application, and are non-refundable and non-transferrable. Applications will not be reviewed unless fees have been paid in full.

### **Final Plat review submissions shall include:**

- A completed application (including the attached checklist)
- Final plat application fee of \$250.00
- Two (2) sets of plans for review
- Two sets of as-built drawings for all work completed.
- Property Owners Association documents and covenants that include provisions for the ownership and maintenance of all privately-held facilities.
- Performance Guarantees in the form of a Surety bond, Letter of Credit or other form of guarantee that provides equivalent security for any agreed upon work to be completed after final plat approval.
- Recreation payment in lieu of property dedication for review by the Town of Smithfield Parks & Recreation Director and approved by Town Council.

Submit application, fees and supporting documents to the Town of Smithfield Planning Department along with digital copies of all required material.

**STORMWATER INFORMATION**

Existing Impervious Surface	0 acres/sf	Flood Hazard Area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proposed Impervious Surface	2.36 acres/sf	Neuse River Buffer	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Watershed protection Area	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Wetlands	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation n/a

**NUMBER OF LOTS AND DENSITY**

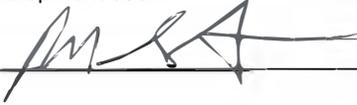
Total # of Single Family Lots <sup>32</sup>	Overall Unit(s)/Acre Densities Per Zoning Districts 5.33
Total # of Townhouse Lots 0	Acreage in active open space 1.54 acres per updated master plan
Total # of All Lots 32	Acreage in passive open space 18.55 acres per updated master plan

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

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

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

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

Signature  Date 10/1/2020

Signature \_\_\_\_\_ Date \_\_\_\_\_

**REVIEW FEES**

Final Plat (Submit 2 paper copies & **1 Digital copy on CD**) \$250.00

\*given permission to submit on a USB drive instead of CD on 10/1/2020

**FOR OFFICE USE ONLY**

File Number: \_\_\_\_\_ Date Submitted: \_\_\_\_\_ Date Received: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

**INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.**

The preliminary and final plats shall depict or contain the information indicated in the following table. An "X" indicates that the information is required.

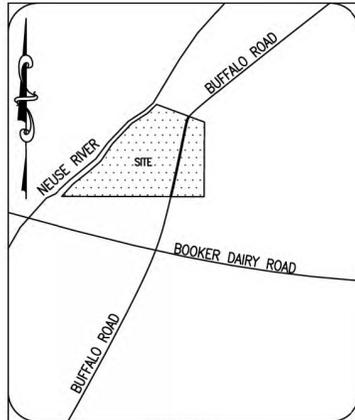
<b>Information</b>	<b>Preliminary Plat</b>	<b>Final Plat</b>
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X	
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X	X
Name of proposed subdivision.	X	X
Statement from the Johnston County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision, AND/OR statement from the County Public Utilities that application has been made for public water and/or sewer permits.	X	
Graphic scale.	X	X
North arrow and orientation.	X	X
Concurrent with submission of the Preliminary Plat to the Town, the subdivider or planner shall submit copies of the Preliminary Plat and any accompanying material to any other applicable agencies concerned with new development, including, but not limited to: District Highway Engineer, County Board of Education, U.S. Army Corps of Engineers, State Department of Natural Resources and Community Development, for review and recommendation.	X	
List the proposed construction sequence.	X	
Storm water plan – see Article 10, Part VI.	X	
Show existing contour lines with no larger than five-foot contour intervals.	X	
New contour lines resulting from earth movement (shown as solid lines) with no larger than five-foot contour intervals (existing lines should be shown as dotted lines).	X	
Survey plat, date(s) survey was conducted and plat prepared, the name, address, phone number, registration number and seal of the Registered Land Surveyor.	X	X
Names, addresses, and telephone numbers of all owners, mortgagees, land planners, architects, landscape architects and professional engineers responsible for the subdivision (include registration numbers and seals, where applicable).	X	X
Date of the drawing(s) and latest revision date(s).	X	X

<b>Information</b>	<b>Preliminary Plat</b>	<b>Final Plat</b>
The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X	
State on plans any variance request(s).	X	
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X	
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X	X
Show the minimum building setback lines for each lot.	X	X
Provide grading and landscape plans. Proposed plantings or construction of other devices to comply with the screening requirements of Article 10, Part II.	X	
Show location of all proposed entrance or subdivision signage (see Section 10.23.1).	X	
Show pump station detail including any tower, if applicable.	X	
Show area which will not be disturbed of natural vegetation (percentage of total site).	X	
Label all buffer areas, if any, and provide percentage of total site.	X	X
Show all riparian buffer areas.	X	X
Show all watershed protection and management areas per Article 10, Part VI.	X	X
Soil erosion plan.	X	
Show temporary construction access pad.	X	
Outdoor illumination with lighting fixtures and name of electricity provider.	X	
<b>The following data concerning proposed streets:</b>		
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X	X
Traffic signage location and detail.	X	
Design engineering data for all corners and curves.	X	X
For office review; a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage.	X	

<b>Information</b>	<b>Preliminary Plat</b>	<b>Final Plat</b>
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X	X
When streets have been accepted into the municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with the Town of Smithfield construction standards.	X	X
If any street is proposed to intersect with a state maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulations. (1) Evidence that the subdivider has applied for such approval. (2) Evidence that the subdivider has obtained such approval.	X X X	
<b>The location and dimensions of all:</b>		
Utility and other easements.	X	X
Pedestrian and bicycle paths.	X	X
Areas to be dedicated to or reserved for public use.	X	X
The future ownership (dedication or reservation for public use to governmental body or for owners to duly constituted homeowners' association) of recreation and open space lands.	X	X
Required riparian and stream buffer per Article 10, Part VI.	X	X
<b>The site/civil plans for utility layouts including:</b>		
Sanitary sewers, invert elevations at manhole (include profiles).	X	
Storm sewers, invert elevations at manhole (include profiles).	X	
Best management practices (BMPs)	X	
Stormwater control structures	X	
Other drainage facilities, if any.	X	
Impervious surface ratios	X	
Water distribution lines, including line sizes, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.	X	
Gas lines.	X	
Telephone lines.	X	
Electric lines.	X	
Plans for individual water supply and sewage disposal systems, if any.	X	
<b>Provide site calculations including:</b>		
Acreage in buffering/recreation/open space requirements.	X	X
Linear feet in streets and acreage.	X	X
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places.	X	X

<i>Information</i>	<i>Preliminary Plat</i>	<i>Final Plat</i>
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X	X
The accurate locations and descriptions of all monuments, markers, and control points.	X	X
Proposed deed restrictions or covenants to be imposed upon newly created lots. Such restrictions are mandatory when private recreation areas are established. Must include statement of compliance with state, local, and federal regulations.	X	X
A copy of the erosion control plan submitted to the Regional Office of NC-DNRCD, when land disturbing activity amounts to one acre or more.	X	
All certifications required in Section 10.117.	X	X
Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.	X	X
Improvements guarantees (see Section 5.8.2.6).		X

<b>FOR OFFICE USE ONLY</b>			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____



**APPROVAL AND ACCEPTANCE OF DEDICATION BY THE TOWN COUNCIL**

I HEREBY CERTIFY THAT THE TOWN OF SMITHFIELD HAS APPROVED THIS PLAT FOR RECORDING IN THE OFFICE OF THE JOHNSTON COUNTY REGISTER OF DEEDS, AND ACCEPTS THE DEDICATION OF STREETS, EASEMENTS, RIGHTS-OF-WAY, AND PUBLIC LANDS SHOWN THEREON, BUT ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME UNTIL, IN THE OPINION OF THE SMITHFIELD TOWN COUNCIL, IT IS IN THE PUBLIC INTEREST TO DO SO.

TOWN MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

**FLOOD DAMAGE PREVENTION CERTIFICATE OF APPROVAL FOR RECORDING**

I CERTIFY THAT THE PLAT SHOWN HEREON COMPLIES WITH THE TOWN OF SMITHFIELD FLOOD DAMAGE PREVENTION REQUIREMENTS AND IS APPROVED BY SMITHFIELD FOR RECORDING IN THE REGISTER OF DEEDS OFFICE.

UDO ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_

**REVIEW OFFICER'S CERTIFICATE**

STATE OF NORTH CAROLINA  
COUNTY OF JOHNSTON

I, \_\_\_\_\_, REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, THAT I HEREBY CERTIFY PERFORMANCE GUARANTEE SUFFICIENT TO SECURE THE AMOUNT OF \$ \_\_\_\_\_ HAS BEEN POSTED WITH THE TOWN OF SMITHFIELD BY THE DEVELOPER, THEREBY GUARANTEEING THAT ALL IMPROVEMENTS REQUIRED BY THE SMITHFIELD SUBDIVISION REGULATIONS SHALL BE CONSTRUCTED. SUCH IMPROVEMENTS SHALL BE COMPLETED WITHIN \_\_\_\_\_ DAYS FROM THE DATE OF THIS STATEMENT.

TOWN MANAGER \_\_\_\_\_

**LEGEND**

- EXISTING IRON PIPE
- EXISTING IRON ROD
- IRON ROD SET
- EXISTING CONCRETE MONUMENT
- △ CALCULATED/SET POINT
- P.D.E. PUBLIC DRAINAGE EASEMENT
- C.L.D.E. CROSS LOT DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT

**NOTES:**

- A. NO GRID MONUMENTS RECOVERED WITHIN 2000' OF THE SUBJECT PROPERTY.
- B. SURVEYED ON 11/19/2018
- C. ALL DISTANCES ARE HORIZONTAL GROUND UNLESS OTHERWISE STATED.
- D. ALL AREAS COMPUTED BY COORDINATE METHOD.
- E. THE PARCEL(S) SHOWN HEREON ARE SUBJECT TO ANY AND ALL EASEMENTS, RIGHT OF WAY AND RESTRICTIONS OF RECORD.
- F. LINES NOT SURVEYED ARE SHOWN DASHED.
- G. NO TITLE REPORT FURNISHED.

**CERTIFICATE OF FLOODWAY INFORMATION**

PROPERTY SHOWN HEREON IS X IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.

FLOOD HAZARD PANEL NO. 3720169500K 372169400K

EFFECTIVE DATE: 06/20/2018

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

**SURVEY CONTROL / GRID TIE NOTES**

CLASS OF SURVEY: CLASS A  
POINT OF LOCALIZATION: 60D NAIL # 2  
COMBINED FACTOR: 0.999984141  
DATE OF GPS SURVEY: 11/19/2018  
POSITIONAL ACCURACY: N: 0.07  
GPS METHOD: REAL TIME KINEMATIC NETWORK (RTS)  
FIXED STATION HELD FOR THE SURVEY:  
RTN NETWORK BASE STATION  
ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH CARLSON CIVIL SURVEY

I, MICHAEL STOKES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (REFERENCES SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PLAT BOOK 87, PAGE 302 (AND OTHER REFERENCES SHOWN HEREON); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10000 OR GREATER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020

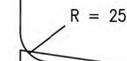
SIGNATURE MICHAEL S. STOKES L-4996

LINE	BEARING	DISTANCE
L1	S 63°42'55" E	25.08
L2	S 28°44'01" W	23.77
L3	S 16°33'03" W	42.83
L4	N 51°40'10" W	98.00
L5	N 51°03'07" W	50.00
L6	N 51°40'10" W	98.00
L7	N 30°21'52" E	36.27
L8	N 63°42'55" W	73.04
L9	N 63°42'55" W	8.96
L10	N 63°42'55" W	14.65
L11	N 26°17'05" E	60.00
L12	N 26°17'05" E	98.00
L13	S 18°42'53" E	10.85
L14	S 26°17'05" W	90.33
L15	S 63°42'55" E	98.35
L16	N 63°42'55" W	24.18
L17	N 63°42'55" W	32.00
L18	N 63°42'55" W	73.00
L19	S 26°17'05" W	24.00
L20	S 26°17'05" W	22.06
L21	N 26°17'05" E	13.33
L22	N 26°17'05" E	24.00
L23	N 63°42'55" W	73.00
L24	S 28°33'25" W	11.60
L25	N 63°42'55" W	98.00
L26	N 63°42'55" W	98.00
L27	N 63°42'55" W	98.00
L28	N 63°42'55" W	98.00
L29	N 63°42'55" W	98.00
L30	N 63°42'55" W	98.00
L31	N 59°46'14" W	97.47
L32	N 50°42'21" W	97.67
L33	N 51°40'10" W	98.00
L34	N 51°40'10" W	98.00
L35	N 51°40'10" W	98.00
L36	N 51°40'10" W	98.00
L37	N 51°40'10" W	98.00
L38	N 51°40'10" W	98.00
L39	N 51°40'10" W	98.00
L40	N 51°40'10" W	98.00
L41	N 52°36'25" W	98.01
L42	N 63°42'55" W	98.00
L43	N 63°42'55" W	98.00
L44	N 63°42'55" W	98.00
L45	N 63°42'55" W	98.00
L46	N 63°42'55" W	98.00
L47	N 63°42'55" W	98.00
L48	S 26°17'05" W	98.00
L49	S 26°17'05" W	98.00
L50	S 26°17'05" W	98.00
L51	S 26°17'05" W	98.00
L52	S 26°17'05" W	98.00
L53	S 26°17'05" W	98.00
L54	S 27°58'22" W	45.98
L55	S 35°51'55" W	39.22
L56	S 37°48'19" W	37.50
L57	S 18°50'58" W	523.48
L58	S 89°36'15" E	52.94
L59	S 21°08'07" W	9.58
L60	N 18°31'00" E	237.63
L61	S 71°09'02" E	50.01
L62	N 18°50'58" E	523.48
L63	S 64°03'50" E	24.71
L64	S 64°03'50" E	4.28
L65	S 64°03'50" E	16.90
L66	S 00°38'25" W	59.59
L67	S 66°33'33" E	56.41
L68	S 89°50'40" E	63.13

**SITE DATA**

OWNER: BUFFALO ROAD LLC.  
OWNER ADDRESS: 114 W. MAIN STREET CLAYTON, NC 27520  
PID # 14075013  
PIN # 169520-80-3415  
DB 5612 PG 276  
ZONING: PUD  
MAX. BUILDING HEIGHT: 35'  
NUMBER OF LOTS PHASE 2: 40 LOTS  
AREA IN LOTS: 2.91 AC  
AREA IN OPEN SPACE: 0.62 AC  
AREA IN STREET: 1.14 AC  
TOTAL AREA PHASE 2: 4.67 AC  
WATER PROVIDER: TOWN OF SMITHFIELD  
SEWER PROVIDER: TOWN OF SMITHFIELD  
ELECTRIC PROVIDER: TOWN OF SMITHFIELD

15'X70' SIGHT TRIANGLE (TYP)

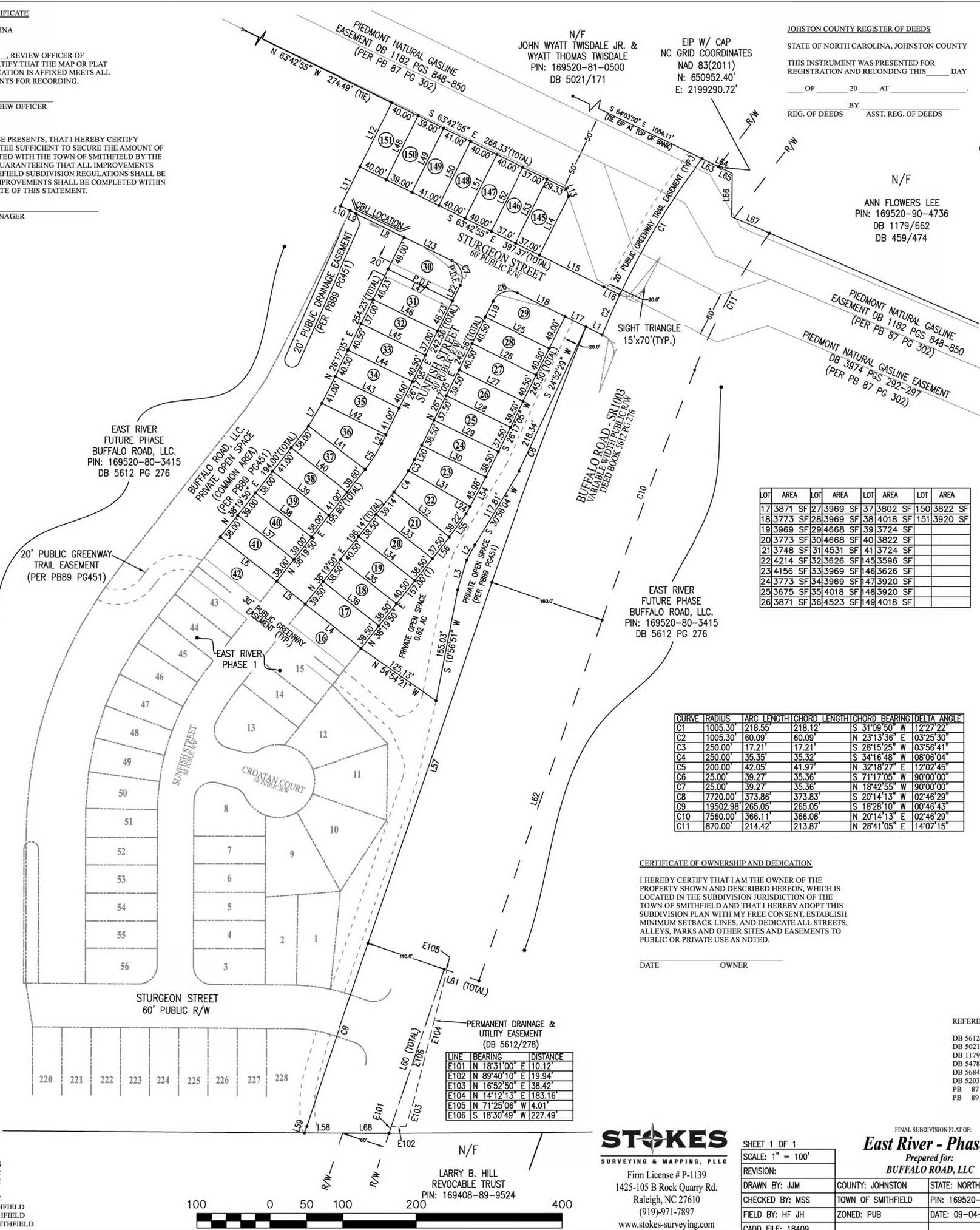


TYPICAL INTERSECTION DETAIL

I, MICHAEL S. STOKES CERTIFY:

THAT THIS SURVEY IS OF A SUBDIVISION OF LAND IN AT AREA THAT HAS SUBDIVISION ORDINANCE.

MICHAEL S. STOKES, PLS



LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA
17	3871 SF	27	3969 SF	37	3802 SF	150	3822 SF
18	3773 SF	28	3969 SF	38	4018 SF	151	3920 SF
19	3969 SF	29	4668 SF	39	3724 SF		
20	3773 SF	30	4668 SF	40	3822 SF		
21	3748 SF	31	4531 SF	41	3724 SF		
22	4214 SF	32	3626 SF	145	3596 SF		
23	4156 SF	33	3969 SF	146	3626 SF		
24	3773 SF	34	3969 SF	147	3920 SF		
25	3675 SF	35	4018 SF	148	3920 SF		
26	3871 SF	36	4523 SF	149	4018 SF		

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1005.30'	218.55'	218.12'	S 31°09'50" W	12°27'22"
C2	1005.30'	60.09'	60.09'	N 23°13'36" E	03°25'30"
C3	250.00'	17.21'	17.21'	S 28°15'25" W	03°58'41"
C4	250.00'	35.35'	35.32'	S 34°16'48" W	08°06'04"
C5	200.00'	42.05'	41.97'	N 32°18'27" E	12°02'45"
C6	25.00'	39.27'	35.36'	S 71°17'05" W	90°00'00"
C7	25.00'	39.27'	35.36'	N 18°42'55" W	90°00'00"
C8	7720.00'	373.86'	373.83'	S 20°14'13" W	02°46'29"
C9	19502.98'	265.05'	265.05'	S 18°28'10" W	00°46'43"
C10	7560.00'	366.11'	366.08'	N 20°14'13" E	02°46'29"
C11	870.00'	214.42'	213.87'	N 28°41'05" E	14°07'15"

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF SMITHFIELD AND THAT I HEREBY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISH MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

**REFERENCES**

- DB 5612 PG 276
- DB 5021 PG 171
- DB 1179 PG 662
- DB 5478 PG 999
- DB 5684 PG 759
- DB 5203 PG 208
- PB 87 PG 302
- PB 89 PG 451

**STOKES**  
SURVEYING & MAPPING, PLLC  
Firm License # P-1139  
1425-105 B Rock Quarry Rd.  
Raleigh, NC 27610  
(919)-971-7897  
www.stokes-surveying.com

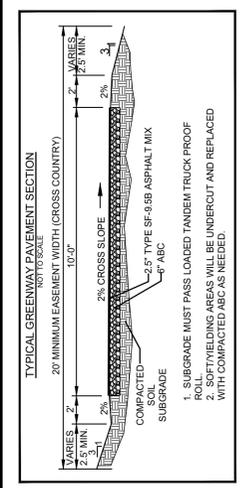
SHEET 1 OF 1		
SCALE: 1" = 100'		
REVISION:		
DRAWN BY: JJM	COUNTY: JOHNSTON	STATE: NORTH CAROLINA
CHECKED BY: MSS	TOWN OF SMITHFIELD	PIN: 169520-80-3415
FIELD BY: HF JH	ZONED: PUB	DATE: 09-04-2020
CADD FILE: 18409		

**Final Subdivision Plat of:**  
**East River - Phase 2**  
Prepared for:  
**BUFFALO ROAD, LLC**



**PRELIMINARY**

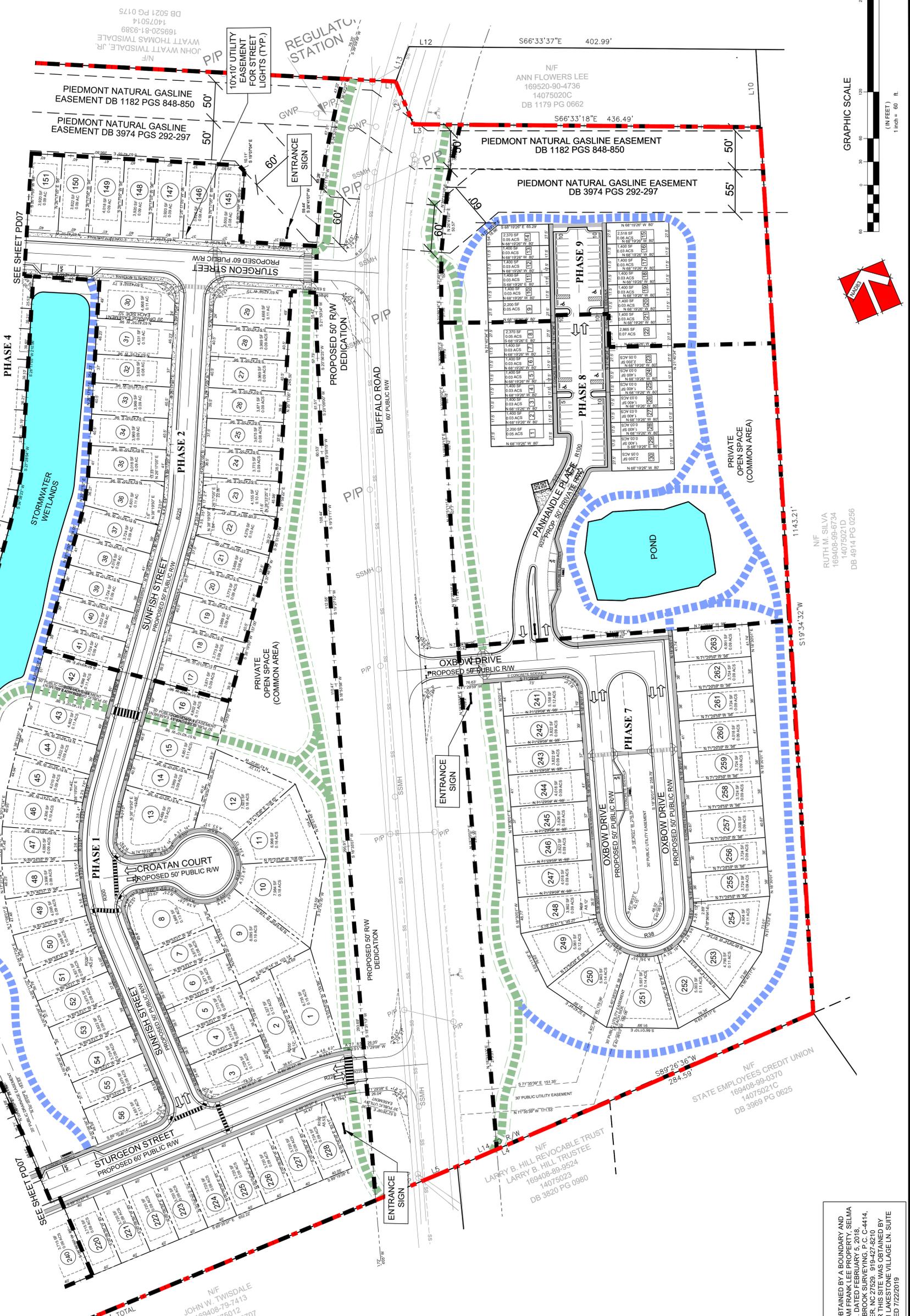
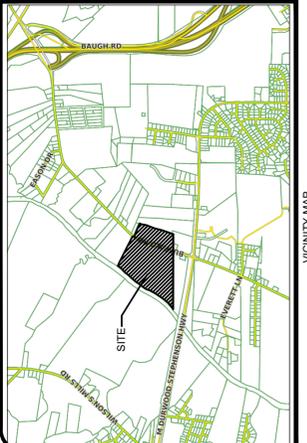
**REVISED**  
 3:35 pm, Mar 31, 2020



**LEGEND:**

- 10' ASPHALT GREENWAY w/ PUBLIC GREENWAY EASEMENT
- 10' PRIVATE ASPHALT GREENWAY
- BOUNDARY LINE

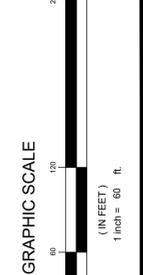
GREENWAY TAIL TO BE CONSTRUCTED CONCURRENTLY WITH CONSTRUCTION OF THE PHASE WITHIN WHICH IT IS LOCATED UNLESS OTHERWISE NOTED ON THIS PLAN.



NIF  
 JOHN W. TWISDALE  
 169408-79-413  
 14075012  
 DB 1867 PG 0707

LINE	BEARING	DISTANCE
L1	S64°03'37"E	16.90
L2	S00°38'38"W	59.59
L3	S66°33'18"E	8.51
L4	S89°41'15"W	212.63
L5	N89°49'00"W	61.01
L6	N53°05'44"E	100.90
L7	N26°36'00"E	157.03
L8	N37°13'46"E	145.22
L9	N37°05'44"E	60.31
L10	N19°37'32"E	100.31
L11	S17°21'32"W	121.73
L12	N66°33'37"W	42.01
L13	S43°26'23"W	48.00
L14	S89°41'15"W	210.42
L15	N18°31'13"E	273.61
L16	N18°35'07"E	293.61
L17	N18°53'58"E	109.58
L18	N19°27'10"E	111.66
L19	N19°51'11"E	107.93
L20	N19°59'15"E	60.25
L21	N20°09'00"E	65.60
L22	N20°56'25"E	55.96
L23	N21°59'34"E	52.64
L24	N23°49'56"E	52.47
L25	N26°41'07"E	53.34
L26	N30°11'16"E	50.42
L27	N34°52'06"E	62.01
L28	N18°31'13"E	293.52
L29	N18°35'07"E	295.75
L30	N18°53'58"E	110.03
L31	N19°27'10"E	112.16
L32	N19°51'11"E	108.21
L33	N19°59'15"E	60.40
L34	N20°09'00"E	61.10
L35	N20°56'25"E	56.92
L36	N21°59'34"E	54.16
L37	N23°49'56"E	54.93
L38	N26°41'07"E	56.67
L39	N30°11'16"E	54.71
L40	N34°52'06"E	64.46
L41	N36°43'22"E	44.98

REFERENCE NOTES:  
 1. INFORMATION FOR THIS SITE WAS OBTAINED BY A BOUNDARY AND SURVEY PHOTODUPLICATION OF WILLIAM FERRY PROPERTY, SELMA TOWNSHIP, JOHNSTON COUNTY, NORTH CAROLINA, SURVEYED AND REVISED DATE 2-23-2018, BY GREENBROOK SURVEYING, P.C. C-4414, 315 SUMMERS WALK CIRCLE, GARNER, NC 27529, 919-427-8210.  
 2. ENVIRONMENTAL INFORMATION FOR THIS SITE WAS OBTAINED BY MITCHELL ENVIRONMENTAL, PA 1501 LAKESTONE VILLAGE LN, SUITE 205, FOUQUAY VARINA, NC 27526 DATED 7/22/2019



NIF  
 RUTH M. SILVA  
 169408-98-0734  
 14075021D  
 DB 4914 PG 0256

REFERENCE NOTES:  
 1. INFORMATION FOR THIS SITE WAS OBTAINED BY A BOUNDARY AND TOPOGRAPHICAL SURVEY OF WILLIAM FRANK LEE PROPERTY, SELMA TOWNSHIP, JOHNSTON COUNTY, NC. DATED FEBRUARY 5, 2018, REVISED DATE 2-23-2018, BY GREENBROOK SURVEYING, P.C. C-4414, 315 SUMMERS WALK CIRCLE, GARNER, NC 27529. 919-427-8210  
 2. ENVIRONMENTAL INFORMATION FOR THIS SITE WAS OBTAINED BY MITCHELL ENVIRONMENTAL, PA 1501 LAKESTONE VILLAGE LN. SUITE 205, FUQUAY VARINA, NC 27526 DATED 7/22/2019

**LEGEND:**

- 10' ASPHALT GREENWAY w/ PUBLIC GREENWAY EASEMENT
- 10' PRIVATE ASPHALT GREENWAY
- PHASE LINE
- BOUNDARY LINE
- 100 YR FLOOD PLAIN
- RIPARIAN BUFFER AREA
- WETLANDS

LINE	BEARING	DISTANCE	L21	N20°09'00"E	60.60'
L1	S64°03'37"W	16.90'	L22	N20°56'25"E	55.96'
L2	S00°38'38"W	59.59'	L23	N21°59'34"E	52.64'
L3	S66°33'18"E	8.51'	L24	N23°49'56"E	52.47'
L4	S89°41'15"W	212.63'	L25	N26°41'07"E	53.34'
L5	N89°49'00"W	61.01'	L26	N30°11'16"E	50.42'
L6	N53°05'44"E	100.90'	L27	N34°52'06"E	62.01'
L7	N26°36'00"E	157.03'	L28	N18°31'13"E	293.52'
L8	N37°13'46"E	145.22'	L29	N18°35'07"E	295.75'
L9	N37°05'44"E	60.31'	L30	N18°53'58"E	110.03'
L10	N19°37'32"E	100.31'	L31	N19°27'10"E	112.16'
L11	S17°21'32"W	121.73'	L32	N19°51'11"E	108.21'
L12	N66°33'37"W	42.01'	L33	N19°59'15"E	60.40'
L13	S43°26'23"W	48.00'	L34	N20°09'00"E	61.10'
L14	S89°41'15"W	210.42'	L35	N20°56'25"E	56.92'
L15	N18°31'13"E	273.61'	L36	N21°59'34"E	54.16'
L16	N18°35'07"E	295.51'	L37	N23°49'56"E	54.93'
L17	N18°53'58"E	109.58'	L38	N26°41'07"E	56.67'
L18	N19°27'10"E	111.66'	L39	N30°11'16"E	54.71'
L19	N19°51'11"E	107.93'	L40	N34°52'06"E	64.46'
L20	N19°59'15"E	60.25'	L41	N36°43'22"E	44.98'

GREENWAY TAIL TO BE CONSTRUCTED CONCURRENTLY WITH CONSTRUCTION OF THE PHASE WITHIN WHICH IT IS LOCATED UNLESS OTHERWISE NOTED ON THIS PLAN.

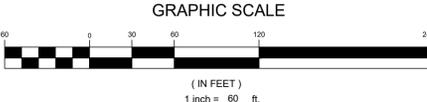
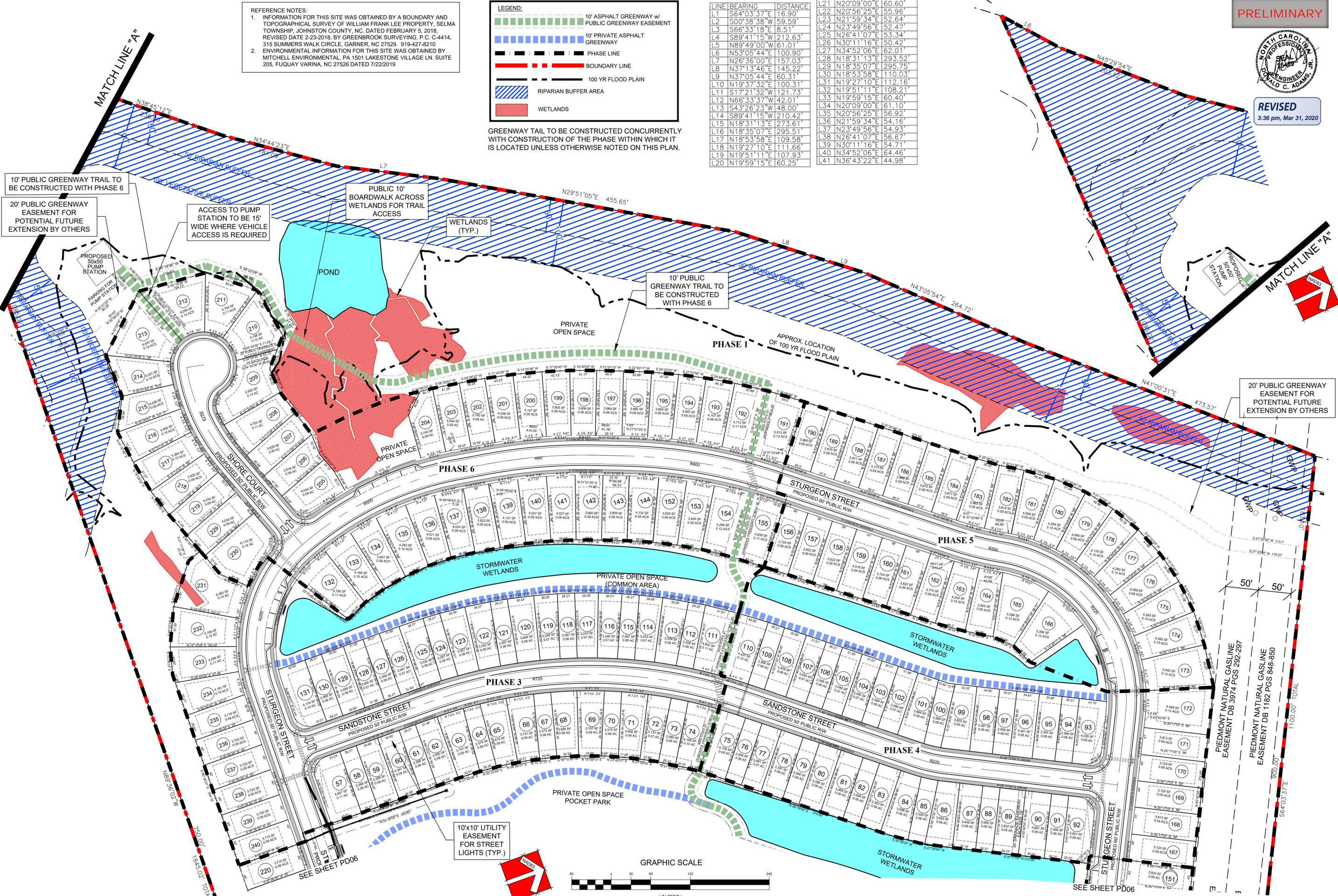
10' PUBLIC GREENWAY TRAIL TO BE CONSTRUCTED WITH PHASE 6  
 20' PUBLIC GREENWAY EASEMENT FOR POTENTIAL FUTURE EXTENSION BY OTHERS

ACCESS TO PUMP STATION TO BE 15' WIDE WHERE VEHICLE ACCESS IS REQUIRED

PUBLIC 10' BOARDWALK ACROSS WETLANDS FOR TRAIL ACCESS

10' PUBLIC GREENWAY TRAIL TO BE CONSTRUCTED WITH PHASE 6

20' PUBLIC GREENWAY EASEMENT FOR POTENTIAL FUTURE EXTENSION BY OTHERS



**PRELIMINARY**

**REVISED**  
 3:36 pm, Mar 31, 2020

314 East Main Street  
 Clayton, NC 27520  
 dominic@adams-hodge.com  
 919-243-1332  
 PERM # C-4187

**ADAMS & HODGE**  
 ENGINEERING, PC

**A&H**

EAST RIVER  
 SMITHFIELD, JOHNSTON COUNTY, NC

PRELIMINARY PLAT  
 SITE PLAN - 2

DESIGN: DCA  
 DRAWN: DCA  
 CHECKED: DCA  
 HORIZONTAL SCALE: SEE GRAPHIC SCALE  
 VERTICAL SCALE: N/A  
 DATE: 01/05/2018  
 JOB NO.: AH-  
 SHEET: PP2





# Request for Town Council Action

**Consent  
Agenda  
Item:**  
**Resolution  
to Accept  
Public  
Dedication**  
Date: 11/10/2020

---

**Subject:** Resolution to Accept Public Dedication of Public Right-of-Way for East River Phase 2

**Department:** Planning Department

**Presented by:** Planning Director – Stephen Wensman

**Presentation:** Consent Agenda Item

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## Issue Statement

To adopt Resolution No. 668 (17-2020) accepting public dedication of public of lands or facilities for streets, trails, and public utilities for the East River Phase 2 subdivision

## Financial Impact

None

## Action Needed

Town Council approval of the Resolution accepting the public land and facilities dedication for East River Phase 2

## Recommendation

Staff recommends the Town Council approve Resolution No. 668 (17-2020) accepting the public land and facilities dedication for East River Phase 2

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 668 (17-2020)
3. East River Phase 2 Final Plat



# Staff Report

Consent  
Agenda  
Item

Resolution  
to Accept  
Public  
Dedication

---

## Overview:

G.S. 160A-374 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction. The Town's Unified Development Ordinance, Article 10, Section 10.116.2 requires all offers of public dedication to be accepted by resolution:

### **SECTION 10.116 EFFECT OF PLAT APPROVAL ON DEDICATIONS AND ACCEPTANCES.**

#### ***10.116.1. Plat Approval Shall Not Constitute Acceptance.***

Pursuant to NCGS 160A-374, the approval of a plat shall not be deemed to constitute or effect the acceptance by the municipality or public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. To be effective, all offers of dedication must be accepted by resolution.

#### ***10.116.2. Acceptance of Dedications.***

**10.116.2.1.** At the time of submittal of a preliminary plat with streets, utilities, or other proposed to be dedicated for acceptance by the Town as public, the Town Council will decide if it will approve the dedication, subject to the street(s), parks, utilities, sidewalks, or other complying with all Town requirements for acceptance. The Town of Smithfield is not obligated to accept any offer of dedication.

**10.116.2.2.** Acceptance of dedication will be provided by adoption of a resolution of acceptance by the Town of Smithfield Town Council.

The Town Council approved the final plat for East River Phase 2. The final plat showed dedication of public right of way for streets and utilities and easements for public trails. This resolution will formally accept them for public dedication in accordance with G.S. 160A-374 and Section 10.116 of the UDO.

Acceptance of public dedication does not commit the Town to maintenance of the infrastructure dedicated, until the improvements are constructed, inspected for compliance with Town ordinances and standards, and accepted by the Town Council for maintenance upon recommendation from the Town Staff.

## Recommendation:

Staff recommends the Town Council approve Resolution No. 668 (17-2020) accepting the public land and facilities dedication for East River Phase 2

**RESOLUTION NO. 668 (17-2020)**  
**RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF**  
**RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS**

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

**WHEREAS**, the Smithfield Town Council has acted to approve the final plat named in this resolution on November 10, 2020; and,

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Smithfield Town Council, North Carolina:

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

East River Phase 2

Map Book 87

Page 302

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

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

Adopted the 10th day of November 2020 in Smithfield, North Carolina.

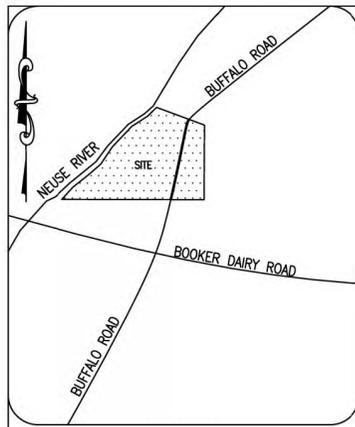
---

M. Andy Moore, Mayor

ATTEST:

---

Shannan L. Parrish, Town Clerk



**APPROVAL AND ACCEPTANCE OF DEDICATION BY THE TOWN COUNCIL**

I HEREBY CERTIFY THAT THE TOWN OF SMITHFIELD HAS APPROVED THIS PLAT FOR RECORDING IN THE OFFICE OF THE JOHNSTON COUNTY REGISTER OF DEEDS, AND ACCEPTS THE DEDICATION OF STREETS, EASEMENTS, RIGHTS-OF-WAY, AND PUBLIC LANDS SHOWN THEREON, BUT ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME UNTIL, IN THE OPINION OF THE SMITHFIELD TOWN COUNCIL, IT IS IN THE PUBLIC INTEREST TO DO SO.

TOWN MANAGER \_\_\_\_\_ DATE \_\_\_\_\_

**FLOOD DAMAGE PREVENTION CERTIFICATE OF APPROVAL FOR RECORDING**

I CERTIFY THAT THE PLAT SHOWN HEREON COMPLIES WITH THE TOWN OF SMITHFIELD FLOOD DAMAGE PREVENTION REQUIREMENTS AND IS APPROVED BY SMITHFIELD FOR RECORDING IN THE REGISTER OF DEEDS OFFICE.

UDO ADMINISTRATOR \_\_\_\_\_ DATE \_\_\_\_\_

**REVIEW OFFICER'S CERTIFICATE**

STATE OF NORTH CAROLINA  
COUNTY OF JOHNSTON

I, \_\_\_\_\_, REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, THAT I HEREBY CERTIFY PERFORMANCE GUARANTEE SUFFICIENT TO SECURE THE AMOUNT OF \$ \_\_\_\_\_ HAS BEEN POSTED WITH THE TOWN OF SMITHFIELD BY THE DEVELOPER, THEREBY GUARANTEEING THAT ALL IMPROVEMENTS REQUIRED BY THE SMITHFIELD SUBDIVISION REGULATIONS SHALL BE CONSTRUCTED. SUCH IMPROVEMENTS SHALL BE COMPLETED WITHIN \_\_\_\_\_ DAYS FROM THE DATE OF THIS STATEMENT.

TOWN MANAGER \_\_\_\_\_

**LEGEND**

- EXISTING IRON PIPE
- EXISTING IRON ROD
- IRON ROD SET
- EXISTING CONCRETE MONUMENT
- △ CALCULATED/SET POINT
- P.D.E. PUBLIC DRAINAGE EASEMENT
- C.L.D.E. CROSS LOT DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT

**NOTES:**

- A. NO GRID MONUMENTS RECOVERED WITHIN 2000' OF THE SUBJECT PROPERTY.
- B. SURVEYED ON 11/19/2018
- C. ALL DISTANCES ARE HORIZONTAL GROUND UNLESS OTHERWISE STATED.
- D. ALL AREAS COMPUTED BY COORDINATE METHOD.
- E. THE PARCEL(S) SHOWN HEREON ARE SUBJECT TO ANY AND ALL EASEMENTS, RIGHT OF WAY AND RESTRICTIONS OF RECORD.
- F. LINES NOT SURVEYED ARE SHOWN DASHED.
- G. NO TITLE REPORT FURNISHED.

**CERTIFICATE OF FLOODWAY INFORMATION**

PROPERTY SHOWN HEREON IS X IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.

FLOOD HAZARD PANEL NO. 37220169500K 372169400K

EFFECTIVE DATE: 06/20/2018

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

**SURVEY CONTROL / GRID TIE NOTES**

CLASS OF SURVEY: CLASS A  
POINT OF LOCALIZATION: 60D NAIL # 2  
COMBINED FACTOR: 0.999984141  
DATE OF GPS SURVEY: 11/19/2018  
POSITIONAL ACCURACY: H: 0.07  
GPS METHOD: REAL TIME KINEMATIC NETWORK (RTS)  
FIXED STATION HELD FOR THE SURVEY:  
RTN NETWORK BASE STATION  
ADJUSTMENT: SURVEY DATA WAS POST PROCESSED WITH CARLSON CIVIL SURVEY

I, MICHAEL STOKES, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (REFERENCES SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN PLAT BOOK 87, PAGE 302 (AND OTHER REFERENCES SHOWN HEREON); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10000 OR GREATER; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2020

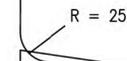
SIGNATURE MICHAEL S. STOKES L-4996

LINE	BEARING	DISTANCE
L1	S 63°42'55" E	25.08'
L2	S 28°44'01" W	23.77'
L3	S 16°33'03" W	42.83'
L4	N 51°40'10" W	98.00'
L5	N 51°03'07" W	50.00'
L6	N 51°40'10" W	98.00'
L7	N 30°21'52" E	36.27'
L8	N 63°42'55" W	73.04'
L9	N 63°42'55" W	8.96'
L10	N 63°42'55" W	14.65'
L11	N 26°17'05" E	60.00'
L12	N 26°17'05" E	98.00'
L13	S 18°42'53" E	10.85'
L14	S 26°17'05" W	90.33'
L15	S 63°42'55" E	98.35'
L16	N 63°42'55" W	24.18'
L17	N 63°42'55" W	32.00'
L18	N 63°42'55" W	73.00'
L19	S 26°17'05" W	24.00'
L20	S 26°17'05" W	22.06'
L21	N 26°17'05" E	13.33'
L22	N 26°17'05" E	24.00'
L23	N 63°42'55" W	73.00'
L24	S 28°33'25" W	11.60'
L25	N 63°42'55" W	98.00'
L26	N 63°42'55" W	98.00'
L27	N 63°42'55" W	98.00'
L28	N 63°42'55" W	98.00'
L29	N 63°42'55" W	98.00'
L30	N 63°42'55" W	98.00'
L31	N 59°46'14" W	97.47'
L32	N 50°42'21" W	97.67'
L33	N 51°40'10" W	98.00'
L34	N 51°40'10" W	98.00'
L35	N 51°40'10" W	98.00'
L36	N 51°40'10" W	98.00'
L37	N 51°40'10" W	98.00'
L38	N 51°40'10" W	98.00'
L39	N 51°40'10" W	98.00'
L40	N 51°40'10" W	98.00'
L41	N 52°36'25" W	98.01'
L42	N 63°42'55" W	98.00'
L43	N 63°42'55" W	98.00'
L44	N 63°42'55" W	98.00'
L45	N 63°42'55" W	98.00'
L46	N 63°42'55" W	98.00'
L47	N 63°42'55" W	98.00'
L48	S 26°17'05" W	98.00'
L49	S 26°17'05" W	98.00'
L50	S 26°17'05" W	98.00'
L51	S 26°17'05" W	98.00'
L52	S 26°17'05" W	98.00'
L53	S 26°17'05" W	98.00'
L54	S 27°58'22" W	45.98'
L55	S 35°51'55" W	39.22'
L56	S 37°48'19" W	37.50'
L57	S 18°50'58" W	523.48'
L58	S 89°36'15" E	52.94'
L59	S 21°08'07" W	9.58'
L60	N 18°31'00" E	237.63'
L61	S 71°09'02" E	50.01'
L62	N 18°50'58" E	523.48'
L63	S 64°03'50" E	24.71'
L64	S 64°03'50" E	4.28'
L65	S 64°03'50" E	16.90'
L66	S 00°38'25" W	59.59'
L67	S 66°33'33" E	56.41'
L68	S 89°50'40" E	63.13'

**SITE DATA**

OWNER: BUFFALO ROAD LLC.  
OWNER ADDRESS:  
114 W. MAIN STREET  
CLAYTON, NC 27520  
PID # 14075013  
PIN # 169520-80-3415  
DB 5612 PG 276  
ZONING: PUD  
MAX. BUILDING HEIGHT: 35'  
NUMBER OF LOTS PHASE 2: 40 LOTS  
AREA IN LOTS: 2.91 AC  
AREA IN OPEN SPACE: 0.62 AC  
AREA IN STREET: 1.14 AC  
TOTAL AREA PHASE 2: 4.67 AC  
WATER PROVIDER: TOWN OF SMITHFIELD  
SEWER PROVIDER: TOWN OF SMITHFIELD  
ELECTRIC PROVIDER: TOWN OF SMITHFIELD

15'X70' SIGHT TRIANGLE (TYP)

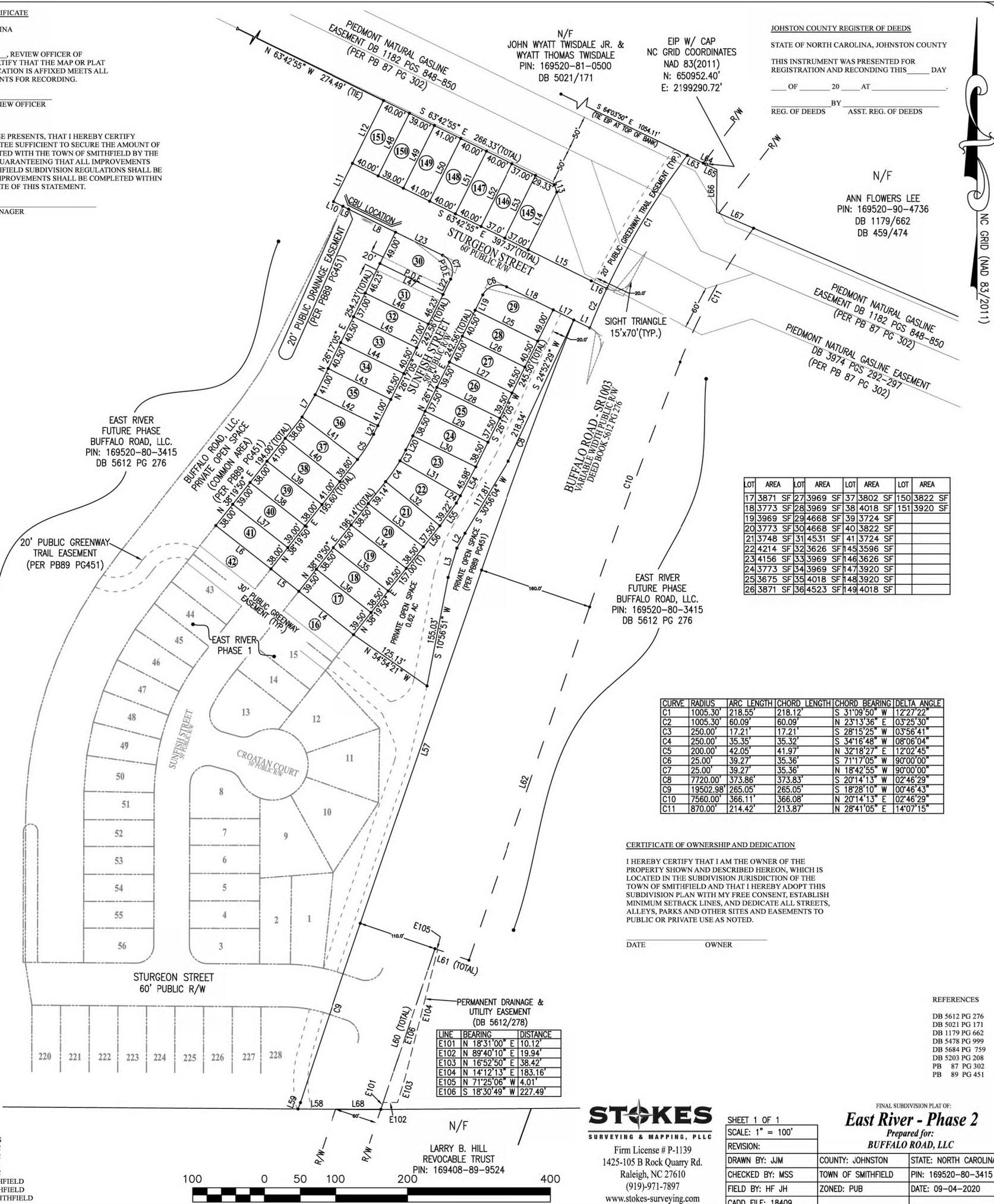


TYPICAL INTERSECTION DETAIL

I, MICHAEL S. STOKES CERTIFY:

THAT THIS SURVEY IS OF A SUBDIVISION OF LAND IN AT AREA THAT HAS SUBDIVISION ORDINANCE.

MICHAEL S. STOKES, PLS



LOT	AREA	LOT	AREA	LOT	AREA	LOT	AREA
17	3871 SF	27	3969 SF	37	3802 SF	150	3822 SF
18	3773 SF	28	3969 SF	38	4018 SF	151	3920 SF
19	3969 SF	29	4668 SF	39	3724 SF		
20	3773 SF	30	4668 SF	40	3822 SF		
21	3748 SF	31	4531 SF	41	3724 SF		
22	4214 SF	32	3626 SF	145	3596 SF		
23	4156 SF	33	3969 SF	146	3626 SF		
24	3773 SF	34	3969 SF	147	3920 SF		
25	3675 SF	35	4018 SF	148	3920 SF		
26	3871 SF	36	4523 SF	149	4018 SF		

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1005.30'	218.55'	218.12'	S 31°09'50" W	12°27'22"
C2	1005.30'	60.09'	60.09'	N 23°13'36" E	03°25'30"
C3	250.00'	17.21'	17.21'	S 28°15'25" W	03°58'41"
C4	250.00'	35.35'	35.32'	S 34°16'48" W	08°06'04"
C5	200.00'	42.05'	41.97'	N 32°18'27" E	12°02'45"
C6	25.00'	39.27'	35.36'	S 71°17'05" W	90°00'00"
C7	25.00'	39.27'	35.36'	N 18°42'55" W	90°00'00"
C8	7720.00'	373.86'	373.83'	S 20°14'13" W	02°46'29"
C9	19502.98'	265.05'	265.05'	S 18°28'10" W	00°46'43"
C10	7560.00'	366.11'	366.08'	N 20°14'13" E	02°46'29"
C11	870.00'	214.42'	213.87'	N 28°41'05" E	14°07'15"

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF SMITHFIELD AND THAT I HEREBY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISH MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

**REFERENCES**

- DB 5612 PG 276
- DB 5021 PG 171
- DB 1179 PG 662
- DB 5478 PG 999
- DB 5684 PG 759
- DB 5203 PG 208
- PB 87 PG 302
- PB 89 PG 451

**STOKES**  
SURVEYING & MAPPING, PLLC  
Firm License # P-1139  
1425-105 B Rock Quarry Rd.  
Raleigh, NC 27610  
(919)-971-7897  
www.stokes-surveying.com

FINAL SUBDIVISION PLAT OF:  
**East River - Phase 2**  
Prepared for:  
**BUFFALO ROAD, LLC**

SHEET 1 OF 1	COUNTY: JOHNSTON	STATE: NORTH CAROLINA
SCALE: 1" = 100'	TOWN OF SMITHFIELD	PIN: 169520-80-3415
REVISION:	ZONED: PUB	DATE: 09-04-2020
DRAWN BY: JJM	CADD FILE: 18409	
CHECKED BY: MSS		
FIELD BY: HF JH		





# Request for Town Council Action

**Consent Agenda Item:** **Conveyance of Surplus Property**  
**Date:** 11/10/2020

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**Subject:** Donating Surplus Property to Smithfield Selma High School – Fire Training Program

**Department:** Fire

**Presented by:** Fire Chief – John Blanton & Town Clerk – Shannan Parrish

**Presentation:** Consent Agenda Item

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## Issue Statement

Staff is requesting to allow the Fire Department to donate items to the Smithfield Selma High School's Fire Training Program

## Financial Impact

None

## Action Needed

Approval of Resolution No. 669 (18-2020) Authorizing the donation of public property to Smithfield Selma High School's Fire Training Program

## Recommendation

Staff recommends approval of Resolution No. 669 (18-2020)

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 669 (18-2020)



# Staff Report

**Consent  
Agenda  
Item**   **Conveyance  
of Surplus  
Property**

---

At the October 6, 2020 Town Council meeting, the Town Council adopted Resolution No. 666 (15-2020) authorizing the disposition and sale of certain surplus items. Included in these items were the following: 2 Survivair Panther/Warb-HP air packs, 4 Survivair Panther face masks and 4 Survivair 4500 psi composite air bottles. It was determined these items could benefit the Smithfield Selma High School's Fire Training Program.

In accordance with NCGS 160A-280, the Town of Smithfield can convey (donate) personal property to a non-profit organization, but it must provide a public benefit to the Town of Smithfield. By conveying these items to the school, it benefits the Town due to an increase in graduation rates and the potential for graduates to become Smithfield Fire Fighters. It also benefits the Town, as better training increases fire safety and the safety of our future fire fighters.

**Resolution No. 669 (18-2020)**  
**Approving Conveyance of Personal Property to**  
**Smithfield Selma High School**  
**Pursuant to G.S. 160A-278**

**WHEREAS,** the Town of Smithfield owns 2 Survair Panther/Warb-HP air packs, 4 Survivair Panther face masks and 4 Survivair 4500 psi composite air bottles; and

**WHEREAS,** North Carolina General Statute § 160A-280 authorizes a Town or county to convey personal property for nonmonetary consideration to a nonprofit corporation if the governing board deems the property to be surplus, obsolete, or unused; and

**WHEREAS,** the Town of Smithfield has determined that the personal property described above is surplus, obsolete, or unused; and

**WHEREAS,** the Town of Smithfield finds that the public will benefit from the conveyance of the property described above because it will increase graduation rates and the potential for graduates to become Smithfield Firefighters. It also benefits the Town as better training increases fire safety and the safety of future Firefighters.

**THEREFORE, THE SMITHFIELD TOWN COUNCIL RESOLVES THAT:**

1. The Mayor of the Town of Smithfield is authorized to execute all documents necessary to convey the 2 Survair Panther/Warb-HP air packs, 4 Survivair Panther face masks and 4 Survivair 4500 psi composite air bottles to Smithfield Selma Senior High School for its Fire Sciences Program
2. The consideration for the conveyance will benefit the Smithfield Selma High School by contributing to its Fire Science Program which could potentially increase graduation rates and the potential for graduates to become Smithfield Fire Fighters.
3. In accordance with the notice requirements of N.C.G.S. § 160A-280, public notice of this resolution was given by Town Clerk Shannan Parrish on the Town of Smithfield's website [www.smithfield-nc.com](http://www.smithfield-nc.com) . Notice was posted on November 3, 2020.

Adopted the 10th day of November 2020 in Smithfield, North Carolina.

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M. Andy Moore, Mayor

ATTEST:

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Shannan L. Parrish, Town Clerk



# Staff Report

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

## **Background**

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

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Finance Director	Finance	10-10-4200-5100-0200
Firefighter I (2 Positions)	Fire	10-20-5300-5100-0200
Fire Inspector (Part-time)	Fire	10-20-5300-5100-0210
Police Officer I (4 positions)	Police	10-20-5100-5100-0200
Pump Station Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

## **Action Requested**

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2020-2021 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
P/T Lifeguard	P&R - Aquatics	10-60-6220-5100-0220	\$8.00/hr.
Sanitation Worker	PW – Sanitation	10-40-5800-5100-0200	\$12.83/hr. (\$26,686.40/yr.)
Water Plant Operator I	PU – Water Plant	30-71-7200-5100-0200	\$15.62/hr. (\$32,489.60/yr.)

## **Additional Notes – COVID-19:**

While we have experienced a few positive COVID tests with town staff, we have overall been very fortunate. Employees have been diligent with proper hygiene and adherence to safety guidelines and protocols. In addition, department heads are exercising an abundance of caution and providing proper time off for testing and quarantining to ensure the best of safety for employees and the public we serve.

To this date, we have had no need for employees to request donations of sick leave from other employees. However, administration will be quick to act should the need arise.



# Business Items





# Request for Town Council Action

**Business  
Agenda Item:** Riverbank  
Refurbishment  
**Date:** 11/10/2020

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**Subject:** Riverbank Refurbishment  
**Department:** Parks and Recreation  
**Presented by:** Town Manager – Michael Scott & Engineer Bill Dreitzler  
**Presentation:** Business Agenda Item

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## Issue Statement

The Riverbank next to the Town's Greenway Trail sustained new damage during the 12-inch rain received on September 1<sup>st</sup>. The damaged area is near the previous repair area of the riverbank. A new repair is needed to maintain the integrity of the Greenway.

## Financial Impact

The repair is quoted as \$96,920. This would be an unbudgeted expense. Johnston County Government has granted the Town \$20,000 to assist in these repairs. The remaining funds (\$76,920) would originate from General Fund Contingency.

## Action Needed

Approve repair.

## Recommendation

Approve Repair

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Photos of Damage
3. Quotes Received
  - a. Andrew's Grading & Paving, LLC
  - b. James Paul Edwards, Inc.



# Staff Report

**Business  
Agenda Riverbank  
Item: Refurbishment**

---

During the August 31, September 1<sup>st</sup> rain event in Smithfield, the Neuse Riverbank sustained washout damage near the bridge area, South of the boat ramp and North of Market Street. This damage impedes onto the Greenway Trail, which is also part of the Mountains to Sea Trail system. Two photos are attached that depict the damage.

Staff has worked to find construction companies to quote the project. Jimmy Edwards Construction has quoted the project and is the low quote for this repair. Jimmy Edwards Construction also completed the previous riverbank repair just South of this repair, which held the riverbank during the last storm. This company also completed the FEMA repairs for the wetland area near Bob Wallace Park.

A second quote was received from Andrews Grading and Paving at a cost of \$114,122. Different organizations were solicited for this project, but all refused to bid for the repair. The following companies did not submit a bid after the Town's request:

- Temple Grading and Construction Co., Inc. (Fayetteville)
- RLT Construction (Angier)
- R.D. Braswell Construction Co. (Smithfield)
- TSI Disaster Recovery, LLC (Erwin)

Staff is recommending the low quote, Jimmy Edwards Construction, be contracted to complete this repair.





# Proposal



**ANDREW'S GRADING & PAVING, LLC.**  
 P.O. Box 2301 • SMITHFIELD, NC 27577  
 (919) 934-9941 • fax (919) 934-9958

PROPOSAL SUBMITTED TO <i>Town of Smithfield</i>		PHONE	DATE <i>11/02/2020</i>
STREET		JOB NAME <i>Reopen Neuse Walking Trail / Erosion</i>	
CITY, STATE AND ZIP CODE <i>Smithfield, NC 27577</i>		JOB LOCATION <i>Smithfield, NC</i>	
ARCHITECT	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

*Re-opening Neuse River Erosion + Walking Trail as described by the Town Engineer.*

*The following Scope of Work to be performed:*

- A. Excavate a path to work area*
- B. Furnish + Place Class A Rip Rap on eroded areas based on a 2 to 1 slope.*
- C. Repair any location there is broken concrete in Walking Trails.*
- D. Repair the access slope*
- E. Seed, Straw, + Tack all disturbed areas.*

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of: \_\_\_\_\_ dollars (\$ *114,122.00* )

Payment will be due within 30 days of completion of the work unless otherwise specified.

AGP is not responsible for any errors or omissions in this proposal. The contractor shall be responsible for obtaining all necessary permits and licenses. The contractor shall be responsible for obtaining all necessary insurance. The contractor shall be responsible for obtaining all necessary permits and licenses. The contractor shall be responsible for obtaining all necessary insurance.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All arrangements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance.

Authorized Signature \_\_\_\_\_

Note: This proposal may be withdrawn by us if not accepted within *30* Days

**Acceptance of Proposal** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above, and I/We agree to be responsible for interest and attorneys fees in the event that full payment is not made as specified.

Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

JAMES PAUL EDWARDS, INC.  
PO BOX 2307  
SMITHFIELD, NC 27577  
919-934-0518

## SALES PROPOSAL

DATE: 09/17/2020

To: Town of Smithfield

PROJECT: Neuse River Repair

Subject: This scope of work to be performed in this contract explained by William Dreitzler

- A. Excavate and grade ramp to concrete walking trail and replace as it was and seed
- B. Furnish, haul and place stone on river bank that has washed into the river
- C. Furnish and place concrete group on stone to hold in place
- D. Demo existing concrete walking path and replace
- E. Replace fence

**TOTAL SALES PROPOSAL**

**\$96,920.00**

J. P. Edwards, Jr.  
President



# Request for Town Council Action

**Business  
Agenda  
Item:**  
**Contract  
Approval**  
Date: 11/10/2020

---

**Subject:** Spring Branch Community Restoration Project -KCI  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Business Agenda Item

---

## Issue Statement

The Planning Department is requesting approval of the Spring Branch Community Restoration Project Contract with KCI.

## Financial Impact

The estimated project budget is \$200,500. The project design will be partially funded by NCAG Environmental Enhancement Grant (NCAG EEG) in the amount \$100,000. The construction will be funded in part by the NCAG EEG with a match amount of \$100,500. This can be budgeted for the year 2021-2022, or funded from unrestricted fund balance.

## Action Needed

To Approve the Spring Branch Community Restoration Project Contract with KCI

## Recommendation

The Planning Department recommends approval of the Spring Branch Community Restoration Project Contract with KCI.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Spring Branch Community Restoration Project Contract  
(separate attachment not included in the agenda packet)
3. Memorandum of Understanding



# Staff Report

**Business  
Agenda  
Item:**

**Contract  
Approval**

---

## **Overview:**

In March 2020, the Town Council accepted a NCAG Environmental Enhancement Grant (NCAGEEG) in the amount of \$100,000 for the Spring Branch Community Restoration Project and a Memorandum of Understanding (MOU) was executed. Since then, the Town advertised an RFQ and received 3 submittals. The submittals were reviewed, and the most qualified firm was determined to be the KCI-McCormick Taylor Team with a contract to perform the work in the amount of \$200,500. The approval of this contract places a \$100,500 financial obligation on the town.

## **Contract Details:**

The contractor will restore approximately 500 linear feet of Spring Branch and create/restore approximately 0.75-acres of emergent wetland. The project will provide flood attenuation, decreasing flooding of residents downstream of the project site; improve water quality, decreasing nutrient laden suspended sediment into the Neuse River, contributing to the reduction of deadly algal blooms in the Pamlico Sound, and dramatically improve habitat for aquatic flora and fauna within Spring Branch. The project will create a focal point for the community of Smithfield by incorporating a greenway within the project site; allow for the expansion of the existing community garden on site; and provide educational opportunities for students from preschool to college. The project goals include:

- Provide flood attenuation,
- Reduce nutrient pollution from Spring Branch into the Neuse River,
- Stream, floodplain, and wetland restoration/creation
- Create a focal point for the residents of Smithfield through the greenway extension, while creating educational opportunities,
- Enhance the riparian buffer,
- Floodplain reconnection,
- Installation of in-stream structures, cover and natural gravel channel material to enhance the benthic and fish habitats and communities.

**Project Funding:**

The NCAGEEG is a reimbursement grant in the amount of \$100,000 which leaves a funding shortage of \$100,500. The NCAGEEG may be used to pay for the project design in the current budget year and hold off on the construction of the project until the monies can be properly budgeted in the 2021-2022 budget year. The design portion of the project and permitting is expected to cost \$53,000 which would use only a portion of the NCAGEEG funds. With the construction delayed until the new budget year, the project would likely be started in July 2021 and completed in October-November 2021 (anticipated 3-month construction period). The contractor would agree, as part of the contract, to hold the costs status quo through this period.

The alternative would be to fund the match amount (\$100,500) from the Town's unrestricted fund balance. Using fund balance for matching monies for a grant opportunity would be appropriate in this situation. Staff is currently finalizing reports for the FY 2020 Financial Audit. Estimates indicate we will be returning over \$500,000 to fund balance. The Town's fund balance was previously more than 90%, therefore this would be a responsible use for this funding source. This would allow project completion prior to the 2021 hurricane season.

**Recommendation:**

Staff recommends approval of the Spring Branch Community Restoration Project with KCI for the contracted amount of \$200,500, using one of the aforementioned funding streams.

**Town of Smithfield**

MEMORANDUM OF UNDERSTANDING FOR THE  
ADMINISTRATION AND PROCEDURES OF THE  
*Smithfield Agreement* ENVIRONMENTAL  
ENHANCEMENT GRANT PROGRAM

This Memorandum of Understanding (“MOU”) of the administration and procedures of the *Smithfield Agreement* Environmental Enhancement Fund Grant Program (“EEG”) is hereby received and acknowledged on this the 10<sup>th</sup> day of March 2020 by Town of Smithfield, (“Grantee”), a North Carolina Municipal corporation.

**WITNESSETH**

**WHEREAS**, on 25 July 2000, the Attorney General of North Carolina (“NCAG”) and Smithfield Foods, Inc. and its subsidiaries (“Smithfield”) entered into an agreement (“*Smithfield Agreement*”) which provided, *inter alia*, that Smithfield would provide funds to be administered by the Attorney General from which funds would be paid out to projects which enhance the environment of the State (“Grant Funds”); and,

**WHEREAS**, Smithfield has paid over the Grant Funds, as settlor, into a private trust account held for the purposes described above and as described in the *Smithfield Agreement*; and,

**WHEREAS**, these Grant Funds were provided by Smithfield with the intent and desire to have the Grant Funds held in trust by a private third-party fiduciary (“Trustec”); and

**WHEREAS**, it is the desire of the NCAG to comport with all applicable and relevant statutes in the discharge of the Attorney General’s duties under the *Smithfield Agreement*; and,

**WHEREAS**, the Grant Funds will be used to enhance the environment of the entire State, including eastern North Carolina, to obtain environmental easements, construct or maintain wetlands, and such other environmental purposes as the NCAG deems appropriate; and,

**WHEREAS**, the NCAG is empowered to designate organizations or trusts to receive payments from the Grant Funds for the purpose of environmental enhancement; and,

**WHEREAS**, the NCAG, in his capacity under the *Smithfield Agreement*, has sought to identify programs, with consultation from other applicable interested parties, as submitted under the Request for Proposals, dated July 8, 2019; and,

**WHEREAS**, the Grantee’s proposal has been designated for funding from the Grant Funds by the NCAG, as provided for in the *Smithfield Agreement*; and,

**WHEREAS**, the NCAG has designed EEG to administer environmental grants awarded under the *Smithfield Agreement*;

**NOW THEREFORE**, Grantee acknowledges its understanding of the following terms and conditions for the administration of the Environmental Enhancement Grant Program and the procedures by which Grant Funds are distributed as specified and described in detail below.

### **I. Memorandum Documents and Attachments**

#### **A. Grant Documents**

The Grant Administration and Procedure Documents shall consist of the following:

- |   |              |
|---|--------------|
| (1) This Memorandum   |              |
| (2) General Terms and Conditions                                  | Attachment A |
| (3) Grantee's original proposal and proposal update if applicable | Attachment B |
| (4) Project line item budget and budget narrative                 | Attachment C |
| (5) Notice of Conditions  | Attachment D |
| (6) Reimbursement Procedure                                       | Attachment E |
| (7) Schedule of Required Reports                                  | Attachment F |

#### **B. Entire Understanding**

These documents describe and constitute the entire grant administration and procedure process and supersede all prior oral or written statements.

#### **C. Electronic Documents**

This MOU and attachments are offered to Grantee by the NCAG as electronic documents. Grantee accepts the MOU and attachments as electronic documents and will give these electronic documents the same force as paper documents.

### **II. Precedence Among Grant Documents**

In the event of a conflict between or among the terms of the Grant Documents, the terms in the Grant Document with the highest relative precedence shall prevail. The order of precedence shall be the order of documents as listed in Part I. A., above, with the first-listed document having the highest precedence and the last-listed document having the lowest precedence. If there are multiple Amendments to the Understanding, the most recent amendment shall have the highest precedence and the oldest amendment shall have the lowest precedence.

### **III. Effective Period**

This Project shall begin on 1 March 2020 and shall terminate after 36 months on 28 February 2023. Within three months before the termination date of the grant, Grantee may send a written request to the NCAG for a no cost extension of time. The NCAG may grant or deny Grantee's request, at its sole discretion. Extensions of time shall be made through a written amendment as provided for in the General Terms and Conditions as described in Attachment A. Reasonable expenses related to the Project incurred before the start date in this paragraph may be allowable at the discretion of the NCAG upon written request by the Grantee.

#### **IV. Grantee's Proposal**

Grantee's Proposal shall consist of the Grant Project as described in Attachment B. The Proposal shall be completed in accordance with the approved budget in Attachment C. Grantee may submit requests for reimbursement to the NCAG for the costs it has expended to complete the Grant Project as described in Attachment B.

#### **V. NCAG's Discretion to Direct Disbursement of Funds**

The NCAG shall have the sole discretion to direct the Trustee to disburse to the Grantee in the manner and in the amounts specified in the Memorandum of Understanding for the amounts and purposes as described in Attachments B and C. The total amount that may be directed in disbursement to the Grantee per this MOU shall not exceed \$100,000.00 (One hundred thousand dollars).

#### **VI. Conditions Precedent**

Grantee acknowledges that full and complete compliance with the terms described in the Notice of Conditions, Attachment D, is a condition precedent to any disbursement of any Grant Funds to Grantee.

#### **VIII. Interest in Funds**

Grantee denies, waives, or releases any interest, legal or equitable, created by contract, statute, or common law, which Grantee may have or Grantee may be found to have in the Grant Funds, as held by Trustee. If, upon the completion of the Grant Project, Grantee does not submit requests for disbursement, which total to the amount listed in paragraph V of this memorandum, Grantee has no expectation nor will Grantee request disbursement for any other expenditure not described in Attachments B or C.

#### **IX. Payment Provisions**

Grantee acknowledges and understands that the payment of any Grant Funds to Grantee per any Request for Reimbursement made by Grantee under this MOU are subject to the disbursement procedure as described in Grant Disbursement Procedures, Attachment E. Upon completion of the Grant Project, the Grantee shall complete a final accounting report, as described in Attachment F, within 60 days of the Grant Project completion date. If Grantee does not to complete the Grant Project, Grantee must notify NCAG and may submit a final report and request for reimbursement. The NCAG does not accept, attempt to undertake, or acknowledge any liability, obligation, or duty to Grantee by or upon the Grantee's submission of a Request for Reimbursement to the NCAG.

## **X. Party Designee**

All notices permitted or required to be given by one Party to the other and all questions about Grant Procedures from one Party to the other shall be addressed and delivered to the other Party's Designee. The contact information for the Parties' respective initial Party Designees are set out below. Either Party may change any information in this part by giving timely written notice to the other Party.

- A. For the NCAG:
- Sarah G. Zambon  
Assistant Attorney General  
N.C. Department of Justice
- If Delivered Electronically: eeg@ncdoj.gov
- If Delivered by USPS: P.O. Box 629  
Raleigh NC 27602-0629
- If Delivered by Courier: 114 W Edenton St  
Raleigh NC 27603
- B. For the Grantee:
- Stephen Wensman  
Planning Director
- If Delivered Electronically: stephen.wensman@smithfield-nc.com
- If Delivered by USPS: P. O. Box 761  
Smithfield, NC 27577
- If Delivered by Courier: P. O. Box 761  
Smithfield, NC 27577

## **XI. Outsourcing**

Grantee certifies that it has identified to the NCAG all jobs related to the Grant Project that have been outsourced to other countries, if any. Grantee will notify the NCAG upon the outsourcing of any position during the period of the Grant Project.

## **XII. Severability**

Any portion of this MOU is necessarily severable from any other conditions or procedures therein. No part of this Memorandum of Understanding is to be construed to be in violation of any law or regulation, State or federal. If any part of this MOU is interpreted to be invalid or unenforceable, the remaining provisions of this Memorandum are unaffected and survive any such determination.

## **XIII. Read and Understood**

Each party acknowledges that it has read and understands this Memorandum of Understanding and all attached Grant Documents.

## **XIX. Signature Warranty**

The undersigned represent and warrant that they are authorized on behalf of their principals to assent to the understanding of the procedures contained herein.

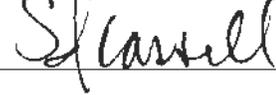
IN WITNESS WHEREOF, the Grantee and the NCAG have executed this Memorandum of Understanding in duplicate originals, with one original being retained by each party.

Town of Smithfield

NORTH CAROLINA ATTORNEY  
GENERAL

By: 

JOSHUA H. STEIN

By: 

Name: Michael Scott  
Title: Town Manager

Name: Shannon Cassell  
Title: Special Counsel to the Chief Deputy  
Attorney General

Dated 2-10-2020

Dated 3.25.2020

ATTEST

By: 

Name: Shannan Parrish  
Title: Town Clerk

Dated 3-10-2020

[CORPORATE SEAL]



## Attachment A

### General Terms and Conditions

#### DEFINITIONS

Unless indicated otherwise from the context, the following terms shall have the following meanings in this and attached documents. If the rule or statute that is the source of the definition is changed by the adopting authority, the change shall be incorporated herein.

- (1) **"Grantee"** means a non-profit entity receiving Grant Funds; a party above signed to the Understanding hereto; and a 501(c)3 corporation under the IRS code. The definition in N.C. Gen. Stat. § 143-6.2(b) shall apply to this Understanding only to the extent permissible under the *Smithfield Agreement*.
- (2) **"Party"** or **"Parties"** means the NCAG or Grantee.
- (3) **"Grant Funds"** means funds directed by the NCAG to be disbursed from the *Smithfield Agreement* Environmental Enhancement Fund held by Trustee.
- (4) **"NCAG"** means the Attorney General of North Carolina, acting solely in his official capacity in the discharge of its duties under the *Smithfield Agreement*.
- (5) **"Project"** or **"Grant Project"** means the undertaking described in the proposal, as modified by the Attachments to this Memorandum. The Project shall consist of the proposal, attached hereto as Attachment B and the Line Item Budget and Budget Narrative, attached hereto as Attachments C.
- (6) **"Grant Procedure"** or **"Procedure"** means the entirety of the processes, forms, and actions described by the Memorandum.
- (7) **"Request for Reimbursement"** means the information submitted by Grantee describing the expenses incurred during the completion of the Project as described by Attachment B submitted to the NCAG for payment.
- (8) **"Disbursement"** means the payment over of grant funds by the trustee to the grantee upon the direction of the NCAG.
- (9) **"Smithfield Agreement"** means the Agreement dated July 25, 2000 between the NCAG and Smithfield Foods, Inc., *et al.*
- (10) **"Trustee"** means PNC Bank or any other fiduciary or successor institution which holds Grant Funds as per the *Smithfield Agreement*
- (11) **"Audit"** means an examination of records or financial accounts to verify their accuracy.
- (12) **"Financial Assistance"** means assistance that non-State entities receive or administer in the form of grants, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other assistance.
- (12) **"Financial Statement"** means a report providing financial statistics relative to a given part of an organization's operations or status.
- (13) **"Grant"** means financial assistance provided by an agency, grantee, or subgrantee to carry out activities whereby the grantor anticipates no programmatic involvement with the grantee or subgrantee during the performance of the grant.
- (14)
- (15) **"Single Audit"** means an audit that includes an examination of an organization's financial statements, internal controls, and compliance with the requirements of Federal or State awards.
- (16) **"State Funds"** means any funds appropriated by the North Carolina General Assembly or collected by the State of North Carolina. State funds include federal financial assistance received by the State and transferred or disbursed to non-State entities. Both Federal and State funds maintain their identity as they are subgranted to other organizations.
- (17) **"Memorandum"** or **"MOU"** means the entirety of this "Memorandum of Understanding for the Administration and Procedures of the *Smithfield Agreement* Environmental Enhancement Grant Program" including all attachments included in Section I.A. "Grant Documents" above.

#### RELATIONSHIPS OF THE PARTIES

**Independent Contractor:** The Grantee is and shall be deemed to be an independent contractor in the performance of the Project and as such shall be wholly responsible for the work to be performed and for the supervision of its employees. The Grantee represents that it has, or shall secure at its own expense, all personnel required in performing the services described in the Project. Such employees shall not be employees of, or have any individual contractual relationship with, the NCAG.

**Subcontracting:** The Grantee shall be responsible for the performance of all of its subgrantees.

**Subgrantees:** The Grantee has the responsibility to ensure that all subgrantees, if any, provide all information necessary to permit the Grantee to comply with the standards set forth in this Memorandum.

**Assignment:** No assignment of the Grantee's Project or the Grantee's disbursements hereunder shall be permitted. However, upon written request approved by the NCAG, the NCAG may direct the Trustee to:

- (A) Forward disbursement directly to any person or entity designated by the Grantee, or
- (B) Include any person or entity designated by Grantee as a joint payee on the disbursement.

In no event shall such approval and action obligate the State or the NCAG to anyone. Grantee shall remain responsible for fulfillment of all obligations to third-parties.

**Beneficiaries:** Except as herein specifically provided otherwise, the terms, administrative procedures, and conditions described in this Memorandum of Understanding shall be presumed to be acknowledged and accepted by any successor to the Parties. It is expressly understood and agreed that the terms and conditions of this Memorandum, and all rights of action relating to the enforcement of any rights related to any action which may result from this Memorandum, shall be strictly reserved to the NCAG and the named Grantee. Nothing contained in this document shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the NCAG and Grantee that any such person or entity, other than the NCAG or the Grantee, receiving services or benefits as a result of any actions taken as a result of the Memorandum shall be deemed an incidental beneficiary only.

#### INDEMNITY AND INSURANCE

**Indemnification:** The Grantee agrees to indemnify and hold harmless the NCAG, the State of North Carolina, and any of their officers, agents and

employees, from any claims of third parties arising out of any act or omission of the Grantee in connection with the performance of the Project.

**Insurance:** During the term of the Project, Grantee shall maintain adequate insurance coverage. Adequate insurance coverage is commercial insurance of such type and with such terms and limits as may be reasonably associated with the Project. As a minimum, adequate insurance has the following coverage and limits:

- (A) **Worker's Compensation** - As required by the laws of North Carolina and as well as employer's liability coverage with minimum limits of \$500,000.00, covering all of Grantee's employees who are engaged in any work pursuant to the Project. If any work is sublet, the Grantee shall require the subgrantee to provide the same coverage for any of his employees engaged in any work on the Project.
- (B) **Commercial General Liability** - General Liability Coverage on a Comprehensive Broad Form on an occurrence basis in the minimum amount of \$1,000,000.00 Combined Single Limit. (Defense cost shall be in excess of the limit of liability.)
- (C) **Automobile** - Automobile Liability Insurance, to include liability coverage, covering all owned, hired and non-owned vehicles used in completion of the Project. The minimum combined single limit shall be \$500,000.00 bodily injury and property damage; \$500,000.00 uninsured/under insured motorist; and \$25,000.00 medical payment.

The Grantee may meet its requirements of maintaining adequate specified coverage and limits by demonstrating to the NCAG that there is in force insurance with equivalent coverage and limits that will offer at least the same protection to the NCAG. All such insurance shall meet all laws of the State of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The Grantee shall at all times comply with the terms of such insurance policies, and all requirements of the insurer under any such insurance policies, except as they may conflict with existing North Carolina laws or this Understanding. The limits of coverage under each insurance policy maintained by the Grantee shall not be interpreted as limiting the grantee's liability and obligations.

#### DEFAULT AND TERMINATION

**Termination of the Grant Process:** Upon successful completion of the Project or the NCAG's determination that Grantee is unlikely to complete the Project within the time described in Attachments B and C, the NCAG will cease to direct the Trustee to issue payment to Grantee upon Grantee's submission of requests for disbursement. The NCAG will notify the Grantee upon making this determination.

**Waiver of Default:** Waiver by the NCAG of any default or breach in compliance with the procedures described in this Memorandum by the Grantee shall not be deemed a waiver of any subsequent default or breach and shall not be construed to be modification of the terms of the Memorandum unless stated to be such in writing, signed by an authorized representative of the NCAG and the Grantee and attached to the Memorandum.

**Availability of Funds:** The parties to this Memorandum agree and understand that the payment of the disbursements per this Memorandum is dependent and contingent upon and subject to the availability of Grant Funds held by Trustee.

**State Funds:** The Grantee acknowledges that Grant Funds are the sole source of funding for this MOU; State Funds make up no part of the MOU's funding of this project.

**Force Majeure:** Neither party shall be deemed to be in default of any duty or obligation which might arise under this Memorandum if and so long as it is prevented from performing such obligations by any act of war, hostile foreign action, nuclear explosion, riot, strikes, civil insurrection, earthquake, hurricane, tornado, or other catastrophic natural event or act of God.

**Survival of Promises:** All promises, requirements, terms, conditions, provisions, representations, guarantees, and warranties which might arise under this Memorandum shall survive the Project expiration or termination date unless specifically provided otherwise herein, or unless superseded by applicable federal or State statutes of limitation.

#### INTELLECTUAL PROPERTY RIGHTS

**Copyrights and Ownership of Deliverables:** All deliverable items produced pursuant to this Memorandum are the exclusive property of the NCAG. The Grantee shall not assert a claim of copyright or other property interest in such deliverables.

**Federal Intellectual Property Bankruptcy Protection Act:** The Parties agree that the NCAG shall be entitled to all rights and benefits of the Federal Intellectual Property Bankruptcy Protection Act, Public Law 100-506, codified at 11 U.S.C. 365 (n) and any amendments thereto.

#### COMPLIANCE WITH APPLICABLE LAWS

**Compliance with Laws:** The Grantee shall comply with all laws, ordinances, codes, rules, regulations, and licensing requirements that are applicable to the conduct of its business, including those of federal, state, and local agencies having jurisdiction and/or authority.

**N.C.G.S. § 133-32 AND Executive Order 24:** N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of this memorandum, Grantee attests, for its entire organization and its employees or agents, that it is not aware that any such gift has been offered, accepted, or promised by any employees of its organization.

**Equal Employment Opportunity:** The Grantee shall comply with all federal and State laws relating to equal employment opportunity.

#### CONFIDENTIALITY

**Confidentiality:** Any information, data, instruments, documents, studies or reports given to or prepared or assembled by the Grantee under this agreement shall be kept as confidential and not divulged or made available to any individual or organization without the prior written approval of the NCAG. The Grantee acknowledges that in receiving, storing, processing or otherwise dealing with any confidential information it will safeguard and not further disclose the information except as otherwise provided in this Understanding.

#### OVERSIGHT

**Access to Persons and Records:** The State Auditor shall have access to persons and records resulting from this Memorandum.

**Record Retention:** Records shall not be destroyed, purged or disposed of without the express written consent of the NCAG. State basic records retention policy requires all grant records to be retained for a minimum of five years or until all audit exceptions

have been resolved, whichever is longer. If the Project is subject to federal policy and regulations, record retention may be longer than five years since records must be retained for a period of three years following submission of the final Federal Financial Status Report, if applicable, or three years following the submission of a revised final Federal Financial Status Report. Also, if any litigation, claim, negotiation, audit, disallowance action, or other action involving this Memorandum has been started before expiration of the five-year retention period described above, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular five-year period described above, whichever is later.

#### MISCELLANEOUS

**Choice of Law:** The validity of this Memorandum and any of its terms or provisions, as well as any rights and duties of the Parties, are governed by the laws of North Carolina. The Grantee, by signing this Memorandum, agrees and submits, solely for matters arising out of or concerning this Memorandum, to the exclusive jurisdiction of the courts of North Carolina and agrees, solely for such purpose, that the exclusive venue for any legal proceedings shall be Wake County, North Carolina. The place of this Memorandum and all transactions and agreements relating to or arising out of it, and their situs and forum, shall be Wake County, North Carolina, where all matters, whether sounding in contract or tort, relating to the validity, construction, interpretation, and enforcement shall be determined.

**Amendment:** This Memorandum may not be amended orally or by performance. Any amendment must be made in written form and executed by duly authorized representatives of the NCAG and the Grantee. The Grant Process is subject to modification

at any time by the NCAG, upon notice to the Grantee. The Project is subject to modification only with the NCAG's prior written approval

**Severability:** In the event that a court of competent jurisdiction holds that a provision or requirement of this Understanding violates any applicable law, each such provision or requirement shall continue to be enforced to the extent it is not in violation of law or is not otherwise unenforceable and all other provisions and requirements of this Understanding shall remain in full force and effect.

**Headings:** The Section and Paragraph headings in these General Terms and Conditions are not material parts of the agreement and should not be used to construe the meaning thereof.

**Time of the Essence:** Time is of the essence in the performance of the Project.

**Sovereign Immunity:** The State, by action or inaction of the NCAG, through the Environmental Enhancement Grant Program's Administration or Procedures, does not waive its sovereign immunity as to Grantee or any other individual or group.

**Certification Regarding Collection of Taxes:** The Grantee certifies that it and all of its affiliates (if any) collect all required taxes.

**Travel and Meal Expenses:** Disbursement to the Grantee for travel mileage, meals, lodging and other travel expenses incurred in the performance of the Project shall be reasonable and supported by documentation. State rates should be used as guidelines. International travel shall not be reimbursed under the Project.

**Advertising:** The Grantee shall not use the award of this Grant as a part of any news release or commercial advertising without the prior approval of the NCAG.

NORTH CAROLINA ATTORNEY GENERAL'S  
ENVIRONMENTAL ENHANCEMENT GRANT PROGRAM  
2019 GRANT CYCLE

## GRANT APPLICATION FORM

**All Grant Proposal Materials must be received by 11am on Tuesday September 24, 2019**

*Instructions: Please complete all sections and submit this application form as the cover of the written grant proposal.*

*No incomplete applications will be considered.*

Section I: General Information

Applicant	Organization	Town of Smithfield
	Contact Person	Steven Wensman
	Contact Address	P.O. Box 761 350 Market St., Smithfield, NC 27577
	Telephone	919.934.2116 ext. 1114
	E-mail	<a href="mailto:Stephen.wensman@smithfield-nc.com">Stephen.wensman@smithfield-nc.com</a> ;
Project	EEG Program Area	Check one: <input type="checkbox"/> Land acquisition <input type="checkbox"/> Research, planning, education <input checked="" type="checkbox"/> Construction, remediation, restoration
	Project Title	Spring Branch Community Restoration Project
	Total Project Budget	\$552,000
Grant Request	Amount Requested	\$200,500

Section II: Project Technical Information

<p><b>Project Goals</b> (<i>please limit summary of goals to this space</i>): Flood attenuation; Reduce nutrient pollution; Stream, floodplain, and wetland restoration; Greenway extension; Create educational opportunities; Enhance riparian buffer; Enhance the benthic and fish habitats and communities.</p>
<p><b>Results Benchmarks/ Measurement Rubrics</b> (<i>please be specific</i>): Complete stream restoration and wetland restoration Design; Complete 401/404 permitting requirements; Restore approximately 500 linear feet of Spring Branch; Create/restore approximately 0.75 acres of emergent wetland</p>
<p>Projected Project Start Date: Jan 1, 2020</p>
<p>Period of Time for the Project: Approx. 15 months for design/construction, monitoring for 5 yrs.</p>
<p>Period of Time for the Grant: 3 years</p>

Section III: Project Cost Information

<p>Other Project Funding Sources (<i>indicate source, amounts requested / committed</i>):</p> <p>FEMA - \$250,000 for land already purchased</p> <p>Johnston County Tourism/Town of Smithfield - \$72,000</p> <p>Howell Woods Environmental Learning Center - \$25,000 (in estimated monitoring costs for 5 years)</p> <p>Community of Smithfield – Approx. \$5,000 for site planting (volunteers)</p>
--

Section IV: Organization Management and Organizational Information

<p>Organization Type: Municipality – Town of Smithfield</p>
<p>Current Assets: \$ 11,662,061 _____</p>
<p>Current Fund Balance: \$ 8,127,523 _____</p>
<p><i>Total Applicant Expenditures for the last three completed fiscal years:</i></p> <p>FY 2018 _ \$ 11,725,675 _____</p> <p>FY 2017 _ \$ 13,985,600 _____</p> <p>FY 2016 _ \$ 12,896,209 _____</p>
<p>Have you previously received a grant award from the EEG Program? If yes, please list the date(s) and project name(s).</p> <p>No</p>
<p>Have you previously submitted a grant proposal to the EEG Program? If yes, please list the date(s) and project name(s).</p> <p>No</p>
<p>Did you receive any funds from the State of North Carolina in the past 12 months? If so, please list the sources, dates, and amounts.</p> <ul style="list-style-type: none"> <li>• Yes, North Carolina Department of Agriculture and Consumer Services Grant in the amount of \$148,890 for removal of stream debris from Hurricane Matthew awarded January 1, 2017 and terminating December 31, 2019.</li> </ul>
<p>Did you receive any funds from any other grant awards in the past 12 months? If so, please list the sources, dates, and amounts.</p> <ul style="list-style-type: none"> <li>• Spring-Branch stormwater wetland facility repairs due to Hurricane Matthew funded through FEMA.</li> </ul>

Section V: Agreement and Certification

Certification: The undersigned hereby do certify that they have read the attached proposal, including all appendices and exhibits, and that the information provided therein is correct and complete. The undersigned do hereby attest that any funds granted pursuant to this proposal will be used exclusively for charitable, scientific, education, conservation, environmental enhancement, or other tax-exempt public purposes. The undersigned do hereby certify that they understand that the requests attached and submitted to the Attorney General are subject to the North Carolina Public Records Act.

This the 24 day of September 2019.

Applicant Organization: Town of Smithfield

By: Town of Smithfield

Name: Stephen Wensman

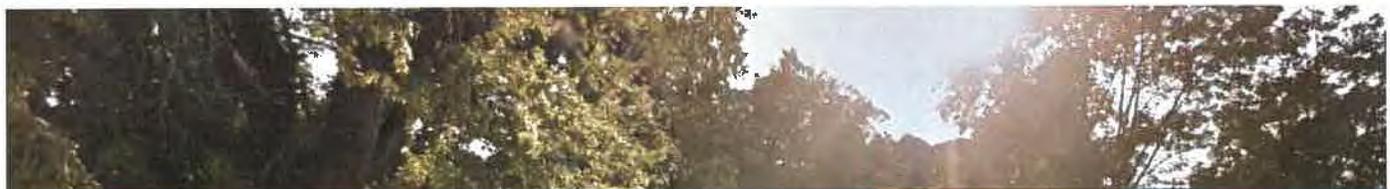
Title: Planning Director

By: Town of Smithfield

Name: Michael Scott

Title: Town Manager

All Grant Proposal Materials must be received by 11 am on Tuesday September 24, 2019.



NORTH CAROLINA ATTORNEY GENERAL'S  
ENVIRONMENTAL ENHANCEMENT GRANT PROGRAM

# SPRING BRANCH COMMUNITY RESTORATION PROJECT

SEPTEMBER 24, 2019

TOWN OF SMITHFIELD - SPRING BRANCH COMMUNITY RESTORATION PROJECT

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## **TOWN OF SMITHFIELD - SPRING BRANCH COMMUNITY RESTORATION PROJECT EXECUTIVE SUMMARY**

The Spring Branch Community Restoration Project (SBCRP) is located within the Town of Smithfield, Johnston County, North Carolina. The SBCRP would provide enormous environmental benefits for the Town of Smithfield, the Neuse River Basin and the State of North Carolina. The proposed project will be designed to restore approximately 500 linear feet of Spring Branch and create/restore approximately 0.75 acres of emergent wetland. The project will provide flood attenuation, decreasing flooding of residents downstream of the project site; improve water quality, decreasing nutrient laden suspended sediment into the Neuse River, contributing to the reduction of deadly algal blooms in the Pamlico Sound, and dramatically improve habitat for aquatic flora and fauna within Spring Branch.

The project will create a focal point for the community of Smithfield by incorporating a greenway within the project site; allow for the expansion of the existing community garden on site; and provide educational opportunities for students from preschool to college.

The project is in line with the Town of Smithfield's Comprehensive Growth Management Plan, The Town of Smithfield's Transportation Plan, the North Carolina Resilient Redevelopment Plan, and the Neuse Stormwater Rule.

The Town of Smithfield is asking for **only 36%** of the funds needed to complete the project. The land is currently owned by the Town of Smithfield which, based on current fair market price, reduces the cost of the project by approximately \$250,000. The Johnston County Visitor's Bureau has agreed to fund the Greenway to be built at the project site. The Greenway is planned to be connected to the Neuse River Trail Greenway and The Mountains to Sea Trail. This contribution will further reduce costs of the project by an estimated \$72,000. The Town of Smithfield along with other community partners, will provide volunteers to install trees at the site, which will eliminate the need to hire a landscaping contractor. Finally, the Howell Woods Environmental Learning Center from the Johnston County Community College will monitor the site for 5 years to ensure the site is functioning as designed, eliminating the monitoring costs of the project.

The Town of Smithfield believes the SBCRP fulfills the purpose of the North Carolina Attorney General's Office Environment Enhancement Grant Program by constructing wetlands, and restoring and protecting impaired, degraded surface waters. The Town of Smithfield is requesting **\$200,500** to complete the SBCRP.

### **PROJECT DESCRIPTION AND TECHNICAL SPECIFICATIONS**

#### **Project Goals and Objectives**

- Provide flood attenuation,
- Reduce nutrient pollution from Spring Branch into the Neuse River,
- Stream, floodplain, and wetland restoration/creation
- Create a focal point for the residents of Smithfield through the greenway extension, while creating educational opportunities,
- Enhance the riparian buffer,
- Floodplain reconnection,
- Installation of in-stream structures, cover and natural gravel channel material to enhance the benthic and fish habitats and communities

The SBCRP will be the first phase of connecting this area of Smithfield with the Neuse River Walk and Buffalo Creek Greenway, which eventually will connect to the Mountains to Sea Trail. The Town of Smithfield (the Town) believes that creating this amenity within a distressed portion of the town will stimulate investment and revitalization in the community and create momentum for stream corridor protection along Spring Branch.

### **Environmental benefits from the project**

The environmental benefits of the project along the Spring Branch tributary have the potential to improve ecological and geomorphic conditions for not only the site but also downstream and into the Neuse River by reducing suspended sediment loads and reducing peak discharge that can cause flooding and erode downstream channel boundaries. The site will also provide energy dissipation of erosive flood flows, reduce erosive shear stresses, reduce channel incision, increase infiltration and groundwater recharge, and store suspended sediment. The project will create wetland features within the floodplain, enhancing the riparian buffer. Installation of in-stream structures and natural gravel channel material will provide instream cover that will also enhance the benthic and fish habitats and communities.

### **Description of project activities in detail, including individuals, organizations, or contractors responsible for project completion**

If selected to receive this grant, the Town will select a contractor through the Town's procurement process. A qualified firm will be chosen to provide engineering and design. The selected design consultant will go through the following process:

- Preliminary Site Investigation
  - The Consultant will review all pertinent readily available existing data including:
    - Previously collected data on Spring Branch, previously completed hydrologic modeling for Spring Branch, investigate existing private utility easements on the project site, Johnston County Soil Survey, NRCS aerial photography, NWI mapping, USGS quadrangle mapping, Town of Smithfield storm utility information, and topographic survey information
- Agency and Stakeholder Coordination
  - The design team anticipates coordinating with the residents of Smithfield, the Town, the Johnston County Visitor's Bureau, Johnston County Community College, United States Army Corps of Engineers (USACE), and North Carolina Department of Environmental Quality (NCDEQ) throughout the design process. This will include a public meeting to gain community input and gain support for the project. We also anticipate two (2) independent design meetings with the USACE and NCDEQ.
- Stream Channel Surface Hydrology
  - Hydrology estimates, including storm discharges and times of concentration will be developed for the designed channel length identified for the site based upon existing and ultimate land use conditions. The hydrology estimates will be performed using GISHydro 2000; results will be calibrated and regional curve and existing gage data (if available) will be reviewed.
- Subsurface and Wetland Hydrology Evaluation
  - Soil pit surveys will be conducted on-site to evaluate existing soils and groundwater levels. Based on these investigations piezometers/groundwater wells may be installed at the site to further determine the groundwater levels and likely contribution of groundwater hydrology to

the wetlands. If installed, the groundwater wells will be equipped with HOBO water level loggers for continuous monitoring of groundwater elevations. The wells will be monitored monthly to download data collected at each site and to confirm water surface elevations collected at each well.

- Detailed Geomorphic Measurements
  - A detailed site assessment will be performed on the project and reference reach sites. The detailed assessment will involve measurements of channel geometry (plan, profile, and cross section), channel substrate (pebble counts and bulk samples), bank stability (bank height, bank slope, materials, vegetation), and in-channel and riparian habitat. Critical items to be obtained during the detailed site assessments include:
    - Longitudinal profile surveys (including bed surface, water surface, and indicators) – *Assumed 1 – 250 foot profile at each site*
    - Channel cross-sections (including field indicators, active channel and break lines) – *Assumed 4 sections at each site*
    - Pebble counts (at riffle features) – *Assumed 2 – 200 count pebble counts*
    - Detailed site sketches – *Assumed one (1) sketch at each site*
    - Bulk samples – *Assumed two (2) bulk samples at each site*
    - Habitat investigation details – *Assumed one (1) at each site*
    - Photographs – *Assumed ten (10) photograph locations at each site*
    - Locating sampling locations with GPS – *Assumed one point for endpoints of cross sections and profiles*
    - Channel plan form characteristics (radius of curvature, etc.) – *Assumed one (1) per profile at each site.*
- Design discharge determinations
  - A critical aspect of channel design is design discharge determination. These efforts will be based upon the previous verified hydrologic models on Spring Branch and further analysis. Each method of discharge determination, described below, will be scaled for the drainage area of the site. To comprehensively evaluate a range of design discharges, the chosen consultant will determine four estimates of channel forming flows:
    - $Q_{eff}$  – effective discharge (the discharge that transports the most sediment over time)
    - $Q_{ri}$  – the recurrence interval discharges based on hydrology modeling (1.5 to 2 year recurrence intervals)
    - $Q_{fi}$  – discharge based upon observed field indicators (benches, slope breaks, depositional or erosional features, etc.), and
    - $Q_{rc}$  – discharges determined from regional curves.
- Fluvial Geomorphic Data Analysis
  - Data collected during the fluvial geomorphic surveys will be processed and evaluated using at-a-section modeling software using continuity and roughness relationships (likely Manning's) such as Bentley FlowMaster®, The Reference Reach Spreadsheet (Mecklenburg 2004), Rivermorph® or created spreadsheets. Items to be evaluated will include, but are not limited to:
    - Slopes (bed features, water surface, and flow indicators); velocities; hydraulic geometry values (width, depth, cross-sectional area, hydraulic radius, etc); channel roughness (modified Limerinos relationship); shear velocity; stream bed composition (surface and subsurface); bar sediment distributions; Froude number;

critical shear stresses for bed sediments; supply and hydraulically limited sediments (Whiting and King 2000); bank materials, condition, and stability; design discharges; typical riparian vegetative communities for the region; habitat requirements of resident/target species; Rosgen classification; geomorphic variables and ratios (plan and profile).

- Generate 60% (Semi-Final) Design
  - Coordinate field survey of the SBCRP with the contracted survey team. Provide instruction on detailed topographic and planimetric survey as well as preparation of digital terrain model (.dtm) surfaces and files. Perform site visit to QA/QC provided survey. Finalize digital terrain model and generate working cross-section and profile files.
  - Generate 60% plans to include the following additional work and details: sediment and erosion control plan, sequence of construction and details; landscaping / planting plans and details; geometric details for proposed grading; modifications to existing details; other drainage details as needed; maintenance of traffic and parking details to facilitate construction access and staging.
  - Complete hydraulic evaluation of existing conditions surface with HEC-RAS. Verify Existing Conditions Hydrology and Hydraulics Report performed by Jewel Engineering.
  - Develop vertical, horizontal and cross-sectional geometry to establish proposed grading plan. Utilize InRoads® to complete proposed surface. Will likely involve the design of 2-4 cross-sectional templates depicting riffle, pool and transition sections. Development of vertical geometry will be based upon estimated facet slope information on pool, glide, riffle and run features coupled with a tractive force estimation of feature and overall reach slope. Process will be iterative pending verification of hydraulic analysis to insure anticipated flow conditions, shear stresses and water surfaces are achieved.
  - Continue to refine Sediment and Erosion Control plan including approximate site LOD, recommended staging and stockpile areas, maintenance of stream flow and construction access locations.
  - Begin analysis of hydraulics of the proposed surface. Assist grading design with assessment of proposed hydraulic conditions.
  - Complete an in-house constructability review to analyze proposed construction access, sequence of construction, construction details, specifications, in-stream structure design, and channel grading plan evaluations.
  - Prepare a Nationwide 27 and Pre-Construction Notification (PCN) for impacts to waters of the US and Neuse Buffer, as required, based on project impacts.
  - Develop specifications for all proposed work.
  - Develop a cost estimate.
  - Address any Agency comments related to permits submitted for impacts to natural resources as required.
  - Attend a 60% progress meeting with Town of Smithfield to discuss the design, and address any comments or questions. Meeting minutes will be prepared, and subsequently distributed via email and hard copy, to all interested parties. These will include a compilation of all written comments received following the 60% plan submittal.
- Generate 90% (Final) Design
  - Address comments received at 60% and incorporate them into the 90% plans.
  - Prepare final design plans along with a bid book cover sealed by a North Carolina Registered Professional Engineer.

- Finalize Sediment and Erosion Control plan including site LOD, staging and stockpile areas, maintenance of stream flow, sequences of construction and construction access locations.
- Finalize grading plan, addressing any conflicts with floodplain water surfaces or utility impacts. Cut and annotate final cross-sections at 25-foot intervals and at critical stations (transitional or structure locations).
- Finalize specifications for all proposed work.
- Prepare final cost estimate.
- Finalize Nationwide 27, PCN, agency coordination efforts, and receive permit approval.
- Attend a Final Review progress meeting with the Town of Smithfield, to discuss any remaining design comments. Distribute Meeting Minutes and Final Progress Report as noted above.
- Attend the formal Final Review meeting. Discuss any remaining design comments. Distribute Meeting Minutes and Final Progress Report as noted above.
- 100% Design
  - Plan Refinement - Address any remaining design.
  - Submit a complete Bid Package.
- Post Advertisement Services
  - Attend Pre-bid Meeting and progress meetings during construction; provide meeting minutes to Town of Smithfield.
  - Preparation of Addendum Plans to address any plan changes and design comments associated with the original scope of work, not completed at 100% Design.

**List of Deliverables**

- Computerized and itemized project design schedule with information on anticipated submittals and milestone dates throughout the project
- 60% Design Plans
- Meeting minutes from 60% design meeting
- Specifications and updated cost estimate
- Nationwide 27 and PCN with impact plates for impacts to waters of the US an Neuse River Basin buffer
- Final cost estimate and general and special provisions
- Final design plans
- 100% Design Plans
- SWM approval/waiver
- Addendum Plans, if necessary

The Town will then select a construction contractor through the Town’s procurement process. A qualified firm will be chosen to provide construction services.

**Geographic location of the project, including the county and the area or communities to be served by the proposed project**

The Project site is located within the Town of Smithfield, Johnston County. The project area is an economically distressed area. This area is approximately three (3) blocks from downtown. With the EEG grant, the Town is hoping to stabilize the neighborhood and offer an amenity that will attract investment into the area and create a connection to downtown.

### How the proposal meets the objectives of the EEG Program

This project meets the EEG grant program qualifications by establishing, constructing wetlands, restoring and protecting impaired, degraded surface waters. The proposed project will incorporate stream, floodplain, and wetland restoration efforts along Spring Branch between the 5<sup>th</sup> and 6<sup>th</sup> street crossings reducing nutrient and sediment runoff, increasing flood retention, re-establishing historic functions thus improving water quality within the Neuse River. The proposed project will be the first phase in building a greenway connecting this area with the Neuse River Walk and Buffalo Creek Greenway and the Mountains to Sea Trail. The project will also include a public education piece showing the importance of restoration by re-establishing historic functions through re-connecting natural waterways.

### Identify any monetary or nonmonetary partners or community involvement

The SBCRP will have multiple community partners and involvement. They include:

- Johnston County Visitors Bureau – contributing approximately \$72,000 for design and construction of the greenway at the Site.
- Johnston County Community College, Howell Woods Environmental Learning Center – Have agreed to provide monitoring of the site, while also providing educational opportunities for surrounding schools.
- The Community of Smithfield – Will be involved in the planning and planting of the project site, making this a project a true community project.
- River Keepers – will be contacted for guidance for tasks needed at the site,
- Smithfield Park and Public Works departments – will complete any maintenance needed at the site,
- Smithfield community garden – is currently on-site and will be expanded based on conceptual design.

### Description of how the proposal addresses North Carolina's current environmental needs

The proposed project will decrease the amount of nitrogen and phosphorus pollution being contributed from the Spring Branch Watershed. Spring Branch empties into the Neuse River which has had a continual problem with nutrient pollution. Nutrient pollution has led to chronically low oxygen level within one of the most important aquatic nursery systems in the world – the Pamlico Sound. The Neuse River within the Town of Smithfield is being proposed as Critical Habitat for the proposed endangered species protection of the Carolina Madtom and the Neuse River waterdog.

## RESULTS MEASUREMENTS

### Performance measurements to be used

Performance measurements collected at the site will include reference photos, plant survival rates, and channel stability analysis. Stream monitoring will include development of channel cross-sections and substrate on riffles and pools. Data to be presented in graphic and tabular format will include 1) cross-sectional area, 2) bankfull width, 3) average depth, 4) maximum depth, 5) width-to-depth ratio, 6) bank height ratio, and 7) entrenchment ratio. Longitudinal profiles will not be measured routinely unless monitoring demonstrates channel bank or bed instability. Nitrogen and Phosphorus may be monitored or estimated based on sediment deposition within the wetlands.

Wetlands will be delineated each year to demonstrate proper hydrology, soils and vegetation at the created wetlands. 10 x 10 meter vegetation plots will be established and an average density of 200 planted stems per acre will be maintained at the end of 5 years or the site will be replanted.

### **Organizations responsible for measuring project results**

With direction from the Town of Smithfield, The Howell Woods Environmental Learning Center has agreed to conduct annual site monitoring and the Town of Smithfield will include the monitoring results in the annual report required to the Department of Justice (DOJ).

### **Expected outcomes of the project, include benchmarks and milestones**

The Town has taken steps to create a Stormwater Management Action Plan to comply with the Neuse River Basin Nutrient Sensitive Waters Management Strategy. The Stormwater portion of this strategy is known as the Neuse Stormwater Rule (NSR). The NSR requires Smithfield develop and implement programs to protect the Neuse River and other surface receiving waters by reducing nitrogen discharges. This project was identified within the Stormwater Management Action Plan as a project to comply with the NSR.

The timeline from grant issuance to construction completion is approximately 14 months. This timeframe falls well within the 36 months the EEG requires the funds to be used. This schedule can also account for certain issues that may come up and delay the project. The Town has identified four areas of potential obstacles to the project and are discussed below:

- Procurement Process
  - The proposed project will include two separate procurements. The first will be for design and permitting. The procurement process is outlined below:
    - Prepare a Request for Qualifications bid package.
    - Advertise the project in the newspaper and on the Town's website.
    - Receive the qualification packages from submitting engineering firms.
    - Selection team will review the submittals.
    - Short list and interview (optional).
    - Select design firm based on qualifications.
    - Negotiate a fee proposal.
    - Present the fee proposal to the Town Council for approval.
    - Upon Council approval, execute contract and begin work.
  - The second phase will be the construction phase. This phase will follow the formal bidding process as defined by G.S. 143-129. The procurement process is outlined below:
    - Advertise for bids in the newspaper and on the Town's website.
    - Pre-bid meeting (optional)
    - Receive bids and publicly open them (minimum of 3 bids)
    - Announce an apparent low bidder.
    - Review low bid to assure the bidder has met all of the bid requirements.
    - Present the low bid to the Town Council for approval.
    - Issue Notice of Award.
    - Receive executed contract, payment and performance bonds and COI from contractor.
    - Execute the contract.
    - Issue Notice to Proceed.

- Bidding for the project
- The town could receive bids over what they have been granted by the DOJ. If this were to occur
  - The project would be modified to complete a portion of the original project.
  - The Town would search for alternative funding sources to close the gap
- Town Council's approvals
  - Depending on the schedule of meetings for the Town of Smithfield Town Council, the schedule may be affected by delays in certain approvals for the project. As stated above and shown in attachment 2, The Town has ample cushion within the timeline to account for any delays to Town Council approvals.
- Public Disagreement/Controversy
  - Public disagreement/controversy is not anticipated, but could be a possibility. The Town of Smithfield will have public meetings to inform and include the public in the project. With transparency and inclusion, the community will buy in to the project and the Town believes will support it.

Benchmarks and milestones include:

- Complete Stream Restoration and Wetland Creation/Restoration Design
- Complete 401 and 404 permitting requirements
- Restore approximately 500 linear feet of Spring Branch
- Create/restore approximately 0.75 acres of emergent wetland

The project will be maintained by the community and Town of Smithfield. The Town will investigate the possibility of using the site as a mitigation bank to create funds for potential future projects within the corridor and Town to further comply with the NSR.

#### **How the project will be evaluated upon completion**

The project will be evaluated through the annual monitoring performed at the site. The stability of the stream and wetland will be measured through geomorphological measurements of the stream. Vegetative success will be measured through vegetative monitoring and percent survival of species. Sediment load removal will be measured through taking sediment depth measurements that have been deposited within the created wetlands. A method will be determined to measure the nitrogen and phosphorus content to determine pollutant removal rates.

#### **Whether the project is sustainable or replicable in other parts of North Carolina and how**

This project would be easily replicated at sites that had similar environmental conditions as the project site. The design strategies being used by for project have 20 years plus of implementation and lessons learned experience from restoration projects completed within the state of North Carolina.

#### **Whether the project will be maintained after the grant is completed and if so, how**

The Town will maintain the site with the assistance of a consultant. The Town is in the process of creating a stormwater utility that would create a revenue stream for projects. A portion of the fees generated could be set aside each year for maintenance of the site. The Town will also direct volunteer community work days to assist in site maintenance.

### **Whether there is any additional public benefit to the project**

The SBCRP is expected to be an amenity for the community of Smithfield and an educational opportunity for students from preschool to college. The site will also be connected to the Neuse River Trail Greenway and the Mountain to Sea Trail, creating an area within the downtown of Smithfield with aquatic flora and fauna and a place of tranquility in the middle of a highly urban area.

### **PROJECT COSTS AND BUDGET**

#### **Amount of funding requested**

The amount being requested for this project is **\$200,500** dollars. This price will include the design, permitting, construction, materials, and administration. The land has previously been purchase by the Town defraying the cost by \$250,000 for the 1.68 acres of land (based on current fair market price). The Town will also be organizing a volunteer planting of the site to reduce planting costs. The Johnston County Visitor's Bureau has stated they will support funding to complete the greenway at the site further reducing the costs of the site by an additional \$72,000. The Town will also be asking for in-kind donations from the public to help with the project as well to assist with the cost of maintenance. The Howell Woods Environmental Learning Center from Johnston Count Community College with direction from the Town will monitor the site annually, eliminating those costs.

#### **Define or describe how the project may be leveraged with other projects or funding**

In December 2016, the North Carolina General Assembly established the North Carolina Resilient Redevelopment Planning (NCRRP) program as part of the 2016 Disaster Recovery Act (Session Law 2016-124). The purpose of the program is to provide a roadmap for community rebuilding and revitalization assistance for the communities that were damaged by the hurricane (Matthew). The program empowers communities to prepare locally driven recovery plans to identify redevelopment strategies, innovative reconstruction projects, and other needed actions to allow each community not only to survive but also to thrive in an era when natural hazards are increasing in severity and frequency. The proposed project hits one of the goals of the NCRRP. The goal included "implementing the Spring Branch Storm water Improvement Project to increase capacity and properly handle flow in this area." The Town will leverage this to potentially secure additional funds from the state to complete this project.

Another potential source of funding may be through the establishment of a mitigation bank through the North Carolina Interagency Review Team. This would require additional steps in the project planning process, but could potentially provide an additional \$325,000 from mitigation credits generated from the site for future projects and maintenance. This is still being assessed at this time.

#### **Prospective budget (Successful applicants are required to submit an itemized budget before grant funds disbursement)**

The project was estimated to cost approximately \$552,000 if started completely from scratch. **66%** of project has or will be funded through existing assets, in-kind donations, volunteer work, or matching funds. The \$200,500 would be broken down with the following:

- Site engineering/technical/existing site condition analysis/design - \$48,500
- Permitting - \$4,500
- Construction - \$83,000
- Construction Materials - \$46,000

- Construction Administration - \$18,500

## **ORGANIZATIONAL STRUCTURE AND MANGEMENT**

### **Brief history of the organization**

The Town of Smithfield was incorporated in 1777, and has an estimated population of 12,669. Smithfield is the county seat of Johnston County and is situated along the Neuse River.

### **Current projects**

Spring-Branch stormwater wetland facility repairs due to Hurricane Matthew funded through FEMA.

### **Mission statement, goals, and objectives - N/A**

### **Qualifications for the proposed project / Previous similar projects**

The Town has not chosen a contractor at this moment in time, but the selected contractor will have qualifications similar or equal to McCormick Taylor. McCormick Taylor was the original designer of PB-85, which is the project that the SBCRP is being modeled after. Their staff has been the lead designer for over 150,000 linear feet of stream and over 200 acres of wetland restorations. McCormick Taylor also manages the entire portfolio of projects.

### **Description of organization's methodology or approach to the proposed project**

The proposed restoration design for the SBCRP includes the following stream restoration and Wetland Creation/restoration efforts:

- Increase flood attenuation, store nutrient laden suspended sediment, floodplain/wetland creation, reduce channel incision, and infiltration and groundwater recharge
- Channel creation to provide energy dissipation of erosive flood flows, reduce erosive shear stresses, and reduce bank erosion and instream sedimentation
- Enhancing the riparian buffer, through riparian plantings
- Installation of structures, and adding natural bed material, providing instream cover, and enhancing the benthic and fish habitats and communities.

### **Previous experience in applying for, obtaining, and managing grants**

The Town has had the following previous experience with grants:

- Clean Water Management Trust Fund Grant in the amount of \$660,000 to address stormwater discharges to Spring Branch in the Neuse River Basin. The project constructed a 4.5 acre off-line stormwater wetland with a greenway and educational component connecting the existing town greenway. This grant was awarded in 11/18/2003 and terminated in Spring 2006 at the completion of the project.
- USDA grant for wayfinding signs in the amount of \$99,256 awarded in 10/01/2018, ending September 30, 2020.
- Golden Leaf Foundation grant to prepare the Smithfield Stormwater Management Action Plan in the amount of \$69,886, awarded on 10/05/17 and closed out on 7/29/19
- North Carolina Department of Agriculture and Consumer Services Grant in the amount of \$148,890 for removal of stream debris from Hurricane Matthew awarded January 1, 2017 and terminating December 31, 2019.

**Attachment C**

### NCAG EEG Budget with Funding Source

Phase 1 (Stream and Wetland)				
Category	Line Item	Description	Budgeted	Funding Source
	Total		\$ 200,500.00	
Personnel				
	1103	Engineering/Technical	\$ 24,250.00	EEG
Project Admin				
	2401	Design	\$ 24,250.00	EEG
	2402	Permitting	\$ 4,500.00	EEG
Project Labor				
	3001	Construction	\$ 83,000.00	TOS
	3002	Admin	\$ 17,000.00	TOS
	3002	Admin	\$ 1,000.00	EEG
Project Materials				
	4200	Materials	\$ 46,000.00	EEG
Phase 2 (Greenway and amenities)				
Category	Line Item	Description	Budgeted	
	Total		\$ 72,000.00	
Personnel				
	1103	Engineering/Technical		
Project Admin				
	2401	Design	\$ 10,000.00	TOS
	2402	Permitting		
Project Labor				
	3001	Construction	\$ 12,000.00	TOS/JCVB
	3002	Admin		
Project Materials				
	4200	Materials	\$ 50,000.00	TOS/JCVB

EEG      NCAG EEG  
TOS      Town of Smithfield  
JCVB      Johnston County Visitor's Bureau





## Attachment D

### Notice of Conditions

- I. **The following are conditions precedent to the disbursement by the NCAG of any Grant Funds to Grantees at any time under the Environmental Enhancement Fund Grant Program. The NCAG will not disburse any funds under the MOU until Grantee shall provide the NCAG with documentation describing the following:**
  - A. Grantee has been determined to be a tax-exempt organization by the U.S. Internal Revenue Service
    - (1) Grantee shall submit a copy of the IRS determination letter confirming Grantee's tax-exempt status;
  - B. Grantee is a non-profit corporate entity recognized by the State of North Carolina.
    - (1) Grantee shall submit a copy of the Articles of Incorporation and Bylaws of the Grantee, together with any amendments thereto, or such other organizational documents as the NCAG deems necessary to verify that the Grantee is a non-profit corporation whose primary purpose is to promote the research, study, protection and/or conservation of natural, recreational, or historic resources, plant and animal life thereon and lands with significant open space, scenic, natural, cultural, recreational and historic values, and;
    - (2) Grantee shall submit a copy of the Certificate of Existence issued by the Office of the Secretary of State of North Carolina;
  - C. Grantee's designees have the authority to bind Grantee as to the knowledge of the procedures contained herein.
    - (1) Grantee shall submit a certified copy of corporate resolutions authorizing the officers of the Grantee to execute and complete the Project as described in this Understanding;
  - D. Grantee has a written conflict of interest policy.
    - (1) Grantee shall submit a copy of Grantee's policy addressing conflicts of interest that may arise involving the grantee's management employees and the members of its board of directors or other governing body. The policy shall address situations in which any of these individuals may directly or indirectly benefit, except as the grantee's employees or members of its board or other governing body, from the grantee's disbursing of Grant funds and shall include actions to be taken by Grantee or the individual, or both to avoid conflicts of interest and the appearance of impropriety.
  - E. Grantee has adequate insurance coverage.
    - (1) Grantee shall maintain, at its own cost, adequate insurance coverage as described in Attachment A.
  - F. Proof of the availability of matching funds, if required by the NCAG for Grant approval.

- (1) Grantee shall provide reasonable documentation of the availability of matching funds, to the determination of the NCAG.
- G. Timeliness of Submission of Quarterly Reports to the NCAG.
  - (1) Grantee shall be timely in the submission of all reports as described in Attachment F of the Memorandum of Understanding.
- II. The NCAG shall make the sole and final determination as to the sufficiency to which the Grantee has met the above conditions precedent.
- III. Grantee has the duty to inform the NCAG of any changes to the above conditions which may occur during the MOU's distribution period.

## Attachment E

### Grant Fund Disbursement Procedure

Grantee acknowledges that all funds paid to Grantee as shall be disbursed by Trustee under the direction of the NCAG upon the submission and approval of an electronic request for disbursement, submitted by Grantee with supporting documentation, in conformance with the Projected Budget materials, Attachment C. Upon review and approval, the NCAG shall direct the Trustee to pay Grantee for all expenditures incurred by Grantee in the completion of the Project. The NCAG shall not disburse funds to Grantee unless the request for reimbursement complies with the following:

- I. Request for Reimbursement
  - A. Grantee may submit requests for reimbursement monthly by email to EEG@ncdoj.gov. Requests shall be in spreadsheet form in a Microsoft Excel compatible format.
  - B. Supporting documents shall accompany each reimbursement request in PDF.
  - C. Requests made after the 15th of the month can be reimbursed no sooner than the end of the following month.
  - D. Upon the NCAG's determination, the NCAG shall direct the Trustee to disburse Grant Funds to Grantee. The NCAG retains the sole and final discretion as to the disbursement's amount and manner.
  - E. If the NCAG determines that some or all of a request for reimbursement should not be paid, the NCAG shall provide notice to the Grantee of the determination and the reasons for the determination. The Grantee may request a new determination by the NCAG and may submit additional supporting materials. Any decision to provide a new determination or any consideration of additional supporting materials is within the sole discretion of the NCAG.
  - F. Upon disbursement by the Trustee to Grantee, Grantee has full control and interest in the money paid.
- II. Projected Budget
  - A. Expenditure Compliance
    - (1) All expenditures described in the request for reimbursement shall conform with the projected budget materials contained in Attachment C.
    - (2) All expenditures described in the request for reimbursement shall be related to the Grant Project.
  - B. Modifications
    - (1) Grantee shall submit requests for modification of the Projected Budget to the NCAG in writing within 30 days of the anticipated date that the additional funds would be expended by Grantee.

- (2) Grantee shall submit a request for modification of the Projected Budget for all changes in the projected line item budget for any which totals the lesser of \$2,500 or 25% of the line item amount.
  - C. Reserve Fund
    - (1) A minimum of 10% of the total grant award shall be allocated into a reserve fund. -
- III. Reasonability of Expenditures
  - A. All expenditures contained in the request for reimbursement must be reasonable.
  - B. The NCAG solely shall have discretion to determine an expenditure's reasonability.
- IV. Supporting Materials
  - A. Each expenditure shall be accompanied with appropriate supporting materials, which shall include invoices, receipts, or other materials.
  - B. Supporting documentation for professional services shall include the professional's name, an hourly salary rate, and an itemized list of services provided to Grantee.
  - C. Supporting documentation for labor may be calculated at a percentage of work completed or hourly.
  - D. Meals and travel are reimbursed at the State of NC rate or the actual cost, whichever is lower. Any meal reimbursement must include the names of the individuals eating and the location, date, and time of the meal. If the NCAG determines, at its own discretion, that the supporting materials for a food or travel reimbursement are insufficient, the NCAG may choose to exclude those expenses and ask the Grantee to resubmit its request for the next reimbursement period.
- V. Final Payment Upon Completion
  - A. The Grantee acknowledges that a sum equal to ten percent (10%) of the total amount of the Grant Funds will not be disbursed until the completion of the Grant Project, including the Grantee's submission to the NCAG of a final report on the Project.
- VI. Approval of Budget Modifications
  - A. All requests for modification of the materials contained in, Attachment C, including the line item budget and budget narrative must be submitted in writing.
  - B. The NCAG solely shall have the discretion to approve any requests to modify Grantee's projected budget.

This Memorandum is intended to describe the administration and disbursement procedure related to the Project described in Attachment B for the duration described in the Memorandum. The NCAG has no obligation to seek additional funds, approve future grant requests or provide other support to the Grantee, except as herein provided.

## **Attachment F**

### **Grantee Reporting**

Grantee's full and timely compliance with this Attachment is a Condition Precedent to Disbursement as described in Attachment D. Grantee shall fully and timely submit the following to the NCAG:

#### **I. Quarterly Reports**

A. Grantee shall send a quarterly report to the NCAG on the first day of January, April, July and October of each year until the Project is completed or the NCAG determines that the Grantee will fail to complete the Project. No reimbursement requests will be reviewed or submitted for payment unless there is a quarterly report for the most recent quarter.

#### **B. Requirements**

- (1) Total Expenditures to Date
- (2) Estimated Date of Project Completion
- (3) Estimated Overruns/Underruns
- (4) Summary of Project Activities Completed to Date

#### **II. Final Report**

A. Grantee shall submit a final report detailing the work completed by Grantee for the duration of the Grant period. This report should include, as relevant, a narrative of work completed, an estimate of environmental impact, applicable benchmarks and whether they were met, multimedia documentation, a final accounting of all EEG monies spent, and any other reasonably relevant materials, as determined by the NCAG, necessary to document the completeness of the project. The 10% reserve fund shall not be reimbursed to the Grantee until the final report is received and approved.



# Request for Town Council Action

**Business  
Agenda  
Item:**  
**Date:** 11/10/2020

**Reconsider  
Condition**

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**Subject:** Reconsideration of a condition of approval  
**Department:** Planning Department  
**Presented by:** Planning Director - Stephen Wensman  
**Presentation:** Business Agenda Item

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## Issue Statement

The Town Attorney and Planning Director request reconsideration of the cemetery access in the Kamden Ranch Preliminary Plat.

## Financial Impact

None

## Action Needed

Reconsideration of the cemetery access in the Kamden Ranch Preliminary Plat.

## Recommendation

The Town Attorney and Planning Director recommend approval of the proposed 10-foot wide cemetery access easement in lieu of proof of an 18-foot wide legal access to the cemetery.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Proposed Kamden Ranch Cemetery Access Easement
3. Approved Kamden Ranch Preliminary Plat



# Staff Report

**Agenda Reconsider  
Item: Condition**

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## **Overview:**

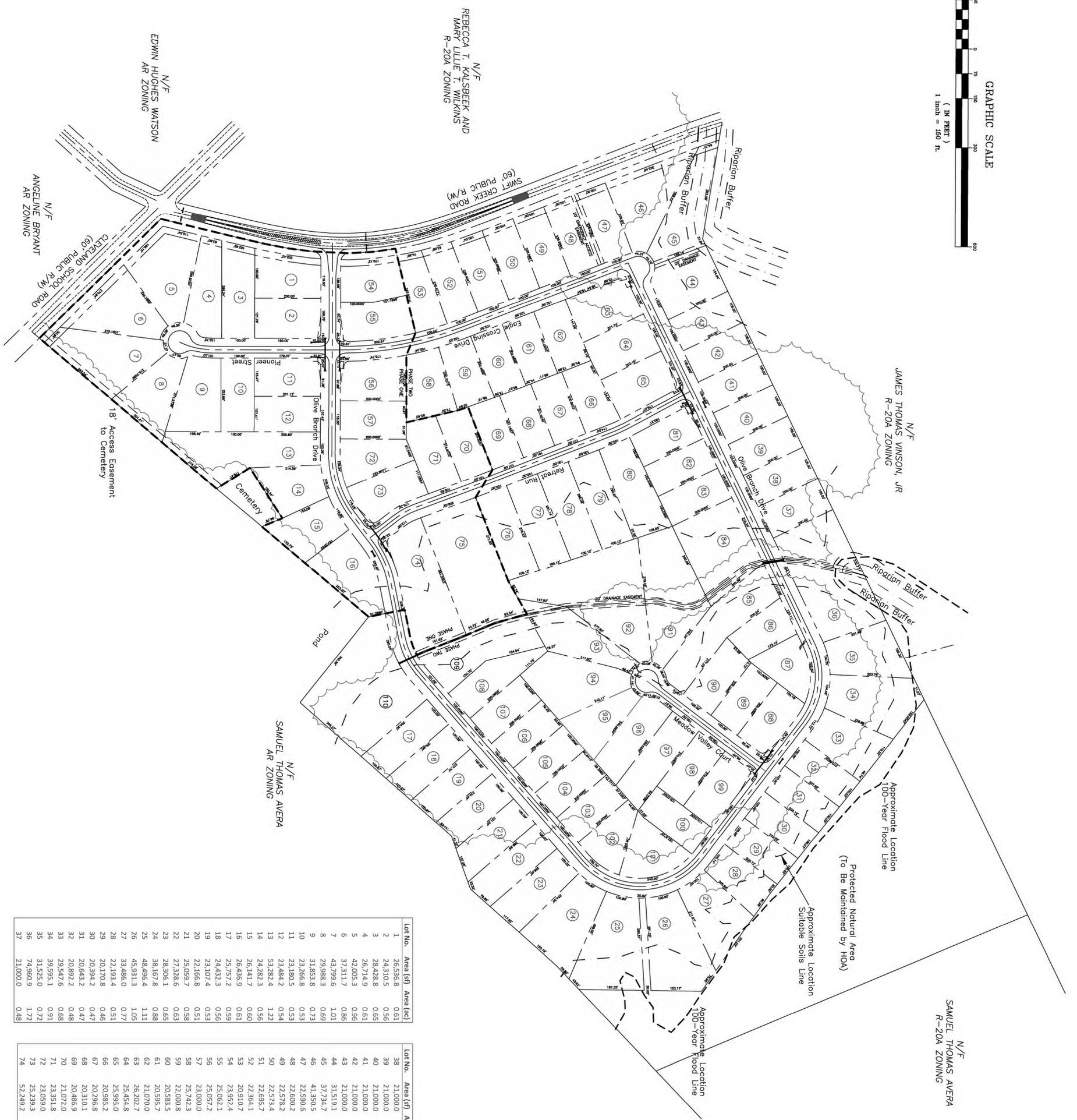
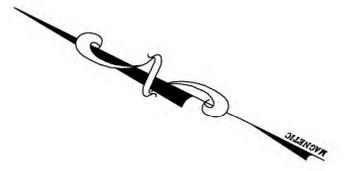
On December 4, 2018, the Town Council approved the preliminary plat of Kamden Ranch (S-18-02), a 110-unit detached single family residential development located at the SE corner of Cleveland Road and Swift Creek Road. The construction of the first phase is nearly completed, and developer will soon be seeking final plat approval. During the preliminary plat hearing, there was a discussion about providing legal access to an old cemetery that had historically had access over the land being developed. The discussion involved the developer, the representative of the family members buried in the old cemetery and the Town Attorney. That discussion resulted in the Town Council approving the preliminary plat with a condition that the developer provide proof of an 18-foot wide legal access to the cemetery. The developer subsequently placed an 18-foot wide easement on the south-east edge of the development for access that extends from the cemetery to Cleveland School Road. That easement area contains an old tree-line full of mature trees and other vegetation that would limit access without significant tree removal. The representative of the family members buried in the old cemetery questioned whether this can be considered "legal access". Although the laws are quite vague, it is the Town Attorney's interpretation that this access does not meet the legal access requirement. After negotiation with the parties involved, a revised legal access has been agreed to.

## **Proposed Easement:**

All the parties involved are requesting the Town Council approve a new access easement that is 10-foot wide that is free from obstructions. The new easement will be accessed from within the subdivision and between two single family homes over the side lot line of each. A 10-foot wide easement is wide enough for maintenance which might occasionally include small truck or equipment to access the cemetery property. The maintenance for the easement will be the responsibility of the owners of the underlying residential properties. The new access will result in occasional visitor parking on the subdivision streets which is safer than the previous location on the shoulder of Cleveland Road.

This revised easement is not deemed a significant change to the preliminary plat. Provided the Town Council is satisfied with the proposed easement, the final plat will be submitted reflecting this change.

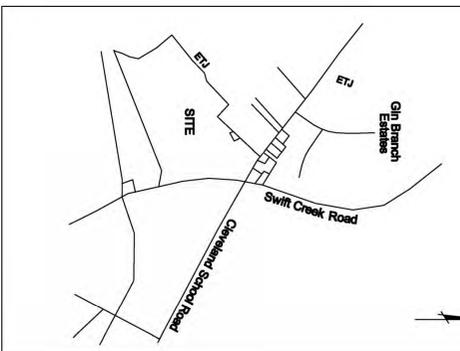




Lot No.	Area (sf)	Area (ac)
1	26,536.8	0.61
2	24,310.5	0.56
3	28,428.8	0.65
4	26,714.9	0.61
5	42,005.3	0.96
6	37,311.7	0.86
7	43,799.6	1.01
8	29,988.3	0.69
9	31,853.8	0.73
10	23,266.8	0.53
11	23,180.5	0.53
12	23,484.2	0.54
13	53,282.4	1.22
14	24,282.3	0.56
15	26,141.7	0.60
16	26,436.9	0.61
17	25,757.2	0.59
18	24,432.3	0.56
19	23,107.4	0.53
20	22,168.8	0.51
21	25,059.7	0.58
22	27,328.6	0.63
23	28,306.1	0.65
24	38,167.8	0.88
25	48,496.4	1.11
26	45,931.3	1.05
27	33,486.0	0.77
28	22,193.4	0.51
29	20,170.8	0.46
30	20,394.2	0.47
31	20,643.2	0.47
32	20,892.2	0.48
33	29,547.6	0.68
34	39,595.1	0.91
35	31,525.0	0.72
36	74,960.9	1.72
37	21,000.0	0.48

Lot No.	Area (sf)	Area (ac)
38	21,000.0	0.48
39	21,000.0	0.48
40	21,000.0	0.48
41	21,000.0	0.48
42	21,000.0	0.48
43	21,000.0	0.48
44	31,519.1	0.72
45	37,734.7	0.87
46	41,350.5	0.95
47	22,590.6	0.52
48	22,600.2	0.52
49	22,578.2	0.52
50	22,573.4	0.52
51	22,695.7	0.52
52	22,364.1	0.51
53	20,910.7	0.48
54	23,952.4	0.55
55	25,062.1	0.58
56	25,052.2	0.58
57	23,000.0	0.53
58	25,742.3	0.59
59	22,000.8	0.51
60	20,583.5	0.47
61	20,595.7	0.47
62	21,070.0	0.48
63	26,202.7	0.60
64	25,454.8	0.58
65	25,995.0	0.60
66	20,985.2	0.48
67	20,296.8	0.47
68	20,310.1	0.47
69	20,486.9	0.47
70	21,072.0	0.48
71	23,351.8	0.54
72	23,059.0	0.53
73	25,239.3	0.58
74	52,239.2	1.20

Lot No.	Area (sf)	Area (ac)
75	67,512.9	1.55
76	27,380.7	0.63
77	27,868.4	0.64
78	28,360.0	0.65
79	28,851.5	0.66
80	32,735.7	0.75
81	20,589.5	0.47
82	20,000.0	0.46
83	20,000.0	0.46
84	48,848.5	1.12
85	44,467.8	1.02
86	22,324.5	0.51
87	20,632.2	0.47
88	21,633.2	0.50
89	20,000.0	0.46
90	21,904.3	0.50
91	56,481.3	1.30
92	79,309.4	1.82
93	34,273.6	0.79
94	40,472.6	0.93
95	23,432.4	0.54
96	26,933.3	0.62
97	29,400.2	0.67
98	21,000.0	0.48
99	22,965.9	0.53
100	20,923.0	0.48
101	24,625.3	0.57
102	20,536.4	0.47
103	20,000.0	0.46
104	20,000.0	0.46
105	20,000.0	0.46
106	20,000.0	0.46
107	20,000.0	0.46
108	24,578.8	0.56
109	38,902.0	0.89
110	83,124.8	1.91
111	519,444.2	11.92
Open Area		



N/F  
COUNTY OF JOHNSTON  
I-2-SUD ZONING

REVISIONS	DATE	COMMENTS
	11-25-18	REVISIONS PER NC DEQ REVIEW
	01-05-19	REMOVE STREET "E" AND CHANGE UTILITY PROVIDER TO JOHNSTON COUNTY PER TOWN OF SMITHFIELD
	01-30-19	LOT REVISIONS PER JO CO HEALTH

DESIGNED BY:	DATE:	PROJECT NUMBER:
1:MR	2/17/2018	1710
DRAWN BY:	DATE:	
1:MR	2/17/2018	
CHECKED BY:	DATE:	
1:MR	2/17/2018	
APPROVED BY:	DATE:	
1:MR	2/17/2018	

**KAMDON RANCH**  
**JOHNSTON COUNTY, NC**

PRELIMINARY PLAN

SEALS

LEE R. HINES, JR., PE  
630 AWEN PARWAY  
FLOUJAY-VARINA, NC 27526  
PHONE (919) 422-8011  
richiehinespe@nc.rr.com

REVISIONS

DATE

COMMENTS

11-25-18 REVISIONS PER NC DEQ REVIEW

01-05-19 REMOVE STREET "E" AND CHANGE UTILITY PROVIDER TO JOHNSTON COUNTY PER TOWN OF SMITHFIELD

01-30-19 LOT REVISIONS PER JO CO HEALTH



# Request for Town Council Action

**Business** **Social**  
**Agenda** **Media**  
**Item:** **Policy**  
**Date:** 11/10/2020

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**Subject:** Social Media Policy  
**Department:** General Government  
**Presented by:** Tim Kerigan, Michael Scott  
**Presentation:** Business Agenda Item

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## Issue Statement

Council requested staff create a social media policy for appointed board members and elected officials. A draft policy is attached.

## Financial Impact

There is no financial impact for the Town other than staff time.

## Action Needed

Approve attached policy if accepted by Council.

## Recommendation

Approve attached Policy.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Draft Social Media Policy



# Staff Report

**Business  
Agenda  
Item:** **Social  
Media  
Policy**

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The Town Manager and Staff were requested to author a social media policy that would be relevant for Council appointed Board Members, Volunteers, and Elected Officials. Staff worked through this process and created the attached draft policy. Council is asked to review the draft policy, make any recommended changes and approve the policy, with amendments if needed, or table the discussion for additional review and changes to a date certain.

The policy is not intended to intrude upon anyone's free speech rights as provided by the First Amendment to the Constitution, but instead create a framework for the separation between Constitutionally protected speech and speech that is not protected that may degrade Town Government operations, its mission and/or security.

TOWN OF SMITHFIELD SOCIAL MEDIA POLICY  
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

**I. Policy:**

A. **Introduction.** The Town of Smithfield (the “Town”) depends upon an environment of tolerance and respect for the achievement of its goals in serving the citizens of the Town.

B. **Purpose.** The purpose of this policy is to provide notice to appointed and elected board and committee members that their use of social media must conform to the law and this policy. This policy is designed to promote and govern the professional and personal use of social media in a responsible manner and to avoid uses that can: (1) breach confidentiality by revealing protected information about the Town, its citizens, or its employees; (2) expose the Town to liability for behavior that may be harassing, offensive, or maliciously false; or (3) interfere with productivity and/or ability to perform the duties and responsibilities as Officials of the Town.

**II. Definitions:**

1. The Town: Town of Smithfield.
2. Official: An individual who holds office in the Town, whether elected or appointed.
3. Social Media: Online forums in which individuals participate in the exchange of ideas, messages, and content, including but not limited to, blogs, microblogs, and social networking sites (e.g., Facebook, LinkedIn, Twitter).
4. Electronic Media: All forms of electronic communication, transmission, or storage, including but not limited to, websites and any content contained therein or related thereto.

**III. General Provisions:**

A. While Officials may maintain and use personal web pages and websites, blogs, microblogs, social networking sites and other forms of social media while off-duty, their status as Officials of the Town requires that the content of any postings on those social media sites or other web pages not be in violation of existing Town by-laws, policies, directives, rules or regulations. The Town’s image as a professional organization comprised of professionals is critical to maintaining the respect of its constituents. Although the Town recognizes that Officials may choose to express themselves by posting personal information upon electronic media sites through personal websites, social networking sites, blogs, microblogs, chat rooms, or other electronic means or by making comments upon electronic sites hosted by other persons, groups or organizations, this right of expression should not interfere with the operation of the Town. Although the Town acknowledges its Officials have the First Amendment right to free speech, the right is not absolute and extends only to matters of public concern. Therefore, Officials should exercise caution with respect to comments they post, particularly those concerning the Town and the business of the Town; or in instances where it could be perceived that they are representing the Town.

Approved by the Smithfield Town Council on MM/DD/YYYY

TOWN OF SMITHFIELD SOCIAL MEDIA POLICY  
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

B. This section describes acceptable and unacceptable uses of all social media by Officials. Officials should use their best personal judgment when using any form of social media and must ensure that their use does not violate this or any other Town policy.

C. Use of social media is also subject to the Town's Sexual Harassment Policy, Use of Town Supplies and Equipment Policy and Acceptable Use Policy, as well as the Town's other policies and standards of conduct, rules, regulations, and by-laws.

D. All use of social media is subject to the following conditions:

1. There is no guarantee of privacy for electronic communications through Town systems or equipment. The Town reserves the right to review and/or monitor all electronic records and communications, at any time, with or without notice, including individual user folders and other information stored on the Town's electronic communications systems. In accessing the Internet, including social media sites, users should assume that all connections and sites visited using the Town's network will be monitored and recorded. This examination helps to ensure compliance with Town policies, assists when internal investigations must be conducted and supports the management of the Town's information systems. Use of the Town's electronic communication devices including, but not limited to, Town-issued email accounts, Internet services, Intranet, Town-owned laptops and computers provided for remote use, and computer software constitutes acceptance of such monitoring. Content maintained electronically is also subject to the Public Records Law.
2. All Officials are expected and required to conduct themselves in a manner consistent with the Town's policies and standards of conduct.
3. Officials must not reveal any confidential or privileged information about the Town, its constituents, its employees, or its contractors. Officials must be particularly careful to protect against the inadvertent disclosure of confidential information.
4. Officials must not harass others in contravention of the Town's Sexual Harassment Policy, Use of Town Supplies and Equipment Policy or Acceptable Use Policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this Policy even if the Town's name or the name(s) of any individual is not specifically referenced.
5. Officials should be honest and accurate when posting information or news, and if they make a mistake must correct it quickly. Officials should not post any information or rumors they know to be false about the Town, its

Approved by the Smithfield Town Council on MM/DD/YYYY

TOWN OF SMITHFIELD SOCIAL MEDIA POLICY  
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

employees, constituents, officials, suppliers, vendors, contractors or any other entities or individuals.

6. Officials may express only their personal opinions and should never represent themselves as a spokesperson for the Town, their board or committee unless designated to do so. If the Town is a subject of the content created by an Official, the Official should be clear and open about the fact that he/she is an Official of the Town and should make it clear that his/her personal views do not represent those of the Town, or its employees, officials, suppliers, vendors, or any other agent of the Town unless designated to do so. Officials who publish blogs or other online posts related to their role with the Town should make clear that they are not speaking on behalf of the Town (unless designated to do so). Further, an Official's decision to express their personal opinions does not alleviate their responsibility as an Official to take appropriate action under the circumstances, which may include, but not be limited to, taking action themselves or reporting an issue to the Human Resources Director or Town Manager.
7. Officials must also recognize that posting content regarding Town-related matters may result in the violation of the open meeting laws if the medium and manner used would constitute a quorum. Officials should consult with the Town Clerk, Town Attorney or Town Manager with any questions or concerns prior to posting.
8. Officials are expressly prohibited from using social media to engage in ~~any~~ activity or conduct that violates federal, state, or local law (e.g., software or data piracy, child pornography, etc.).
9. Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest.
10. Officials are generally not authorized to provide employee references and are prohibited from using any review or recommendation feature or system on a social media site (e.g., LinkedIn) to post reviews or other comments about employees.
11. Officials must be mindful that residents, property owners and others appearing before Town boards or committees come from all walks of life. Public comments, in any forum, that contain racial slurs, express bigotry toward a group based on their race, religion, national origin, sexual orientation, gender, gender identity or any other legally protected classification shall be considered conduct unbecoming a Town Official and shall constitute good cause for removal for any appointed Official.

**TOWN OF SMITHFIELD SOCIAL MEDIA POLICY  
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS**

E. The Town encourages anyone who uses social media in contravention of this policy to be honest and admit the error as soon as it occurs. Although errors cannot always be erased, prompt notification can make a significant difference in the Town's ability to correct or remedy the issue.

F. Beyond the above general provisions, appointed and elected board/committee members are strongly encouraged to consider the impact of their statements before making them. The Town strives to be professional in its operations and processes. Posts that suggest a likelihood of more or less favorable treatment toward any individual or group of individuals, e.g., based upon race, gender, national origin, sexual orientation, reflects poorly on the individual making an inappropriate statement as well as the Town and its citizens. Further, comments suggesting such treatment can expose the Town to liability and legal costs. All are strongly encouraged to carefully consider their comments before posting them.

G. Nothing in this policy precludes the Town Council from removing any appointed Official of any approved board for the Town, as these positions are considered "At Will" appointments.

**IV. Complaints or Problems of Misuse:**

Should any Official receive or become aware of a violation of this policy, the Official should report the violation to the Human Resources Director or Town Manager.

In accordance with the Town's Whistleblower Policy, the Town prohibits taking action against anyone for reporting a possible violation of this Policy or for cooperating in an investigation.

**V. Questions:**

Anyone who is unsure whether a particular posting or contribution to online social media violates this policy is encouraged to ask the Human Resources Director or Town Manager.

**VI. Discipline.**

Violation of this Policy may constitute good cause for removal of appointed Officials. Elected officials may be subject to a request for their resignation, public censure or reprimand or a recall petition. A failure to enforce this Policy does not constitute a subsequent waiver of any violation of this Policy.

This Policy shall be read and interpreted in conjunction with all other Town policies and procedures.

TOWN OF SMITHFIELD SOCIAL MEDIA POLICY  
FOR APPOINTED AND ELECTED BOARD/COMMITTEE MEMBERS

**Acknowledgment of Receipt of Policy**

I acknowledge receipt of this *Social Media Policy for Appointed and Elected Board/Committee Members*, and that I have read it. I understand that all social media usage and all information transmitted by, received from, or stored in these systems are the property of the Town. I also understand that I have no expectation of privacy in connection with the use of the Town's electronic communications or with the transmission, receipt or storage of information in these systems. I acknowledge and consent to the Town monitoring my use of its electronic communications at any time, at its discretion. Such monitoring may include reviewing Internet websites visited, including social media sites, printing and reading all e-mail entering, leaving or stored in these systems, and/or reviewing all documents created or downloaded. I understand that all e-mail messages are subject to the Town's e-mail deletion and retention procedures.

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Name (Print)

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Signature

---

Date

---

Witness

Approved by the Smithfield Town Council on MM/DD/YYYY



# Financial Report

the 1990s, the number of people with diabetes has increased in all industrialized countries. In the Netherlands, the prevalence of diabetes has risen from 1.5% in 1975 to 5.5% in 1995 (1). The prevalence of diabetes is expected to increase further in the next decades (2).

Diabetes is a chronic disease with a high prevalence and a high mortality. The most common complications of diabetes are cardiovascular disease, nephropathy, retinopathy, and neuropathy. The prevalence of these complications is high, and the mortality is high. In the Netherlands, the mortality of diabetes is 1.5 times higher than in the general population (3). The mortality of diabetes is expected to increase in the next decades (4).

The prevalence of diabetes is high, and the mortality is high. The prevalence of complications of diabetes is high, and the mortality of complications of diabetes is high. The prevalence of complications of diabetes is expected to increase in the next decades (5). The mortality of complications of diabetes is expected to increase in the next decades (6).

The prevalence of diabetes is high, and the mortality is high. The prevalence of complications of diabetes is high, and the mortality of complications of diabetes is high. The prevalence of complications of diabetes is expected to increase in the next decades (7). The mortality of complications of diabetes is expected to increase in the next decades (8).

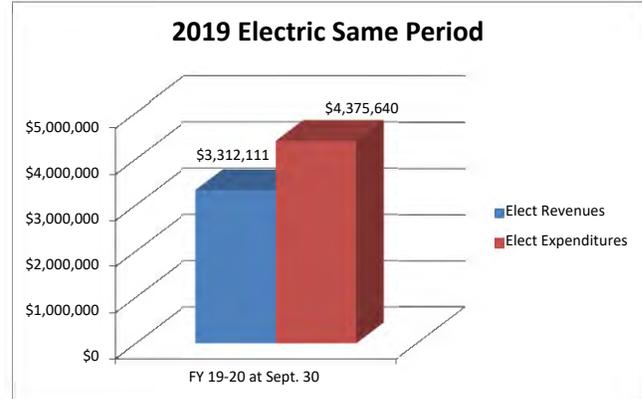
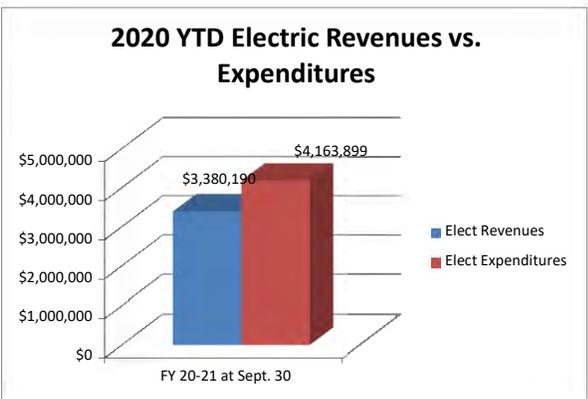
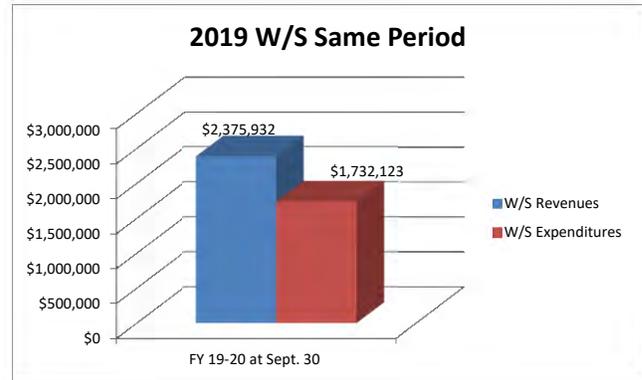
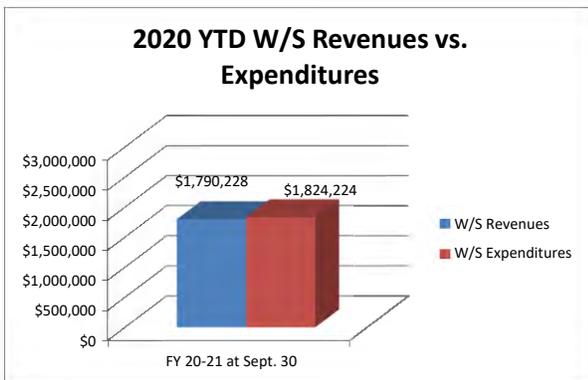
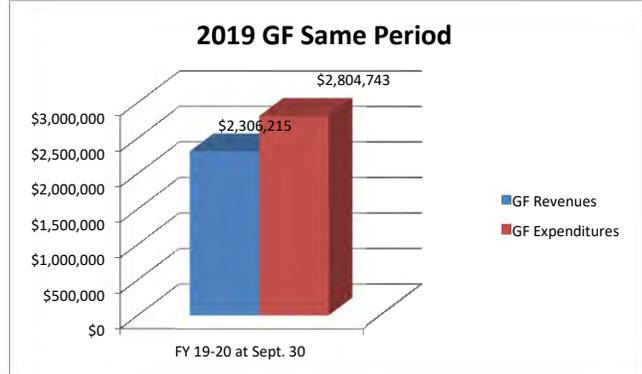
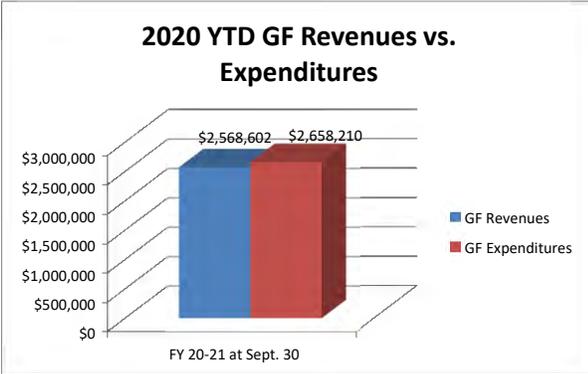
The prevalence of diabetes is high, and the mortality is high. The prevalence of complications of diabetes is high, and the mortality of complications of diabetes is high. The prevalence of complications of diabetes is expected to increase in the next decades (9). The mortality of complications of diabetes is expected to increase in the next decades (10).

The prevalence of diabetes is high, and the mortality is high. The prevalence of complications of diabetes is high, and the mortality of complications of diabetes is high. The prevalence of complications of diabetes is expected to increase in the next decades (11). The mortality of complications of diabetes is expected to increase in the next decades (12).

The prevalence of diabetes is high, and the mortality is high. The prevalence of complications of diabetes is high, and the mortality of complications of diabetes is high. The prevalence of complications of diabetes is expected to increase in the next decades (13). The mortality of complications of diabetes is expected to increase in the next decades (14).

The prevalence of diabetes is high, and the mortality is high. The prevalence of complications of diabetes is high, and the mortality of complications of diabetes is high. The prevalence of complications of diabetes is expected to increase in the next decades (15). The mortality of complications of diabetes is expected to increase in the next decades (16).

## Town of Smithfield Revenues vs. Expenditures



**TOWN OF SMITHFIELD**  
**MAJOR FUNDS FINANCIAL SUMMARY REPORT**  
**September 30, 2020**  
**Gauge: 3/12 or 25 Percent**

**GENERAL FUND**

Revenues	Frequency	Actual to Date	Budget	Actual to Date
		FY '19-20	FY '20-21	FY '20-21
Current & Prior Year Property Taxes	Monthly	\$ 847,079	\$ 6,450,000	\$ 833,649
Motor Vehicle Taxes	Monthly	167,303	575,000	166,003
Utility Franchise Taxes	Quarterly	228,119	975,000	205,618
Local Option Sales Taxes	Monthly	233,544	2,147,000	262,427
Aquatic and Other Recreation	Monthly	209,536	585,000	20,224
Sanitation (Includes Penalties)	Monthly	257,361	1,351,300	255,861
Grants		85,842	13,000	452,520
All Other Revenues		277,431	1,358,308	372,301
Loan Proceeds		-	-	-
Transfers (Electric and Fire Dist.)		-	261,614	-
Fund Balance Appropriated		-	1,020,500	-
<b>Total</b>		<b>\$ 2,306,215</b>	<b>\$ 14,736,722</b>	<b>\$ 2,568,602</b>

Expenditures	Actual to Date	Budget	Actual to Date
	FY '19-20	FY '20-21	FY '20-21
General Gov.-Governing Body	\$ 109,505	\$ 448,130	\$ 87,679
Non Departmental	283,241	863,780	239,467
Debt Service	190,426	920,953	289,631
Finance	20,112	133,015	20,006
Planning	91,758	324,642	65,031
Police	760,705	4,036,009	747,570
Fire	372,376	2,779,863	404,429
EMS	-	-	-
General Services/Public Works	99,686	545,716	141,820
Streets	92,870	484,705	98,013
Motor Pool/Garage	20,043	95,215	20,146
Powell Bill	6,602	274,315	7,627
Sanitation	245,007	1,330,260	247,813
Parks and Rec	253,725	905,630	147,666
SRAC	252,015	1,115,890	137,939
Sarah Yard Center	6,671	76,610	3,373
Contingency	-	401,989	-
Appropriations/Contributions	-	-	-
<b>Total</b>	<b>\$ 2,804,742</b>	<b>\$ 14,736,722</b>	<b>\$ 2,658,210</b>

YTD Fund Balance Increase (Decrease) - -

**WATER AND SEWER FUND**

<b>Revenues</b>	<b>Actual to Date FY '19-20</b>	<b>Budget FY '20-21</b>	<b>Actual to Date FY '20-21</b>
Water Charges	\$ 565,508	\$ 2,872,930	\$ 579,092
Water Sales (Wholesale)	386,983	1,800,000	238,693
Sewer Charges	887,969	4,370,000	932,528
Penalties	-	50,000	9,053
Tap Fees	2,350	4,500	6,275
Other Revenues (Includes Penalties for FY18-19)	33,122	39,400	24,587
Grants	500,000	-	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	-	-
Total	<u>\$ 2,375,932</u>	<u>\$ 9,136,830</u>	<u>\$ 1,790,228</u>

<b>Expenditures</b>	<b>Actual to Date FY '19-20</b>	<b>Budget FY '20-21</b>	<b>Actual to Date FY '20-21</b>
Water Plant ( <b>Less Transfers</b> )	\$ 467,569	\$ 2,059,102	\$ 521,285
Water Distribution/Sewer Coll ( <b>Less Transfers</b> )	1,024,659	4,606,590	997,373
Transfer to General Fund	-	-	-
Transfer to W/S Capital Proj. Fund	-	1,500,000	-
Debt Service	239,895	611,133	305,566
Contingency	-	360,005	-
Total	<u>\$ 1,732,123</u>	<u>\$ 9,136,830</u>	<u>\$ 1,824,224</u>

**ELECTRIC FUND**

<b>Revenues</b>	<b>Actual to Date FY '19-20</b>	<b>Budget FY '20-21</b>	<b>Actual to Date FY '20-21</b>
Electric Sales	\$ 3,234,622	\$ 16,300,000	\$ 3,309,130
Penalties	29,849	100,000	15,561
All Other Revenues	47,640	164,000	55,499
Grants	-	-	-
Loan Proceeds	-	-	-
Fund Balance Appropriated	-	-	-
Total	<u>\$ 3,312,111</u>	<u>\$ 16,564,000</u>	<u>\$ 3,380,190</u>

<b>Expenditures</b>	<b>Actual to Date FY '19-20</b>	<b>Budget FY '20-21</b>	<b>Actual to Date FY '20-21</b>
Administration/Operations	\$ 495,517	\$ 2,455,830	\$ 575,764
Purchased Power - Non Demand	1,347,828	12,615,420	960,244

Purchased Power - Demand	1,871,210	-	1,996,262
Purchased Power - Debt	289,044	-	289,044
Debt Service	342,585	342,586	342,585
Capital Outlay	29,456	35,000	-
Contingency	-	331,664	-
Transfers to Electric Capital Proj Fund	-	695,000	-
Transfer to Electric Capital Reserve	-	-	-
Transfers to General Fund	-	88,500	-
Total	<u>\$ 4,375,640</u>	<u>\$ 16,564,000</u>	<u>\$ 4,163,899</u>

**CASH AND INVESTMENTS FOR APRIL**

General Fund (Includes P. Bill)	12,929,252		
Water and Sewer Fund	8,596,016		
Electric Fund*	9,629,538		
JB George Endowment (40)	134,627		
Water Plant Expansion (43)	2,539,595		
Booker Dairy Road Fund (44)	457,895		
Capital Project Fund: Wtr/Sewer (45)	817,847		
Capital Project Fund: General (46)	1,140,338		
Capital Project Fund: Electric (47)	680,085		
FEMA Acquisitions and Elevations (48)	550		
CDBG Neighborhood Revitalization (49)	(3,131)	1st CITIZENS	29,761,416
Firemen Relief Fund (50)	105,161	NCCMT	2,385,952
Fire District Fund (51)	107,159	KS BANK	3,703,438
General Capital Reserve Fund (72)	6,009	UNITED COMM	1,290,135
Total	<u>\$ 37,140,941</u>		<u>\$ 37,140,941</u>

\*Plug

**Account Balances Confirmed By Finance Director on 10/26/2020**

# Department Reports





# Staff Report

**Department  
Report: Annual  
Economic  
Development  
Update**

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## **Update**

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

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

Attached is a list of mentionable activities for September/October 2020.

## **Action Requested**

No action requested.

## Smithfield Economic Development Implementation Activities SEP/OCT 2020

1. Grant Funding – CDBG CV – Rocky contacted Skip Green of Skip Green and Associates to discuss the status of the CDBG-CV process and what needs to be done to push the project forward. Skip gave an overview of the grant, its focus, and potential uses. The town has identified several potential projects. The challenge is to connect those projects to impacts of the COVID pandemic and how they would mitigate those effects and/or facilitate addressing on-going issues going forward. Skip noted that all of Smithfield qualifies for CDBG funding under the program's income requirements. He believes that there is enough funding available for at least two rounds of grant awards, if not three.

Applying for a CDBG award requires two public hearings. The first is general in nature announcing that the town may, at some point in the fiscal year apply for CDBG funding. The second is project specific, provides details of the project for which the funding will be used, and the town's intent to submit the application. Both public hearings, of course provide for public comment.

Skip said that a key component would be to get business input and support for the projects identified, and how they would benefit their respective companies. Skip also needs to know which projects the town wants to include in the final application. He believes they could all be funded under the maximum total grant award if they are eligible and the letters of support and use can be obtained.

Update call with Skip: He has had several follow-up calls with the town. He is still waiting on response from the state as to eligibility, but he is optimistic about all the projects identified. We still need to finalize the project elements and the associated budgets. We discussed the need to get the letters from town businesses. Tim prepared and sent the letters to be distributed by the DSDC. The letters have been collected and included in the grant application.

### 2. BRE

- Tim and Rocky discussed the status of the CDBG-CV process and needed items.
- Tim and Rocky discussed the county's efforts to have the Governor request an Economic Injury Declaration from the SBA. This is in response to the flooding that occurred overnight between August 31<sup>st</sup> and September 1<sup>st</sup>. The declaration would provide access to funding that could be used to mitigate the economic effects of business stoppage as a result of the flooding. A list of those who were potentially affected has been developed. Rocky will draft a letter to be sent to the businesses on the list with a Smithfield address. After the letters have been mailed, he will follow up with each with a phone call.

Of the follow-up calls:

- One would not qualify as it is owned by a billion-dollar company and would not meet the requirement of having no other financial resources to mitigate the effects.

- Three were going to submit a response
  - Two had no losses associated with the flooding
  - One had no losses but was relocating because of issues of continuing flooding
  - One indicated that they had no desire nor interest of completing the form
3. Product – Tim, Stephen, Mike, and Rocky met with Chris to discuss the status of the West Smithfield Industrial Park (WSIP). A major construction company/developer has acquired the largest tract of the WSIP and is in negotiations to secure others as well. The company has a long, successful history of developing property across the state, and Chris sees this as a definite positive for the development of the industrial park and economic development in general for the town and county. The company has also erected shell buildings on some of their properties and the hope is that they will do so on WSIP property.

The discussion centered on various ways the town could facilitate and partner in the development of the property to the mutual benefit of all parties. Such things as the permitting process, zoning, infrastructure development, etc. were discussed. Chris cited examples of how other Johnston County communities had approached similar opportunities. Chris also recommended visiting a park developed by the company in Sanford to get first-hand knowledge of what development of the WSIP could look like.

The next step is to schedule a meeting with a representative of the company to discuss their plans and vision for the property. The meeting is projected to be scheduled in November.



**FINANCE DEPARTMENTAL REPORT FOR SEPTEMBER, 2020**

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

Daily Collections/Property Taxes/Other.....	\$ 3,371,678
Franchise Tax.....	205,618
Sales & Use Tax.....	262,427
Powel Bill.....	0
<b>Total Revenue</b>	<b>\$ 3,839,723</b>

Expenditures: General, Water, and Electric.....\$ 2,857,136

**FINANCE:**

- Compiled and submitted monthly retirement report on 9/30/2020
- Issued 52 purchase orders
- Processed 664 vendor invoices for payment and issued 345 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 9/4 and 9/18/2020
- Issued 0 renewal privilege licenses for beer and wine sales.
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 6 notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$8,436
- Processed 3 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Bad debt calendar year-to-date collections total \$27,991.94 (EMS = \$6,259.27; SRAC = \$4,414.82; Utility= \$17,317.85; and Other = \$0).
- Invoiced 2 grave opening for a total of \$1,400.00
- Invoiced Johnston Community College for Police Security
- Earned \$1,209.13 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$8,266.82 in credit/debit/Tyler card fees, but earned \$7,835.80 in convenience fees

**FINANCE DIRECTOR**

- Attended Town Council Meeting on September 1, 2020
- Attended Department Head Meetings on September 22, 2020
- Prepared Internal Controls Summary for LGC in preparation for the October 6, 2020, Water Plant Expansion meeting
- Assisted Town Manager with LGC response on citizens' concerns to Water Plant Expansion
- Entertained Auditors visit on September 2, 3 and 18, 2020
- Revised Utility Billing Statement so that it clearly conveys the due date. This was necessary due to the late penalty change
- Visited Yonkers Road Prison to view furniture for Billing Supervisor's Office
- Spent two days with Payroll Technician reviewing payroll process
- Corresponded with FCB about setting up e-receivables for lock box service. This will allow customers to pay utility bill through their bank via direct deposit to the Town. Payments would get posted approx. 7 days sooner.



# Planning Department Development Report

Friday, October 23, 2020

**Project Name: Keener Lumber Stormwater Pond**  
 Request: Stormwater Pond  
 Location 1209 West Market Street  
 Tax ID#: 15077022A PIN#: 168412-96-2134  
 Project Status First Review Complete  
 Notes:

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

**Project Name: Capital Hydraulic Components**  
 Request: Contractor Office with Outdoor Storage Yard  
 Location 228 Airport Industri Drive  
 Tax ID#: 15J08017J PIN#: 168509-05-3202  
 Project Status In First Review  
 Notes:

Site Plan 2020-11	
Submittal Date:	10/6/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

**Project Name: East River PUD**  
 Request: PUD Revisions and Preliminary Plat Approval  
 Location Buffalo Road  
 Tax ID#: 14075013 PIN#: 169520-80-3415  
 Project Status Scheduled for Public Hearing  
 Notes: Major revision to a PUD

Map Amendment 2020-07	
Submittal Date:	10/2/2020
Planning Board Review:	11/5/2020
Board of Adjustment Review:	
Town Council Hearing Date:	12/1/2020
Approval Date:	

**Project Name: Schultz Agency**  
 Request: 2' foot variance to 10' sign setback  
 Location 1638 Booker Dairy Road  
 Tax ID#: 14057197D PIN#: 260410-35-4633  
 Project Status In First Review  
 Notes: BOA hearing set for October 29

BOA 2020-05	
Submittal Date:	10/1/2020
Planning Board Review:	
Board of Adjustment Review:	10/29/2020
Town Council Hearing Date:	
Approval Date:	

Project Name: **Brightleaf Plaza**  
Request: Rezone from R-8 to B-2  
Location 40 Waddell Drive  
Tax ID#: 15005042 PIN#: 260413-03-5482  
Project Status In First Review  
Notes: .52 acre tract

<b>Map Amendment 2020-06</b>	
Submittal Date:	10/1/2020
Planning Board Review:	11/5/2020
Board of Adjustment Review:	
Town Council Hearing Date:	12/1/2020
Approval Date:	

Project Name: **JoCo Detension Facility**  
Request: Variance from sidewalk requirements  
Location 1071 Yelverton Grov Road  
Tax ID#: 15L11011 PIN#: 260300-67-5886  
Project Status In First Review  
Notes: BOA hearing set for October 29

<b>BOA 2020-07</b>	
Submittal Date:	10/1/2020
Planning Board Review:	
Board of Adjustment Review:	10/29/2020
Town Council Hearing Date:	
Approval Date:	

Project Name: **Town of Smithfield**  
Request: Amends Articles 3, 4, 5, 6 and 7  
Location  
Tax ID#: PIN#:   
Project Status In First Review  
Notes: PB recommended approval with conditions for public hearings

<b>Text Amendment 2020-03</b>	
Submittal Date:	9/4/2020
Planning Board Review:	10/1/2020
Board of Adjustment Review:	
Town Council Hearing Date:	11/10/2020
Approval Date:	

Project Name: **Town of Smithfield**  
Request: Adds Culumbarium to Table of Permitted Uses  
Location  
Tax ID#: PIN#:   
Project Status In First Review  
Notes: PB recommended approval

<b>Text Amendment 2020-04</b>	
Submittal Date:	9/4/2020
Planning Board Review:	10/1/2020
Board of Adjustment Review:	
Town Council Hearing Date:	11/10/2020
Approval Date:	

**Project Name: Lee Street Single Family Dwelling**

Request: Single Family Dwelling of Property in a B-2 zoning district

Location 602 East Lee Street

Tax ID#: 15036038 PIN#: 169306-48-8706

Project Status In First Review

Notes: SUP signed for recordation. Applicant has yet to make application for SFD zoning permit

<b>Special Use 2020-09</b>	
Submittal Date:	9/4/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	10/6/2020
Approval Date:	10/23/2020

**Project Name: Historic Smithfield Foundation**

Request: Variance to front building setback for Freedman House

Location 308 North Fourth Street

Tax ID#: 15013053 PIN#: 169419-52-6462

Project Status Approved

Notes: Approved

<b>BOA 2020-06</b>	
Submittal Date:	8/27/2020
Planning Board Review:	
Board of Adjustment Review:	9/24/2020
Town Council Hearing Date:	
Approval Date:	9/24/2020

**Project Name: Johnston Health Services**

Request: 5,370 Sq ft addition to Hospital Complex

Location 512 North Brightleaf Boulevard

Tax ID#: 15010058 PIN#: 169416-82-0969

Project Status

Notes:

<b>Site Plan 0202-09</b>	
Submittal Date:	8/24/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/4/2020

**Project Name: Ambit Plumbing**

Request: Contractor with outdoor storage

Location 100 Rock Pillar Road

Tax ID#: 5J08017E PIN#: 167500-94-9799

Project Status Approved

Notes:

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

Project Name: **Daycare Center**  
 Request: Daycare Center @ existing place of worship  
 Location 720 Second Avenue  
 Tax ID#: 15066010 PIN#: 169311-57-2189  
 Project Status First Review Complete  
 Notes:

<b>Special Use 2020-09</b>	
Submittal Date:	7/3/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	9/1/2020
Approval Date:	9/1/2020

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

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

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

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

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

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

Project Name: **Twin Creeks Cluster Subdivision**  
 Request: SUP to allow for a 28 lot cluster subdivision  
 Location Galilee Road  
 Tax ID#: 15I09011B PIN#: 167300-56-5565  
 Project Status **Second Review Complete**  
 Notes: To allow for the use of the cluster subdivision provisions

<b>Special Use 2020-01</b>	
Submittal Date:	5/1/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	6/2/2020
Approval Date:	6/2/2020

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

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

Project Name: **Burger King**  
 Request: Building Remodel / Drive Thru Reconfiguration  
 Location 1932 East Market Street  
 Tax ID#: 15L11001C PIN#: 260305-09-9223  
 Project Status **Approved**  
 Notes: Under Construction

<b>Site Plan 2020-05</b>	
Submittal Date:	4/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/18/2020

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

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

Project Name: **East River Phase II**  
Request: 32 lot division / Construction Plan Review  
Location Buffalo Road  
Tax ID#: 14075013 PIN#: 169520-80-3415  
Project Status **Approved**  
Notes: Under Construction

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

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

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

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

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

Project Name: **Kamdon Ranch**  
Request: 110 Lot Division  
Location Swift Creek Road  
Tax ID#: 15108020 PIN#: 167400-55-9495  
Project Status **Approved**  
Notes: Under Construction

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

Project Name: **Hampton Inn**  
Request: Free Standing Hotel  
Location 160 Towne Centre Place  
Tax ID#: 15L11001G PIN#: 260305-08-5727  
Project Status **Approved**  
Notes: Under Construction

<b>Site Plan 2018-08</b>	
Submittal Date:	8/7/2018
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	3/28/2019

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

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

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

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



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

### Permit Issued for September 2020

		Permit Fees	Permits Issued
Zoning	Land Use	850.00	9
Site Plan	Major Site Plan	\$100.00	1
Site Plan	Minor Site Plan	\$350.00	8
Zoning	Sign	\$350.00	7
Report Period Total:		\$1,650.00	25
Fiscal YTD Total:		\$4,250.00	63

Z20-000142	Zoning	Sign	Children's Unlimited Academy	651 North Brightleaf Boulevard
Z20-000129	Zoning	Sign	101 Smoke Shop	600-B South Brightleaf
SP20-000061	Site Plan	Minor Site Plan	JCC Engineering Building	109 College Road
SP20-000062	Site Plan	Major Site Plan	Smithfield Independent Living	Kellie Drive
Z20-000125	Zoning	Land Use	Terry F. Rose Attorney at law	619 B South Third Street
SP20-000063	Site Plan	Minor Site Plan	10' x 16' accessory structure	133 Rainbow Lane
SP20-000064	Site Plan	Minor Site Plan	Class B manufactured Home	1788 Cleveland Road
SP20-000065	Site Plan	Minor Site Plan	Two Family Dwelling	512 A & B East Johnston Street
SP20-000066	Site Plan	Minor Site Plan	Behavioral Health Renovation	521 North Brightleaf Boulevard
Z20-000126	Zoning	Land Use	Lavish, LLC	605 South Brightleaf Boulevard
Z20-000127	Zoning	Land Use	Home Instead Senior Care	1327 North Brightleaf
Z20-000128	Zoning	Sign	101 Smoke Shop	806 South Brightleaf Boulevard
Z20-000130	Zoning	Land Use	KJ Nail Spa	1547 Market St Ste C & D
Z20-000132	Zoning	Sign	KJ Nails Spa	1547 Market St Ste C & D
Z20-000131	Zoning	Land Use	Existing Residence/ New	705 South Second Street
SP20-000067	Site Plan	Minor Site Plan	20'x'16 deck & interior	415 East Davis Street
Z20-000133	Zoning	Land Use	Alabaster Box Essential Oils	117 North Third Street
Z20-000135	Zoning	Land Use	The Sassy Silo	1025 Outlet Center Drive Suite
Z20-000136	Zoning	Land Use	Playmates Child Care	304 Canterbury Road
Z20-000137	Zoning	Land Use	Alicious Boutique	259 Venture Drive
Z20-000138	Zoning	Land Use	Helping and Healing Hearts	804 East Market Street
Z20-000139	Zoning	Sign	MedFirst Primary & Urgent	388-I Venture Drive
Z20-000140	Zoning	Sign	Alicious Boutique	259 Venture Drive
SP20-000068	Site Plan	Minor Site Plan	16'x20' accessory structure	725 South Crescent Drive
Z20-000141	Zoning	Sign	Carolina Home Medical	601-C North Eighth Street
SP20-000069	Site Plan	Minor Site Plan	SFD addition	308 North Fourth Street
SP20-000070	Site Plan	Minor Site Plan	SFD addition	4745 Swift Creek Rd



**TOWN OF SMITHFIELD  
POLICE DEPARTMENT  
MONTHLY REPORT  
MONTH ENDING September 30,2020**

**I. STATISTICAL SECTION**

Month Ending Sept. 30,2020	Sept 2020	Sept 19	Total 2020	Total 2019	YTD Difference
Calls for Service	1449	1737	13521	14791	-1270
Incident Reports Completed	120	126	1072	1245	-173
Cases Closed	83	92	779	883	-104
Accident Reports	66	67	528	655	-127
Arrest Reports	108	74	704	842	-138
Burglaries Reported	8	3	43	48	-5
Drug Charges	57	17	262	287	-25
DWI Charges	3	12	52	63	-11
Citations Issued	159	123	1208	1385	-177
Speeding	30	19	311	256	55
No Operator License	52	23	228	322	-94
Registration Violations	13	13	128	155	-27

**II. PERSONNEL UPDATE**

The police department currently has four vacancies in the agency with (2) additional vacancies that were added for the traffic safety team. The department currently is looking at several BLET candidates that will graduate in December.

**III. MISCELLANEOUS**

Mandatory in-service training was continued in the month of September. Numerous parades for birth days and military returning home, have been led by members of the department. Community events still are not being held due to the COVID restrictions.

### REPORTED UCR OFFENSES FOR THE MONTH OF SEPTEMBER 2020

PART I CRIMES	September		+/-	Percent Changed	Year-To-Date		+/-	Percent Changed
	2019	2020			2019	2020		
MURDER	0	0	0	N.C.	1	0	-1	-100%
RAPE	1	0	-1	-100%	2	1	-1	-50%
ROBBERY	0	3	3	N.C.	7	11	4	57%
Commercial	0	1	1	N.C.	2	3	1	50%
Individual	0	2	2	N.C.	5	8	3	60%
ASSAULT	1	4	3	300%	39	37	-2	-5%
* VIOLENT *	2	7	5	250%	49	49	0	0%
BURGLARY	4	7	3	75%	44	41	-3	-7%
Residential	2	5	3	150%	30	26	-4	-13%
Non-Resident.	2	2	0	0%	14	15	1	7%
LARCENY	31	32	1	3%	252	294	42	17%
AUTO THEFT	0	1	1	N.C.	11	11	0	0%
ARSON	0	0	0	N.C.	0	5	5	N.C.
* PROPERTY *	35	40	5	14%	307	351	44	14%
-----								
PART I TOTAL:	37	47	10	27%	356	400	44	12%
-----								
PART II CRIMES								
-----								
Drug	16	27	11	69%	218	191	-27	-12%
Assault Simple	5	7	2	40%	56	52	-4	-7%
Forgery/Counterfeit	3	0	-3	-100%	25	26	1	4%
Fraud	11	4	-7	-64%	65	56	-9	-14%
Embezzlement	1	0	-1	-100%	1	9	8	800%
Stolen Property	1	2	1	100%	7	5	-2	-29%
Vandalism	5	3	-2	-40%	51	43	-8	-16%
Weapons	0	1	1	N.C.	3	7	4	133%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	1	1	0	0%	1	5	4	400%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	3	3	N.C.	5	7	2	40%
D. W. I.	10	4	-6	-60%	67	53	-14	-21%
Liquor Law Violation	1	0	-1	-100%	7	8	1	14%
Disorderly Conduct	1	0	-1	-100%	16	0	-16	-100%
Obscenity	0	0	0	N.C.	1	0	-1	-100%
Kidnap	0	0	0	N.C.	3	0	-3	-100%
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	22	17	-5	-23%	278	195	-83	-30%
-----								
PART II TOTAL:	77	69	-8	-10%	804	657	-147	-18%
=====								
GRAND TOTAL:	114	116	2	2%	1160	1057	-103	-9%

N.C. = Not Calculable



**Town of Smithfield  
Fire Department  
September 2020**

**I. Statistical Section**

Responded to	2020 Sept	Sept IN	Sept OUT	2019 Sept	2020 IN	2020 OUT	2020 YTD	2019 YTD
<b>Total Structure Fires Dispatched</b>	<b>10</b>	4	<b>6</b>	4	<b>30</b>	47	<b>77</b>	88
*Confirmed Structure Fires (Our District)*	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>0</b>	<b>15</b>	<b>21</b>
*Confirmed Structure Fires (Other Districts)*	<b>4</b>	0	<b>4</b>	2	<b>0</b>	<b>24</b>	<b>24</b>	<b>27</b>
<b>EMS/Rescue Calls</b>	<b>100</b>	<b>90</b>	<b>10</b>	<b>123</b>	<b>729</b>	<b>61</b>	<b>790</b>	<b>1110</b>
<b>Vehicle Fires</b>	<b>0</b>	<b>0</b>	<b>0</b>	3	<b>5</b>	5	<b>10</b>	8
<b>Motor Vehicle Accidents</b>	<b>23</b>	21	<b>2</b>	21	<b>119</b>	19	<b>138</b>	173
<b>Fire Alarms (Actual)</b>	<b>7</b>	7	<b>0</b>	15	<b>45</b>	3	<b>48</b>	78
<b>Fire Alarms (False)</b>	<b>14</b>	12	<b>2</b>	17	<b>110</b>	4	<b>114</b>	130
<b>Misc./Other Calls</b>	<b>34</b>	32	<b>2</b>	33	<b>195</b>	44	<b>239</b>	273
*Mutual Aid (Received)*	5	0	0	3	0	0	33	34
*Mutual Aid (Given)*	6	0	0	5	0	0	93	66
*Overlapping Calls (Calls at the same time)*	44	0	0	57	0	0	267	393
<b>TOTAL EMERGENCY RESPONSES</b>	<b>182</b>	<b>162</b>	<b>20</b>	<b>214</b>	<b>1218</b>	<b>160</b>	<b>1378</b>	<b>1804</b>

\* 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**).

	Sept	YTD
Fire Inspections/Compliance Inspections	23	197
Public Fire Education Programs	0	1
Children in Attendance	0	2
Adults in Attendance	0	2
Plans Review Construction/Renovation Projects	7	57
Fire Code Citations	0	0
Fire Lane Citations	0	0
Consultation/Walk Through	7	53
Re-Inspections	17	77

**II. Major Revenues**

	Sept	YTD
<b>Inspections</b>	<b>\$350.00</b>	\$6,375.00
<b>False Alarms</b>	<b>\$0.00</b>	\$1,700.00
<b>Fire Recovery USA</b>	<b>\$396.00</b>	\$1,388.00
<b>EMS Debt Setoff</b>	<b>\$163.05</b>	\$5,833.09

**Major Expenses for the Month:**

**III. Personnel Update:**

Full-Time FF Bert Copp resigned  
Full-Time Engineer Ken Corbett resigned

**IV. Narrative of monthly departmental activities:**

- Due to COVID-19 all special events were cancelled.
- Conducted Live Structure Fire Training at 1754 NC 210 Hwy.

**Town of Smithfield  
Public Works Department  
Sept. 30, 2020**



127 Total Work Orders completed by the Public Works Department

21 Burials, at \$700.00 each = \$14,700.00

0 Cremation Burial, \$400.00 each = \$0.00

\$1,000.00 Sunset Cemetery Lot Sales

\$18,700.00 Riverside Extension Cemetery Lot Sales

470.78 tons of household waste collected

150 tons of yard waste collected

8.79 tons of recycling collected

196 scrap tires were recycled





**Town of Smithfield**  
**Public Works Appearance Division**  
**Cemetery, Landscapes, and Grounds Maintenance**  
**Buildings, Facilities, and Sign Division**  
**Monthly Report**  
**Sept. 30, 2020**



**I. Statistical Section**

21 \_\_\_ Burials  
4 \_\_\_ Works Orders – Buildings & Facilities Division  
11 \_\_\_ Work Orders – Grounds Division  
8 \_\_\_ Work Orders – Sign Division

**II. Major Revenues**

Sunset Cemetery Lot Sales:	\$1,000.00
Riverside Ext Cemetery Lot Sales:	\$18,750.00
Grave Opening Fees:	\$14,700.00
Total Revenue:	\$34,450.00

**III. Major Expenses for the Month:**

\$12,251.70 to Bullock Bros for Scag mower.

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works Dept. safety meeting was on "Fire Extinguisher Safety".

**Town of Smithfield  
Public Works Drainage/Street Division  
Monthly Report  
September 30, 2020**



**I. Statistical Section**

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. Cleaned 1,330 Linear Feet of storm drain lines.
- c. Cleaned 500LF of ditch banks.
- d. 6 Work Orders – 810lbs. of Cold Patch was used for 9 Potholes.
- e. Cut one Nuisance property for planning dept.
- f. Repaired two washed-out culverts with 10 yards of 3000psi concrete.

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

\$1,978.00 to Argos for 10yards of concrete to repair Vermont and Crestview culverts, \$4,117.92 to Southern Vac for street sweeper brooms, \$3,250.00 to Tree Top Products for two 20ft speed humps.

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The Public Works Dept. safety meeting was on "Fire Extinguisher Safety".

**Town of Smithfield  
Public Works Department  
September 2020 Drainage Report**

Location: Vermont Street Culvert and Crestview Culvert.  
Starting Date: 9/1/2020  
Completion Date: 9/3/2020  
Description: Due to heavy rains culverts washed out on outlet sides. Repaired areas with 10yards of 3000psi concrete.  
Man-hours: 20hrs.  
Equipment: 420 Cat backhoe, 408 flatbed.  
Materials: 10 yards of 3000psi concrete and 2 yards of rip rap rock.

Location: 309 S 4<sup>th</sup> Street.  
Starting Date: 9/3/2020  
Completion Date: 9/3/2020  
Description: Low hanging limbs and vegetation was cut back from sidewalk and roadway areas.  
Man-hours: 2.5hrs.  
Equipment: 900, 905 plus hand tools.  
Materials: NA

Location: 1294 W Market Street.  
Starting Date: 9/3/2020  
Completion Date: 9/8/2020  
Description: Repaired erosion on sides of ditch bank and repaired damaged drain line.  
Man-hours: 2hrs.  
Equipment: 420 Cat backhoe, 412 plus hand tools.  
Materials: Two 80lbs. bags of concrete, one yard of rip rap rock.

Location: 4<sup>th</sup> and Caswell.  
Starting Date: 9/8/2020  
Completion Date: 9/8/2020  
Description: Repaired damaged drain line for positive drainage.  
Man-hours: 1 hr.  
Equipment: 412 plus hand tools.  
Materials: Four 80lbs. bags of concrete.

Location: 29 White Oak Drive.  
Starting Date: 9/9/2020  
Completion Date: 9/9/2020  
Description: Repaired damaged drain line for positive drainage.  
Man-hours: 1hr.  
Equipment: 412 plus hand tools.  
Materials: Two 80lbs. bags of concrete.

Location: Powell and Coats, 7<sup>th</sup> and Waddell, Buffalo and Parkway, College Rd and MLK, 2<sup>nd</sup> Ave, Rand Street, Brogden and Blount, Riverside Drive, S 2<sup>nd</sup> at Spring Branch, S 3<sup>rd</sup> at Spring Branch, 5<sup>th</sup> and Church, Lots beside Police Dept, Woodall and SBL, 307 Woodall, 115 Riverside, 665-739-808-845 NC Hwy 210, Outlet Center Drive, Down Town Streets.  
Starting Date: 9/10/2020  
Completion Date: 9/24/2020  
Description: Cut back right of ways, town lots and FEMA lots.  
Man-hours: 33hrs.  
Equipment: Scag mowers, new holland tractor with side arm plus hand tools.  
Materials: NA

Location: E Lee Street between MLK and West.  
Starting Date: 9/14/2020  
Completion Date: 9/14/2020  
Description: Installed two 20ft speed humps.  
Man-hours: 15hrs.  
Equipment: 900, 412 plus hand tools.  
Materials: Two 20ft speed humps, two speed hump ahead signs, two 8ft u-channel poles plus hardware.

Location: 7 Heather Court.  
Starting Date: 9/16/2020  
Completion Date: 9/16/2020  
Description: Repaired sinkhole in drain line for positive drainage.  
Man-hours: 3hrs.  
Equipment: Bobcat tractor, 412 plus hand tools.  
Materials: Two 80lbs. bags of concrete, one yard of topsoil.

Location: 513 S 1<sup>st</sup> Street.  
Starting Date: Repaired sinkhole in drain line beside sidewalk.  
Completion Date: 9/16/2020  
Description: 9/16/2020  
Man-hours: 1.5hrs.  
Equipment: 420 Cat backhoe, 412 plus hand tools.  
Materials: Two 80lbs. bags of concrete, one yard of topsoil.

Location: Cedar Drive.  
Starting Date: 9/17/2020  
Completion Date: 9/17/2020  
Description: Cleaned 440LF of drain line with jet truck.  
Man-hours: 4hrs.  
Equipment: Jet truck, 412 plus hand tools.  
Materials: NA

Location: 117 N Bright Leaf Blvd.  
Starting Date: 9/18/2020  
Completion Date: 9/18/2020  
Description: Cleaned 75LF of drain line with jet truck for positive drainage.  
Man-hours: 4hrs.  
Equipment: Jet truck, 412 plus hand tools.  
Materials: NA

Location: 402 Flowers Street.  
Starting Date: 9/21/2020  
Completion Date: 9/21/2020  
Description: Cleaned 200LF of ditch bank.  
Man-hours: 10hrs.  
Equipment: 420 Cat backhoe, 408 flatbed, 412 plus hand tools.  
Materials: NA

Location: 221 W Meadowbrook Drive.  
Starting Date: 9/22/2020  
Completion Date: 9/22/2020  
Description: High-water washed out material near culvert, backfilled area with topsoil.  
Man-hours: 2hrs.  
Equipment: 420 Cat backhoe, 412 plus hand tools.  
Materials: One yard of topsoil.

Location: E Lee Street between MLK and West.  
Starting Date: 9/22/2020  
Completion Date: 9/22/2020  
Description: Replaced two faded children at play signs.  
Man-hours: 1hr.  
Equipment: 300 plus hand tools.  
Materials: Two children at play signs plus hardware.

Location: 121 S 5<sup>th</sup> Street.  
Starting Date: 9/24/2020  
Completion Date: 9/24/2020  
Description: Cut Nuisance property for planning dept.  
Man-hours: 1.5hrs.  
Equipment: Scag mowers plus hand tools.  
Materials: NA

Location: E Lee near RR Track, College Road and E Market, North Street near 4<sup>th</sup>, 15 Cedar Drive, 911-1109 Outlet Center Drive.  
Starting Date: 9/24/2020  
Completion Date: 9/30/2020  
Description: Repaired 9 potholes with 13.5 bags of Perma Patch.  
Man-hours: 2hrs.  
Equipment: 900, 412 plus hand tools.  
Materials: 13.5 bags of Perma Patch asphalt.

Location: Cedar Drive.  
Starting Date: 9/25/2020  
Completion Date: 9/25/2020  
Description: Cleaned 440LF of storm drain line with jet truck.  
Man-hours: 4hrs.  
Equipment: Jet truck, 900, 412 plus hand tools.  
Materials: NA

Location: Ash Street.  
Starting Date: 9/25/2020  
Completion Date: 9/25/2020  
Description: Cleaned 375LF of storm drain line with jet truck.  
Man-hours: 4hrs.  
Equipment: Jet truck, 900, 412 plus hand tools.  
Materials: NA

Location: Dead End of North Street.  
Starting Date: 9/28/2020  
Completion Date: 9/29/2020  
Description: Cleaned 500LF of ditch bank for positive drainage.  
Man-hours: 16hrs.  
Equipment: 420 Cat backhoe, 408 flatbed, 900 plus hand tools.  
Materials: NA

Location: Library landscape beds.  
Starting Date: 9/28/2020  
Completion Date: 9/30/2020  
Description: Pruned land scape beds and added new mulch.  
Man-hours: 12.6hrs.  
Equipment: 905, 312 flatbed plus hand tools.  
Materials: 8 yards of mulch.

**Town of Smithfield  
Public Works Fleet Maintenance Division  
Monthly Report  
Sept. 30, 2020**



**I. Statistical Section**

- 0   Preventive Maintenances
- 0   North Carolina Inspections
- 30  Work Orders

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

None for the month

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Dept. safety meeting was on "Fire Extinguisher Safety".

**Town of Smithfield**  
**Public Works Sanitation Division**  
**Monthly Report**  
**Sept. 30, 2020**



**I. Statistical Section**

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

- a. Sanitation forces completed 43 work orders
- b. Sanitation forces collected 470.78 tons of household waste
- c. Sanitation forces disposed of 75 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 196 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.64 tons of recyclable plastic
- h. Recycled 7,320 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 2,980 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 5,100 lbs. of shredder steel for \$256.15 to Omni Source

**III. Major Expenses for the Month:**

Spain Farms Nursery was paid \$1,980.00 for disposal of yard waste and debris. White's Tire Service was Paid \$953.48 for tires for the Sanitation Trucks. Carolina Environmental System, INC. was paid \$6,135.00 for (100) 95 Gallon Roll out trash containers and \$3,457.89 for garbage truck #305 repaired sweep panel

**IV. Personnel Update:**

No one was hired as of the month of September.

**V. Narrative of monthly departmental activities:**

The Public Works Dept. safety meeting was on "Fire Extinguisher Safety". Leaf truck was delivered from Carolina Environmental Systems

Community Service Workers worked 0 hrs.



## MONTHLY REPORT FOR SEPTEMBER, 2020

PROGRAMS STATISTICS	SEPTEMBER, 2020		SEPTEMBER, 2019	
NUMBER OF PROGRAMS	5		14	
TOTAL ATHLETICS PARTICIPANTS	524		383	
TOTAL NON/ATHLETIC PARTICIPANTS	7		103	
NUMBER OF GAMES PLAYED	46		40	
TOTAL NUMBER OF PLAYERS (GAMES)	220		1016	
NUMBER OF PRACTICES	10		72	
TOTAL NUMBER OF PLAYER(S) PRACTICES	150		1033	
SARAH YARD COMMUNITY CENTER VISITS	171		226	
	SEPTEMBER, 2020	20/21 FY YTD	SEPTEMBER, 2019	19/20 FY YTD
PARKS RENTALS	29	64	31	104
USERS (PARKS RENTALS)	490	1052	1101	6616
<b>TOTAL UNIQUE CONTACTS</b>	<b>1,038</b>		<b>3,479</b>	
	SEPTEMBER, 2020	20/21 FY YTD	SEPTEMBER, 2019	19/20 FY YTD
PARKS AND RECREATION REVENUES	\$ 1,381.00	\$ 3,458.00	\$ 2,330.06	\$ 26,543.11
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 61,190.00	\$ 147,666.46	\$ 54,393.94	\$ 169,879.49
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ -	\$ -	\$ 23,122.35	\$ 85,845.35
SARAH YARD COMMUNITY CENTER	\$ 2,168.00	\$ 3,372.00	\$ 1,164.00	\$ 6,671.41

**Highlights**      Fun and Fellowship Softball  
                          Tennis Ladder  
                          Virtual Scavenger Hunt



## SRAC MONTHLY REPORT FOR SEPTEMBER, 2020

### PROGRAMS SATISTICS

NUMBER OF PROGRAMS	5	20
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	2781	3357

	SEPTEMBER, 2020	20/21 FY YTD	SEPTEMBER, 2019	19/20 FY YTD
SRAC MEMBER VISITS	1406	2708	3331	12269
DAY PASSES	0	0	541	4147
RENTALS (SRAC)	0	1	28	131
USERS (SRAC RENTALS)	0	65	2389	8390
<b>TOTAL UNIQUE CONTACTS</b>	<b>4,187</b>		<b>9,618</b>	

### FINANCIAL STATISTICS

	SEPTEMBER, 2020	20/21 FY YTD	SEPTEMBER, 2019	19/20 FY YTD
SRAC REVENUES	\$ 7,440.00	\$ 18,478.00	\$ 42,327.17	\$ 182,993.36
SRAC EXPENDITURES	\$ 65,107.00	\$ 137,939.00	\$ 68,842.28	\$ 252,015.35
SRAC MEMBERSHIPS	2356		2653	

### Highlights

Group Fitness Classes  
Aligator Steps Swim Lessons



- **Statistical Section**

- Electric CP Demand 28,024 Kw relative to August's demand of 27,219 Kw.
- Electric System Reliability for was 99.125%, with four (4) recorded outage; relative to August's 99.995%.
- Raw water treated on a daily average was 3.753 MG relative to 3.608 MG for August; with maximum demand of 4.844 MG relative to August's 4.366 MG.
- Total finished water to the system was 103.842 MG relative to August's 102.727 MG. Average daily for the month was 3.461 MG relative to August's 3.314 MG. Daily maximum was 4.068 MG (September 3<sup>rd</sup>) relative to August's 4.212 MG. Daily minimum was 2.979 (September 8<sup>th</sup>), relative to August's 2.651 MG.

- **Miscellaneous Revenues**

- Water sales were \$245,525 relative to August's \$273,689
- Sewer sales were \$393,106 relative to August's \$444,161
- Electrical sales were \$1,379,025 relative to August's sales of \$1,612,234
- Johnston County Water purchases were \$143,117 for 60.901 MG relative to August's \$131,891 for 56.124 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$884,189 relative to August's \$1,124,499.
- Johnston County sewer charge was \$318,135 for 88.588 MG relative to August's \$275,067 for 83.887 MG.

- **Personnel Changes –**

- Wayne Allen resigned as Water Plant Operator on September 11, 2020.



**Town of Smithfield  
Electric Department  
Monthly Report  
August, 2020**

**I. Statistical Section**

- Street Lights repaired -11
- Area Lights repaired -8
- Service calls - 47
- Underground Electric Locates -209
- Poles changed out or installed -2
- Underground Services Installed -1

**II. Major Revenues**

- N/A

**III. Major Expenses for the Month:**

- N/A

**IV. Personnel Update:**

- The Utility Dept. had one Safety Meeting on Ergonomics.

**V. Miscellaneous Activities:**

- Overhead Contractors are continuing to work on the North Circuit.
- The Electrical Dept. is continuing to install/connect services at East River Subdivision.
- Underground Contractors continuing work on the underground portion of the North Circuit.



**Town of Smithfield  
Electric Department  
Monthly Report  
September, 2020**

**I. Statistical Section**

- Street Lights repaired –11
- Area Lights repaired -11
- Service calls – 49
- Underground Electric Locates –159
- Poles changed out or installed -1
- Underground Services Installed -7

**II. Major Revenues**

- N/A

**III. Major Expenses for the Month:**

- N/A

**IV. Personnel Update:**

- The Utility Dept. had one Safety Meeting on Blood Borne Pathogens and PPE.

**V. Miscellaneous Activities:**

- Overhead Contractors are continuing to work on the North Circuit.
- The Electrical Dept. is continuing to install/connect services at East River Subdivision.
- Underground Contractors finished work on the underground portion of the North Circuit.