



Mayor

M. Andy Moore

Mayor Pro-Tem

Roger A. Wood

Council Members

Marlon Lee

Sloan Stevens

Travis Scott

David Barbour

John A. Dunn

Stephen Rabil

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Andrew Harris

Town Clerk

Elaine Andrews

## Town Council

## Agenda

## Packet

Meeting Date: Tuesday, February 18, 2025

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 FEBRUARY 18, 2025  
7:00 PM**

**Call to Order**

**Invocation**

**Pledge of Allegiance**

**Approval of Agenda**

**Page**

**Presentation:**

- 1. Recognition of Members of the Smithfield Selma High School Swim Team for competing in the NCHSAA 3A State Championship**  
(Mayor – M. Andy Moore) See attached information.....1

**Citizens Comments:**

**Consent Agenda Items:**

- 1. Consideration and request for approval to promote an officer from the rank of Police Officer II to Master Police Officer**  
(Police Chief – Pete Hedrick) See attached information.....3
- 2. Consideration and request for approval to adopt Ordinance No. 524-2025 to amend the closure of Market Street for the Ham and Yam Festival and the Martin Luther King, Jr. Parade**  
(Town Manager – Michael Scott) See attached information.....17
- 3. Consideration and request for approval to adopt Resolution No. 765 (04-2025) adopting a Nondiscrimination Policy**  
(Public Utilities Director – Ted Credle) See attached information.....21
- 4. Consideration and request for approval to adopt Capital Project Ordinance No. CP-1-2025 to establish a budget for the Lead Service Line Project**  
(Finance Director – Andrew Harris) See attached information.....27

**5. Consideration and request for approval to award a bid in the amount of \$160,000 to the Wooten Company for improvements to the sanitary sewer outfall in West Smithfield**  
(Public Utilities Director – Ted Credle) See attached information.....37

**Business Items:**

**1. Consideration and request for approval to allow the DSDC to use \$30,000 in special project funds for the Library Redevelopment Project**  
(Town Manager – Michael Scott) See attached information.....43

**2. Consideration and request for approval to award a bid in the amount of \$456,210 to Southern Tide Homes for the design and construction of the restroom facility at 107 South Front Street**  
(Parks and Recreation Director – Gary Johnson) See attached information.....49

**Public Hearings: None**

**Councilmember’s Comments**

**Town Manager’s Report:**

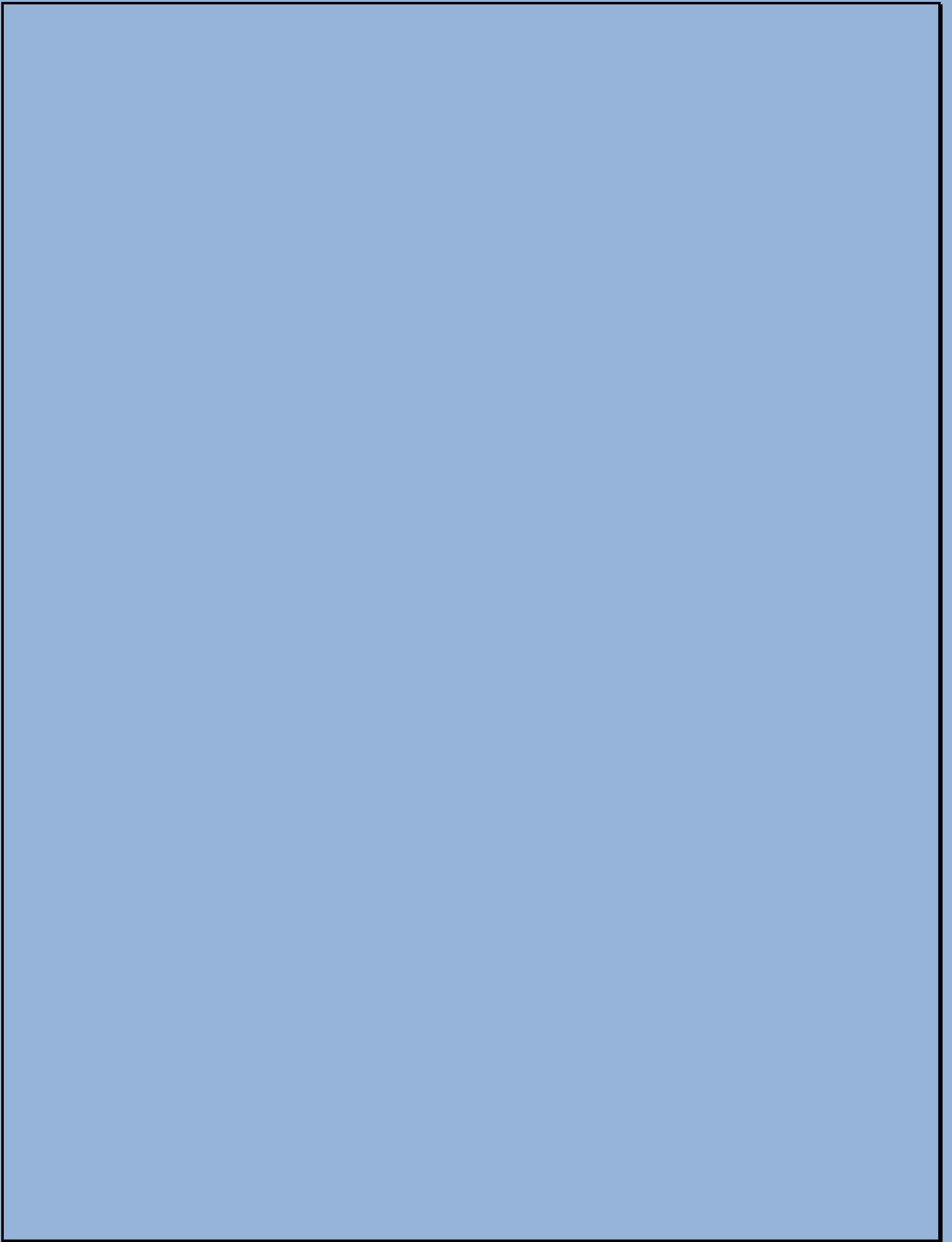
- Manager’s Report (Will be provided at the Meeting)

**Closed Session NCGS 143-318 (a) (6)**

**Reconvene in Open Session**

**Adjourn**

# Presentation





# Request for Town Council Action

**Presentation:** Recognition  
of SSS  
Swim Team  
**Date:** 02/18/2025

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**Subject:** Recognition of SSS High School Swim Team Achievements  
**Department:** Parks and Recreation/ SRAC  
**Presented by:** Mayor – M. Andy Moore  
**Presentation:** Presentation

## Issue Statement

Staff is requesting that the Town Council recognize the achievements of the Smithfield Selma High School Swim Team NCHSAA 3A State Championships

## Financial Impact

N/A

## Action Needed

Recognize the achievements of the Smithfield Selma High School Swim Team NCHSAA 3A State Championships

## Recommendation

Recognize the achievements of the Smithfield Selma High School Swim Team NCHSAA 3A State Championships

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report



# Staff Report

Presentation: **Recognition  
of SSS  
Swim Team**

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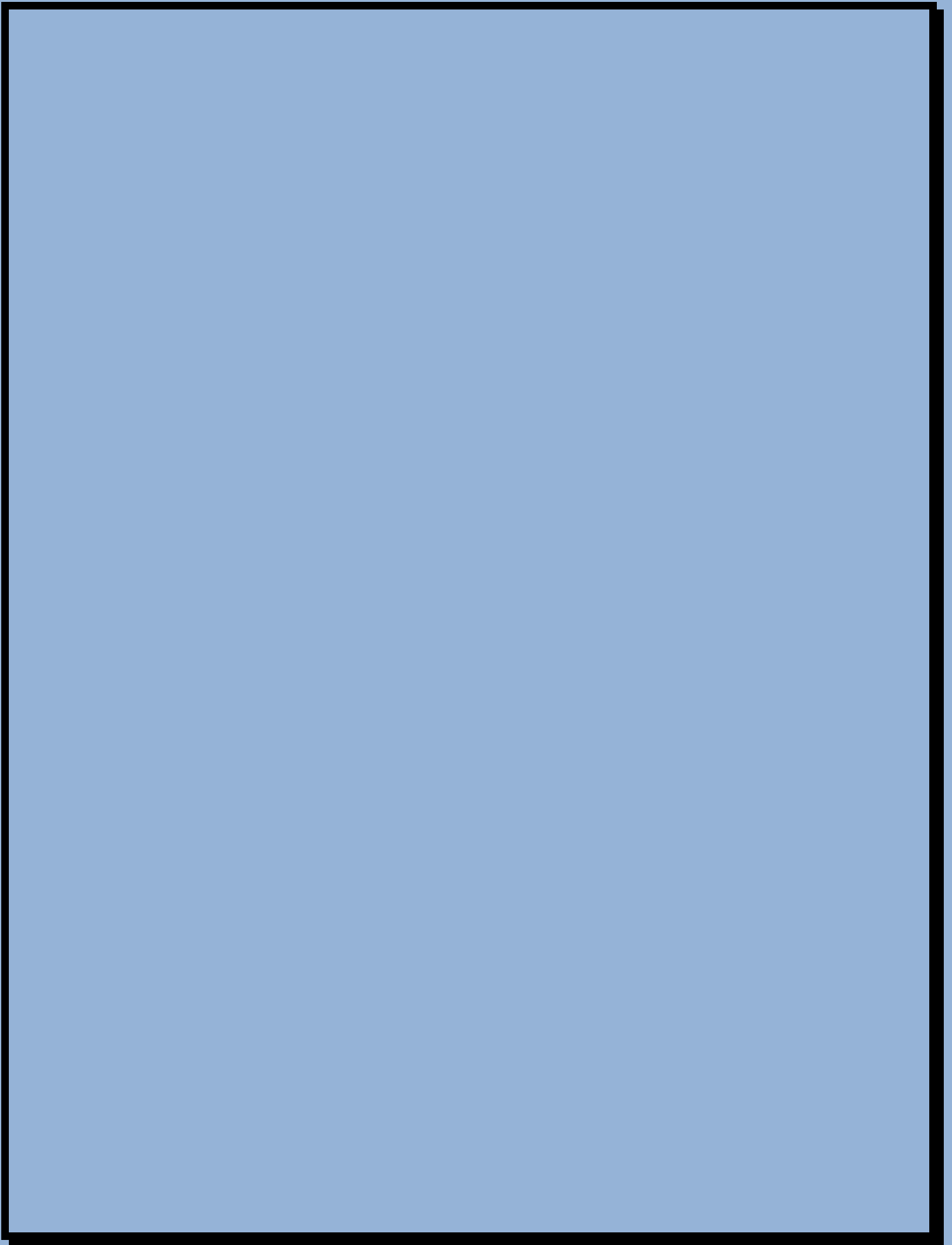
Smithfield-Selma High School Swimmers Frankie DiGiovanni, Anya Muminovic (SRAC Employee), Payton Millard and Natalie Irish competed in the NCHSAA 3A State Championships in Cary on Friday, February 7 competing extremely well.

Frankie is the new state champion in the 500 free style and finished 2<sup>nd</sup> in the 200 free style.  
Anya finished 3<sup>rd</sup> in the 100 breast stroke  
Frankie, Anya, Payton and Natlie finished 2<sup>nd</sup> in the 400 free style relay  
Frankie, Anya, Payton and Natlie finished 3<sup>rd</sup> in 200 yd free style relay  
Payton finished 7<sup>th</sup> in the 200 free  
Payton finished 8<sup>th</sup> in the 100 free  
Anya finished 10<sup>th</sup> in the 200 individual medley  
SSS finish 4<sup>th</sup> in the overall team result.

Staff is requesting that these individuals be publicly recognized for their achievements.



# Consent Agenda Items





# Request for Town Council Action

**Consent  
Agenda  
Item:** Police  
Promotion  
**Date:** 02/18/2025

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**Subject:** Police Promotion  
**Department:** Police Department  
**Presented by:** Chief of Police – Pete Hedrick  
**Presentation:** Consent Agenda Item

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## Issue Statement

This is a request to promote one officer from the rank of Police Officer II (POII) to Master Police Officer (MPO).

## Financial Impact

Approved Budgeted Amount for FY 2024-2025: Covered by the Current Budget

The annual increase to the budget is \$3,175.12. The impact on the current budget is \$1,099.08 for the remainder of the year.

## Action Needed

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

## Recommendation

It is requested to allow this Officer to be promoted to Master Police Officer effective February 24, 2025

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Officer Request /Training
3. Career Ladder



# Staff Report

**Consent  
Agenda  
Item:      Police  
Promotion**

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This is a request to promote one officer from the rank of Police Officer II (POII) to Master Police Officer (MPO). The employee will receive an annual increase of \$3,175.12 for this promotion. This is approved by the Town Manager and consistent with the employee handbook.



# SMITHFIELD POLICE DEPARTMENT

110 S. Fifth Street • Smithfield, NC 27577  
Phone: (919) 934-2121 • Fax: (919) 934-0223

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To: Command Staff

A handwritten signature in black ink, appearing to be "M.P.", is written over the "To:" line.

From:

Date: January 29, 2025

Subject: Master Police Officer

The purpose of this memorandum is to make a formal request to be promoted from Police Officer II to Master Police Officer.

I graduated BLET in August of 2020 from Wake technical Community College. I have been a sworn police officer since September 1, 2020. On January 2, 2024, I began employment here with the Smithfield Police Department. In March of 2024, I was sworn-in and completed field training in May of 2024. I have been assigned to C-squad.

I have completed the required training to be promoted to Master Police Officer. I am CIT, SFST, Chemical Analyst, Field Training Officer, and Radar certified. In addition to these trainings, I have also attended trainings such as Surviving the first three seconds, Motor Vehicle Search and Seizure, Active Assailant, Basic patrol Rifle, etc.

I have attached copies of the certifications required to advance to Master Police Officer.

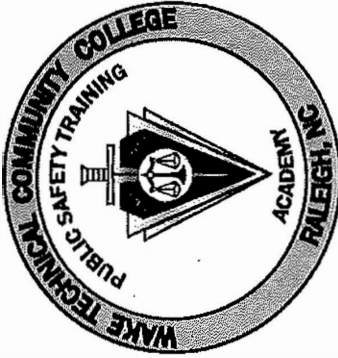
Regards



# WAKE || TECH

COMMUNITY COLLEGE

PUBLIC SAFETY EDUCATION CAMPUS



This Certifies That

Has Successfully Completed

**Field Training Officer (F.T.O.)**

August 26 – 30, 2024

(40 Hours)

*Dr. Jamie Wicker*

Provost, Public Safety Education

Milco Training Solutions





NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**  
Division of Public Health

North Carolina Department of Health and Human Services  
**PERMIT TO PERFORM CHEMICAL ANALYSES OF BREATH**

APPLICATION HAVING BEEN MADE, a permit is hereby granted, or a renewal of same, to:

**PERMIT NO. 2021-7477**

to perform chemical analyses of the breath to determine alcohol concentration.

Evidence of qualifications has been examined and it has been determined that the applicant herein has met the standards prescribed by the law and regulations.

This permit is limited to the performance of chemical analyses of the breath in accordance with current Rules and Regulations of the North Carolina Department of Health and Human Services, utilizing the **INTOXIMETERS: MODEL INTOX EC/IR II AND MODEL INTOX EC/IR II (ENHANCED WITH SERIAL NUMBER 10,000 OR HIGHER)**

This permit is non-transferable, and is issued under authority of G.S. 20-139.1 (b) and Rules and Regulations of the North Carolina Department of Health and Human Services.

Authority to perform chemical analyses of the breath under this permit shall be effective for the period specified herein.

In witness whereof, I set my hand and seal this

**9th day of May, 2023**



**Effective:  
06/01/2023**

**Expiration:  
06/01/2025**

Assistant Secretary for Public Health

  
Susan Karsagra, MD, MBA



**JOHNSTON  
COMMUNITY  
COLLEGE**

One College · Endless Opportunities  
Smithfield, North Carolina

**Certifies That**

has satisfactorily completed the required hours of instruction for

# CRISIS INTERVENTION TEAM (CIT) PROGRAM TRAINING

August 8-12, 2022 – 40 contact hours

*Kim Robertson*

Kim Robertson  
Assistant Vice President of Public Safety Programs  
Transportation and Public Safety  
Johnston Community College

*Charlene Meyers*

Charlene Meyers  
Criminal Justice Specialist  
Community Health and Well-Being  
Alliance Health



**Alliance**  
Health





**Chapter 500**  
**Personnel Policy 504: Promotions & Career Development**  
**Effective Date: January 1, 2014 Revised Date: March 07, 2022**  
**Approved by: Chief Robert K. Powell**

*R.K. Powell*

**I. POLICY STATEMENT**

It shall be the policy of the Department to select the most qualified candidates to fulfill the duties and responsibilities of each position within the agency. All aspects of this policy are in keeping with the Department's goals as an equal opportunity employer.

**II. COMMENTARY**

The purpose of this directive is to establish guidelines for the administration of the Department's promotion process.

A career ladder program will provide for the advancement of police officers who demonstrate increasing levels of knowledge, skills, and abilities. Advancement and promotional processes will be administered fairly and impartially, using testing and evaluation mechanisms that evaluate past performance as well as future potential through the use of job-related criteria.

**III. PROCEDURES**

A. Administration

1. The Smithfield Police Department is responsible for the administration of the promotion process. When deemed necessary, assistance may be utilized from other entities within or outside of Town government.
2. The Chief of Police has the authority and responsibility for administering the Department's promotion process. All promotional materials will be maintained and secured in the Chief's office.
3. Responsibilities of the Chief of Police include:
  - a) Maintaining authority over all phases of the process
  - b) Determining the skills, knowledge, and abilities required for each position
  - c) Initiating promotional processes on an as-needed basis
  - d) Selecting a candidate for promotion at the completion of the process

4. The Chief of Police may delegate selected duties to other Departmental employees to facilitate the promotional process.

5. When it is deemed in the best interest of the Department, the Chief of Police may waive any of the prescribes qualifications or eligibility requirements, except those established by the North Carolina Criminal Justice Education and Training Standards Commission or other legal authority.

B. Vacancy Announcements

1. Prior to the commencement of any promotional process, the Department will post written notices announcing the following information:

- a) Description of the position to be filled;
- b) Description of eligibility requirements;
- c) Closing date

2. Personnel eligible to participate in the promotional process will submit a letter of intent through the chain of command to the Chief of Police. The candidate's supervisor and each person in the chain of command will indicate approval or disapproval of the candidate's suitability to participate in the process. Disapprovals must be justified in writing and forwarded to the Chief of Police.

3. Once the application period for the given position has been officially closed, all eligible applicants who meet the minimum requirements for the position will be considered for the Department's promotional process. The Chief of Police or designee will ensure the eligibility of the applicants prior to the beginning of the promotion process.

4. When deemed necessary, the Chief of Police has the authority to order a written test for any promotional process. Written tests given will be standardized, validated, and approved by the Town Human Resources Department.

5. An officer who is not recommended for promotion by his/her supervisor will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

C. Promotional Procedures

1. Chief of Police or designee will conduct a review of applicable Human Resources and Departmental personnel records in order to evaluate the promotional potential of the candidates. This review serves to verify law enforcement credentials, certifications, and work performance history of the applicants to ensure that the minimum qualifications have been met for each applicant. Candidates are not ranked at this point of the process; however, candidates who do not meet all the preferred qualifications for the position may be eliminated at this stage of the process. Candidates are ranked according to their promotional potential only at the completion of the assessment center phase of the promotion process.

2. The promotional process will consist of an assessment designed to measure each candidate's ability to perform the specific job; The assessment will evaluate each candidate's performance in handling job-related problems and situations through specially-developed simulation exercises; Promotional assessments may include, but are not limited to, written projects, oral presentations, oral interviews, conflict role plays, and counseling role plays.
3. Prior to each promotional process, promotional procedures will be reviewed to determine current applicability. A description of the selection process will be provided to each candidate.
4. The Chief of Police will evaluate the Department's promotional process as needed. The process will be evaluated for validity and effectiveness. All components of the promotion process will be job related and non-discriminatory. Tests used in the process will be purchased from a commercial vendor that have completed validity studies for job relatedness and non-discriminatory practices.
5. For general promotional purposes, lateral entry from other agencies for supervisory positions will not be commonly practiced. However, prior experience at another law enforcement agency may be used toward meeting the requirements for a higher level position after initial entry requirements (including probationary period) are met. Prior experience with another agency will be assessed and a lateral-entry candidate's eligibility for hire above the classification of entry level officer will be evaluated by the Chief of Police on a case-by-case basis. (Exception to this is the position of Chief of Police and any other senior management positions as determined by the Town Manager).
6. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

D. Minimum Qualifications for Promotion

1. Sergeant

To be eligible for promotion to the position of Sergeant, candidates must:

- a) Have served as a Master Police Officer for two years;
- b) Have completed a total of 172 training hours;
- c) Within 12 months of promotion to Sergeant, an officer must complete First Line Supervision;
- d) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- e) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- f) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

2. Lieutenant

To be eligible for promotion to the position of Lieutenant, candidates must:

- a) Have served as a Sergeant for two years;
- b) Within 12 months of promotion to Lieutenant, an officer must complete a Law Enforcement management program such as AOMP, FBI National Academy, etc;
- c) Have been awarded the Intermediate Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Captain

To be eligible for promotion to the position of Captain, candidates must:

- a) Have served as a Lieutenant with the Smithfield Police Department for two years;
- b) Have completed a Law Enforcement management program such as AOMP, FBI National Academy, etc;
- c) Have been awarded the Advanced Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission;
- d) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal;
- e) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

7. Newly hired and newly promoted personnel will serve a probationary period of six months as required by the Town of Smithfield *Personnel Policy*. An evaluation of performance will be conducted after the completion of six months for newly promoted personnel. Newly hired personnel will be evaluated in accordance with Departmental standards.

E. Review and Appeal

1. Within (5) working days of the conclusion of a promotional process, candidates may review their performance results in each element of the promotional process to include:

- a) Review of the answer key to any written exams administered, unless prohibited by the leaseholder of the test
- b) Review of the written results of scored elements of the selection process
- c) Review of reports/materials used in the selection process

However, in accordance with NCGS 160A-168(C1), testing or examination materials may be withheld from disclosure to the employee or other persons if the material was used solely to determine qualifications for promotion and in the opinion of the agency the disclosure of such material would compromise the objectivity or the fairness of the testing or examination process.

2. Candidates may contest any results filed by requesting a meeting with the Chief of Police or designee administering the process. The Chief of Police or designee will conduct a review of the report(s) and discuss findings with all staff in the supervisory chain of command.

3. The Chief of Police or designee will inform the contesting employee of the final decision at the completion of the review.

4. If an employee feels that fair treatment has not been received during any portion of the promotional process, he/she is urged to use the Department's grievance procedures contained in Policy 507.

F. Career Ladder

1. The career ladder program will include the following classifications.

- a) Police Officer I
- b) Police Officer II
- c) Master Police Officer
- d) Bilingual / Spanish Speaking

2. Each level in the career ladder will have certain minimum requirements necessary to qualify for advancement or promotion to the next level. Upon fulfilling the requirements necessary for advancement to Police Officer II and Master Police Officer the officer will submit a memorandum to the Chief of Police containing the following information:

- a) Hire date
- b) Date of last advancement, if applicable
- c) Level of education
- d) Complete list of required classes and dates attended
- e) Date awarded applicable law enforcement certificate(s)

3. This memorandum must be endorsed by the officer's Team Commander and the appropriate Division Commander. The Division Commander will forward the memorandum to the Chief of Police after having verified the information contained therein.

4. An officer who is not recommended for advancement will receive a written recommendation for improvement and a follow-up date for review by the supervisor. The officer has the right to appeal through the appropriate chain of command to the Chief of Police.

5. After consideration of all factors deemed relevant by the Chief of Police, the officer will be notified of the advancement decision within 30 days following receipt of the memorandum by the Chief of Police.

G. Minimum Qualifications for Advancement

1. Police Officer I

Entry-level candidates must:

- a) Meet the basic requirements established by the North Carolina Criminal Justice Education and Training Standards Commission
- b) Meet minimal requirements for employment with the Town of Smithfield as set forth in the Town of Smithfield Personnel Policy
- c) Appear before a Department review board made up of officers selected by the Chief of Police
- d) Pass an extensive background investigation and successfully complete a psychological evaluation, physical examination, drug test, and CVSA examination

All finalists will be interviewed by the Chief of Police. Officers are required to successfully complete the department's Field Training Program and required Solo Patrol Assignment within the first year of Probationary employment.

2. Police Officer II

To be considered for advancement to Police Officer II, candidates must:

- a) Have completed the following as a Police Officer I:
  - \* Successfully completed one year probation and probationary requirements in as required in Police Officer I
  - \* Receive Radar Certification
  - \* Receive Standardized Field Sobriety Testing Certification
  - \* Receive Intoximeter Certification
- b) Have been awarded the Basic Law Enforcement Certificate by the North Carolina Criminal Justice Education and Training Standards Commission
- c) Have received a rating of "Satisfactory" or higher on the last annual performance appraisal
- d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

3. Master Police Officer

To be considered for advancement to Master Police Officer, candidates must:

- a) Have served as a Police Officer II for one year
- b) Have completed training hours, including:
  - 40 hours of Management/Supervision Training
  - Field Training Officer Certification and become Field Training Officer for the Department. After completion of FTO Training, the officer can be assigned a trainee by the Chief of Police or his Designee
  - Completion of Crisis Intervention Team (CIT) Certification.

c) Have received a rating of "Better than Satisfactory" or higher on the last two annual performance appraisals or a rating of "Outstanding" on the last annual performance appraisal

d) The effect of disciplinary action on eligibility for advancement is at the supervisor's discretion.

H. Additional Incentive (Sworn and/or Civilian)

1. Bilingual / Spanish Speaking

a) Up to five percent one time incentive for proficiency in Spanish.

b) Fluent in Spanish language (oral and written as determined by testing).

c) In an effort to bridge the gap between the Smithfield Police Department and the Hispanic community, the department would offer an incentive to attract and retain Spanish speaking officers and civilian personnel.







# Request for Town Council Action

<b>Consent Agenda Item:</b>	<b>Ordinance Adoption</b>
<b>Date:</b>	02/18/2025

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**Subject:** Adoption of Ordinance No. 524-2025 for the Closure of Market Street for the Ham and Yam Festival and the Martin Luther King JR. Parade

**Department:** Administration

**Presented by:** Town Manager – Michael Scott

**Presentation:** Consent Agenda Item

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## Issue Statement

The Council is being asked to adopt an Ordinance as required by NCDOT for the closure of Market Street for the 2025 Ham and Yam Festival and the 2026 Martin Luther King, Jr. Parade

## Financial Impact

N/A

**Action Needed** Council approval to adopt Ordinance No. 524-2025

**Recommendation** Staff recommends approval of Ordinance No. 524-2025 for the closure of Market Street for the 2025 Ham and Yam Festival and the 2026 Martin Luther King, Jr. Parade

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Ordinance No. 524-2025



# Staff Report

**Consent  
Agenda  
Item:**

**Ordinance  
Adoption**

The Downtown Smithfield Development Corporation has requested the closure of Market Street from Front Street to Seventh Street on Saturday, May 3, 2025, from 7:00 a.m. to 7:00 p.m. for the Annual Ham and Yam Festival.

Additionally, the Johnston County NAACP has requested the closure of Market Street on the Saturday following the Martin Luther King, Jr. holiday for its annual parade.

To authorize the closure of Market Street (US 70), the Town Council must adopt an ordinance. The Annual Christmas Tree Lighting and Christmas Parade will remain unchanged.

**TOWN OF SMITHFIELD  
NORTH CAROLINA**

**ORDINANCE No. 524-2025**

**AN ORDINANCE DECLARING ROAD CLOSURES FOR THE ANNUAL CHRISTMAS  
TREE LIGHTING, THE ANNUAL CHRISTMAS PARADE, THE ANNUAL MARTIN  
LUTHER KING, JR. PARADE, AND THE ANNUAL HAM & YAM FESTIVAL**

**WHEREAS**, the Town Council of the Town of Smithfield acknowledges a long tradition of providing an annual Christmas Parade and annual Tree Lighting Ceremony for the pleasure of its citizens; and

**WHEREAS**, the Town Council of the Town of Smithfield acknowledges the Martin Luther King, Jr. Parade as an established annual event that honors the legacy of Dr. King and brings the community together in celebration; and

**WHEREAS**, the Town Council of the Town of Smithfield acknowledges the Ham & Yam Festival as a longstanding event that celebrates local heritage and provides a cultural and economic benefit to the Town; and

**WHEREAS**, the Town Council of the Town of Smithfield acknowledges its citizens realize a financial benefit from holding these annual events; and

**WHEREAS**, the Town Council of the Town of Smithfield acknowledges each event requires approximately two hours to install signing and traffic control to be provided by the Smithfield Police Department, and also requires approximately two hours for removing signs, traffic control and litter.

**WHEREAS**, Any ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, and this ordinance shall be in full force and effect as an ordinance of the Town of Smithfield from the date of its adoption by the Town Council of the Town of Smithfield.

**NOW THEREFORE BE IT ORDAINED** by the Town Council of the Town of Smithfield pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the days and times set forth below on the following described portion of a State Highway System route:

**Annual Ham and Yam Festival**

**Date:** The first Saturday in May  
**Time:** 7:00 am until 7:00 pm  
**Location:** Market Street (US 70) from Front Street to 7<sup>th</sup> Street

**Annual Tree Lighting Ceremony**

**Date:** The Friday following Thanksgiving  
**Time:** 5:00 pm to 9:00 pm  
**Location:** North 3<sup>rd</sup> Street between Market Street and Bridge Street  
Market Street (US70) from 2<sup>nd</sup> Street to 4<sup>th</sup> Street.

**Annual Christmas Parade**

**Date:** Second Thursday of every December  
**Time:** 5:00 pm to 9:00 pm  
**Route Description:** Market Street (US70) from South 6<sup>th</sup> Street to South 2<sup>nd</sup> Street

**Annual Martin Luther King, Jr. Parade**

**Date:** The Saturday following the Martin Luther King, Jr. Holiday  
**Time:** 10:00 am until 3:00 pm  
**Route Description:** Market Street (US70) from South 6<sup>th</sup> Street to South 2<sup>nd</sup> Street

Duly adopted this the 18<sup>th</sup> day of February, 2025

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M. Andy Moore, Mayor

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Elaine S. Andrews, Town Clerk



# Request for Town Council Action

**Adoption  
of  
Resolution  
No. 765  
(04-2025)  
Date: 02/18/2025**

**Consent  
Agenda  
Item:**

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**Subject:** Resolution to Adopt a Nondiscrimination Policy  
**Department:** Public Utilities  
**Presented by:** Public Utilities Director – Ted Credle  
**Presentation:** Consent Agenda Item

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## Issue Statement

In 2022, the Town received notice of grant funding through the American Rescue Plan (ARP) for various Utility projects in the Town service area. One requirement of this funding was the adoption by the governing political body to adopt a nondiscrimination policy

## Financial Impact

The ARP funds total \$3,00,000.00. The adoption of the policies related to these funds do not cost the Town anything.

## Action Needed

Adopt Resolution No. 765 (04-2025), whereby adopting the Nondiscrimination Policy as required by the American Rescue Plan grant

## Recommendation

Council adopt Resolution No. 765 (04-2025), whereby adopting the Nondiscrimination Policy as required by the American Rescue Plan grant

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 765 (04-2025) adopting a Nondiscrimination Policy Related to ARP Funds



# Staff Report

**Consent  
Agenda  
Item:** **Resolution  
Adoption**

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In 2022, the Town received notice of grant funding through the American Rescue Plan (ARP) for various Utility projects in the Town service area. One requirement of this funding was the adoption by the governing body to adopt a nondiscrimination policy.

Staff is asking the Council to adopt Resolution No. 756 (04-2025) whereby adopting a nondiscrimination policy.

\*\*

**Smithfield, North Carolina**  
**Resolution No. 765 (04-2025)**  
**Adopting a Nondiscrimination Policy: Pursuant to the**  
**ARP/CSLFRF Award**

**Recitals**

**WHEREAS**, the Town of Smithfield has received an allocation of funds from the “Coronavirus State Fiscal Recovery Fund” or “Coronavirus Local Fiscal Recovery Fund” (together “CSLFRF funds”), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the “ARP/CSLFRF award”).

**WHEREAS**, CSLFRF funds are subject to the U.S. Department of Treasury (“Treasury”) regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22.

**WHEREAS**, pursuant to the ARP/CSLFRF Award Terms and Conditions, and as a condition of receiving CSLFRF funds, the Town of Smithfield agrees to follow all federal statutes and regulations prohibiting discrimination in its administration of CSLFRF under the terms and conditions of the ARP/CSLFRF award, including, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury’s implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

**RESOLVED**, That the governing board of the Town of Smithfield hereby adopts and enacts the following nondiscrimination policy, which shall apply to the operations of any program, activity, or facility that is supported in whole, or in part, by expenditures CSLFRF pursuant to the ARP/CSLFRF award.

## **Nondiscrimination Policy Statement**

It is the policy of the Town of Smithfield to ensure that no person shall, on the ground of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity administered by the Town of Smithfield, including programs or activities that are funded in whole or part, with Coronavirus State and Local Fiscal Recovery Funds ("CSLFRF"), which the Town of Smithfield received from the U.S. Department of Treasury ("Treasury") pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (herein the "ARP/CSLFRF award").

### **I. Governing Statutory & Regulatory Authorities**

As required by the CSLFRF [Award Terms and Conditions](#), the Town of Smithfield shall ensure that each "activity," "facility," or "program"<sup>1</sup> that is funded in whole, or in part, with CSLFRF and administered under the ARP/CSLFRF award, will be facilitated, operated, or conducted in compliance with the following federal statutes and federal regulations prohibiting discrimination. These include, but are not limited to, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age within programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

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<sup>1</sup> 22 C.F.R. § 22.3 defines "program" and "activity" as all operations of an entity, including local governments, that receive Federal financial assistance, and the departments, agencies, or special purpose districts of the local governments to which Federal financial assistance is distributed. "Federal financial assistance" includes, among other things, grants and loans of federal funds. "Facility" includes all or any part of structures, equipment, or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.



## **II. Discriminatory Practices Prohibited in the Administration of the ARP/CSLFRF Award**

To ensure compliance with Title VII of the Civil Rights Act of 1964, and Title 31 Code of Federal Regulations, Part 22, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities, the Town of Smithfield shall prohibit, at a minimum, the following practices in its administration of CSLFRF pursuant to the ARP/CSLFRF award:

1. Denying to a person any service, financial aid, or other program benefit without good cause;
2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.
3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;
4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;
5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;
6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;
7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;
9. Discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;
10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing.

## **III. Reporting & Enforcement**

1. The Town of Smithfield shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may

result from these actions. The Town of Smithfield shall comply with information requests, on-site compliance reviews, and reporting requirements.

2. The Town of Smithfield shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. The Town of Smithfield shall inform the Treasury if it has received no complaints under Title VI.
3. Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.
4. Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by the Town of Smithfield in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence:

The person charged with receiving, processing, and managing complaints in regards to discrimination, or discriminatory practices, for the Town of Smithfield is:

Michael L. Scott  
Town Manager  
350 East Market Street  
Smithfield, NC 27577

Duly adopted this the 18<sup>th</sup> day of February, 2025

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M. Andy Moore, Mayor

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Elaine S. Andrews, Town Clerk



# Request for Town Council Action

**Consent  
Agenda  
Item:** **Grant  
Budget  
Ordinance  
CP-1-2025**  
**Date:** 02/18/2025

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**Subject:** Lead Service Line Inventory Grant Project Budget Ordinance (SRF-D-LSL-0016)

**Department:** Finance Department

**Presented by:** Finance Director – Andrew Harris

**Presentation:** Consent Agenda Item

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**Issue Statement** – Budget Ordinances are required to comply with General Statute 159-13.2 and give authority to Town Management to expend grant funds to execute the Lead Service project.

**Financial Impact** – Transfer of \$9,978 from the Water and Sewer Fund to pay for loan closing costs. Future loan payments will be required for the loan.

**Action Needed** – Separate Town Council approval is required for the grant project ordinance required by the grant policies of the North Carolina Department of Environmental Quality. Town Council approval is required for the Lead Service Line Inventory Grant Project Budget Ordinance.

**Recommendation** – Staff recommends Town Council approve the attached resolution and Grant Project Budget Ordinance.

**Approved:**  Town Manager  Town Attorney

## Attachments

1. Staff Report
2. Lead Service Line Inventory Project Grant Documents
3. Grant Project Budget Ordinance No. CP-1-2025



# Staff Report

**Consent  
Agenda  
Item:** **Grant  
Budget  
Ordinance  
CP-1-2025**

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Grant project budget ordinances are required to be approved by Town Council via NC G.S. 159-32 to give Town management authority to expend grant funds to execute a specified grant project.

The total grant project budget is \$508,858 for this grant and loan.

No fund balance appropriations were needed. A Transfer from Water and Sewer Fund in the amount of \$9,978 to pay for the loan closing fees with DWI (Division of Water Infrastructure) is required.

**STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER INFRASTRUCTURE**

**Funding Offer and Acceptance**

**Legal Name and Address of Award Recipient**

Town of Smithfield  
350 E Market Street  
Smithfield, North Carolina 27577

**Project Number:** SRF-D-LSL-0016

**Assistance Listing Number:** 66.468  
**Unique Entity ID Number:** FCT5P87K6EY3

**Funding Program**

Drinking Water	<input checked="" type="checkbox"/>	Additional Amount for Funding Increases	Previous Total	Total Offered
Stormwater	<input type="checkbox"/>			
Wastewater	<input type="checkbox"/>			
BIL-DWSRF-LSLR Fund - Repayable Loan	<input checked="" type="checkbox"/>	--	--	\$199,552
BIL-DWSRF-LSLR Fund - Principal Forgiveness	<input checked="" type="checkbox"/>	--	--	\$299,328
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)	<input type="checkbox"/>			
American Rescue Plan Act - Choose an item.	<input type="checkbox"/>			

**Project Description:**

Smithfield Lead Service Line Inventory

**Total Financial Assistance Offer:** \$498,880  
**Total Project Cost:** \$498,880  
**Estimated Closing Fee\*:** \$9,978  
*For Loans*  
**Interest Rate:** 0% Per Annum  
**Maximum Loan Term:** 5 Years

*\*Estimated closing fee calculated based on grant and loan amount.*

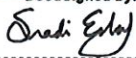
Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure  
North Carolina Department of Environmental Quality**

<p>DocuSigned by:  ----- Signature 6300A872077B4C5...</p>	<p>6/17/2024 ----- Date</p>
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On Behalf of:

Town of Smithfield


Name of Representative in Resolution:

\_\_\_\_\_

Title (Type or Print):

\_\_\_\_\_

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

<p> ----- Signature</p>	<p>02/07/2025 ----- Date</p>
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**APPLICABLE STANDARD CONDITIONS\*****Project Applicant:****Project Number:**

1. **Social Authorities:** Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, The Age Discrimination Act of 1975, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, and Equal Employment Opportunity (Executive Order No 11246, as amended) which prohibits activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, religion, sex, sexual orientation, gender identity, or national origin.
2. **Environmental Authorities:** National Environmental Act, National Historic Preservation Act, Archeological and Historic Preservation Act, Protection of Wetlands, Flood Plain Management, Farmland Protection Policy Act, Coastal Zone Management Act, Coastal Barriers Resources Act, Wild and Scenic Rivers Act, Endangered Species Act, Essential Fish Habitat and the Safe Drinking Water Act applicability will be determined upon submittal of an Environmental Information Document (EID) during the Engineering Report (ER) review process. Projects that do not involve construction (e.g., inventory only) are not required to prepare an ER/EID.
3. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The Applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.
4. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for sub agreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.
5. Debarment and Suspension, Executive Order No. 12549: Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: <http://www.sam.gov>. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.
6. The construction contract requires the contractor to adhere to Davis-Bacon and Related Acts Provisions and Procedures as listed in the Code of Federal Regulations Chapter 29 Part 5 Section 5 (29 CFR 5.5). Public Law pertaining to this is also enacted in Title 40, United States Code, Subtitle II Section 3141 through Section 3148. Projects that do not involve construction (e.g., inventory only) are generally not subject to Davis-Bacon; however, special circumstances may trigger Davis-Bacon requirements.
7. Projects funded through the BIL DWSRF-LSLR funds are required to comply with the Federal Build America, Buy America Act (BABAA). BABAA requires that iron, steel, manufactured products, and construction materials used in infrastructure projects are produced in the United States. Projects that do not involve construction (e.g., inventory only) are not subject to BABAA.
  - a. If your project qualifies for a BABAA waiver, American Iron & Steel (AIS) provisions will apply instead, as required by H.R. 3547, "Consolidated Appropriations Act, 2014" Section 436, Division G, Title IV. The State provides detailed requirements to be included in the construction contract specifications. Projects that do not involve construction (e.g., inventory only) are not subject to AIS.

8. Pursuant to 2 C.F.R. § 200.216, subrecipients cannot obligate SRF funds to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment or services (described in Public Law 115-232, Section 889) as a substantial or essential component of any system, or as a critical technology as part of any system.

*\*Note: Condition 1 does not require anything to be submitted. Details on all of these conditions can be found in the EPA Cross-Cutter handbook.*

<b>ASSURANCES</b>
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<b>Project Applicant:</b>	<b>Project Number:</b>
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1. The Applicant intends to complete the project in accordance with the application for financial assistance approved by the Division. The Applicant acknowledges that in the event a milestone contained in the most recent BIL DWSRF-LSLR Fund Intended Use Plan and/or the Letter of Intent to Fund is missed, the Department of Environmental Quality may rescind this Funding Offer.
2. The Applicant is responsible for paying for the costs ineligible for BIL DWSRF-LSLR funding.
3. All aspects of the project, including the letting of contracts in connection therewith, conform to the applicable requirements of State and local laws and ordinances.
4. The Applicant will provide and maintain adequate engineering supervision and inspection.
5. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the course of the project and these records will be retained and made available for a period of at least three years following completion of the project.
6. All BIL DWSRF-LSLR funds loaned shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
7. The Applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.
8. The Applicant acknowledges that loan funds contained in this Funding Offer require approval from the North Carolina Local Government Commission before they can be disbursed.

**RESOLUTION No. 752 (13-2024)**  
**BY GOVERNING BODY OF RECIPIENT**  
***Town of Smithfield***  
***Lead Service Line Inventory (DWI# SRF-D-LSL-0016)***

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible, drinking-water system owners in financing the cost of inventorying and replacing lead service lines; and

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) loan in the amount of \$498,880 to conduct a Lead Service Line Inventory, hereafter referred to as the “Project”, and

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

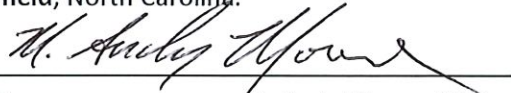
**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD:**

That the **Town of Smithfield** does hereby accept the DWSRF-LSLR Loan offer of \$498,880

That the **Town of Smithfield** does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to, and has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

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

Adopted this the 13<sup>th</sup> day of August, 2024 at **Town of Smithfield**, North Carolina.

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

ATTEST:  
  
\_\_\_\_\_  
Shannan Parrish, Clerk





**SALES-TAX REIMBURSEMENT CERTIFICATION FORM**  
(FOR FUNDING PROGRAMS IN THE DIVISION OF WATER INFRASTRUCTURE)

Applicant: Town of Smithfield

Project Number: SRF-D-LSL-0016 (Lead Service Line Inventory DWSRF)

Check If Applicant is not a unit of government under North Carolina law

***If Applicant noted above is a Unit of Government in North Carolina, check the applicable box below.***

Sales Tax **IS** deducted in this scenario. Please show this on the disbursement requests.

The project includes sales taxes related to the purchase of equipment or the provision of applicable services, and the unit of government will request reimbursement from the DOR.

Sales Tax **IS NOT** deducted in either of these scenarios.

The project includes sales taxes related to the purchase of equipment or the provision of applicable services, and the unit of government will not request reimbursement from the DOR.

The project will not include sales taxes.

Michael L. Scott, Town Manager  
(Printed Name and Title of Authorized Representative)

Michael L. Scott

(Signature of Authorized Representative)

02/07/2025

(Date)



CERTIFICATION REGARDING UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES (URLAP) ACT OF 1970

Applicant: TOWN OF SMITHFIELD
Project No.: SRF-D-LSL-0016
Project Name: LEAD SERVICE LINE REPLACEMENT PROGRAM

Please check appropriate boxes:

Form with two sections. Section 1: I certify that all real property (including easements) has been acquired or condemnation proceedings have been entered into for property thereby providing legal access for this project. AND Section 2: I certify to the best of my knowledge and belief that the acquisition of property specifically for the above referenced project is in compliance with the URLAP Act of 1970 (the Uniform Act). The acquisition either: - Acquisition of real property did not result in the displacement of any person, business or farm operation. - or relocation was involved in the land acquisition, the Federal Highway Administration (FHA) was contacted for technical assistance. OR Section 3: Compliance with the Uniform Act does not apply because the land and/or easements associated with the above referenced project were acquired prior to the inception of the project. Date land acquired: \_\_\_\_\_

I understand that a false statement on this certification may be grounds for rejection or termination of this loan.

Signature of Applicant's Authorized Representative or Attorney: Michael L. Scott, Date: 02/07/2025
Typed Name and Title: Michael L. Scott, TOWN MANAGER

**TOWN OF SMITHFIELD  
LEAD SERVICE LINE INVENTORY PROJECT  
DRINKING WATER STATE REVOLVING FUND LOAN  
PROJECT # SRF-D-LSL-0016**

**GRANT PROJECT BUDGET ORDINANCE CP-1-2025**

Be it ordained by the Town Council of the Town of Smithfield, North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby approved and adopted:

**Section 1:** The Project authorized is the Town of Smithfield Lead Service Line Inventory Project to be financed by Drinking Water State Revolving Fund (DWSRF) Loan Lead Service Line funds (project number SRF-D-LSL-0016) awarded to the Town of Smithfield by the North Carolina Department of Environmental Quality (DEQ) Division of Water Infrastructure (DWI).

**Section 2:** The officers of this unit are hereby directed to proceed with the project within the terms of the board resolution, grant/loan documents, the rules and regulations of the Division of Water Infrastructure (DWI,) and the budget contained herein.

**Section 3:** The following amounts are appropriated for the project revenues:

DWSRF Grant (Principal Forgiveness)	\$ 299,328
DWSRF Loan Proceeds (0% Interest)	\$ 199,552
Local Funds (2% DWI Loan Closing Fee)	<u>\$ 9,978</u>
<b>TOTAL PROJECT REVENUES</b>	<b><u>\$ 508,858</u></b>

**Section 4.** The following amounts are appropriated for the project expenses:

Engineering and Administration Services	\$ 498,880
Transfer from Water and Sewer Fund	<u>\$ 9,978</u>
<b>TOTAL PROJECT EXPENDITURES</b>	<b><u>\$ 508,858</u></b>

**Section 5:** The finance officer is hereby directed to maintain within the Lead Service Line Inventory Project Fund, Project #SRF-D-LSL-0016, sufficient specific detailed accounting records to satisfy the requirements of the funding agency, the funding agreements, and state and federal regulations.

**Section 6:** Funds may be advanced from the for the purpose of making payments as due. Reimbursement requests should be made to the State grantor agency in an orderly and timely manner. Compliance with all federal and state procurement regulations is required.

**Section 7:** The finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 4 and on the total grant revenues received or claimed.

**Section 8:** The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

**Section 9:** Copies of this Grant project ordinance shall be furnished to the Clerk, the Budget Officer, and the Finance Officer for direction in carrying out this project.

**Section 10:** This Grant Project Ordinance supersedes any previously dated and adopted project ordinance.

Adopted this the 18th day of February 2025 at Town of Smithfield, North Carolina.

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M. Andy Moore, Mayor

ATTEST:

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Elaine Andrews, Clerk



# Request for Town Council Action

**Consent  
Agenda  
Item:** **Award of  
Contract**  
Date: 02/18/2025

**Subject:** Award of Contract for Design Services Related for the West Smithfield Sanitary Sewer Improvements Project

**Department:** Public Utilities

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

**Presentation:** Consent Agenda Item

## Issue Statement

In 2021, the Town applied for and received a construction grant from the US Department of Commerce to assist in making improvements to the main sanitary sewer outfall in West Smithfield. The project has approved design plans and an approved contractor. The last item needing to be arranged is the Construction Administration & Construction Observation (CA/CO). The design consultant has proposed a fee for these services and staff supports their proposal.

## Financial Impact

The funds (not to exceed \$160,000.00) to pay for these services will be taken from the approved funds in the budgeted line item 45-71-7220-57007428, which was set up to cover these services.

## Action Needed

Approve the selected contractor (The Wooten Company), as recommended by staff, and authorize the Town Manager to execute the proposed agreement, provided the agreement is within the project budget and is also approved by the US Department of Commerce.

## Recommendation

Staff recommends the approval of The Wooten Company as the most qualified proposer and authorize the Town Manager to execute the contract

Approved:  Town Manager  Town Attorney

Attachments:

1. Staff Report
2. Proposal from Contractor



# Staff Report

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

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In 2021, the Town applied for and was awarded a grant in the amount of \$2,700,000 from the US Department of Commerce's Economic Development Administration (EDA). This grant was to improve the main sanitary sewer outfall in West Smithfield. Since then, the project has been surveyed, designed, obtained all pertinent permits, and has been bid for construction.

The last item to be budgeted from the project is the consultant for Construction Observation & Construction Administration. This service is the liaison between the contractor and the Town. The observer will be on site to inspect the work and ensure the work meets Town standards, as well as the intent of the engineering design. The Administration of the contract will handle requests for material changes and pay applications; checking to make sure the application meets the work that has been satisfactorily completed.

The design consultants, The Wooten Company, has proposed to perform these services within the budgeted amount. This is the usual practice, as the design engineers need to certify completion, in accordance with NCDEQ standards and state law.

Staff is asking the Council to approve the proposed contractor. Further, to authorize the Town Manager to execute a contract with the proposed contractor, to perform construction administration & construction observation services, provided the proposed contract is approved by the EDA. Lastly, that the amount of this contract for these services is not to exceed the approved, budgeted amount of \$160,000.00.

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**AMENDMENT NO. 2  
TO THE  
ENGINEERING SERVICES AGREEMENT  
BETWEEN  
THE TOWN OF SMITHFIELD  
AND  
THE WOOTEN COMPANY  
DATED  
NOVEMBER 15, 2022  
TWC PROJECT # 2698-CG**

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The following Amendment shall become a part of the Contract Agreement.

**1. MODIFICATION TO SCOPE OF WORK**

- a. Easement mapping and surveying on the project was not needed, except for some research and coordination.
- b. After completion of the environmental surveys, the US Army Corps of Engineers (ACE) determined that a Nationwide permit was required. This work required development of the application documents, including the preparation of environmental impact mapping and coordination with the mitigation bank.
- c. With the project moving into construction in early 2025, Construction Contract Administration and Observation services have been requested to help administer and observe construction operations for the Owner. These services are further described in Attachment 1 and are based on a 9-month construction period.

This amendment authorizes The Wooten Company to proceed with the above-described work.

**2. FEE ADJUSTMENT**

The Fee Summary table as shown in paragraph 2.04 is adjusted as indicated below:

Description	Payment Method	Current Fee	This Amendment	Amended Fee
Topographic Surveying	Lump Sum	\$22,000.00		\$22,000.00
Preliminary/Final Design & Permitting	Lump Sum	\$74,100.00		\$74,100.00
Bidding / Negotiation	Lump Sum	\$8,500.00		\$8,500.00
Easement Mapping	Hourly (NTE)	\$10,000.00	<b>(\$8,800.00)</b>	<b>\$1,200.00</b>
Environmental /Geotechnical Investigation	Hourly (NTE)	\$14,300.00		\$14,300.00
Environmental Surveys & Permitting	Hourly (NTE)	\$24,300.00	<b>\$4,800.00</b>	<b>\$29,100.00</b>
Construction Administration	Hourly (NTE)	n/a	<b>\$60,000.00</b>	<b>\$60,000.00</b>
Construction Observation	Hourly (NTE)	n/a	<b>\$100,000.00</b>	<b>\$100,000.00</b>
<b>Total Project Fee:</b>		\$153,200.00	<b>\$156,000.00</b>	<b>\$309,200.00</b>





## ATTACHMENT 1 TO AMENDMENT NO. 2

### **CONSTRUCTION CONTRACT ADMINISTRATION**

- (1) The Construction Period is estimated to be 9 months.
- (2) Prior to the start of construction, the Engineer will assist the Owner in preparing an agenda and conducting a preconstruction conference.
- (3) Review and approve, for conformance with the design concept, any necessary shop and working drawings furnished by contractors. Furnish the Owner with a complete set of shop drawings upon completion of construction.
- (4) Interpret the intent of the drawings and specifications to protect the Owner against defects and deficiencies in construction on the part of the contractors. The Engineer will not, however, guarantee the performance by any contractor.
- (5) Establish baselines for locating the main components to be constructed. The contractor will be responsible for providing any day-to-day construction staking that may be required.
- (6) Provide general Engineering review of the work of the contractor as construction progresses and hold monthly progress conferences to ascertain that the contractor is conforming to the design concept and construction schedule.
- (7) Cooperate and work closely with the Owner and appropriate regulatory agencies during construction.
- (8) Review the contractor's application for progress and final payment, and when approved, submit same to the Owner for payment.
- (9) As necessary, prepare change orders and make revisions to the contract documents for approval by the Owner and others on a timely basis.
- (10) Perform substantial and final completion walk-throughs with Owner and Contractor, complete construction contract closeout documentation, submit necessary certifications to Federal/State agencies, and prepare final partial payment request for Owner to closeout project with the Contractor.
- (11) The Engineer will provide the Owner with three (3) sets of prints and a cd containing the pdf copy of the record drawings. Such drawings will be based upon construction records provided by the contractor during construction and reviewed by the construction observer.

### **CONSTRUCTION OBSERVATION**

- (12) After award of the contract(s), the Engineer will provide part-time observation of the construction on the project during periods of significant construction work being performed and at other times will provide periodic observation of the work as appropriate to the state of construction. It is noted that the Town's staff will observe at other times

and coordinate directly with the Engineer's Construction Administrator. The Project Engineer/Construction Administrator will make visits to the job site periodically to observe the progress of the work and consult with the Owner and the observer. The Observer's estimated number of work days on the project is 93 days (on average ~2 days / wk).

- (13) Engineer's observer shall observe materials and finished workmanship, check all layouts of work, keep the necessary or required records of inspection, review estimates for payment to contractors and make reports to the project Engineer, and provide liaison between the Engineer and the Owner.
- (14) Engineer will submit observation reports to the Owner on a regular basis.
- (15) Engineer will make a final observation of all construction and provide a written certification of final observation to the Owner and the required regulatory agencies.

# Business Items





# Request for Town Council Action

**Business** **Request**  
**Agenda** **for**  
**Item:** **Funding**  
**Date:** 02/18/2025

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**Subject:** DSDC Funding Request  
**Department:** General Government  
**Presented by:** Town Manager Michael Scott & DSDC Executive Director  
Heidi Gilmond  
**Presentation:** Business Item

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## Issue Statement

The Town Council had previously approved up to \$30,000 as a non-departmental appropriation for downtown projects. Downtown Smithfield Development Corporation (DSDC) is requesting this money be released to them as part of the Library Corner Project in Downtown.

## Financial Impact

\$30,000

## Action Needed

Approve Expenditure

## Recommendation

Approve the request.

**Approved:**  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. DSDC Letter to Council
3. Rendering of Project



# STAFF REPORT

<b>Business Agenda Item:</b>	<b>Request for Funding</b>
<b>Date:</b>	<b>02/18/2025</b>

DSDC is requesting the release of \$30,000 that was appropriated in the FY 2025 budget for DSDC Projects. DSDC is moving forward with renovating the Library Corner at Third Street and Market. A rendering of the project is attached. The total cost of the project is estimated between \$175,000 and \$200,000. Attached also is a letter from DSDC Director, Heidi Gilmond.

## **Project Proposal: Library Redevelopment Project**

**Submitted to:** Town of Smithfield

**Submitted by:** Downtown Smithfield Development Corporation (DSDC)

**Date:** February 5, 2025

**Requested Amount:** \$30,000

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### **Project Overview**

The Downtown Smithfield Development Corporation (DSDC) is requesting \$30,000 from funds earmarked in the 2024 fiscal budget for special downtown projects. These funds will be used to initiate work on the Library Redevelopment Project, a collaborative effort to enhance the area surrounding the library. The library, jointly owned by the Town of Smithfield and Johnston County, is a key asset in our downtown landscape, and its redevelopment will significantly improve the aesthetics and functionality of this central location.

### **Project Background**

Over the past several months, DSDC has engaged with key stakeholders, including Johnston County officials, library representatives, the Johnston County Tourism Bureau, and the Town of Smithfield, to develop a strategic plan for the library's redevelopment. Landscape designer Clayton Narron has provided a comprehensive redesign of the area, covering the section from 3rd Street North around the front of the library on Market Street.

### **Project Scope & Cost Estimate**

The estimated total cost of this redevelopment project ranges from **\$175,000 to \$200,000**. The breakdown of anticipated funding sources is as follows:

- **Johnston County Tourism Grant:** \$50,000 (application pending)
- **Johnston County Budget Request (2025):** \$90,000 - \$100,000
- **Remaining Funding Gap:** \$60,000 (to be covered by DSDC and the Town of Smithfield)

To move forward, DSDC is requesting the initial \$30,000 earmarked in the 2024 fiscal budget to secure the services of Clayton Narron and initiate the RFP (Request for Proposal) process for selecting contractors. Additionally, we would like to request an additional \$30,000 in fiscal year 2025 to support the continuation of the project.

### **Timeline & Next Steps**

If this funding request is approved, DSDC anticipates the following timeline:

- **Spring 2025:** Retain landscape designer, finalize RFP process

- **Early Summer 2025:** Select contractors and secure necessary permits
- **Mid-Summer 2025:** Begin construction
- **Fall 2025:** Complete project

## **Project Impact**

This project represents a unique opportunity for collaboration between the County, the Town of Smithfield, and Downtown Development. The redevelopment of this prominent downtown corner will:

- Enhance the visual appeal of the area, making downtown more inviting
- Improve the usability and accessibility of this corner and overall safety
- Increase tourism and economic activity through beautification and new events
- Demonstrate a strong partnership among multiple stakeholders

## **Conclusion**

The Library Redevelopment Project is a vital investment in the future of downtown Smithfield. The initial \$30,000 will enable us to take critical first steps in design and contractor selection, ensuring we stay on track for a mid-summer 2025 groundbreaking. We appreciate the Town's continued support and look forward to working together to make this vision a reality.

We welcome any questions and look forward to discussing this request further. Thank you for your consideration.

**Sincerely,**



Heidi Gilmond  
Executive Director  
Downtown Smithfield Development Corporation



Mary Reece  
Board Chair and Design Committee Chair  
Downtown Smithfield Development Corporation





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# Request for Town Council Action

**Business  
Agenda  
Item:** Amphitheater  
Restrooms  
**Date:** 02/18/2025

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**Subject:** Neuse River Amphitheater Restrooms

**Department:** Parks and Recreation

**Presented by:** Parks and Recreation Director – Gary Johnson

**Presentation:** Business Item

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**Issue Statement:** The Parks and Recreation Department is seeking approval to enter into an agreement with Southern Tide Homes for the design and construction of restrooms at 107 South Front Street (across from the Neuse River Amphitheater)

### Financial Impact

Approved Budgeted Amount for FY 2024-2025: \$ 300,000

Estimated Amount of Purchase/Bid/ Contract: \$ 456,210

**Action Needed:** Approval to enter into agreement with Southern Tide Home and approve additional funds for the design and construction of a restroom facility at 107 South Front Street across for the Neuse River Amphitheater.

**Recommendation:** Approval to enter into agreement with Southern Tide Home and approve additional funds for the design and construction of a restroom facility at 107 South Front Street across for the Neuse River Amphitheater.

Approved:  Town Manager  Town Attorney

### Attachments:

1. Staff Report
2. Conceptual Renderings
3. Estimated Costs



# STAFF REPORT

**Business  
Agenda  
Item:** Amphitheater  
Restrooms  
**Date:** 02/18/2025

The Town of Smithfield requested and received a SCIF grant from the state legislature in the amount of \$ 300,000 in the current state budget to construct restrooms at the newly renovated Neuse River Amphitheater. At the time of the request and award, the general consensus was to construct the facility on the southeast corner of the amphitheater property (Hastings House side). Due to topography, a small restroom facility was being discussed and planned.

Since the award, the Town has purchased the property located at 107 South Front Street (across the street from the Amphitheater) providing space for a larger facility.

Staff looked at multiple options to construct a restroom facility on this property including a pre-fabricated facility and a design build option in order to maximize the amount of funding received.

Requests for qualifications were sent out and advertised with one design/build team interested. Southern Tide Homes with Turpentine Design Architects submitted information to be considered for the design build option. Southern Tide Homes has experience building public restrooms as they constructed the restroom and shower house at Galot Motorsports Park while Turpentine Design has designed restroom facilities for Fuquay-Varina Parks and Recreation Department.

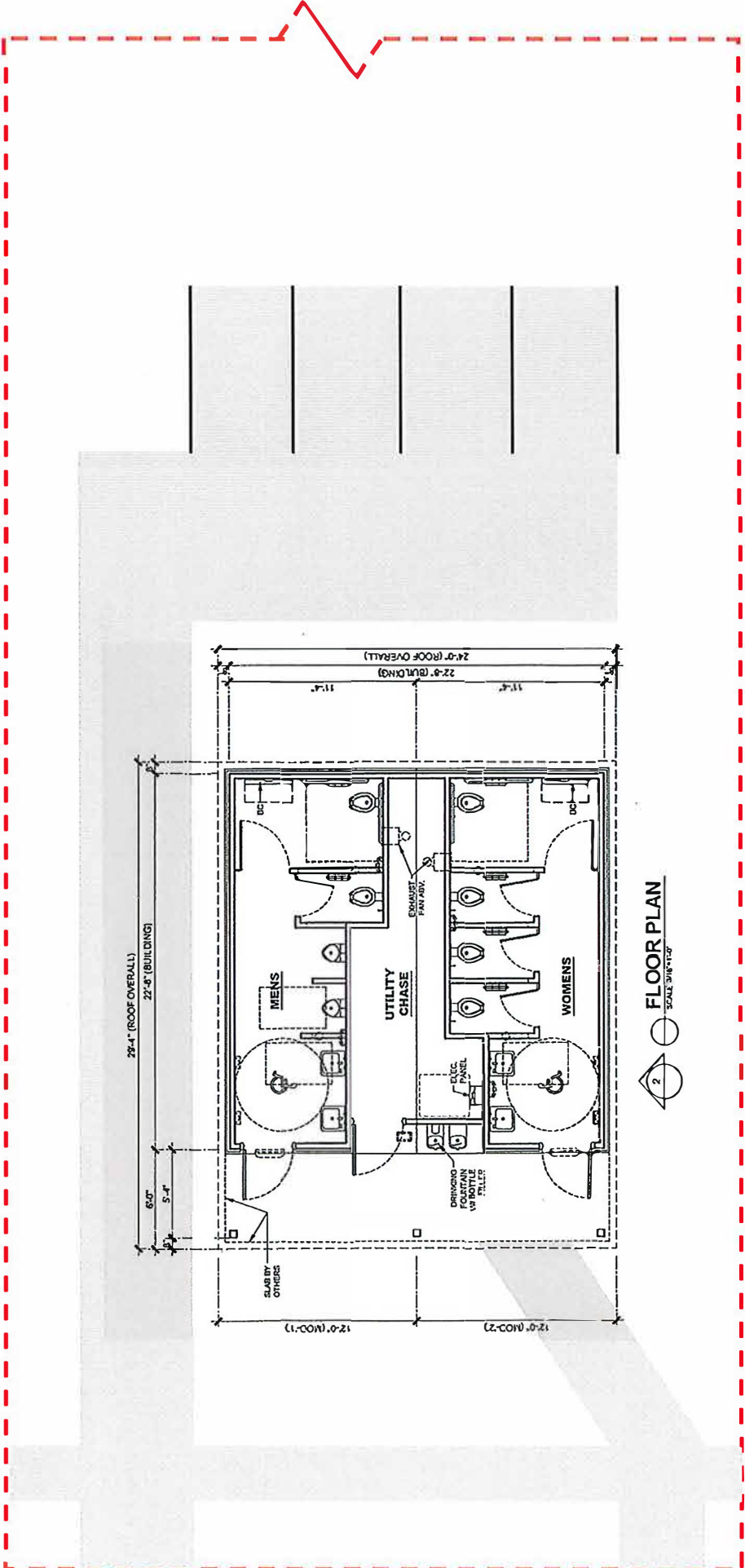
The Parks and Recreation Department met with the team to discuss the vision and needs of the facility. The design/build team submitted an estimated cost for the facility of \$456,210.00. This including a design cost of \$ 74,400.00 and Construction Costs of \$381,810.00.

For reference, the estimated cost for a prefabricated restroom facility of similar size and standards came in at \$ 497,710.00.

The Parks and Recreation Department is requesting approval and funding to enter into agreement with Southern Tide Homes for the design/build of public restrooms at 107 South Front Street for the estimated amount not to exceed \$ 456,210.00.



FRONT STREET RESTROOMS  
107 SOUTH FRONT ST  
SMITHFIELD, NC 27577



**FLOOR PLAN**  
SCALE 3/16" = 1'-0"



FRONT STREET RESTROOMS  
107 SOUTH FRONT ST  
SMITHFIELD, NC 27577



SLAB BY OTHERS

FRONT STREET RESTROOMS  
107 SOUTH FRONT ST  
SMITHFIELD, NC 27577





TURPENTINE  
DESIGN

December 6, 2024

**Clayton Roberts**

Southern Tide Homes

11917 NC HWY 210

Benson, NC 27504

919.369.7804

[Clay@southerntidehomes.net](mailto:Clay@southerntidehomes.net)

**RE: PROPOSAL FOR ARCHITECTURE/ENGINEERING DESIGN SERVICES  
TOWN OF SMITHFIELD  
FRONT STREET RESTROOMS  
107 SOUTH FRONT STREET  
SMITHFIELD, NC 27577  
STANDARD DESIGN CONTRACT PHASES**

Dear Clay,

Turpentine Design, PLLC is pleased to submit our proposal to provide AE Design Services for the Town of Smithfield Front Street Restrooms. The Scope of Services in this proposal is based on the design of a 500-600 SF men's and women's restroom building and includes services outlined in Section D of this Proposal. The terms of our agreement will be based on the AIA Document B143 Standard Form of Agreement between Design-Builder and Architect.

We look forward to the opportunity to work with you on this project. The Proposal includes the following:

- |                          |  |
|--------------------------|--|
| A. Project Understanding | E. Compensation Structure                      |
| B. Proposed Project Data | F. Proposed Team                               |
| C. Proposed Schedule     | G. Clarifications, Assumptions<br>& Exclusions |
| D. Scope of Services     |  |

**A. PROJECT UNDERSTANDING**

The scope of the project and general program which is included under this proposal is as follows:

- New 500-600 SF restroom building
  - 1 men's restroom (3-4 toilets + 2 sinks)
  - 1 women's restroom (3-4 toilets + 2 sinks)
  - 1 utility closet
  - Unconditioned – heat only
  - Metal roof

TURPENTINE DESIGN, P.L.L.C.  
1007 procure street  
fuquay-varina, nc 27526  
919.412.9138



**B. PROPOSED PROJECT DATA**

The proposed project data for the facility is as follows:

Design Architect of Record:	Turpentine Design, PLLC
Owning Agency:	Town of Smithfield
Occupancy:	Utility and Miscellaneous/U
Construction Type:	IV
Building Code Design:	2018 NC State Building Code
Sprinkler:	No
Building Height:	1 Story
Approximate Square Footage:	500-600 SF
Total Project Budget:	Not determined at this time
Estimated Construction Budget:	Not determined at this time
FFE Allowance:	N/A

**C. PROPOSED SCHEDULE**

Below is a summary of the proposed schedule for the project. It is anticipated that each design phase will occur consecutively. The review and approval periods for regulatory agencies are allotted as required.

Proposal Review and Approval	December 2024
Schematic Design Start	January 2025
Schematic Design Review	Mid-February 2025
Design Development	Mid-February – Mid-March 2025
Design Development Review	Mid-March 2025
Construction Documents	March – April 2025
Construction Documents Owner & TOS Submittal	April 2025
Owner & TOS Construction Documents Review Period	May 2025
Designer Response to TOS CD Review Comments Period	May – June 2025
Final Plan Submittal to TOS & Owner	Mid-June 2025
Owner & TOS Final Plan Review Period	Mid-June – July 2025
Construction Period (4 months)	July – October 2025
Owner Move-In	October 2025

**\*\*Refer to exhibit A attached to this document\*\***

**D. SCOPE OF SERVICES**

Below are the Architectural, Engineering and Consultant Design services to be provided under this proposal and contract.

- **Basic Services**
  - Architectural Design
  - Structural Design
  - Mechanical/HVAC Design
  - Electrical Design

- Plumbing Design
- Construction Phase Services
- **Supplemental Services**
  - Architectural Interior Design (Finish Selections)
  - As-designed Record Drawings
  - As-constructed Record Drawings
  - Coordination of Design-Builder's consultants

**E. COMPENSATION STRUCTURE (LUMP SUM FEE & REIMBURSABLE EXPENSES FOR PROFESSIONAL SERVICES)**

The basic and supplemental service fees are outlined below:

**Basic Services**

AE Basic Services \$56,400

**Supplemental Services & Fees**

- 1) Architectural Interior Design (Finish Selections) \$3,500
- 2) As-designed Record Drawings \$3,000
- 3) As-constructed Record Drawings \$4,500
- 4) Coordination of Design-Builder's consultants \$2,000

**Total Lump Sum Fee (Basic + Supplemental Services) \$69,400**

**Reimbursable Expenses**

Direct reimbursable expenses will be invoiced separately, above and beyond the stipulated lump sum fee. Reimbursable expenses include actual expenditures made by our firm and our consultants on the project including travel, meals and overnight expenses in connection with the project, reproductions, photocopying, photography, handling of drawings, and other documents. The reimbursable expenses should not exceed FIVE THOUSAND DOLLARS (\$5,000.00).

The total including the lump sum fee and reimbursable expenses is SEVENTY-FOUR THOUSAND FOUR HUNDRED DOLLARS (\$74,400.00).

Invoices will be sent monthly and are due within thirty days of receipt.

**F. PROPOSED TEAM**

<b>Architect of Record</b> <b>Turpentine Design, PLLC</b> 1007 Procure Street Fuquay-Varina, NC 27526 919.412.9138	
<b>Consultant Team</b>	
<b>Align Engineering, MEP Engineering</b> PO Box 28313 Raleigh, NC 27611 336.675.3926	<b>Rooted Design Studio, LLC, Interiors</b> 1007 Procure Street Fuquay-Varina, NC 27526 910.777.4224

<b>TRC Engineers – Structural Engineering</b> 114 Edinburg Drive, Suite 100 Cary, NC 27511 919.827.0864	
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## G. CLARIFICATIONS, ASSUMPTIONS & EXCLUSIONS

- Owner Agency Structure for the Project: Town of Smithfield is the owner of the building.
- It is assumed there will be a maximum of one (1) construction phase for this project.
- The project construction delivery method is Design/Build.
- The project will be documented in Revit (BIM).
- Inspections required for Special Inspections, outside of those performed weekly under this contract, are not included in this fee proposal. Our structural engineer of record can perform these under a separate contract or make recommendations to the Owner. Designer will review all special inspection documents as part of consulting services.
- No rezoning or special use permits are included in this proposal.
- No environmental assessment or audits will be provided by the designer. Any environmental work required for the development of the project will be the responsibility of the Owner.
- No wetlands delineations, surveying or permitting is included in this proposal.
- This project will not pursue LEED certification.
- Permit fees, development fees, site plan approval fees, nitrogen buy down credits or other fees by governing agencies are not provided within the quoted fees nor does the designer provide payment for these fees with the intention of being reimbursed later unless otherwise agreed upon. The designer will provide fee amounts for the issuance of payments from the Owner direct to the governing agency.
- A traffic impact/control analysis/study (TIA) is not included in this proposal for the development of the project.
- This proposal assumes all Town of Smithfield, Johnston County, State code, and environmental regulations will be followed without variance, special reports and studies, or special permitting and the approval process shall be single cycle and non-controversial.
- Town of Smithfield / Johnston County Approval Uncertainty: For this project we will work diligently to obtain commitments and approvals within time constraints; however, the Town of Smithfield does not follow a guaranteed schedule and for a variety of reasons may have unpredictable outcomes. We therefore cannot guarantee entitlements, outcomes or schedules.
- This proposal assumes there will be a no FF&E package documented and procured. Additional service fees may be required if the designer has to administer and manage FFE procurement bid packages.

## Exclusions

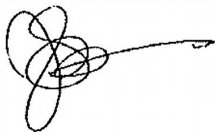
We exclude the following services and scopes from our base scope of work. These specialty design services are available as additional services if it is determined to be required.

- Audio-Visual Systems Related Scope
- Acoustics Related Scope
- IT/Structured Cabling Related Scope
- Electronic Security Related Scope
- Technical Millwork Construction Details, Creation of Full "cut-sheet" Packages
- Processing of Vendor Payment Applications
- Cable ID/Labeling on Drawings
- Subsurface Utility Locating Services (Local & Private Utility Companies)
- NCDENR Transportation Facilities Permit
- Right-of-way Negotiations/Acquisitions
- Construction Stacking
- Special Mock-Ups
- LEED Design & LEED Certification – Documentation / Construction
- Plan review fees or building permit costs
- Expedited review time and/or fee

We believe this proposal responds to the project requirements and the owner's request as we understand it to date. Turpentine Design appreciates the opportunity to collaborate with you and we look forward to delivering a successful Town of Smithfield project. Once the proposal is found acceptable and approved, we will draft and issue the AIA Document B143 Standard Form of Agreement Between Design-BUILDER and Architect.

Sincerely,

**TURPENTINE DESIGN, PLLC**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

**Jessica Swanson, AIA, NCARB**  
*Founder & Principal Architect*



TASK	VENDOR SUBCONTRACTOR/ CONTRACTOR	HRS	RATE	UNITS	\$/UNIT
<b>SUB TOTAL</b>					

<b>ON-SITE WATER/SEWER</b>					
Soil & Perc Tests					
Septic System Design					
Septic Permits, Inspections, Fees					
Septic System Installation, Tie in to House					
Dewatering (High Water Table)					
Well, Pump, Trenching, Plumbing to House					
Well Permits & Fees					
Other					
<b>SUB TOTAL</b>					

<b>UTILITIES</b>					
Town Water: Tap Fees & Hookup	Water Tap				\$ 5,000.00
Town Sewer: Tap Fees & Hookup	Sewer Tap Fee - Town				\$ 6,000.00
Electrical: Permit, Connection Fee, Installation					
Gas: Permit, Connection Fee, Installation					
LPN: Tank installation, Hookup					
Oil Tank Installation					
Telecom Hookup					
Other	Water/Sewer Tie In				\$ 5,000.00
<b>SUB TOTAL</b>					

<b>EXCAVATION &amp; EARTHWORK</b>					
Cut & Fill					
Blasting					
Removal of Stone/Dirt					

BUDGET	ACTUAL	UNDER/OVER
		R

<b>CONSTRUCTION BUDGET</b>					

TASK	VENDOR SUBCONTRACTOR/ CONTRACTOR	HRS	RATE	UNITS	\$/UNIT	LABOR	MATERIALS	FIXED COST	BUDGET	ACTUAL	UNDER/OVER
Rough Grading	Prep Pad -							\$ 1,500.00			
Trenching For Utility Hookups											
Foundation Excavation											
Foundation Footing Drains											
Curtain Drains											
Culverts											









**CONSTRUCTION BUDGET**

TASK	VENDOR SUBCONTRACTOR/ CONTRACTOR	LABOR		RATE	UNITS	MATERIALS \$/UNIT	FIXED COST	BUDGET	ACTUAL	UNDER/OVER
		HRS								
Low-Voltage Fixtures/Transformers										
Exterior Lighting										
Devices: outlets, switches, dimmers										
Lighting control system										
Doorbell System										
Smoke, CO2 Alarms										
Intercom system										
Security system										
Home theater/Entertainment										
Other	Electrical Trim Out						\$ 9,600.00			
<b>SUB TOTAL</b>										

**HVAC**

Furnace/Heat Pump										
Central AC										
Air Handler	HVAC - Exhaust						\$ 8,000.00			
Ductwork, Grilles, Registers										
Air Filter										
Boiler, Piping										
Radiators										
Whole-House Ventilation (HRV,ERV,Exhaust Only,Other)										
HVAC Controls										
Solar hot water										
Other										
<b>SUB TOTAL</b>										

**INSULATION & AIR-SEALING**

Roof/Attic Insulation										
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BUDGET	ACTUAL	UNDER/OVER

**CONSTRUCTION BUDGET**

TASK	VENDOR SUBCONTRACTOR/ CONTRACTOR	LABOR		RATE	UNITS	MATERIALS \$/UNIT	FIXED COST	BUDGET	ACTUAL	UNDER/OVER
		HRS								
Roof/Eave Baffles	SBP - Blevin Insulation						\$ 1,700.00			
Wall Cavity Insulation	Wall Insulation						\$ 1,600.00			



