Mayor

M. Andy Moore

Mayor Pro-Tem

Travis Scott

Council Members

Marlon Lee

David Stevens

David Barbour

Emery Ashley

John A. Dunn

Stephen Rabil

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

SMITHFIELD

NORTH CAROLINA

Town Council

Agenda

Packet

Meeting Date: Tuesday, May 7, 2019

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577

TOWN OF SMITHFIELD
TOWN COUNCIL AGENDA
REGULAR MEETING MAY 7, 2019
7:00 PM

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

1. **Proclamation – Recognizing Paul Worley's dedicated service to the Board of Adjustment**
   (Mayor – M. Andy Moore) See attached information.....1

2. **Proclamation – Recognizing Anita Liverman's dedicated service to the Appearance Commission**
   (Mayor – M. Andy Moore) See attached information.....3

3. **Administering Oath of Office to Newly Promoted Police Lieutenant Jason Beyer**
   (Mayor – M. Andy Moore) See attached information.....5

4. **Administering Oath of Office to Newly Promoted Police Sergeant W. Thomas Lee**
   (Mayor – M. Andy Moore) See attached information.....7

Public Hearings:

1. **SUP-19-02 Daniel Evans:** The applicant is requesting a special use permit to allow for a U-Haul rental facility on property located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on the east side of South Brightleaf Boulevard, approximately 120 feet north of its intersection with Wellons Street and further identified as Johnston County Tax ID# 15052011.
   (Planning Director – Stephen Wensman) See attached information.....9

Page

2. **SUP-19-06: Xtra Mile Motors:** The applicant is requesting a special use permit to allow for an automobile dealership on properties located within a B-3 (Highway Entrance Business) zoning district. The properties considered for approval is located on the north side of West Market Street approximately 500 feet east of intersection with NC Highway 210 and further identified as Johnston County Tax ID# 15080019 and 15080055.
(Planning Director – Stephen Wensman) See attached information.....29

3. **SUP-19-07 Hilce Sierra:** The applicant is requesting a special use permit to allow for a residential dwelling on property located within a B-2 (Business) zoning district. The property considered for approval is located on the east side of South Seventh Street approximately 120 feet south of its intersection with of Woodall Street and further identified as Johnston County Tax ID# 15031049.
(Planning Director – Stephen Wensman) See attached information.....49

Citizens Comments

Consent Agenda Items

1. **Approval of Minutes:**
   - **a.** April 2, 2019 – Regular Meeting
   - **b.** April 2, 2019 – Close Session (Under Separate Cover)
   - **c.** April 11, 2019 – Budget Session.....67

2. **Special Event: Community Day Fun Festival –** The Greater Vision Worship Center is seeking approval to hold a Community Fun Day Festival at Smith-Collins Park on May 25th from 10:00 am until 4:00 pm. The request also includes amplified sound.
(Planning Director – Stephen Wensman) See attached information.....93

3. **Special Event: Ava Gardner Festival** – The Ava Garner Museum Director is seeking approval to hold a festival on May 31st – June 1st. The request includes amplified sound, the closure of the parking lot between the Ava Gardner Museum and alcohol consumption in the event area.
(Planning Director – Stephen Wensman) See attached information.....97

4. **Career Ladder Promotion – Fire Department:** The Fire Department is requesting approval to promote a Firefighter I to the rank of Firefighter II
(Fire Chief – John Blanton) See attached information.....103

5. **Consideration and request for approval to allow employees to donate sick time to an employee in the Public Utilities- Water Plant**
(Human Resources Director – Tim Kerigan) See attached information.....107

6. **Consideration and request for approval to create a "No Parking" zone on Towne Centre Place**
(Chief of Police – R. Keith Powell) See attached information.....109

Page

7. **Consideration and request for approval to enter into a contract with Thompson, Price, Scott, Adams & Co. PA to perform the Town's audit for fiscal year ending June 30, 2019**
   (Finance Director – Greg Siler) See attached information.....115

8. **Consideration and Request for approval to adopt Resolution #639 (06-2019) Supporting House Bill 396 – Municipal Local Option Sales Tax**
   (Town Manager – Michael Scott) See attached information.....129

9. **Consideration and request for approval to adopt Resolution #640 (07-2019) adopting the Smithfield South Water District's Local Water Supply Plan**
   (Public Utilities Director – Ted Credle) See attached information.....135

10. **Consideration and request for approval to adopt Resolution #641 (08-2019) adopting the Town's Local Water Supply Plan**
    (Public Utilities Director – Ted Credle) See attached information.....143

11. **Consideration and request for approval to adopt Resolution #642 (09-2019) adopting the North Carolina Department of Natural and Cultural Resources Records Retention and Disposition Schedule**
    (Town Clerk – Shannan Parrish) See attached information.....153

12. **Advisory Board Appointments**
    a. **Martin Lazarus has submitted an application for consideration to be appointed to a first term on the Board of Adjustment**

    b. **Mary Foy Ragsdale has submitted an application for consideration to be appointed to a first term on the Appearance Commission**

    (Town Clerk – Shannan Parrish) See attached information.....165

13. **New Hire Report**
    (Human Resources Director – Tim Kerigan) See attached information.....171

Business Items:

1. **SUP-19-05 Bonnie Godwin:** The applicant is requesting a special use permit to allow for a residential dwelling on property located within an O/I (Office / Institutional) zoning district. The property considered for approval is located on the north side of North Street, approximately 100 feet east of its intersection with North Seventh Street. The property is further identified as Johnston County Tax ID# 15010047
   (Planning Director – Stephen Wensman) See attached information.....173

2. **FY 2019-2020 Budget Discussion**
   (Town Manager – Michael Scott)

Page

Councilmember's Comments

Town Manager's Report

- Financial Report (See attached information).....191
- Department Reports (See attached information).....195
- Manager's Report (Will be provided at the meeting)

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

Recess: To a date and time selected by the Town Council

Presentations

PROCLAMATION

In Honor of Paul Worley's Dedicated Service to the Town of Smithfield's Board of Adjustment

WHEREAS, *Paul Worley, a resident of the Town of Smithfield has dedicated his time and attention by serving on the Board of Adjustment for over fifteen years; and*

WHEREAS, *during his tenure, Paul Worley served as Chairman of the Board of Adjustment; and*

WHEREAS, *Paul Worley provided exemplary and invaluable service towards the future development and vision of Smithfield; and*

WHEREAS, *the citizens are so fortunate to have had a person of such experience dedicate so many years of service to the Town of Smithfield's growth and prosperity; and*

WHEREAS, *The Town Council deeply appreciates the important contributions Paul Worley has made to the Town of Smithfield for its citizens.*

NOW, THEREFORE, I, M. Andy Moore, *Mayor of the Town of Smithfield along with the members of the Town Council, express our sincere appreciation to Paul Worley for his distinguished service to the Town of Smithfield*

_____

M. Andy Moore, Mayor

N WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this Second day of April in the year of our Lord Two Thousand Nineteen

PROCLAMATION
In Honor of Anita Liverman's Dedicated Service to the Town of Smithfield's Appearance Commission

WHEREAS, *Anita Liverman has dedicated her time and attention by serving on the Appearance Commission for the past six years; and*

WHEREAS, *during her tenure, Anita Liverman served as the Chairperson and Vice Chairperson of the Appearance Commission; and*

WHEREAS, *the Town of Smithfield and its citizens have benefited greatly because of her particular interest and work in the area of beautification; and*

WHEREAS, *Anita Liverman has been instrumental in changing the overall beauty of the Town of Smithfield; and*

WHEREAS, *The Town of Smithfield will greatly miss Anita Liverman's horticultural knowledge and involvement with the Appearance Commission.*

NOW, THEREFORE, I, M. Andy Moore, *Mayor of the Town of Smithfield along with the members of the Town Council, express our sincere appreciation to Anita Liverman for her distinguished service to the Town of Smithfield*

M. Andy Moore, Mayor

N WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Town of Smithfield on this Second day of April in the year of our Lord Two Thousand Nineteen.

Request for Town Council Action

Presentation:	**Police Promotion**
Date:	05/07/2019

Subject: Promotion
Department: Police Department
Presented by: Chief R.K. Powell
Presentation: Presentations

Issue Statement

The Police Department has recently promoted Officer Sgt. Beyer to the Position of Lieutenant ,he will be the team supervisor of A Squad . Lt. Beyer has been with the Smithfield Police Department for 11 years. He has held the rank of Patrol Officer , Field Training Officer and Sergeant.

Financial Impact

Pay as approved previously by Council

Action Needed

Give Oath of Office for Lieutenant.

Recommendation

Give Oath of Office for Lieutenant.

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Oath of Office

Staff Report

Presentation: Police Promotion

OATH OF OFFICE
SMITHFIELD POLICE DEPARTMENT

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

_____ _____
Signature Date

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

_____ _____
Judge/Clerk Commission Expires

Request for Town Council Action

Presentation:	**Police Promotion**
Date:	05/07/2019

Subject: Promotion
Department: Police Department
Presented by: Chief R.K. Powell
Presentation: Presentations

Issue Statement

The Police Department has recently promoted Officer W.T. Lee to the Position of Sergeant at this time his team commander assignment has not been decided but will be in a couple of days. Sergeant Lee has been with the Smithfield Police Department for 11 years. He has held the rank of Patrol Officer and has been a School Resource officer for the department.

Financial Impact

Pay as approved previously by Council.

Action Needed

Give Oath of Office for Sergeant

Recommendation

Give Oath of Office for Sergeant

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Oath of Office

Staff Report

Presentation: Police Promotion

OATH OF OFFICE
SMITHFIELD POLICE DEPARTMENT

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

_____ _____
Signature Date

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

_____ _____
Judge/Clerk Commission Expires

Public Hearings

Request for Town Council Action

Public Hearing: **SUP-19-02**
Date: 05/07/2019

Subject: Special Use Permit for U-haul Rental
Department: Planning Department
Presented by: Stephen Wensman, Planning Director
Presentation: Public Hearing

Issue Statement

Daniel Evans is requesting a special use permit to run a U-haul rental business from a commercial property located at 839 S. Brightleaf Boulevard in the B-3 Highway Entranceway Business District, further identified as PID# 1505211.

Financial Impact

None

Action Needed

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

Recommendation

The Planning Department recommends approval of the special use permit, SUP-19-02 with 4 conditions based on the findings of fact:

1. That the rental be limited to a maximum of 5 U-Haul trucks and 4 U-Haul trailers of any size and that the U-Haul trucks and trailers be parked in designated and striped parking stalls.
2. That the entire parking lot be striped for parking stalls and one-way traffic flow as shown on the approved site plan.
3. That the awning on the northeast side of the building be removed to allow for a minimum 16 ft. wide one way drive aisle, or the oversized U-Haul parking stalls be relocated to the rear of the building where there is adequate space to accommodate the parking and drivelanes.
4. That curbstops be installed to prohibit parked vehicles from encroaching on adjacent property.

Approved: ☑Town Manager ☐ Town Attorney
Attachments:

1. Staff report
2. Findings of Fact
3. Application and Site Plan

Staff Report

Public Hearing: SUP-19-02

APPLICATION NUMBER:	SUP-19-02
PROJECT NAME:	N/A
TAX ID NUMBER:	1505211
TOWN LIMITS/ETJ:	Town Limits
APPLICANT:	Daniel Evans
OWNERS:	Kathryn L. Parker
AGENTS:	N/A

REQUEST:

Daniel Evans is requesting a special use permit to run a U-Haul rental business from a commercial property located at 839 S. Brightleaf Boulevard in the B-3 Highway Entranceway Business District, further identified as PID# 1505211.

PROPERTY DESCRIPTION:

The 0.663 acre property currently contains two one-story multi-tenant office buildings and a paved parking lot with no parking lot striping. The condition of the paving is poor. The parking lot has no curb or gutter and the paving extends to the property lines on the north and south sides with no landscape buffer yards. The property is approximately 105 feet wide and the existing driveway entrance is about 80 feet wide, exceeding Town and NCDOT standards. Where the driveway intersects with Brightleaf Boulevard, only right-in and right-out is permissible given the existing median in that location. The driveways on the north and south side of the building are narrow and only suitable for one-way traffic.

The primary and largest building is approximately 4,000 sq. ft in size and the smaller approximately 2,000 sq. ft. in size. The largest building currently has 3 tenants:

- Lions Pride LLC
- Lions Den Income Tax Service
- Primary Health Choice Inc.

It appears as though half the larger building is currently vacant. The smaller, 2,000 sq. ft. building is currently vacant and contains 2 units.

SITE DATA:

Acreage:	0.663
Present Zoning:	B-3 (Highway Entrance Business)
Proposed Zoning:	N/A
Existing Use / Previous:	Office uses
Fire Protection:	Town of Smithfield
School Impacts:	NA
Parks and Recreation:	NA
Access/Streets:	S. Brightleaf Boulevard
Water/Sewer	Town of Smithfield
Electric:	Town of Smithfield
Proposed Use:	U-Haul rental

ADJACENT LAND USE/ZONING:

	Zoning:	***Existing Use:***
North:	B-3 (Highway Entrance Business	Substance Abuse Comprehensive Outpatient Treatment (SACOT) building
South:	B-3 (Highway Entrance Business	Food Lion
East:	B-3 (Highway Entrance Business)	Food Lion
West:	B-3 (Highway Entrance Business)	South Brightleaf Boulevard and Carroll Pharmacy

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ENVIRONMENTAL: There are no known environmental risks.

ANALYSIS:

Code enforcement discovered the U-Haul business operating without an approved special use permit from the Town Council. The business has been in operation for quite some time with no apparent complaints or issues other than the use is in violation of Article 6 of the Unified Development Ordinance (UDO) which requires a special use permit for vehicle rental. The site plan provided by the applicant is diagrammatic and is not a survey.

Parking. The required parking for office uses is 4 parking stalls per 1000 sq. ft. The building is a little over 6,000 sq. ft. in size which requires a parking lot with at least 24 parking stalls. The proposed parking lot striping shows parking for 24 vehicles, including the U-Haul parking. The plans show 5 oversized parking stalls to accommodate U-Haul trucks. The applicant is also asking to park up to 5 U-Haul trailers on the site. If the office buildings were fully occupied, there could be a shortage of parking stalls on the site.

There are no curbstops in the parking lot and the paving extends to the adjacent property line. If the special use permit is approved, Staff is recommending curbstops be installed to prohibit parked vehicles from encroaching onto the adjoining property.

The drivelane on the north side of the building is labeled 18' wide, however, an 5 foot deep entrance canopy is located on that side of the building which reduces the drivelane to 13 ft. wide. The drivelane on the southwest side of the building is 10 wide with 5 feet of grass between it and the building. The required minimum drivelane width is 16 feet according to Section 10.2.4.3. If the special use permit is approved, Staff recommends relocating the oversize truck parking be moved to the rear of the building where there is adequate paving width, or recommends removal of the entrance canopy.

Landscape Buffer Yards. There are no street, side or rear landscape/buffer yards. The paving extends to the property line on the front and sides of the property. There is a small grassy area at the front of the primary building and a small one towards the rear lot line. The only trees located on the site are adjacent to and behind the rear office building. The U-Haul trucks would have no screening from adjacent properties.

FINDINGS OF FACT:

The UDO, Article 4, sets forth eight findings of fact that are required for approval of a special use permit through a quasi-judicial process. Staff has listed its recommended findings for each (***in Bold Italics***):

4.9.3.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. ***The rental use will not be detrimental or endanger the public health, safety, or general welfare. The use has been in operation for quite some time and there has been no known issues. Conditions have been added to address issues related to the parking of oversized vehicles.***

4.9.3.5.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located. ***The district is B-3 business which allows a variety of uses. The rental is in keeping with other business in the area. The building is primarily office uses and mostly vacant.***

4.9.3.5.3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***The use will not have any impact on the orderly development of adjacent property. The Food Lion site is fully developed and the adjacent office building is used for medical purposes and is fully occupied.***

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

4.9.3.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. ***The rental business will utilize the existing ingress and egress to the paved parking lot. The use generates a light amount of traffic, mostly on weekends and at the end of the month.***

4.9.3.5.6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located. ***The use will be in conformance with regulations. The site has many nonconforming situations and the U-Haul business does not trigger conformity with the UDO, nor does it increase the nonconforming situations.***

4.9.3.5.7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern. ***The use will have no impact on the public access. The site is currently underutilized and there is excess parking for the actual leased office spaces. The type of office uses that exist and are likely to exist are low traffic uses.***

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

Recommendation:

Staff recommends approval of the special use for the U-Haul rental business with the following conditions:

1. That the rental be limited to a maximum of 5 U-Haul trucks and 4 U-Haul trailers of any size and that the U-Haul trucks and trailers be parked in designated and striped parking stalls.
2. That the entire parking lot be striped for parking stalls and one-way traffic flow as shown on the approved site plan.
3. That the awning on the northeast side of the building be removed to allow for a minimum 16 ft. wide one way drive aisle, or the oversized U-Haul parking stalls be

relocated to the rear of the building where there is adequate space to accommodate the parking and drivelanes.

4. That curbstops be installed to prohibit parked vehicles from encroaching on adjacent property.

Town Council Action Requested:

The Smithfield Town Council is requested to hold a quasi-judicial hearing to review the petition for SUP-19-02 and determine whether to approve, approve with conditions, or to deny the request based on findings of fact.

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

Application Number: SUP-19-02 **Name:** 839 S Brightleaf Blvd. U-Haul

Request: The applicant seeks a special use permit to operate a U-Haul truck and Trailer rental facility on property located within a B-3 (Highway Entrance Business) zoning district.

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

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

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

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

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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

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

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

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Special Use Permit Application #* ***SUP-19-02*** *with the following conditions:*

1. **That the rental be limited to a maximum of 5 U-Haul trucks and 4 U-Haul trailers of any size and that the U-Haul trucks and trailers be parked in designated and striped parking stalls.**
2. **That the entire parking lot be striped for parking stalls and one-way traffic flow as shown on the approved site plan.**
3. **That the awning on the northeast side of the building be removed to allow for a minimum 16 ft. wide one way drive aisle, or the oversized U-Haul parking stalls be relocated to the rear of the building where there is adequate space to accommodate the parking and drivelanes.**
4. **That curbstops be installed to prohibit parked vehicles from encroaching on adjacent property.**

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application #* ***SUP-19-02*** *for the following stated reason:*

_____

_____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-19-02 is hereby:

_____ approved upon acceptance and conformity with the following conditions:

5. **That the rental be limited to a maximum of 5 U-Haul trucks and 4 U-Haul trailers of any size and that the U-Haul trucks and trailers be parked in designated and striped parking stalls.**
6. **That the entire parking lot be striped for parking stalls and one-way traffic flow as shown on the approved site plan.**
7. **That the awning on the northeast side of the building be removed to allow for a minimum 16 ft. wide one way drive aisle, or the oversized U-Haul parking stalls be relocated to the rear of the building where there is adequate space to accommodate the parking and drivelanes.**
8. **That curbstops be installed to prohibit parked vehicles from encroaching on adjacent property.**

_____ denied for the noted reasons.

_____

_____

Decision made this 7th day of May, 2019 while in regular session.

_____

M. Andy Moore, Mayor

ATTEST:

_____

Shannan L. Parrish, Town Clerk

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

SPECIAL USE PERMIT APPLICATION

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

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

SITE INFORMATION:

Name of Project: U Haul **Acreage of Property:** 0.663

Parcel ID Number: 1505211 **Tax ID:**

Deed Book: 04188 **Deed Page(s):** 0569

Address: 839 S. Brightleaf Blvd

Location: 839 S. Brightleaf Blvd. Suite 6
Smithfield, NC 27577

Existing Use: **Proposed Use:**

Existing Zoning District: B-3

Is project within a Planned Development: (Yes) No

Planned Development District (if applicable): Smithfield

Is project within an Overlay District: Yes (No)

Overlay District (if applicable): —

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: 1·23·19 Date Received: 1·23·19 Amount Paid: $300

OWNER INFORMATION:

Name: Kathryn L. Parker

Mailing Address: 2945 Lakewood Rd.

Phone Number: 919-[illegible] 919-369-5339 **Fax:** N/A

Email Address: N/A

APPLICANT INFORMATION:

Applicant: Daniel Evans

Mailing Address: 902 East St. Smithfield NC 27577

Phone Number: 580 551-1763 **Fax:** N/A

Contact Person: Daniel Evans

Email Address: danielnthelionsden43@gmail.com

STATEMENT OF JUSTIFICATION

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

REQUIRED FINDING OF FACT

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

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

   True

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

   True

3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

   True

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

   True

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

   True

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

   True

7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

   True

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

   True

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

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

Daniel Evans		10/29/18
Print Name	*Signature of Applicant*	*Date*

OWNER'S CONSENT FORM

Name of Project: UHaul **Submittal Date:** 1·23·19

OWNERS AUTHORIZATION

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

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

Kathryn L. Parker Kathryn L. Parker 1-11-19

Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

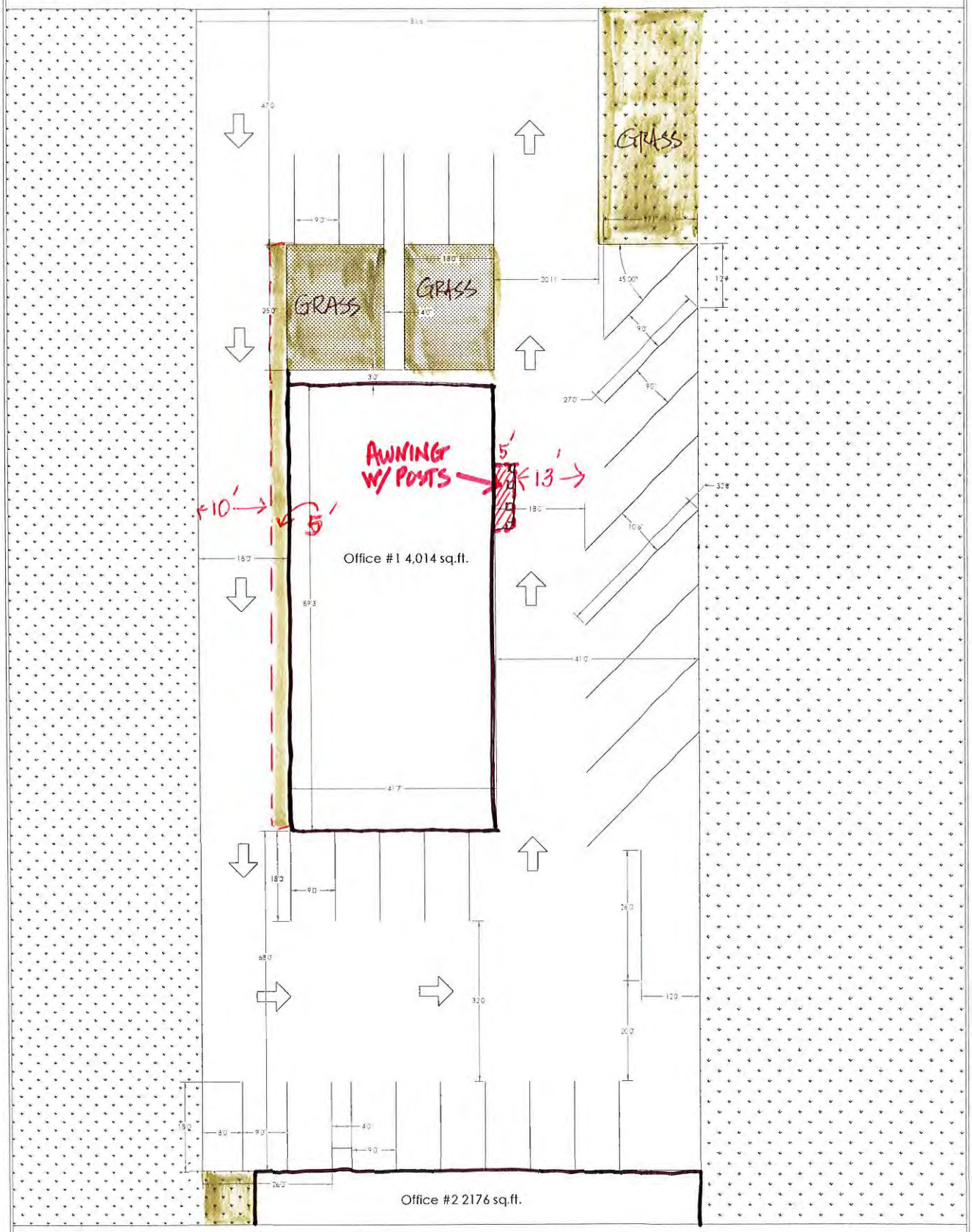
I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina,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

Daniel Evans 1-11-19

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

FOR OFFICE USE ONLY

File Number: _____ Date submitted: 1·23·19 Date received: 1·23·19



TITLE: Lion's Den LLC Proposed Parking Lines

SIZE | DWG. NO. LR2 | REV A

SCALE 1:100 | SHEET 1 OF 1

800 Block of South Brightleaf Boulevard

SMITHFIELD NORTH CAROLINA

SUP-19-02

Project Name:
U-Haul Rental

Location:
839 South Brightleaf Blvd

Proposed Use:
Truck & Trailer Rental

Property Owner:
Terry Allen Parker Revocable Trust

Applicant:
Daniel Evans

Zoning District:
B-3 (Highway Entrance Business)

Tax ID#
15052011

0 25
Feet

Map created by the Mark E. Helmer, AICP Senior Planner, GIS Specialist on 4/25/2019

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15052011	169310-27-8183	TERRY ALLEN PARKER REVOCABLE TRUST	2945 LAKEWOOD RD	FOUR OAKS	NC	27524-9061
15052012	169310-37-0206	MARSHALL, JULIAN BRIAN	837 S BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4385
15052008	169310-26-9876	BBS ASSOCIATES LLC	PO **BOX** 10189	WILMINGTON	NC	28404-0189
		Daniel Evans	902 East Street	Smithfield	NC	27577

SMITHFIELD
NORTH CAROLINA

PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-19-02, were notified by First Class Mail on 4-17-19.

Signature

Johnston County, North Carolina

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

16th day of April, 2019

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on Jan 15, 2023
(Seal)

JULIANNE EDMONDS NOTARY PUBLIC JOHNSTON COUNTY, N.C.

Request for Town Council Action

Public Hearing **SUP-19-06**
Date: 05/07/2019

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

Issue Statement

Roy Willard Whitley is requesting a special use permit to operate an automotive sales lot designed to accommodate 10 vehicles located within a B-3 (Highway Entrance Business) zoning district.

Financial Impact

None

Action Needed

The Town Council is respectfully requested to hold a quasi-judicial hearing, review the application, and make a decision whether to approve, approve with conditions, or deny the request with findings of fact.

Recommendation

Planning Staff recommend approval of the request for a special use permit to operate an automobile sales lot to accommodate 10 vehicles located within a B-3 (Highway Entrance Business) zoning district with the following conditions:

1. That no more than ten cars for sale be on the lot at any one time and that they are parked within striped parking stalls.
2. That dead or damaged plantings be replaced and that the landscaping on site and on the boulevard be maintained accordance with Article 10, Section 10.11.

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Findings of Fact
3. Application and Site Plan
4. CUP-16-01 (copy)

Staff Report

Public Hearing: SUP-19-06

APPLICATION NUMBER:	SUP-19-06
PROJECT NAME:	Extra Mile Motors
TAX ID NUMBER:	15080019 and 15080055
TOWN LIMITS/ETJ:	Town Limits
APPLICANT:	Seamus Ian Costello
OWNERS:	Roy Willard Whitley
AGENTS:	N/A

PROJECT LOCATION: West Market Street approximately 500 feet east of its intersection with NC Hwy 210.

REQUEST: The applicant is requesting a special use permit to operate an automotive sales lot designed to accommodate 10 vehicles for sale and located within a B-3 (Highway Entrance Business) zoning district.

SITE DATA:

Acreage:	A portion of a 1.04 acre parcel
Present Zoning:	B-3 (Highway Entrance Business)
Proposed Zoning:	N/A
Existing Use / Previous:	PTI Transportation / Retail sales and service
Fire Protection:	Town of Smithfield
School Impacts:	NA
Parks and Recreation:	NA
Access/Streets:	West Market Street
Water/Sewer	Town of Smithfield
Electric:	Town of Smithfield
Proposed Use:	Automobile Sales Lot

ENVIRONMENTAL: The entire properties are located within the 100 year flood plain of the Neuse River but are not located within its floodway.

ADJACENT ZONING AND LAND USES:

	Zoning:	***Existing Use:***
North:	R-20A (Residential-Agricultural)	Cox Auto Repair with nonconforming automobile storage lot
South:	B-3 (Highway Entrance Business	Market Street and Plan B Private Nightclub
East:	B-3 (Highway Entrance Business)	Whitley's Grocery and Supply
West:	B-3 (Highway Entrance Business)	Cox Auto Repair with nonconforming automobile storage

---

APPLICATION HISTORY: This application was reviewed by the Town Council in 2016 as CUP-16-01 and was approved, however, the project never moved forward as a result of Hurricane Matthew. The applicant and owner would now like to move forward with the sale lot; however the CUP-16-01 has expired due to disuse.

The current application is identical to the 2016 application.

STAFF ANALYSIS AND COMMENTARY: The proposed automobile sales lot is a permitted use within the B-3 (Business) zoning district with an approved special use permit. The applicant provided a sketch plan in 2016 however a few minor changes were made; therefore, Staff has provide an aerial photo that depicts how the site is currently developed. The site was developed with a paved parking area with 14 parking stalls to the east of the building plus a handicapped parking stall and two paved stalls to the west. A fence was installed that screens the parking lot for the auto sales from the trucking and auto storage yard in the rear of the property. The approved permit, CUP-16-01, was for an automobile sales lot to accommodate no more than ten automobiles for sale.

- **Signs.** Signs shall be permitted in accordance with the Town of Smithfield Unified Development Ordinance which will allow for a maximum height of 6 feet and 75 square feet in area for all ground signs located within the B-3 (Highway Entrance Business) zoning district. A separate sign permit is required for any signs.

FINDINGS OF FACT (*Staff's findings in bold italics*): In order to approve a special use permit, the Council shall evaluate the application through a quasi-judicial process and determined that the following findings of fact have been met:

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. ***The establishment or operation of a sales lot will not be detrimental to the public health, safety or welfare. Similar auto sales uses already exist nearby and they are not detrimental.***

2. The special use will be in harmony with the existing development and uses within the area in which it is to be located. ***Similar auto sales uses already exist nearby.***

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***The special use will not impede normal and orderly development and improvement of the surrounding property. The site was improved for the use in 2016 with paved parking and screening to a standard that is desired for existing nonconforming uses nearby.***

4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided. ***Adequate utilities exist, access was improved with defined driveways, drainage meets requirements, and parking was improved.***

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. ***Driveway access was improved by creating defined driveways.***

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

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern. ***Plans conform.***

8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council. T***he comprehensive plan calls for conservation/open space in this area within the 100 year flood elevation; however, the site is already developed and the proposed use is less intensive than other potential uses.***

PLANNING DEPARTMENT RECOMMENDATIONS:
The Planning Department recommends approval of the proposed automobile sales lot with the following conditions:

1. That no more than ten cars for sale be on the lot at any one time and that they are parked within striped parking stalls.
2. That dead or damaged plantings be replaced and that the landscaping on site and on the boulevard be maintained accordance with Article 10, Section 10.11.

TOWN COUNCIL ACTION REQUESTED:

The Town Council is respectfully requested to hold a quasi-judicial hearing, review the application for an automobile sales lot on property located within B-3 (Highway Entrance Business) corridor, and make a decision whether to approve, approve with conditions, or deny the request based on findings of fact.

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

Application Number: SUP-19-06 **Name:** Extra Mile Motors

Request: The applicant is requesting a special use permit to operate an automotive sales lot designed to accommodate 10 vehicles for sale and located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on West Market Street approximately 500 feet east of its intersection with NC Hwy 210. The property is further identified as Johnston County Tax ID# 15080019 and 15080055

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

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

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

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

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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

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

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

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Special Use Permit Application #* ***SUP-19-06*** *with the following conditions:*

1. That no more than ten cars for sale be on the lot at any one time and that they are parked within striped parking stalls.
2. That dead or damaged plantings be replaced and that the landscaping on site and on the boulevard be maintained accordance with Article 10, Section 10.11.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application #* ***SUP-19-06*** *for the following stated reason:*

_____

_____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-19-06 is hereby:

_____ approved upon acceptance and conformity with the following conditions:

1. That no more than ten cars for sale be on the lot at any one time and that they are parked within striped parking stalls.
2. That dead or damaged plantings be replaced and that the landscaping on site and on the boulevard be maintained accordance with Article 10, Section 10.11.

_____ denied for the noted reasons.

_____

_____

Decision made this 7th day of May, 2019 while in regular session.

_____

M. Andy Moore, Mayor

ATTEST:

_____

Shannan L. Parrish, Town Clerk

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

SPECIAL USE PERMIT APPLICATION

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

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

SITE INFORMATION:

Name of Project: Extra Mile Motors **Acreage of Property:** 1.04 acres

Parcel ID Number: 15080019/15080055 **Tax ID:** N/A

Deed Book: 1813 **Deed Page(s):** 359

Address: 528-A West Market Street, Smithfield, NC 27577

Location: Less than 1 mile west of Neuse River Bridge on Hwy 70 Business

Existing Use: PTI Transport, Inc. (trucking) **Proposed Use:** Additional Internet Auto Sales

Existing Zoning District: B-3

Is project within a Planned Development: Yes No

Planned Development District (if applicable):

Is project within an Overlay District: Yes No

Overlay District (if applicable): Highway overlay district

FOR OFFICE USE ONLY

File Number: SUP-19-06 Date Submitted: 3·18·19 Date Received: 3·18·19 Amount Paid: 300.00

OWNER INFORMATION:

Name: Roy Willard Whitley

Mailing Address: P.O. Box 777, Hatteras, N.C. 27943

Phone Number: 252-996-0199 **Fax:**

Email Address: seahorseobx@gmail.com

APPLICANT INFORMATION:

Applicant: Seamus Ian Costello

Mailing Address: 59 Holiday Island Drive, Garner, NC 27529

Phone Number: 919-675-9100 **Fax:** 214-543-4867

Contact Person: Seamus Costello

Email Address: seamus_200@msn.com

STATEMENT OF JUSTIFICATION

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

I am seeking approval to add an internet auto sales business to my premises at 528 West Market St. The property is 1.04 acres and has an office/warehouse space of 7560 square feet. The current tenant, PTI Transport, Inc., operates a trucking business out of a portion of the building, performing maintenance and providing storage for his trucks and equipment when not in use. The additional tenant, Extra Mile Motors, would require office space and parking for a maximum of 10 vehicles. We have a lease agreement in place starting May 1, 2019, granting the auto sales business 1600 sq. ft. of office space and 10 exterior vehicle parking spaces in two seperate areas of the property. The property was originally a Studebaker Dealership owned and operated by my father, James W. Whitley. It consists of a glass enclosed showroom with office/storage/bathroom (1600 sq.ft.), a large service area with bathroom (3200 sq. ft.), a smaller 2-bay service area (870 sq. ft.), a prep bay and paint booth (1350 sq.ft.), and an office/storage space with bathroom (540 sq.ft.). Uses over the years have been mostly automotive related with few exceptions. We have made improvements to building and parking areas to coincide with the NCDOT Improvement Project.

REQUIRED FINDING OF FACT

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

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

   No improvements would have any adverse effect on visibility or general traffic safety.

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

   This property was originally designed for use as an auto sales and service facility and has existed amicably through the years with adjecent businesses.

3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

   Property use will not change in any appreciable or noticable way. No additions or objectionable changes are planned for the exterior of the property.

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

   Paved parking areas and privacy fencing installed as per Town of Smithfield criteria.

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

   Ingress and egress to and from property would be unchanged and corform to NCDOT criteria.

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

   The use will be subject to the Special Use Permit criteria and approval by the associated processes. Type and placement of signage would be subject to approval of the appropriate entities.

7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

   N/A

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

   Conditional Use Permit issued April 1, 2016, with no conflicts with Town of Smithfield/NCDOT.

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

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

Roy Willard Whitley — *Print Name*

Roy Willard Whitley — *Signature of Applicant*

3/12/19 — *Date*

OWNER'S CONSENT FORM

Name of Project: Extra Mile Motors **Submittal Date:** 3/12/2019

OWNERS AUTHORIZATION

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

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

Roy Willard Whitley — Roy Willard Whitley — 3/12/2019

Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

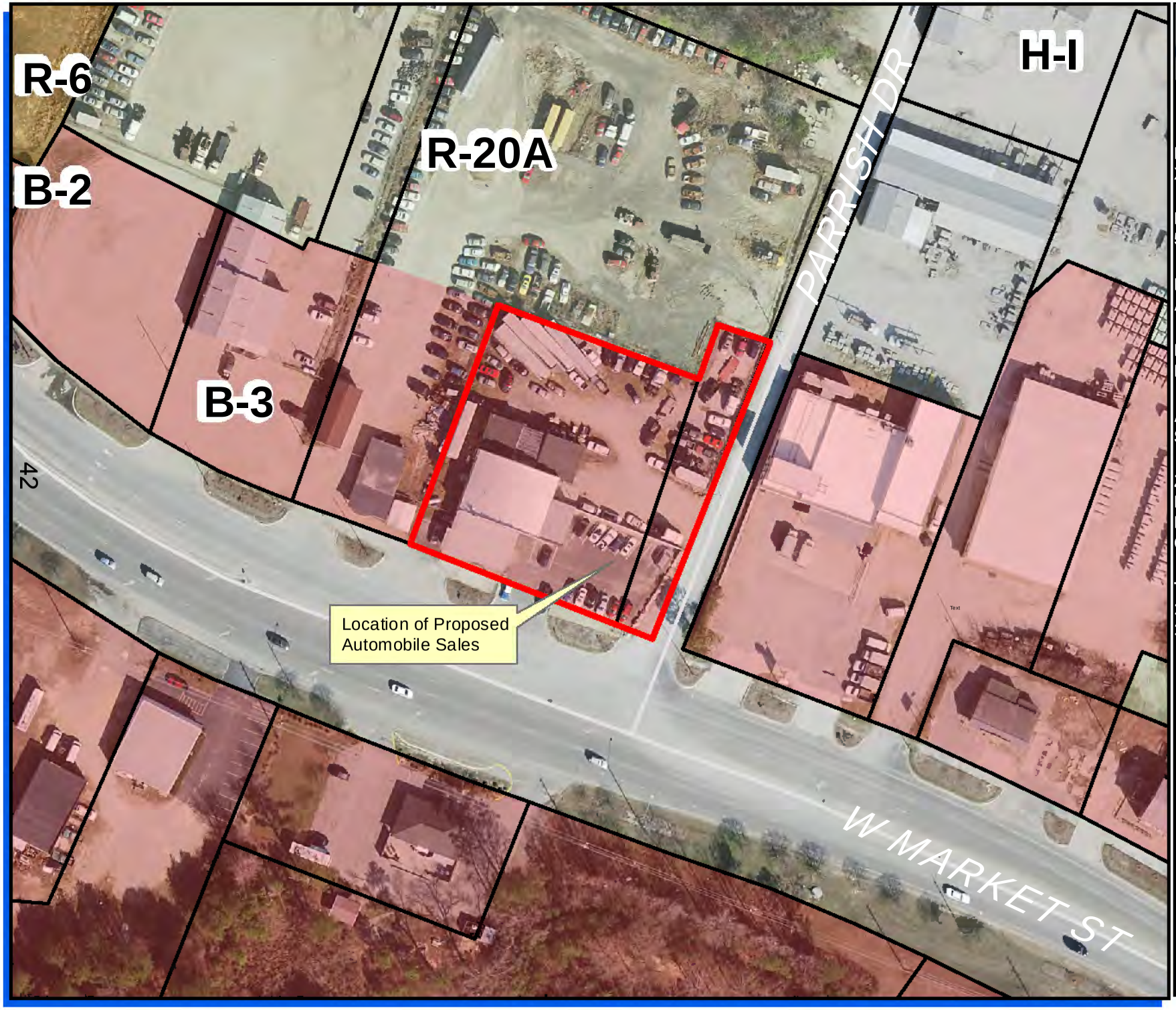
Roy Willard Whitley — Roy Willard Whitley — 3/12/2019

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

FOR OFFICE USE ONLY

File Number: SUP-19-06 Date submitted: 3·18·19 Date received: 3·18·19

500 Block of West Market Street



SMITHFIELD NORTH CAROLINA

SUP-19-06

Project Name:
Xtra Mile Motors

Location:
528-A West Market St

Proposed Use:
Automobile Sales

Property Owner:
Roy Whitley

Applicant:
Seamus Ian Costello

Zoning District:
B-3 (Business) & Entry Corridor Overlay

Tax ID#
15080019 & 15080055

Zoning District:
B-3

Feet
0 25 50

Map created by the Mark E. Helmer, AICP Senior Planner, GIS Specialist on 4/23/2019

Filed in JOHNSTON COUNTY, NC
CRAIG OLIVE, Register of Deeds
Filed 04/20/2016 09:07:08 AM
DEED BOOK: 4750 PAGE: 171-174
INSTRUMENT # 2016486407
Real Estate Excise Tax $0.00
Deputy/Assistant Register of Deeds lkirby

TOWN OF SMITHFIELD
CONDITIONAL USE PERMIT CUP-16-01
GRANTED

On the date listed below, the Town Council for the Town of Smithfield met and held an evidentiary hearing to consider the following application:

Owner: **Roy Willard Whitley**

Property Location: **West Market Street approximately 500 feet east of its intersection with NC Hwy 210.**

Tax ID Number: **15080019 and 15080055**

Proposed Use of Property: **Automobiles sales lot designed to accommodate no more than 10 automobiles for sale.**

Meeting Date: **April 5, 2016**

Having heard all the evidence and argument presented at the hearing, the Town of Smithfield Town Council finds that the application is complete, that the application complies with all of the applicable requirements of the Smithfield Unified Development Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

1. The owner shall complete the development strictly in accordance with the plans submitted and approved by this Board, a copy of which is filed in the Planning Department office.

2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

In accordance with Article 2, Section 2-2, the Town of Smithfield Town Council imposes the following additional conditions on this Conditional Use permit:

No additional conditions were imposed by the Town Council.

(Remainder of page intentional left blank)

IN WITNESS WHEREOF, the Town has caused this permit be issued in its name, and the undersigned, being the owner of the property above described, do hereby accept this Conditional Use Permit, together with all of its conditions, as binding on them and their successors in interest.

TOWN OF SMITHFIELD

BY: M. Andy Moore

M. Andy Moore, Mayor

ATTEST:

Shannan L. Williams

Shannan L. Williams, Town Clerk

TOWN OF SMITHFIELD SMITHFIELD [redacted] NORTH CAROLINA APRIL 23, 1777

NORTH CAROLINA
JOHNSTON COUNTY

I, Veronica Hardaway, a Notary Public, do hereby certify that Shannan L. Williams personally appeared before me this day and acknowledged that she is Town Clerk of the Town of Smithfield and that by authority duly given and as the act of the Town, the foregoing instrument was signed in its name by M. Andy Moore, Mayor of the Town of Smithfield.

Witness my hand and notarial seal this the 16th day of April 2016.

Notary Public: Veronica T Hardaway
(Printed Name)

Veronica T Hardaway
(Signature)

VERONICA T HARDAWAY NOTARY PUBLIC JOHNSTON COUNTY, NC (SEAL)

NC County of Commission: Johnston

Commission Expires: 1-14-18

CUP-16-01

Roy Willard Whitley, owner of the above-identified property for the above Conditional Use Permit, does hereby acknowledge receipt of this Conditional Use Permit issued by the Smithfield Town Council. The undersigned does hereby acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Roy Willard Whitley

Signature of Roy Willard Whitley

****

NORTH CAROLINA

JOHNSTON COUNTY

I, Shannan L. Williams, a Notary Public in and for said County and State, do hereby certify that Roy Willard Whitley (applicant) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 14th day of April, 2016.

Notary Public: Shannan L. Williams
(Printed Name)

Shannan L. Williams
(Signature)

SHANNAN L. WILLIAMS NOTARY PUBLIC JOHNSTON COUNTY, NC (SEAL)

County of Commission: Johnston

Commission Expires: 5-20-2017

CUP-16-01

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15080017	169413-13-7490	JOHNSON, JAMES RANDY	1671 GALILEE RD	SMITHFIELD	NC	27577-7713
15080016	169413-13-8670	MITCHELL, JAMES NELSON	P O BOX 585	SMITHFIELD	NC	27577-0000
15080019A	169413-13-6606	COX, LLOYD J.	568 W MARKET ST	SMITHFIELD	NC	27577-3323
15080055	169413-13-6484	WHITLEY, ROY WILLARD	P O BOX 777	HATTERAS	NC	27943-0000
15080019	169413-13-5475	WHITLEY, ROY WILLARD	P O BOX 777	HATTERAS	NC	27943-0000

SMITHFIELD
NORTH CAROLINA

PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-19-06, were notified by First Class Mail on 4-17-19.

Signature

Johnston County, North Carolina

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

16th day of April, 2019

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on Jan 15, 2023
(Seal)

JULIANNE EDMONDS NOTARY PUBLIC JOHNSTON COUNTY, N.C.

Request for Town Council Action

Public Hearing: **SUP-19-07**
Date: 05/07/2019

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

Issue Statement

Hilce Sierra is requesting a Special Use Permit to use a property in the B-2 General Business Zoning District for a single family residence.

Financial Impact

None

Action Needed

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

Recommendation

The Planning Department recommends approval of the special use permit, SUP-19-07, with the following conditions based on the findings of fact:

1. The applicant shall use the property strictly in accordance with the plans submitted and approved by the Smithfield Town Council.
2. That the applicant fences the side and rear of the property.

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Findings of Fact
3. Application

Staff Report

Public Hearing: SUP-19-07

Application Number: SUP-19-07
Project Name: N/A
Property ID number: 15031049
Town Limits/ETJ: Town
Applicant: Hilce Sierra
Owners: Hilce Sierra
Agents: N/A

Request:

Hilce Sierra is requesting a Special Use Permit to use a property in the B-2 General Business Zoning District for a single family residence.

Project Location:

405 South Seventh Street, approximately 103 feet west of Woodall Street

Site data:

Acreage:	0.12 acres
Present Zoning:	B-2 General Business Zoning District
Proposed Zoning:	N/A
Existing Use:	Vacant Commercial (formerly a beauty salon)
Proposed Use:	Single Family Residential
Water Service:	Town of Smithfield
Sewer Service:	Town of Smithfield
Electrical Service:	Town of Smithfield
Fire District:	Town of Smithfield

Adjacent Zoning and Land Use:

	Zoning	Existing Use
North:	B-2	Old tobacco warehouse
South:	B-2	Contractor's office and upholstery shop
West:	R-8	Single Family Residential
East:	B-2	ABC Store

Environmental:

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

Property Description:

The building is located on nonconforming lot (approximately 50 ft. x 100 ft.) between an existing tobacco warehouse and office retail uses. The property is former single family residence that has been used as a salon. The property has frontage and driveway access off of 7th Street. The existing access is currently a gravel/dirt driveway that leads to a concrete pad in the back yard. Most of the back yard has been used for parking. There is no discernable boundary line between the applicant's property and other commercial properties.

The property is the only building on the east side of the block fronting on 7th Street and the only building on that side of the block that does not front on Brightleaf Boulevard. The structure is currently undergoing renovation.

Analysis:

The proposed single family residential use requires a special use permit approved by the Town Council. The applicant indicates that it has been difficult to attract a suitable commercial tenant and would like to return the building back into a single family home as was originally intended for the structure. The front of the structure has the same character as other homes on 7th Street. 7th Street has a mixture of B-2 commercial and R-8 residential zoning. There is no noticeable distinction between the parking for the contractor's office and the parking for the proposed single family home. The rear of the proposed single family home faces Brightleaf Boulevard. To prevent trespassing and other

conflicts between the commercial and residential uses, Staff recommends a fence be installed along the periphery of the property.

Findings of Fact:

The UDO, Article 4, sets forth eight findings of fact that are required for approval of a special use permit through a quasi-judicial process. Staff has listed its recommended findings for each (***in Italics***):

4.9.3.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. ***The use of the structure and property for single family residential is will not be detrimental or create endangerment to public health, safety or welfare as conditioned.***

4.9.3.5.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located. ***The use of the property for single family residential use is consistent with the use of the adjacent properties to the west, and those that front on 7th Street, therefore, in harmony with existing development.***

4.9.3.5.3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***The use will not have an impact on the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Single family residential is a special use in the district with a valid permit. Portions of the block are currently used for commercial and residential.***

4.9.3.5.4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided. ***Adequate utilities are present. The use will have no impact on the utilities.***

4.9.3.5.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. ***The single family use has adequate ingress and egress with a direct access to S. 7th Street.***

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

4.9.3.5.7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern. ***The use will have no impact on the public access.***

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

Recommended Conditions of Approval:

Staff recommends the following condition:

1. The applicant shall use the property strictly in accordance with the plans submitted and approved by the Smithfield Town Council.
2. That the applicant fences the side and rear of the property.

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

Application Number: SUP-19-07 **Name:** Hilce Sierra

Request: The applicant is requesting a special use permit to allow for a residential dwelling on property located within the B-3 Highway Entranceway Business zoning district. The property considered for approval is located on the east side of S Seventh Street, approximately 103 feet west of its intersection with Woodall Street. The property is further identified as Johnston County Tax ID# 15031049.

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

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

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

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

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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

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

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

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Special Use Permit Application #* ***SUP-19-07*** *with the following condition:*

1. The applicant shall use the property strictly in accordance with the plans submitted and approved by the Smithfield Town Council.
2. That the applicant fences the side and rear of the property.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application #* ***SUP-19-07*** *for the following stated reason:*

_____

_____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-19-07 is hereby:

_____ approved upon acceptance and conformity with the following conditions:

1. The applicant shall use the property strictly in accordance with the plans submitted and approved by the Smithfield Town Council.
2. That the applicant fences the side and rear of the property.

_____ denied for the noted reasons.

_____

_____

Decision made this 7th day of May, 2019 while in regular session.

_____

M. Andy Moore, Mayor

ATTEST:

_____

Shannan L. Parrish, Town Clerk

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

SPECIAL USE PERMIT APPLICATION

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

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

SITE INFORMATION:

Name of Project: _____ **Acreage of Property:** .12 A

Parcel ID Number: 15031049 **Tax ID:** _____

Deed Book: 557 **Deed Page(s):** 331

Address: 405 South 7th Street

Location: Smithfield, NC

Existing Use: Salon **Proposed Use:** Residential

Existing Zoning District: B2(Business)

Is project within a Planned Development: Yes No

Planned Development District (if applicable): _____

Is project within an Overlay District: Yes No

Overlay District (if applicable): Business Highway

FOR OFFICE USE ONLY

File Number: SUP-19-07 Date Submitted: 4/2/2019 Date Received: 4/2/2019 Amount Paid: $300.00

OWNER INFORMATION:

Name: Hilce Sierra

Mailing Address: 1905 S Vermont St Smithfield, NC

Phone Number: 919-634-5942 **Fax:**

Email Address: hilcegodoy@gmail.com

APPLICANT INFORMATION:

Applicant: Hilce Sierra

Mailing Address: 1905 S Vermont St Smithfield, NC

Phone Number: 919-634-5942 **Fax:**

Contact Person: Hilce Sierra

Email Address: hilcegodoy@gmail.com

STATEMENT OF JUSTIFICATION

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

Im requesting residential Land use because I can not find a suitable comercial tenant.

REQUIRED FINDING OF FACT

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

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

   No, establishment will be safe.

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

   Yes, the establishment will not disturb existing developments.

3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

   No, the establishment will not impede normal development improvement to surroundings.

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

   Yes all utilites access roads, drainage, parking or necessary facilities are being provided.

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

   Yes, adequate measures are being used to minimize traffic congesstion.

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

   Yes the special use has applicabe regulations of the district in which it is located

7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

   Yes, public access will be provided in accordance

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

   Yes, the proposed will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the town Cancil.

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

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

Hilce Sierra		3/28/19
Print Name	*Signature of Applicant*	*Date*

OWNER'S CONSENT FORM

Name of Project: residential home **Submittal Date:** 3/28/19

OWNERS AUTHORIZATION

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

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

	Hilce Sierra	3/28/19
Signature of Owner	***Print Name***	***Date***

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

	Hilce Sierra	3/28/19
Signature of Owner/Applicant	***Print Name***	***Date***

FOR OFFICE USE ONLY

File Number: SUP1907_____ Date submitted: 4/2/19 Date received: 4/2/19

400 Block of South Seventh Street

SMITHFIELD NORTH CAROLINA

SUP-19-07

Project Name:
Sierra Properties

Location:
407 South Seventh St

Proposed Use:
Single Family Dwelling

Property Owner:
Hilce Sierra

Applicant:
Hilce Sierra

Zoning District:
B-2 (Business)

Tax ID#
15031049

Zoning District:
B-2 (Business)

0 25
Feet

Map created by the Mark E. Helmer, AICP Senior Planner, GIS Specialist on 4/25/2019

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15031056	169307-59-4280	JOHNSON, GLENN AUTRY	211 W LANGDON AVE	SMITHFIELD	NC	27577-5124
15031049	169307-59-4266	SIERRA, HILCE	1905 S VERMONT ST	SMITHFIELD	NC	27577-5136
15031048	169307-59-5341	OGBURN, J V JR DBA	912 SHEPARD ST	MOREHEAD CITY	NC	28557-4151

SMITHFIELD
NORTH CAROLINA

PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-19-07, were notified by First Class Mail on 4-17-19.

Signature

Johnston County, North Carolina

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

16th day of April, 2019

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

My Commission expires on Jan 15, 2023
(Seal)

JULIANNE EDMONDS NOTARY PUBLIC JOHNSTON COUNTY, N.C.

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

Notice of Public Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, May 7, 2019 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

SUP-19-02 Daniel Evans: The applicant is requesting a special use permit to allow for a U-Haul rental facility on property located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is located on the east side of South Brightleaf Boulevard, approximately 120 feet north of its intersection with Wellons Street and further identified as Johnston County Tax ID# 15052011.

SUP-19-06: Xtra Mile Motors: The applicant is requesting a special use permit to allow for an automobile dealership on properties located within a B-3 (Highway Entrance Business) zoning district. The properties considered for approval is located on the north side of West Market Street approximately 500 feet east of intersection with NC Highway 210 and further identified as Johnston County Tax ID# 15080019 and 15080055.

SUP-19-07 Hilce Sierra: The applicant is requesting a special use permit to allow for a residential dwelling on property located within a B-2 (Business) zoning district. The property considered for approval is located on the east side of South Seventh Street approximately 120 feet south of its intersection with of Woodall Street and further identified as Johnston County Tax ID# 15031049.

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

Run legal "ad" in the Johnstonian News on 4/26/19 and 5/3/2019

Consent Agenda Items

The Smithfield Town Council met in regular session on Tuesday, April 2, 2019 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:	Councilmen Absent	Administrative Staff Present
Travis Scott, Mayor Pro-Tem		Michael Scott, Town Manager
Marlon Lee, District 1		John Blanton, Fire Chief
David Stevens, District 2		Lenny Branch, Public Works Director
Dr. David Barbour, District 4		Ted Credle, Public Utilities Director
Emery Ashley, At-Large		Gary Johnson, Parks & Rec Director
John A. Dunn, At-Large		Tim Kerigan, Human Resources/PIO
Stephen Rabil, At-Large		Shannan Parrish, Town Clerk
		R. Keith Powell, Chief of Police
		Greg Siler, Finance Director
		Stephen Wensman, Planning Director

Present:	Administrative Staff Absent
Bob Spence, Town Attorney	

CALL TO ORDER

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

INVOCATION

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

APPROVAL OF AGENDA:

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

Remove from the Presentations:

1. Proclamation – Recognizing Anita Liverman's dedicated service to the Appearance Commission

Add to the Consent Agenda

- Consideration and request for approval to adopt Resolution # 638 (05-2019) to exempt the Water and Sewer Rate Study from bidding requirements and also to approve a contract with UFS to conduct the study.

- Special Event - Powers & Thomas Midway Entertainment, LLC is requesting approval to operate a Carnival at Carolina Premium Outlets located at 1025 Outlet Center Drive. Setup would begin on April 8th. The event would begin April 11th and end on April 21st. The hours of operation and use of amplified sound will be 3:00 pm to 11:00 pm.

Unanimously approved

PRESENTATIONS:

1. **Proclamation – Recognizing April 18, 2019 as Electrical Lineman Appreciation Day**

Mayor Moore presented a Proclamation to Electric Lineman Hunter Parker recognizing April 18th as Electrical Lineman Appreciation Day

PROCLAMATION
ELECTRICAL LINEMEN APPRECIATION DAY
APRIL 18, 2019

Whereas, the Town of Smithfield honors the profession of linemen, as this profession is a selfless service, steeped in personal, family and professional tradition; and

Whereas, electrical linemen are often first responders during storms and other catastrophic events, working to repair broken lines to make the scene safe for the citizens of the Town of Smithfield; as well as, other public safety workers; and

Whereas, electrical linemen work on the Town of Smithfield power lines 24 hours a day, 365 days a year, to keep the electricity flowing; and

Whereas, due to the danger of their work with thousands of volts of electricity high atop power lines, these linemen put their lives at risk every day for the citizens of the Town of Smithfield with little recognition from the community regarding the danger of their work; and

Whereas, the U.S. Senate in April of 2013 first recognized the efforts of electrical linemen in keeping the power on and protecting public safety, and has designated by resolution the annual celebration of a National Linemen Appreciation Day.

Now, Therefore, I M. Andy Moore, Mayor of the Town of Smithfield, along with the Town Council, do hereby proclaim April 18, 2019 as “Electrical Linemen Appreciation Day”; and we call upon the citizens of the Town of Smithfield to recognize and appreciate the hard work, innovation and dedication that these public servants make every day to our health, safety, comfort, and quality of life.

2. Recognition of the Public Works Department for being awarded the 2018 North Carolina Main Street Champion

Downtown Smithfield Development Corporation Executive Director Sarah Edwards presented the 2018 North Carolina Main Street Champion Award to the Public Works Department.

3. Police Department’s 2018 Officer of the Year Award

Chief of Police R. Keith Powell addressed the Council on the Smithfield Police Department’s 2018 Officer of the Year. The award was given to the officer who showed great professionalism, community service, and dedication to the Police Department and The Town of Smithfield. The officer was nominated by secret ballot, completed by every member of the department. The officer receiving the most votes is then reviewed by a recognition committee consisting of four Lieutenants and the Captain of Patrol. The committee then makes a recommendation for Officer of the Year to the Police Chief, who makes the final decision. The Officer of the Year for the Smithfield Police Department Sergeant Dale Wood. Sergeant Wood is a member of the department's Investigation Division. Sergeant Wood has been with the Smithfield Police department since November 2000. Sergeant Wood worked with the Johnston County Sheriff's Office for eight years and Benson Police Department for two years prior to starting with the Smithfield Police Department. Sergeant Wood started with the Smithfield Police Department as a Patrol Officer and was promoted to the rank of Sergeant. Sergeant Wood was transferred to Investigations and has been in Investigations since.

Mayor Moore presented Sergeant Dale Wood with a plaque identifying him as the 2018 Police Officer of the Year.

4. **Administering Oath of Office to New Police Officer Damon Kenny**

Mayor Moore administered the Oath of Office to new Police Officer Damon Kenny and welcomed him to the Town of Smithfield.

5. **Administering Oath of Office to New Police Officer Joseph Heck**

Mayor Moore administered the Oath of Office to new Police Officer Joseph Heck and welcomed him to the Town of Smithfield.

PUBLIC HEARINGS:

1. **Rezoning Request – John A. Whitley (RZ-19-01):** The applicant was requesting to rezone a .11 acre tract of land from an R-8 (Residential) zoning district to the O/I (Office Institutional) zoning district. The property considered for rezoning is located on the northeast corner of South Third Street and Woodall Street and further identified as Johnston County Tax ID# 15030016.

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

Planning Director Stephen Wensman addressed the Council on a request by John A. Whitley. Mr. Wensman explained in 2016, Mr. Whitley made application for the same rezoning which was reviewed by the Planning Board before being withdrawn. At that time, The Board reviewed the application and recommended approval based on a previous Staff recommendation in favor of the rezoning.

The property considered for rezoning to O/I is 0.11 acres, shares a driveway with the residential property to the east, is entirely within the 100 year flood plain and would likely be considered a spot zoning. Staff recommends denial of the rezoning for the following reasons:

- The rezoning would result in a non-conforming O/I lot. The minimum lot size in the O/I district is 6,000 sq. feet; the subject parcel is only 4,792 sq. feet. The existing structure (home) would not meet the structure setbacks in the O/I district.
- Off-street parking and handicap accessible parking meeting UDO requirements for an office use would likely be difficult to provide given the small size of the lot, creating the need for variances.
- The property to the north is zoned O/I CUD, which is a different and district zoning district and could be considered a spot zone given its size. The zoning of this parcel to O/I would likely be a spot zoning which is prohibited.
- The proposed office use would be an intensification of land use in the 100 year flood zone.
- Office uses should be buffered from residential uses with a Type B landscape buffer which would be difficult given the small size of the lot and the configuration of the shared parking access on the rear of the lot.
- The rezoning is inconsistent with the comprehensive land use plan. The Plan guides the property as medium density residential.
- The rezoning would be an encroachment of commercial uses into a residentially guided and zoned area.

The Planning Department recommends denial of the Zoning Map Amendment; and recommend that the Town Council deny the request with a statement declaring the request to be inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is not reasonable nor in the public interest.

The Planning Board reviewed the application and recommended approval of the rezoning with a 6-1 vote. The Board commented that in 2016, the Board reviewed the same item (later withdrawn by the applicant) and had recommended approval based on Staff's previous affirmative

recommendation.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the April 2, 2019 agenda packet.

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

Mayor Pro-Tem Scott questioned Mr. Wensman's statement about residential uses being around the proposed property sating there was a commercial use adjacent to the property. Mr. Wensman responded the commercial use adjacent to the property was zoned O/I CUD meaning it was a conditional use zoning district. Mr. Wensman did not know the facts behind the rezoning, but especially the O/I CUD zoning district is a stand-alone rezoning.

James Whitely of 2017 Mountain Laurel Drive in Clayton and 219 Johnston Street in Smithfield responded to some of the concerns outlined by Mr. Wensman. He explained the property was adjacent to the Travel Odyssey. Between Johnston and Woodall Streets along South Third Street there was only one residential property. He did not feel that his business would be a detriment to the existing uses. Mr. Whitley stated in regards to the setback requirements and buffers, he could not do anything because Woodall Street was a manmade barrier. In regards to concerns about the property being in the 100 year floodplain, Mr. Whitley stated that after Hurricane Matthew, most properties East of I-95 were probably included in the 100 year floodplain. Due to the nature of his business, he didn't anticipate more than one car would be parked near his law firm at a time. He and his secretary would park in the lot behind the building. Mr. Whitley further explained that Tom Berkau owns the property directly behind the property and he is not opposing the rezoning. Mr. Whitley stated it was his goal to enhance the community and he would never do anything to detract from the community. Mr. Whitley further stated he would comply with any regulations from the Town such as ADA accessibility and signage.

Councilman Barbour questioned if Mr. Berkau resided in the house behind the property. Mr. Whitley responded it was a tenement, but he has owned the property for several years and has never had any issues with the tenants. Councilman Barbour further questioned if Mr. Whitley or Mr. Berkau spoke with the tenants about the proposed rezoning. Mr. Whitely responded they had not.

Councilman Barbour questioned that a concern listed by staff was it doesn't qualify because it cannot me the setback requirements. Mr. Wensman responded the rezoning would create nonconformities. Councilman Barbour questioned if spot zoning was illegal. Town Attorney Bob Spence responded that while spot zoning was illegal, he did not believe this qualified as spot zoning. Councilman Barbour questioned the amount of nonconformities and variances. Mr. Wensman responded one issue would be the handicapped parking stall and making sure it was the one closest to the entrance. Councilman Barbour asked if approved what would be the next step for Mr. Whitley. Mr. Wensman responded Mr. Whitley would have to provide a site plan. If he could not meet the UDO requirements, he would need to make application to the Board of Adjustment for a variance.

Mr. Whitley stated the property was a bungalow style home with sidewalks to the front of the property and to the side of the property. He felt confident he could meet the ADA accessibility requirement. He explained it was his intent to practice law in the building. He advocated that the property was more commercial in nature than residential. He stated a business person would maintain the property much better than a residential tenant.

Councilman Ashley stated there are many businesses in the downtown area that were one residences. When he reviewed this property, the Town bypassed the natural boundary of the ditch to allow the Travel Odyssey. He explained that while he understood the issue of parking, the entire downtown businesses have parking issues that why they rely on municipal parking lots and on street parking. Councilman Ashley stated this would be an enhancement to the community.

Councilman Stevens questioned if six members of the Planning Board zoning in favor of the rezoning request. Mr. Wensman responded in the affirmative

Mayor Moore asked if there was anyone in attendance that wished to speak on the matter. There were none.

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

Mayor Pro-Tem Scott made a motion, seconded by Councilman Rabil, to approve Rezoning Request RZ-19-01 rezoning .11 acre tract of land from an R-8 (Residential) zoning district to the O/I (Office Institutional) zoning district stating it was consistent with the Town of Smithfield Comprehensive Growth Management Plan and that it was reasonable and in the public interest. Unanimously approved.

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

2. **Special Use Permit Request – Will Roland (SUP-19-03):** The applicant was requesting a special use permit to allow for a church/place of worship on property located within a B-3 (Highway Entrance Business) zoning district. The property considered for approval is locate on the southeast side of the intersection of West Market Street and Whitley Drive and further identified as Johnston County Tax ID# 15086028.

Councilman Barbour made a motion, seconded by Councilman Stevens, to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman testified the applicant was requesting a special use permit to allow for approximately 1,881 sq. ft. of tenant space to operate a church in the B-3 Zoning District. The church would have seating for 30 in a 1,405 sq. ft. worship space. Associated with the church would be a 228 sq. ft. office, a 198 sq. ft. kitchen, and 50 sq. ft. of storage area. The property is 1.06 acres in size with a roughly 12,600 sq. ft. multi-tenant commercial strip center located at the corner of Whitley Drive and West Market Street. There was also a roughly 1200 sq. ft. storage structure/garage on the rear of the property. There were 24 parking stalls on the site for the commercial use. The parking lot was mostly paved across the full frontage of both Whitely Drive and West Market with no access control. Churches are a permitted use in the B-3 Zoning District and require a Special Use Permit. Churches must comply with the supplemental regulations of the Unified Development Ordinance, Section 7.32. Mr. Wensman explained the church must have adequate parking, not significantly increase traffic on local roadways within a residential neighborhood, the land use should not substantially decrease vehicular and/or pedestrian traffic or inhibit business activity for adjacent commercial businesses particularly during normal business hours and the land use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.

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

STAFF'S FINDINGS OF FACT

1. The use of the church will not endanger the public health, safety or general welfare of the public as long as egress from the site is limited to Whitley Drive after each worship service.

2. The use of the property for church is in harmony with the existing development and uses. There is very limited retail activity currently and the church will be active when other uses are not.

3. The use will not impede the normal and orderly development and improvement of surrounding property because the adjacent commercial is not retail in nature.

4. Adequate utilities are present. The use will have no impact on the utilities.

5. Directing exiting church traffic to use Whitley Drive as opposed to West Market Street, will minimize impacts to highway traffic on West Market Street.

6. The use will be in conformance with regulations.

7. Adequate parking exists, however the uncontrolled access onto West Market Street is a public safety issue. As a result, Staff is recommending the condition of approval: that a traffic attendant be on duty after each worship service to prohibit cars from exiting directly onto West Market Street and to direct cars to Whitley Drive for egress from the site.

8. The proposed use is consistent with town plans.

The Planning Department recommends approval of the Special Use Permit, SUP-19-03, with the following condition:

- That a traffic attendant be on duty after each worship service to prohibit cars from exiting directly onto West Market Street and to direct cars to Whitley Drive for egress from the site.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the April 2, 2019 agenda packet.

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

Mayor Pro-Tem Scott questioned if the traffic attendant could be a volunteer. Mr. Wensman responded in the affirmative. Mr. Wensman stated it would be negligent of staff not to require some control since it is 60ft of road frontage with no access control onto the highway.

Councilman Barbour stated there was not a lot of traffic on Highway 70 Business West on Sunday mornings. He felt it was unnecessary to require the church to have a traffic attendant, but suggested a barrier (such as traffic cones) be installed to control ingress and egress.

Mayor Moore stated there were not sidewalks on Whitley Drive and he has observed pedestrians walking in that residential neighborhood. He felt it was more dangerous for traffic to flow from the church to Whitley Drive instead of the traffic flowing on Highway 70 Business West

Councilman Barbour questioned if the Council could require the church to limit the amount of egress onto Highway 70 Business West. Mr. Wensman responded if there was a hazard and a concern, the Council could place reasonable conditions on the permit. Mr. Wensman explained if the Council did not feel there were any safety issues, then he didn't believe the Council could place a condition to control egress from the site. If there were no safety concerns, Mr. Wensman would delete staff's recommended condition of having a traffic attendant.

Councilman Ashley stated the property did have ingress and egress on both sides of the property. Mr. Wensman responded it was uncontrolled ingress and egress.

Mayor Pro-Tem Scott stated the church should be able to make their own decision about traffic control.

Mayor Moore asked the applicant if he was in agreement with the testimony provided by Mr. Wensman. The applicant, Will Roland, stated he was in agreement with the testimony offered by Mr. Wensman. Mr. Roland further stated he did not have a problem with having traffic attendant and he would ensure that those leaving the church would do so safely.

Councilman Ashley questioned if there were any objections from the other tenants in the mall. Mr. Roland responded there had been no objections only encouragement.

Councilman Barbour questioned the hours of operation. Mr. Rolland responded they would meet only on Sunday from 10:30 am until 12:30 pm.

Mayor Moore asked if there was anyone in attendance sworn to testify in this matter. There were none.

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

The Written Finding

Councilman Ashley made a motion, seconded by Mayor Pro-Tem Scott, to vote in the affirmative to all of the below eight stated Finding of Fact. Unanimously approved.

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

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

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

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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

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

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

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

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

Record of Decision: Approval of Conditional Use Permit Application Number SUP-19-03

Councilman Ashley made a motion, seconded by Councilman Rabil, based upon satisfactory compliance with the above eight stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to recommend approval of Special Use Permit Application #SUP-19-03. Unanimously approved.

3. **Special Use Permit Request – Bonnie Godwin (SUP-19-05):** The applicant was requesting a special use permit to allow for a residential dwelling on property located

within an O/I (Office / Institutional) zoning district. The property considered for approval is located on the north side of North Street, approximately 100 feet east of its intersection with North Seventh Street. The property is further identified as Johnston County Tax ID# 15010047

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

Planning Director Stephen Wensman testified the property is a former single family residence that has been used as an office. The property has a driveway access off North Street and has an attached carport that extends back to the rear property line with 7 parking spaces. The property also shares a large parking lot with the 3 office properties to the east. Within the shared parking lot, an additional 3 parking stalls are shown to be on the property. There is more than adequate parking for the residential use on the property. With the shared parking arrangement, it is possible that office visitors may use the available parking stalls on this property from time to time. This property and the 3 properties to the east are all former single family homes that have been used for offices. The other three appear to be used for office use currently. These properties have a shared parking lot in the rear of the homes. There does not appear to be a shared access easement for the parking lot. The other properties sharing the parking lot include: Neuse Gastroenterology office, Johnston Memorial Hospital and Dr. Manmohan Singh office. The remaining two properties on the block, to the west of the subject property, are currently used for single family homes.

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

STAFF'S FINDINGS OF FACT

1. The use of the structure and property for single family residential is will not be detrimental or create endangerment to public health, safety or welfare. Single family residential is a less intensive use than an office use.

2. The use of the property for single family residential use is consistent with the use of the adjacent properties to the west, therefore, in harmony with existing development.

3. The use will not have an impact on the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Single family residential is a special use in the district with a valid permit. Portions of the block are currently used for office and residential in harmony with each other.

4. Adequate utilities are present. The use will have no impact on the utilities.

5. The single family use has adequate ingress and egress with a direct access to North Street.

6. The use will be in conformance with regulations.

7. The use will have no impact on the public access.

8. The proposed use is consistent with town plans.

The Planning Department recommends approval of the Special Use Permit, SUP-19-05, with the following conditions:

- The applicant shall use the property strictly in accordance with the plans submitted and approved by the Smithfield Town Council.

Planning Director Stephen Wensman has incorporated his entire record and provided it to Council in written form in the April 2, 2019 agenda packet.

Mayor Moore asked if there were any questions from the Council. There were none.

Mayor Moore asked the applicant if she was in agreement with the testimony provided by Mr. Wensman. Ms. Godwin testified she was in agreement with Mr. Wensman's testimony and further testified she purchased the property almost two years ago. There was a commercial tenant in the building at the time she purchased the building, but when their contract expired the tenant vacated the premises. She has had difficulty renting the building for commercial use because there is not a demand for commercial uses, but there is a demand for residential uses.

Councilman Ashley questioned if Ms. Godwin knew the history of the property. Ms. Godwin responded the property belonged to Jimmy Flowers, but she did not have any historical knowledge of the property. Councilman Ashley stated all those properties used to be single family homes before becoming doctors' offices. Councilman Ashley believed the property purchased by the hospital was purchased with the intent of using it as a residential space for medivac emergency personnel.

Mayor Moore asked if there was anyone in attendance sworn to testify in this matter.

Dr. Richard Lee of Neuse Gastroenterology testified he had been practicing medicine for two decades and the offices along North Street have been doctors' offices for almost fifty years. He stated it was a very active business area with a lot of EMT and transport vehicles bringing debilitated patients to his office and others. Dr. Lee expressed his concern about the property being used as residence because it could be a hazard to debilitated patients visiting his office and it could be hazard to the children of the residence playing in the shared parking lot.

Ms. Godwin responded her property has been totally fitted for residential use. To the left of her property are two residential houses. She testified that she has not seen any of the activities Dr. Lee was referring to. She would prefer to rent it as a commercial property, but there is no demand for that. The demand is for residential property.

Councilman Barbour questioned the shared parking lot. Ms. Godwin responded that the parking lot directly behind her property is not shared. Mr. Wensman responded it was connected parking but legally not shared parking. He further stated there was more than adequate parking for a single family residence.

Councilman Barbour further questioned if the property was converted into a residential use, would a fence be installed to protect the children from playing in the parking lot since there was not a traditional backyard. Ms. Godwin responded there was a backyard that happened to be covered with asphalt. She was not opposed to installing a fence.

Councilman Ashley questioned if Dr. Lee had a separate driveway to his office or if he and Ms. Godwin used the same driveway. Dr. Lee responded they both used the same driveway because the property line was split out the center of the driveway. Councilman Ashley further questioned if Dr. Lee's patients use that access to enter his building. Dr. Lee responded they could enter from that access or behind the building

Mayor Pro-Tem Scott suggested that this request be tabled for thirty days to see if Ms. Godwin and Dr. Lee could come to some type of mutually beneficial agreement.

Councilman Ashley questioned if there were children playing basketball at the residence would have a negative impact on the adjacent business. Ms. Godwin responded most children are in their home playing video games and not outside playing. She stated she would be more than willing to look at installing a fence. She was also interested in finding out how the driveway was divided.

Councilman Dunn asked Dr. Lee who owned the driveway on the other side of his property. Dr. Lee responded the driveway was shared with the hospital. Councilman Dunn questioned if the properties on the other side of Ms. Godwin's property were residential or commercial. Mr. Wensman responded both properties were residential.

Mayor Pro-Tem Scott questioned if the Town had access to the actual property line. Mr. Wensman responded there was no way to know the actual property lines without a survey or a recorded plat.

Councilman Ashley stated he was concerned about the impact this had on Dr. Lee and his practice and on Ms. Godwin as the property owner. Before making a decision, Councilman Ashley stated he would rather know more facts on the boundary lines and anything that can be done with the site plan to limit impacts on both parties.

Mayor Pro-Tem Scott asked Ms. Godwin if she was opposed to tabling this request for thirty days. Ms. Godwin responded she was not opposed to the idea.

> Mayor Pro-Tem Scott made a motion, seconded by Councilman Dunn, to close the public hearing. Unanimously approved.

Councilman Barbour questioned if it was possible to have a survey done in that time period. Ms. Godwin responded that there may be something already records, but if not he and Dr. Lee would have to share in the cost of a survey.

Councilman Stevens asked Dr. Lee if he had three way to access his property. Dr. Lee responded in the affirmative. Councilman Stevens stated Dr. Lee was not being denied access to his property because he had to other entrances.

> Mayor Pro-Tem Scott made a motion, seconded by Councilman Ashley, to table the request until the next council meeting to allow staff to work with the property owners for an amicable solution. Unanimously approved.

CITIZENS' COMMENTS:

- Anthony Lee of 802 Martin Luther King Jr. Drive stated that while a fire hydrant was flushed near his home, the water washed away the gravel in his driveway. The Town Manager responded the Fire Department hasn't begun flushing hydrants, but there was a water leak in the area. The Town Manager will contact Mr. Lee regarding the incident and determine what can be done.

- Darius Rose of 5146 Black Creek Road expressed his appreciation to the Council for supporting the proposed tethering ordinance. He explained rescue groups supported the change.
  Councilman Barbour questioned if Mr. Rose had any concerns about the proposed ordinance. Mr. Rose responded his only concern was the enforcement of the ordinance, but this change was better than the current situation rescue groups face every day with tethered animals.

- Joan Santoro of 5127 Us Highway 301 South stated she was excited to see the proposed ordinance. Ms. Santoro explained she volunteered with Paw Project, a community outreach program that worked with owners who wished to keep their animals but lacked some financial means. She questioned how the Town would disseminate this information to animal owners and how long the Town would give the owners time to comply with the ordinance change. She volunteered to distribute fliers to animal owners. Mayor Moore responded this was the first step in notifying owners and assured her that Town staff would make sure all animal owners knew of the change.

CONSENT AGENDA:

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

1. The following minutes were approved
   - February 21, 2019 – Special Meeting
   - March 5, 2019 – Regular Meeting

2. Special Event – Craft Beer Crawl: Approval was granted to allow the Downtown Smithfield Development Corporation to hold a Craft Beer Crawl on September 20, 2019. This event will have amplified sound.

3. Special Event – Poochapalooza Festival: Approval was granted to allow the Parks and Recreation Department hold a festival at the Town Dog Park located at 1219 South Second Street on April 27, 2019 from 11:00 am until 2:00 pm. This event will require closure of South Second Street from Holding Street to Hood Street. This event will also have amplified sound.

4. Special Event – Car Show: Approval was granted to allow Riders Meet Circuit to hold a car show on June 30, 2019 from 10:00 am until 5:00 pm at Sound Station and Security located at 713 East market Street. This event will have amplified sound.

5. Police Promotion: Approval was granted to promote a Police Sergeant to the rank of Police Lieutenant

6. Police Promotion: Approval was granted to promote a Police Officer to the rank of Police Sergeant.

7. Approval of a temporary Easement Agreement with Robert Penny for the placement of a gateway sign on the Penny property NC Pin# 168210-36-9744.

8. Bid was awarded to Mark Gregory Roof Company in the amount of $14,800.00 for the replacement of the mausoleum roof at Sunset Memorial Gardens Cemetery. Bids received were as follows:

• Mark Gregory Roof Company Inc.	$14,800.00
• Baker Roofing	$31,108.00
• Best Inc.	$36,406.00
• Sharon Roofing	No Bid
• Dale Sparks	No Bid

9. Bid was awarded to David Hinton Construction in the amount of $49,787.00 for the DAV Trail and Handicap Parking upgrades at Talton Field, Johnson Park, Bob Wallace Jaycee Kiddie Park and Smith-Collins Park. Bids received were as follows:

• David Hinton Construction Co., Inc.	$ 49,787.00
• First Choice dba Larry Davis	$ 66,014.75
• Hollins Construction	$ 88,886.00
•	

10. Approval was granted to adopt resolution #637 (04-2019) Supporting House Bill 399 – Disaster Area Building Rehabilitation Tax Credit Bonus

TOWN OF SMITHFIELD
RESOLUTION # 637 (04-2019)
RESOLUTION IN SUPPORT OF HOUSE BILL 399 - DISASTER AREA BUILDING REHABILITATION TAX CREDIT BONUS

WHEREAS, the Town of Smithfield and the Downtown Smithfield Development Corporation (DSDC) along with other local and regional partners are working towards the revitalization of our downtown area to establish it as a vital economic sector of the Town for the community's benefit; and

WHEREAS, the Town of Smithfield realizes that a healthy, vibrant downtown makes all other economic development initiatives in the community easier to achieve; and

WHEREAS, the Town of Smithfield, as well as many private investors, have made significant advancements towards downtown's improvement through strategic planning and reinvestment; and

WHEREAS, the Town of Smithfield understands that it is fortunate to retain historic commercial structures that offer unique opportunities by differentiating our community from other communities and thus, we wish to preserve them when appropriate for future use and reinvestment; and

WHEREAS, the Town of Smithfield recognizes that the highest concentration of our historic structure stock is in the downtown area and this area provides more tax base value per acre than any other segment of the community; and

WHEREAS, the Town of Smithfield is interested in building upon these established investments to strengthen our tax base thus decreasing the potential of future tax increases for our citizens to maintain existing levels of service throughout the community; and

WHEREAS, the historic commercial structures play a vital role in our capabilities to entice reinvestment and create our market niche; and

WHEREAS, the rehabilitation of historic structures is challenging in terms of acquiring needed bank financing, meeting building code regulations and overcoming general risks of unknown conditions and securing private investment for blighted properties; and

WHEREAS, the Town recognizes that the North Carolina Historic Preservation Tax Credit (HPTC) program offers an often necessary financial tool that levels the private investment risks and opportunities when competing for sites outside the built area and also provides the leverage needed to meet financial gaps experienced with traditional lending institutions; and

WHEREAS, the Town of Smithfield has experienced success with meeting these historic rehabilitation challenges due to the availability of the HPTC program and has experienced more than $4.2 million of historic investments that utilized the HPTC program; and

WHEREAS, the Town of Smithfield believes that more of this type of reinvestment can occur with the availability of the HPTC and believes the HPTC program is a worthy leveraging tool to stimulate a specific area of our economy that will support the entire community; and

THEREFORE, BE IT RESOLVED that the Town of Smithfield endorses and supports passage of House Bill 399 to extend the Historic Preservation Tax Credit to ensure its continued availability as a tool to spur economic recovery in traditionally blighted or underutilized areas of North Carolina.

11. The following advisory board appointments were approved:

- Carolyn Ennis was reappointed to serve a fifth term on the Library Board of Trustees.
- Robin Cook was appointed to serve a first term on the Appearance Commission.
- Brandie Davis was appointed to serve a first term on the Appearance Commission.

12. Approval was granted to appoint Dr. Kathleen Coates to serve on the Downtown Smithfield Development Corporation's Board of Directors.

13. New Hire Report

Position	Department	Budget Line	Rate of Pay
Police Officer I	Police	10-20-5100-5100-0200	$16.69/hr. ($37,318.84/yr.)
Police Officer I	Police	10-20-5100-5100-0200	$16.85/hr. ($37,676.60/yr.)
Police Officer I	Police	10-20-5100-5100-0200	$16.85/hr. ($37,676.60/yr.)
P/T Admin Specialist	General Government	10-10-4100-5100-0200 30-71-7220-5100-0200	$12.75/hr.

		31-72-7230-5100-0200	
P/T Athletic Staff	P&R – Recreation	10-60-6200-5100-0210	$10.00/hr.
P/T Athletic Staff	P&R – Recreation	10-60-6200-5100-0210	$10.00/hr.
P/T Pool Staff	P&R – SRAC	10-60-6220-5100-0220	$7.50/hr.
P/T General Staff	PU – Water Plant	30-71-7200-5100-0200	
P/T SRAC Instructor	P&R – SRAC	10-60-6220-5100-0230	$15.00/hr.
P/T SRAC Instructor	P&R – SRAC	10-60-6220-5100-0230	$15.00/hr.
P/T SRAC Staff	P&R – SRAC	10-60-6220-5100-0230	$8.50/hr.
P/T SRAC Staff	P&R – SRAC	10-60-6220-5100-0230	$8.50/hr.
P/T SRAC Staff	P&R – SRAC	10-60-6220-5100-0230	$9.00/hr.

Current Vacancies

Position	Department	Budget Line
Licensed Water Plant Operator	PU – Water Plant	30-71-7200-5100-0200
Police Officer I	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200

14. Approval was granted to adopt Resolution # 638 (05-2019) to exempt the Water and Sewer Rate Study from bidding requirements and also to approve a contract with UFS to conduct the study.

TOWN OF SMITHFIELD
RESOLUTION # 638 (05-2019)
EXEMPTING WATER & SEWER RATE STUDY
FROM G.S. 143-64.31

WHEREAS, G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, the Town proposes to enter into one or more contracts for design services for work on the Water and Sewer Rate Study; and

WHEREAS, G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than $50,000; and

WHEREAS, the estimated fee for design services for the above-described project is less than $50,000.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD RESOLVES:
Section 1. The above-described project is hereby made exempt from the provisions of G.S. 143-64.31.
Section 2. This resolution shall be effective upon adoption.

15. Special Event – Carnival: Approval was granted to Powers & Thomas Midway Entertainment, LLC to operate a Carnival at Carolina Premium Outlets April 11th until April 21st. Amplified sound was approved for the hours of operation 3:00 pm to 11:00 pm.

Unanimously approved.

Business Items:

1. Consideration and Request for approval to adopt Ordinance #498 to limit the tethering of animals in the Town of Smithfield

Chief of Police R. Keith Powell addressed the Council on a request to adopt Ordinance #498 to limit

the tethering of animals in the Town of Smithfield. The Police Department presented Council with a proposed Tethering Ordinance during the March Council meeting. The Council asked for the proposal to be left open for thirty days to allow time for citizens' comments. The proposed ordinance was modified to allow dogs to be tethered during certain times of the day as long as the animal is being monitored by the owner. Chief Powell responded that all feedback received supported the tethering ordinance. Staff will work with the public to educate them on the changes.

Councilman Barbour requested that the outdoor storage section be clarified to include the times. Chief Powell responded the ordinance could be amended to add clarification.

Mayor Moore suggested that (8)c. include the time and (8)c. (ii) include "in accordance with (8)c."

Mayor Pro-Tem Scott made a motion, seconded by Councilman Dunn, to adopt Ordinance #498 with the suggested amendments. Unanimously approved.

TOWN OF SMITHFIELD
North Carolina

ORDINANCE # 499

AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD CODE OF ORDINANCES, CHAPTER 4, ANIMAL AND FOWL; SECTION 67, ANIMAL ABUSE PROHIBITED

WHEREAS, Chapter 4 of the Town of Smithfield's Code of Ordinances outlines the regulations concerning animals and fowl within the Town; and

WHEREAS, The Chief of Police, R. Keith Powell, is requesting the Ordinance be amended to prohibit tethering of animals in the Town.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Smithfield that Chapter 4, Animals and Fowl; Section 67, Animal Abuse Prohibited is rewritten as follows:

Sec. 4-67. – Animal Abuse Prohibited

(a) Prohibited acts. All animals shall be kept and treated under sanitary and humane conditions and it shall be unlawful for any person to engage in one (1) or more of the following acts:

(1) Failing to provide adequate feed, water and shelter or failing to maintain the animal in a clean and healthy environment. All animals, unless otherwise indicated in this chapter, shall be given adequate feed, adequate water and adequate shelter. Examples of shelter that is not adequate include, but are not limited to the following:

a. Underneath houses, outdoor steps, decks or stoops, or underneath motor vehicles;

b. Inside metal barrels or cardboard boxes;

c. Shelters prone to flood;

d. Shelters surrounded by debris, obstructions or impediments that may endanger an animal;

e. Confinement of the animal in storage rooms, sheds or other buildings without windows and proper ventilation.

(2) Failing to keep an animal under sanitary and humane conditions which are detrimental to the animal's health and general welfare and which maintain a condition of good order and cleanliness and reduce the possibility of transmission of disease. Both indoor and outdoor enclosures shall receive periodic cleanings to remove excreta and other waste

material, dirt and trash so as to minimize disease, hazards and to reduce odors. These periodic cleanings shall not exceed a five-day period. If, however, more than one animal is held in one enclosure, these cleanings shall not exceed two days.

(3) Failing or refusing to provide adequate medical attention for any sick, diseased or injured animal.

(4) Engaging in animal cruelty; animal cruelty means every act, omission, or act of neglect whereby unjustifiable pain, suffering or death is caused or permitted, or attempted to be caused or permitted against animals, and includes acts or attempted acts of beating, torturing, injuring, tormenting, mutilating, teasing, molesting, baiting, or harassing animals, the trapping of animals unlawfully, and overworking or overdriving animals. This shall not include the lawful taking of animals under the jurisdiction and regulation of the wildlife resources commission, lawful activities of organizations or agencies conducting or sponsoring biomedical research or training, lawful activities for sport, the production of livestock or poultry, or the lawful destruction of any animal.

(5) Promoting, staging, holding, managing, conducting, carrying on or attending any game, exhibition, contest, fight or combat between one or more animals or between animals and humans, or intentionally allowing animals to engage in a fight.

(6) Permitting any exhibit, function or activity where animals are being cruelly treated or animals run the risk of causing injury to the public or themselves. Animal control shall have the authority to inspect and to close down public exhibits of animals including those which are part of fairs, carnivals, festivals, fundraising events, petting zoos and any other activity or function carried out in the town if it is determined that animals are being cruelly treated or run the risk of causing injury to the public or themselves.

(7) Poisoning, or exposing a domestic animal to any known poisonous substance or mixing a poisonous substance with food, so that it will likely be eaten by an animal. This does not include attempts or acts of persons to lawfully rid their own property of mice or rats or other vermin, nor does it include other acts permitted by the North Carolina Wildlife Department.

(8) Allowing a collar, rope or chain to become embedded in or cause injury to an animal's neck, or allowing a choke or pinch collar to be used as a primary collar on an unsupervised animal, or chaining or tethering an animal to a stationary object. for a period of time or under conditions that an animal control officer deems harmful or potentially harmful to the animal. Examples of harmful or potentially harmful chaining or tethering include, but are not limited to the following:

a. Using a length or weight of a chain or tether that is not appropriate for the size, weight and age of the animal. A chain or tether should not be less than ten (10) feet long. Using a chain or tether that exceeds ten (10) percent of the animal's body weight shall be deemed not appropriate and potentially harmful.

b. An owner may not leave a dog outside and unattended by use of a restraint that unreasonably limits the dog's movement:

1. Between the hours of 10 pm and 6 am

2. In case of extreme weather conditions, including conditions in which:

a. the actual or effective outdoor temperature is below 32 degrees Fahrenheit

b. a heat advisory has been issued by a local or state authority or jurisdiction

c. a hurricane, tropical storm or tornado warning has been issued for the jurisdiction by the national weather service.

c. Outdoor storage from 10pm to 6 am. Every person having custody of domestic animals which are kept outdoors or in an unheated enclosure shall provide such an animal or animals with the following minimum standards of shelter:

(i) The shelter for a dog or any species of similar size shall include a moisture proof and wind-proof structure of suitable size to accommodate the animal and allow retention of body heat and shall be made of durable material. Such structures shall be provided with a sufficient quantity of suitable bedding material, consisting of hay, straw, cedar shavings or the equivalent, to provide insulation and protection against cold and dampness and promote retention of body heat. When sunlight is likely to cause overheating or discomfort of the animals, sufficient shade by natural or artificial means shall be provided to allow all animals kept outdoors to protect themselves from direct sunlight.

(ii) Space requirements in accordance with C(i). Enclosures shall be constructed and maintained so as to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement to maintain physical conditioning. The animal should be able to sit, stand, turn, and lie without obstruction. Adequate space for food and water containers must be provided. Inadequate space may be indicated by evidence of malnutrition, poor condition, debility, stress, or abnormal behavioral patterns. Animals shall not be tied, chained, fastened, or otherwise tethered to any stationary or inanimate object as a means of confinement or restraint to property, but must be in an approved enclosure.

(9) Carrying or causing to be carried in or upon the open area of a truck or other motor vehicle any animal that is not secured, in an animal carrier or by a harness or other device, such that the animal cannot fall, jump, or be thrown from the vehicle.

(10) Unless otherwise permitted by law, giving away or offering any animal as a prize, premium or advertising device for or as an inducement to enter any contest, game or other competition involving skill or chance.

(11) Placing or confining an animal or allowing an animal to be placed or confined in a motor vehicle under such conditions or for such a period of time as to endanger the health or well-being of such animal due to temperature, lack of food or drink, or such other conditions as may reasonably be expected to cause suffering, disability or death. If an animal is discovered in a motor vehicle under such conditions, the procedures specified in section 4-134(d) should be followed.

(b) Exceptions. Nothing in this section shall be deemed to prohibit the humane transportation of horses, cattle, sheep, poultry or other livestock in trailers or other vehicles designed, constructed, and adequate for the size and number of animals being transported. Nothing in this section shall be construed to prohibit the town department, division, or employee designated to enforce the provisions of this chapter or veterinarians from euthanizing dangerous, unwanted, injured or diseased animals in a humane manner; nor to prohibit slaughterhouses or medical facilities from the proper, humane and lawful carrying out of their activities or duties.

(c) Inspections. Animal control officers shall have the authority to conduct inspections of pet shops, kennels, dealers, or breeders, to the extent not preempted by state law, in order to determine if there is any abuse of animals. Pet shops, kennels, dealers, and breeders are subject to the state laws concerning rabies control abuse of animals shall include any act described in this section or any other act which is detrimental to the well-being of the animal. It shall be unlawful for any owner or employee of any pet shop or kennel or any dealers or breeders to violate this section.

This ordinance shall be effective upon adoption

2. **FY 2019-2020 Budget Discussion**

Town Manager Michael Scott informed the Council this item was on the agenda to enable the Council to recess the meeting to at a date and time specific to conduct a budget work session. It was the consensus of the Council to recess the meeting until April 11th at 7:00 pm.

Councilmembers Comments:

- Councilman Lee referenced a new article concerning the last budget session. He stated that the underserved are still continuing to be underserved. Some of the big ticket items in the budget included: new Police cars, a new fire truck, air packs for the Fire Department, a new garbage truck and a splash pad at Smith-Collins Park. During the meeting, Councilman Ashley stated the Town needed to finalize the plan for Smith-Collins Park. Councilman Dunn questioned the splash park. Every year citizens from East Smithfield come and express their concerns about drainage or streets and we tell them to wait until budget time. The Town Manager has already set the budget and has told his department heads what needs to be done. So again, it's the same cycle. We talk about the Sarah Yard Community Center but it's only open 9 hours a week. A bridge club wanted to meet in it and the Parks and Recreation Director was agreeable because it's not being used. It could be used for the elderly people in the community, but it's not. The wooden area behind Smith-Collins Park needs to be maintained. The ditch along Old Goldsboro road needs to be maintained. Councilman Barbour wants to spend more money for park facilities throughout Town. We have a park the Town doesn't use. As we move through the budget, what is the plan? Until the Manager starts directing Department Heads to look at the area for the needs, I will keep calling it out.

- Councilman Dunn stated that with all due respect to Councilman Lee, when he asked the question about the splash park, it was to determine the reoccurring costs. He explained that part of what the Council has to do with any project no matter what it is or where it may be is look at the reoccurring cost. He explained he was simply doing his due diligence. He suggested that Councilman Lee express his opinions during the budget process.

- Councilman Barbour stated he would love if District 4 got half of the money spent on the other side of Town. He questioned how much had been spent on his side of Town. He stated west Smithfield only has a park not owned by the Town and the Town needs to be spending money on his side of town, but he wasn't going to forget the other needs throughout the Town. He explained he has been one of the biggest advocate for the splash pad at Smith-Collins Park. He stated nothing would be accomplished if the Council did not work together and they should be working for the good of the entire Town. He also stated he was proud the Council adopted the tethering ordinance.

- Mayor Pro-Tem Scott stated the Council was on a good start with budget. The Town Manager opened the floor for discussion with each councilmember having an opportunity to speak and there was little discussion Mayor Pro-Tem Scott felt the Council should be more proactive instead of reactive and work together. Financially the Town is stable and the Council needs to be looking at the big picture instead of anyone's personal agenda.

- Councilman Ashley stated he was in agreement with Councilman Lee and voted for all the improvements for Smith-Collins Park. He stated the Council needed to make the park a priority because if they did then there wouldn't be any types of these discussions.

- Mayor Moore reminded everyone about the Litter Sweep on April 13th from 7:00 am until 11:00 am. He challenged all of the Council to come out and support clean-up efforts in every district in Town. He explained that several Municipalities were doing the same and all Municipalities were adopting a joint Proclamation. He asked everyone to come together to work for all of the communities and all of the Town. Mayor Moore stated #SSStrong Day followed the Litter Sweep so he encouraged everyone to make it a Smithfield Day.

Town Manager's Report:

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

- Hydrant Testing: The Fire Department will begin their annual hydrant testing. In mid-April and will continue until the end of May.

- SRAC: A Mother/Son Dance is scheduled for the evening of April 13th for those who are interested. It will begin at 7:00 at the Sarah Yard Center. We are also preparing to celebrate the 10th Anniversary of the SRAC on May 26th of this year. District Senior Games are also taking place this weekend, as well as the opening of the baseball season for the Miracle League.

- River Bank: The budgeted riverbank refurbishment is underway with sheet pile driving beginning this week. This will create some additional noise in the area while the driving is taking place. The project will run through the fall.

- Ham and Yam: The Ham and Yam event is scheduled for Saturday, May 4th in the downtown area. Please make plans to attend and bring the entire family for all day fun.

- A highlight of each department's monthly activities was given to the Council

Close Session pursuant to NCGS 143-318.11 (a) (4): To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations

Councilman Barbour made a motion, seconded by Councilman Dunn, to enter into Close Session. Unanimously approved at 9:13 pm.

Reconvene in Open Session

Mayor Pro-Tem Scott made a motion, seconded by Councilman Dunn, to reconvene in Open Session. Unanimously approved at 9:37pm.

Recess

Being no further business, Councilman Barbour made a motion, seconded by Councilman Rabil, to recess the meeting until April 11, 2019 at 7:00 pm. Unanimously approved. The meeting recessed at approximately 9:38 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

The Smithfield Town Council reconvened its April 2, 2019 meeting on Thursday, April 11, 2019 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:	Councilmen Absent	Administrative Staff Present
Travis Scott, Mayor Pro-Tem	Emery Ashley, At-Large	Michael Scott, Town Manager
David Stevens, District 2	Marlon Lee, District 1	John Blanton, Fire Chief
Dr. David Barbour, District 4		Lenny Branch, Public Works Director
John A. Dunn, At-Large		Ted Credle, Public Utilities Director
Stephen Rabil, At-Large		Gary Johnson, Parks & Rec Director
		Shannan Parrish, Town Clerk
		R. Keith Powell, Chief of Police
		Greg Siler, Finance Director
		Stephen Wensman, Planning Director

Reconvene: April 2, 2019 Meeting

Mayor Moore reconvened the meeting at 7:00 pm

1. **FY 2018 – 2019 Manager's Informal Budget Overview**

Town Manager Michael Scott made a presentation to the Council concerning the FY 2019-2020 Budget.

Items that warranted discussion by the Council were as follows:

Water Plant Project, Bulk Water Contract, Increase Sewer Rates, Personnel Requests, Equity Drive Resurfacing, Sarah Yard Community Center Fees, Storm Water Utility, Motor Vehicle Tax, Electric Rate Changes, Salary Study Recommendation, Personnel Benefits / Salary Increases, Fund Balance and Debt.

- Equity Drive Repairs: The Town Manager explained this was an expensive project currently not included in the budget.
- Sarah Yard Community Center Fees: The Town Manager explained this item would be further discussed when reviewing the fee schedule, but currently those attending the Center were not being charged a fee. In the beginning, there were a lot of donations for attendees, but those donations have ceased. It was the recommendation of the Parks and Recreation Director Greg Johnson to continue with that practice of not charging admission to the Sarah Yard Community Center.
- Storm Water Utility: The Town Manager explained the stormwater plan was being created, but this would likely not be completed until after the budget was adopted.
- Motor Vehicle Tax: The Town Manager explained this was not included in the budget even though many communities are doing it and it was another General Fund revenue source.
- Capital Transfers from the Electric Fund: The Town Manager explained there were no capital transfer from Electric Fund. The electric fund is charged for property taxes which are paid to the General Fund.
- Electric Rate Changes: The Town Manager explained the Town received projections from ElectriCities for wholesale electric rates. Staff has budgeted $12,750,000 for electricity purchased. Wholesale electric rates were increased by 1.2% percent effective April 1, 2019 and the Town did not increase its rates to our customers. UFS is currently completing a rate refresher that will include this adjustment. In 2021, a second increase in Wholesale Electric rates by three percent (3%) is projected.

- Water Rates: The Town Manager explained there were no increases in water rates requested in FY 2020.

- Sewer Rates: The Town Manager explained Johnston County has indicated they will increase sewer rates by 10%. This increase has been included in the budget and will be passed on to the customers. The I & I project on existing water lines has decreased costs, however a significant increase has been seen in FY 2018-2019 due to increased rain. This currently has the Water/ Sewer Fund over budget by less than $200,000.

- Economic Development: The Town Manager explained the same amount as last year has been budgeted for economic development: $50,000 in General Fund, $100,000 in Water Sewer Fund and $100,000 in Electric Fund. Part of those funds will be used for the infrastructure reimbursement contract with East River which won't be paid until they receive certificates of occupancy. The developer of East River has indicated that up to 42 new homes are projected to be completed in the East River subdivision in FY 2020.

- Personnel Benefits & Salary Increases: The Town Manager explained in each fund there was a 3% salary adjustment for all employees. Salary Study numbers will be presented to Council as soon as they come available. Employee benefits and retirement have remained status quo. The Town's portion of retirement has increased by 9%. Insurance Costs remain unknown but an 8% increase is included in the draft budget.

- The Water Plant: The Town Manager explained Johnston County has made formal request to fulfill the current contract. Town must invoice the County for the $3.25 million capacity fee to complete contract. This would increase the allocation to the County by, up to 1.0 Million Gallons per Day (MGD). The Town could use capacity fee charges to pay the existing contract with Wooten Company for engineering services and add an additional clear well to the water plant. The Town Manager explained he hasn't acted on the contract or invoiced them for the $3.25 million.

- Debt: The Town Manager explained that during this fiscal year, the Town retired annual debt payment of $168,639 and will retire $29,210 in debt payments in FY 2020. The Town will add debt payments of $104,116 in FY 2020 for the ladder truck and rolling stock loan which included the hook leaf truck for Public Works, SUV for the Fire Department and a dump truck for Parks and Recreation. No new debt had been included in the FY 2019-2020 budget.

- Fund Balances: The Town Manager explained that at audit end, the General Fund balance was at 68.3% or $8.1 million. The Water & Sewer fund balance was at 120% or $5.4 million and the Electric Fund balance was 56.9% or $10.7 million.

- Property Tax Rate: The Town Manager explained this was pending, but this budget included status quo for FY 19 without growth projections. The Town Manager further explained that with the tax reevaluation, final property tax revenues were still undetermined due to ongoing appeals. The budget revenue number was status quo from FY 2019 or $5,600,000. The revenue neutral projection was $6,289,370 with the new valuation. The Town Manager further explained that revenue neutral also allows you to use your growth projections which is 2.77%. The new revenue amount at the current tax of $0.57 rate would be $6,674,159. If the Town Council chose to go to the revenue neutral tax rate the property tax rate would be $0.5371. The Town Manager also provided a property tax rate history from 1998 to the present to show the rate of $0.57 has been in place since 2003. He reminded the Council that property taxes were the largest revenue source for the General Fund.

- Salary Study: The Town Manager informed the Council he did receive preliminary information on the salary study. He and the Human Resources Director Tim Kerigan had a conference call and the Town was looking at a considerable amount of money if the Council chose to incorporate the recommendations for all employees at the same time. The Town Manager was estimating $200,000 to $300,000 if implemented at the same time.

Councilman Barbour questioned if this was an annual cost. The Town Manager responded this was a reoccurring cost. Councilman Barbour further stated the Council should take that into consideration with the additional revenue from the revaluation. If the Council chose to let those funds go away then they wouldn't have the funds to pay Town staff. It was his opinion that the Council owed it to the staff to pay them what they deserved.

Property Tax Rate & Revenue

Mayor Pro-Tem Scott questioned if the $5.6 million was projected for FY 2019-2020. The Town Manager explained it was projected for this fiscal year because you never collect 100% of property taxes. The Town Manager further explained that number was a conservative number because it helps maintain the General Fund balance going forward.

Mayor Moore questioned if the $6,119,993 referenced in the additional information provided by the Town Manager was the revenue generated if the Council chose to keep the property tax rate at $0.57. The Town Manager responded it was the revenue neutral rate without the growth projection of 2.77%. This would also reduce the property tax rate to $0.5227

Mayor Pro-Tem Scott asked the Town Manager to define revenue neutral projection because based on the information provided, the Council could choose to reduce the property tax rate. The Town Manager explained the $6,119,993 revenue amount was based on a property tax rate of $0.57 and the tax from last year before revaluation. With the revaluation, if the Council did not want to add the growth rate, the property tax rate would be reduced to $0.5227 to maintain the $6,119,993 revenue. With the growth rate of 2.77%, the property tax would be reduced to $0.5371 to realize a revenue of $6,289,370. He explained the growth rate was not growth of people but growth of property tax revenue.

Fund Balance

Mayor Pro-Tem Scott questioned if there was any General Statute that mandated the maximum amount of fund balance a Town should have. Finance Director Greg Siler responded that the General Statute only addressed the minimum amount a Municipality should have, but municipalities are grade by their peers. The Town Manager explained the smaller the community, the greater the fund balance should be. Councilman Barbour questioned at what percentage would the Council determine there was enough fund balance. The Town Manager responded when the Town Council approved the fund balance policy, it was set at 25%, but the goal was to keep a fund balance of at least 50%. By being above this, the Town could pay for projects like Venture Drive and Equity Drive. The Town Manager further explained the tax payers would rather receive some type of service for the taxes they pay, but there was nothing wrong with saving money to pay for project(s). Mayor Pro-Tem Scott reminded the Council that having a healthy fund balance also assists during major disaster like hurricanes.

Equity Drive

The Town Manager explained that Equity Drive was a $1 million project. He stated he had been approached by the property owners and they would like to speak about the condition of the road. In his opinion, the Town Manager felt the Town should repair Equity Drive now believing there was no reason to wait. He explained there was $176,000 left in the paving budget and the additional funds could be used from the General Fund Balance. Mayor Pro-Tem Scott expressed his concern about looking at the total project to include sidewalks. Mayor Pro-Tem Scott questioned if the business owners were willing to contribute funds to the Project. The Town Manager responded the business owners were not willing to contribute to the project because they felt their property tax dollars already contributed to the project. The Town Manager stated that based on a property tax rate of $0.57 after revaluation, those business owners on Equity Drive pay $313,000 a year. They felt that was enough to maintain the road. Also, the Town cannot assess them for the repairs without their approval. The Town Manager further explained the underlayment was good in some spots so the entire road would not have to have the Full

Depth Reclamation (FDR) like Venture Drive. Also included in the $1 million estimate was sidewalks on one side of the road and curb and gutter. Councilman Barbour stated that services received by those property owners should be deducted from the property tax revenue. The Town Manager responded the property owner on Equity Drive do receive Fire, Police and road maintenance services, but they do have sales tax revenue and occupancy tax revenue that comes back to the Town. He further stated that those properties are a large revenue stream for the Town. The Town Manager reminded the Council that during the pavement condition study, Equity Drive was listed as the second worst road in the Town only behind White Oak Drive. White Oak Drive would not be completed until after the Booker Dairy Road project was completed. Mayor Pro-Tem Scott requested staff to take a serious look at where the sidewalk would be constructed and if the Town should finance the project through debt service. Councilman Barbour questioned if the Town should consider asking the property owners to financially assist with the sidewalks if the Town would pay for the road repairs.

Mayor Moore suggested that Towne Centre Drive have no parking signs installed because if semi trucks were what ruined Equity Drive then Towne Centre Drive would be in need of major repairs in the near future.

Water Plant Expansion & Contract with Johnston County

Town Manager Michael Scott informed the Council that he need direction on the contract with Johnston County. He explained the Town agreed to reserve 2.5 million gallons of water a day for the exclusive use of the county. The minimum purchase would be of 2 million gallons a day whether they use it or not. The agreement adds an extra 1 million gallons a day if we can provide it. For that capacity, they are paying the Town a one-time fee of $3.25 million (or $3.25 per gallon). The contract allows the Town to buy back the capacity at the same rate in the event the Town needs the capacity. In the contract, the Town will charge the County a bulk rate of $2.00 per thousand gallons beginning July 1, 2017. The rate can be adjusted with 90 day written notice to the County.

Councilman Stevens questioned if the County had just entered into an agreement with Sampson County. The Town Manager responded if the news media was correct, the County was purchasing water from Sampson County at a rate of $2.50 per thousand gallons. Councilman Stevens suggested increasing the rate to $2.25. Public Utilities Director Ted Credle responded the Town keeps the costs low to stay competitive, but agreed that the Town should increase its rate by 10% to $2.20 per thousand gallons. Mayor Pro-Tem Scott agreed that the rate should be increased by he questioned the cost of making potable water and further questioned when the UFS study would be completed. The Town Manager responded the UFS study would not be completed until the budget was adopted.

Councilman Barbour stated it was his understanding the Town could provide the County with the water they needed. Councilman Barbour suggested the Town execute the contract and put the $3.25 million in the bank to draw interest and if the Town needs the capacity, they can simply purchase it back from the County. The Town Manager stated it costs $1.41 to make the water. He conceded there was a margin of error of 1 or 2 cents; therefore, the Town was making money on the sale of water to the County.

Mayor Pro-Tem Scott questioned the need for the water plant expansion if the Town could provide water immediately to the County. The Town Manager responded if the Town provided the County with the extra water, it would raise the capacity to 90%. At that time, the Town would have a reasonable amount of time to complete some form of expansion. The Town is currently creating plans for the expansion because that was required when capacity reached 80%. The Town Manager suggested an alternative to the full water plant expansion stating that the Town could use the capacity fee funds of $3.35 million to be paid by the County to install a clear well. This would lower the capacity back to 80%.

Mayor Pro-Tem Scott questioned if the Town could negotiate the water draw agreement with the County. The Town Manager responded that the Town has been permitted for the

water draw from the Neuse River, but if that draw was given to the County then the Town may never be able to get that water back and a few dry months could make all the difference for water production. The Town Manager explained he was concerned about expanding the water plant with its current plans and being able to afford the debt.

Mayor Moore informed the Council that they already voted to approve the Bulk Water Agreement with the County. The contract has been fully executed by the Town and the County. At this point, all the County has to do is say they want the water. The Town Manager responded that the County has already requested the additional capacity. Mayor Moore reminded the Council that the Town could be faced with legal action should the Town be in breach of contract. Mayor Moore suggested the Town could try to renegotiate the contract with the County, but this contract was fully executed. The Town Manager stated the County must make its request by the end of the fiscal year and they have made that request. The Town Manager further explained that he has not sent the County the invoice for the $3.25 million. He sated he was getting uncomfortable and he needed a decision from the Council

Mayor Pro-Tem Scott suggested the Town Manager meet with the County Manager to determine if the contract could be enacted on after the UFS study was completed.

The Town Manager explained that he and Pam Lampe have had considerable conversations about the expansion of the water plant and while they differ on some things, they agreed it was a good idea to move forward with the Bulk Water Agreement with the County, use the capacity fee funds of $3.25 million to build the clear well and not jump into the full expansion. Mrs. Lampe agreed with the Town Manager stating in the future if the Town needed the capacity, they could simply buy it back from the County. She also stated that she felt strongly that the Town should increase the bulk rate water for the County.

Mayor Pro-Tem Scott asked Public Utilities Director Ted Credle for a recommendation on this matter. Mr. Credle responded his recommendation would be to send a letter to the County tomorrow explaining the bulk water rate would increase 10% to $2.20. He further recommended that the invoice be sent to the County for the $3.25 million and use those funds to build a clear well.

> Councilman Barbour made a motion, seconded by Councilman Stevens, to write a letter to Johnston County informing them of the bulk water rate increase of 10% or $2.20, invoice Johnston County for the $3.25 million, use the $3.25 million to build the clear well and to pay for the Wooten Company's engineering fees which have been incurred. Unanimously approved

<u>Personnel Requests and Council Salaries</u>
Town Manager Michael Scott informed the Council that included in the budget were two additional staff: an administrative assistant for the Fire Department and an assistant Finance Director. The salary of the assistant finance director would be equally shared between all three funds. These two positions would not be hired until January 1, 2020

Mayor Moore questioned if there was office space to allow for the hiring of an assistant finance director. The Town Manager responded there was $12,000 placed in the budget for the Planning Department's remodeling. There was also areas in the Finance Department that could accommodate an office.

Also included in the budget was a salary increase of $1000 for the Mayor and each member of the Town Council.

2. Utilities

a. Water Plant:

Public Utilities Director informed the Council that most of the department's budget remained status quo. Mr. Credle highlighted some line items in the proposed FY 19-20 Water Plant budget.

They are as follows:

- Overtime: There was a 50% increase in this line due to the need for coverage during holidays, vacations, emergencies and sick time.

- Utilities: There was a 3% decrease in this line

- Vehicle Supplies and Maintenance: There was a 25% decrease in this line due to the purchase of new vehicles which require little maintenance.

- Supplies and Operations: There was a 4% increase in this line due to the increased cost of Aluminum Sulfate which can only be purchased from China

- Service Contracts: There was an 11% increase in this line due to increased river dredging.

- Capital Outlay: There were two projects in the capital outlay line. 1) Replacement of Filter Media in three existing filters because they were refurbished about 7 years ago 2) SCADA upgrades.

Mayor Pro-Tem Scott questioned the sludge removal in the service contract line. Mr. Credle responded that is for removal of the sludge by Waste Management after it has been processed. The Town Manager explained the Town also processed some sludge for the Town of Selma which netted the Town about $20,000 a year. After speaking with Selma's Interim Town Manager, they are requesting to continue with the contract.

b. Water/ Sewer

Public Utilities Director Ted Credle informed the Council that most of the department's budget remained status quo. Mr. Credle highlighted some line items in the proposed FY 19-20 Water/Sewer budget. They are as follows:

- Overtime: There was a 41% increase in this line due to the need for coverage during emergencies or after hour repairs.

- Equipment Maintenance and Repair: There was a 14% decrease in this line.

- Vehicle Supplies and Maintenance: There was a 6% decrease in this line due newer vehicles requiring less maintenance.

- Supplies and Operations: There was a 14% increase in this line due to tariffs in China and the increased cost of steal and copper

- Service Contracts: There was a 41% increase in this line due to utilizing a contractor for street repairs for utility street cuts.

- Capital Projects: Included in the Capital Projects are the I & I project, lift station repairs, manhole rehab, waterline upgrades and digitized mapping.

- Capital Outlay: Included in the Capital Outlay is an outfall machine and Phase 2 of the Durwood Stephenson 16" water line extension. Mr. Credle explained this was a rather expensive project because the land is mostly swamp and a lot of boring will have to be done.

c. Electric

Public Utilities Director Ted Credle informed the Council that most of the department's budget remained status quo. Mr. Credle highlighted some line items in the Electric Department proposed FY 19-20 budget. They are as follows:

- Overtime: There was a 10% increase in this line for emergency response and repairs.

- Equipment Maintenance and Repairs: There was a 32% decrease in this line because building repairs and security updates have been completed

- Supplies and Operations: There was a 4% increase in this line because of steel and copper cost increases.

- Capital Outlay: included in the Capital Outlay was design and construction of the North Circuit and raising the transformer at the Hospital. The design and construction of the North Circuit was sent out for bids, but the bids were over the budgeted amount so it will have to be rebid. Mr. Credle explained that during Hurricane Matthew, the transformer at the hospital was flooded and they were on generator power for 4 days which caused major concern for the hospital. The Town approached the hospital about raising the transformer at a cost to the hospital of $120,000. At that time, the hospital felt it was not their financial responsibility. Mayor Moore questioned if raising the transformer was the responsibility of the hospital or the Town. The Town Manager responded that he added this to the budget so the Council could discuss it and make a decision. Councilman Stevens questioned if the design and construction of the north circuit was something that needed to be done this year. Mr. Credle responded if the land is developed around the new Booker Dairy Road, he wants to be able to provide electricity to those developers. The project is very important to the north side and it provides the infrastructure from the Brogden Road substation to the north side of Town.

- Debt service: The only item included in the Electric Fund's Debt service is the substation loan. Mayor Pro-Tem Scott questioned when the ElectriCities debt would be fall off. Mr. Credle responded he believed it was 2022.

Recess

Mayor Pro-Tem Scott made a motion, seconded by Councilman Barbour to recess the meeting until Monday, April 15, 2019 at 7:00 pm. The meeting recessed at approximately 9:17 pm.

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan L. Parrish, Town Clerk

Request for Town Council Action

Consent Agenda Item:	**Application for Temporary Use Permit**
Date:	05/07/2019

Subject:	Temporary Use Permit
Department:	Greater Vision Worship Center
Presented by:	Planning Department
Presentation:	Consent Agenda Item

Issue Statement

The Town Council is being asked to authorize Greater Vision Worship Center to hold a Community Day Fun Festival at Smith Collins Park, located at 502 Martin Luther King Jr. Dr.

Financial Impact

None

Action Needed

To Approve the Temporary Use Permit Application

Recommendation

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application

Staff Report

Consent Agenda Item:	**Application for Temporary Use Permit**
Date:	**05/07/2019**

Greater Vision Worship Center would like to hold a Community Day Fun Festival at Smith Collins Park, located at 502 Martin Luther King Jr. Dr. The event would take place on May 25, 2019 from 10:00 am to 4:00 pm. The set-up time will begin at 7:30 am. Food and goods will be sold. There will be food trucks, a health and education booth, pony rides and bounce houses. Smithfield Police Department will be needed for security. Five to six trash cans have been requested from the Public Works department. Amplified sound will be used. This special event is expected to draw more than 100 people in attendance.

RECEIVED
MAR 28 2019
TOWN OF SMITHFIELD PLANNING DEPT.

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

Temporary Use Permit Application

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

TYPES OF EVENT

PERMIT FEE $100

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

Community Day Fun Festival / Greater Vision Worship Center
Name of Event

502 Martin Luther King Jr. Dr. Smith Collins Park Smithfield, NC
Location of Event **(exact street address)**

Applicant name Sakima Walker E-mail address lakima walker@yahoo.com

Address 110 Impressive Lane Clayton, NC Zip 27520

Day phone (919) 333-7705 Mobile phone (919) 333-7705

Event Date May 25, 2019

Event set-up date /start time May 25, 2019 7:30 am Event clean-up date/end time May 25, 2019 - 4pm

Sound amplification hours 10:00 m Will food or goods be sold? yes

Security provided by Smithfield Police or private security (describe duties): I have spoken with Smithfield police officer Demoble

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

Will any Town property be used (i.e., streets, parks, greenways)? Smith Collins Park

Are event trash cans needed? Yes How many? 5 to 6

Do you wish to: Restrict animals at this event? (Circle Yes No) Prohibit Fireworks? (Circle Yes No)

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

Sakima Walker — Applicant's name (print)
Signature
3/28/2019 — Date

PLEASE RETURN THIS PERMIT TO THE PLANNING DEPARTMENT WITH $100.00 FEE.

Method of payment: Cash Check # _____ Credit Card _____ Amount $ _____

Reviewing Planner: _____ Date: 3/28/19
(Note: See attached letter)

Request for Town Council Action

Consent Agenda Item:	**Application for Temporary Use Permit**
Date:	05/07/2019

Subject:	Temporary Use Permit
Department:	Ava Gardner Festival
Presented by:	Planning Department
Presentation:	Consent Agenda Item

Issue Statement

The Town Council is being asked to authorize the Ava Gardner Museum to hold its annual festival on May 31, 2019

Financial Impact

None

Action Needed

To Approve the Temporary Use Permit Application

Recommendation

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Letter from Ava Gardner Museum Director
4. Letter from property owner Allen Wellons

Staff Report

Consent Agenda Item:	**Application for Temporary Use Permit**
Date:	**05/07/2019**

The Ava Gardner Museum Board of Directors and Museum Director would like to conduct the annual Ava Gardner Festival at the Museum and also in the parking lot adjacent to the museum. The event would take place on May 31, 2019 from 7:00 pm until 10:00 pm. Set up would take place on Thursday May 30th at 6:00 pm to allow for the installation of tents. No food or goods will be sold, but the Museum Director is seeking approval to allow for consumption of alcohol on May 31st from 7:00 pm until 9:00 pm within the event area. Amplified sound will be used from 7:00 pm until 9:30 pm.

Ava Gardner
M · U · S · E · U · M

April 16, 2019

Town of Smithfield
P O Box 761
Smithfield, NC 27577

RE: Ava Gardner Museum Special Events

Dear Mayor Moore, Council and Staff,

Enclosed please find a temporary use permit application for our planned Ava Gardner Festival, to be held on May 31 – June 1. I am also enclosing a notarized affidavit verifying notification of the property owner, as well as a copy of the notification itself. I have verified with our insurance provider that our coverage extends to this event, and they will be providing us with a copy of our proof of insurance for Mr. Wellons.

The opening night event will be on Friday, May 31 from 7:00 – 9:30 pm at the Ava Gardner Museum, located at 325 E. Market St. We are requesting the closure of the parking lot located between our building and 329 E. Market St from 6:00 pm on Thursday May 30 to 10:00 pm on Friday May 31, in order to set up and tear down the stage and tents for our event. In addition, we request approval to allow for consumption of alcohol on May 31 from 7:00 pm – 9:00 pm, pm within the event area, which would be the Museum, as well as the parking lot area directly next door.

Please contact me at lynell@avagardner.org or (919) 934-5830 with any questions. The Ava Gardner Museum appreciates the support of the Town of Smithfield, and we hope to see many of you at the Ava Gardner Festival!

Sincerely,

Lynell Seabold

Lynell Seabold
Museum Director

Enclosures (3)

325 E. Market Street, Smithfield, North Carolina 27577 • Phone: 919-934-5830 • Fax: 919-934-6998 • www.avagardner.org
Non-profit Tax ID #56-1965384 • 501(c)3

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

Temporary Use Permit Application

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

PERMIT FEE $100

TYPES OF EVENT

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

Ava Gardner Festival
Name of Event

Ava Gardner Museum, 325 E. Market St.
Location of Event **(exact street address)**

Applicant Name Lynell Seabold E-mail Address lynell@avagardner.org

Address 325 E. Market St. Zip 27577

Phone Number (919) 934-5830 Event Date May 31, 2019

Event Start Time 7:00 pm Event End Time 10:00 pm

Sound Amplification Hours 2.5 Will Food or Goods be sold? No

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

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

If any Town streets require closure, please list all street names. _____

Are event trash cans needed? No How many? _____

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

Lynell Seabold
Applicant's Name (print)

Lynell Seabold
Signature

April 16, 2019
Date

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

Planning Director: _____ Date: 4/25/19

AFFIDAVIT OF LAURA LYNELL SEABOLD

Smithfield, North Carolina
Johnston County

My name is Laura Lynell Seabold; I am the Director of the Ava Gardner Museum located at 325 East Market St. in Smithfield, North Carolina.

I affirm that I have notified the owner of the parking lot next to the museum building of our intention to hold an event in the parking lot on May 31, 2019. I have attached the email that was sent to the owner, Mr. Allen Wellons, with date, time and details, and his response.

I declare that, to the best of my knowledge and belief, the information herein is true, correct and complete.

Laura Lynell Seabold

Laura Lynell Seabold

Lucy Overby

LUCY OVERBY
NOTARY PUBLIC
JOHNSTON COUNTY, NC
My Commission Expires 3-15-2021

Allen Wellons <allen@wilkinswellons.com> 4/5/2019 3:46 PM

RE: Permission for use

To Lynell Seabold <lynell@avagardner.org>

That would be fine as long as your insurance policy is covering any liability for personal injury

---

From: Lynell Seabold [mailto:lynell@avagardner.org]
Sent: Friday, April 05, 2019 3:18 PM
To: allen@wilkinswellons.com
Subject: Permission for use

Dear Mr. Wellons,

My name is Lynell Seabold and I am the Director of The Ava Gardner Museum. I wanted to inform you that we are planning a special event on May 31, the 'Ava Gardner Festival'. During this event, we are planning to have a band perform in the small side parking lot next to the Museum at 325 East Market St. I am writing to you, as the owner of the property, to serve notification of the above referenced event and to request permission to use the parking lot on May 31, 2019. This would require the parking lot to be closed from 5:00 pm on May 30 through 11:00 pm on May 31. We will be setting up a stage for the band to perform on, as well as tents in case of inclement weather. I understand that our board chair, Todd Johnson, has already mentioned this to you, and I am following up on that conversation.

At your convenience, please respond so I can verify to the Town of Smithfield that you have received this notification, and of course to let us know if you are in agreement with our plans. Please contact me at this email address with any questions, thank you for your consideration.

Lynell Seabold

Museum Director

Ava Gardner
M · U · S · E · U · M

325 East Market St.; Smithfield, NC 27577

919-934-5830; Email: Lynell@avagardner.org

www.avagardner.org

- image001.jpg (7 KB)

Request for Town Council Action

Consent Agenda Item:	**Fire Department Firefighter II Promotion**
Date:	05/07/2019

Subject:	Firefighter II Promotion
Department:	Fire Department
Presented by:	Chief John Blanton
Presentation:	Consent Agenda

Issue Statement

The Fire Department currently has one eligible firefighter that has met all requirements to be promoted to the position of Firefighter II within the Fire Department Career Ladder.

Financial Impact

The Fire Department budgeted an increase in the amount of $221.13 for this promotion in the current Fiscal Year 2018-2019.

Action Needed

Council to approve this promotion within the department's Career Ladder.

Recommendation

To approve the career ladder promotion.

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Career Ladder Policy

Staff Report

Consent Agenda Item: **Fire Department Firefighter II Promotion**

Smithfield Fire Department Career Ladder Policy

PURPOSE

- The purpose of this procedure is to identify the eligibility requirements for the positions of Firefighter I, Firefighter II, and Fire Engineer, Fire Lieutenant, Fire Captain, Fire Inspector I, Fire Inspector II, Assistant Chief – Fire Marshal, Division Chief – Training, and Fire Chief.

Positions within the Smithfield Fire Department are established to provide for the advancement of qualified, efficient, effective, skilled, and dedicated personnel. These personnel must, through initiative, loyalty, and commitment, be able to actively contribute to the efficient and harmonious operations of the department. A thorough knowledge of department operations, equipment and the department's jurisdiction must be achieved and maintained.

POLICY

- It shall be the policy of The Town of Smithfield Fire Department to provide career advancement, subject to budget limitations, for the personnel who demonstrate an acceptable level of knowledge, skill, and ability.
- To be considered for promotion/selection to any of the positions below, a candidate must maintain annual upgrades for all certifications and requirements where applicable. The candidate must have a recommendation letter from their immediate supervisor and have received no disciplinary action within the last 12 month period.
- The Fire Chief may waive certain requirements to maintain a balance of job classifications.

ELIGIBILITY REQUIREMENTS

Firefighter I

- High School Diploma or GED
- Must have and maintain a valid NC driver's license
- NC Fire and Rescue Commission Firefighter Certification
- NC Fire and Rescue Commission Hazardous Materials Level 1 Responder Certification
- NC Emergency Medical Technician Certification
- Must successfully complete departmental testing
- National Incident Management IS-700
- National Incident Management IS-800
- NC Class B Driver's License must be obtained within 6 months of hire date

Firefighter II

- Must have served twenty-four (24) months as a Firefighter I with The Town of Smithfield Fire Department
- NC Fire and Rescue Commission Emergency Vehicle Driver Certification
- NC Fire and Rescue Commission Technical Rescuer Certification
- Completion of departmental Driving Programs for all apparatus
- Must be at least 21 years of age
- National Incident Management ICS-100
- National Incident Management ICS-200
- Must successfully complete departmental testing

Request for Town Council Action

Consent Agenda Item:	**Donation of Sick Leave**
Date:	05/07/2019

Subject:	Request for Approval of Donation of Sick Leave
Department:	Public Utilities – Water Plant
Presented by:	Tim Kerigan
Presentation:	Consent Agenda

Issue Statement
Staff is requesting the approval of the donation of sick time to a requesting employee from fellow employees.

Financial Impact
None expected.

Action Needed
Consideration and approval of request.

Recommendation
Approval of request not to exceed 60 hours of donated sick hours to the requesting employee.

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report

Staff Report

Consent Agenda Item: **Donation of Sick Leave**

A Water Plant Operator II has proven to be highly valued. He has medical health condition not associated with work, but has limited sick/vacation time available and has requested the donation of sick time from other employees. This time would concur with approved FMLA leave totaling a maximum of 12 weeks. The employee has approximately 130 hours currently available for leave and is requesting the donation of an additional 60 hours of sick leave to be donated. This is less than 12 weeks, but what is expected for recovery.

I have reviewed this request and seek approval from Council to allow other employees to donate sick hours to the requesting employee. If approved, all donations of time must be completed and submitted no later than May 14, 2019 and will not exceed a maximum of 60 hours.

Request for Town Council Action

Consent Agenda Item:	**No Parking Towne Centre Place**
Date:	05/07/2019

Subject:	No Parking on Towne Centre Place
Department:	Police Department
Presented by:	Chief R.K. Powell
Presentation:	Consent Agenda

Issue Statement

The Police Department is requesting Council to consider creating "No Parking" on Towne Centre Place that runs between Sheets and Golden Corral. This is intended to eliminate parking that will likely damage the roadway.

Financial Impact

Action Needed

Council to consider approving "No Parking" on Towne Centre Place

Recommendation

Council to consider approving "No Parking" on Towne Centre Place.

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Photos
3. Map of the Location

Staff Report

Consent Agenda Item: **No Parking**

I have been requested to present this report to Council for the consideration of creating "No Parking" on Towne Centre Place. The Town has taken over the street and has seen an increase in Semi-Trucks and other large vehicles turning around in the cul-de-sac. The vehicles are being parked on the street and left for extended periods of time. By making this a "No Parking" area, it is intended to eliminate parking in that area that will likely lead to major damage on the roadway.


70
TOWNE CENTRE PLACE
SMITHFIELD BUSINESS PARK

Request for Town Council Action

Consent Agenda Item:	**Audit Contract**
Date:	05/07/2019

Subject:	Contract Consideration with Thompson, Price, Scott, Adams & Co., P.A. to Perform the Town of Smithfield Audit for Fiscal Year Ending June 30, 2019.
Department:	Finance
Presented by:	Finance Director - Greg Siler
Presentation:	Consent Agenda

Issue Statement: During the March, 2017, council meeting, Town Council approved Thompson, Price, Scott, Adams & Company, P.A. to perform its' annual audit.

Financial Impact:

Not to exceed $22,750 except for fees incurred in obtaining required audit evidence (i.e. bank confirmations).

Action Needed: Approve contract to audit accounts to Thompson, Price, Scott, Adams & Company, P.A.

Recommendation: Authorize Town Manager to execute the contract

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Engagement Letter
3. Contract

Staff Report

Consent Agenda Item: Audit Contract

An audit contract fee of $22,750 is proposed by Thompson, Price, Scott, Adams & Company, P.A. to perform the Town's 2019 fiscal year audit. The fee is the same as last fiscal year and is for auditing the financial records of the governmental and business-type activities, a single audit of any federal and state awards over $500,000, and the preparation of financial statements for each fund. The audit contract is an annual agreement which must be approved each year by Council and the Local Government Commission. Thompson, Price, Scott, Adams & Company, P.A. was approved by Council in March, 2017, to perform the Town's audit for three years beginning Fiscal Year 2017. Approval of this year's contract would be for year two.

General Statue 159-34 addresses audits and read as follows:

§ 159-34. Annual independent audit; rules and regulations.

(a) Each unit of local government and public authority shall have its accounts audited as soon as possible after the close of each fiscal year by a certified public accountant or by an accountant certified by the Commission as qualified to audit local government accounts. When specified by the secretary, the audit shall evaluate the performance of a unit of local government or public authority with regard to compliance with all applicable federal and State agency regulations. This audit, combined with the audit of financial accounts, shall be deemed to be the single audit described by the "Federal Single Audit Act of 1984". The auditor shall be selected by and shall report directly to the governing board. The audit contract or agreement shall (i) be in writing, (ii) include the entire entity in the scope of the audit, except that an audit for purposes other than the annual audit required by this section should include an accurate description of the scope of the audit, (iii) require that a typewritten or printed report on the audit be prepared as set forth herein, (iv) include all of its terms and conditions, and (v) be submitted to the secretary for his approval as to form, terms, conditions, and compliance with the rules of the Commission. As a minimum, the required report shall include the financial statements prepared in accordance with generally accepted accounting principles, all disclosures in the public interest required by law, and the auditor's opinion and comments relating to financial statements. The audit shall be performed in conformity with generally accepted auditing standards. The finance officer shall file a copy of the audit report with the secretary, and shall submit all bills or claims for audit fees and costs to the secretary for his approval. Before giving his approval the secretary shall determine that the audit and audit report substantially conform to the requirements of this section. It shall be unlawful for any unit of local government or public authority to pay or

permit the payment of such bills or claims without this approval. Each officer and employee of the local government or local public authority having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce all books and records requested by the auditor and shall divulge such information relating to fiscal affairs as he may request. If any member of a governing board or any other public officer or employee shall conceal, falsify, or refuse to deliver or divulge any books, records, or information, with an attempt thereby to mislead the auditor or impede or interfere with the audit, he is guilty of a Class 1 misdemeanor.

CERTIFIED PUBLIC ACCOUNTANTS
CONSULTANTS AND TAX ADVISORS

Thompson, Price, Scott, Adams & Co, P.A.
P.O. Box 398
1626 S Madison Street
Whiteville, NC 28472
Telephone (910) 642-2109
Fax (910) 642-5958

Alan W. Thompson, CPA
R. Bryon Scott, CPA
Gregory S. Adams, CPA

April 4, 2019

Town of Smithfield
Mr. Greg Siler, Finance Director
350 East Market Street
Smithfield, NC 27577

We are pleased to confirm our understanding of the services we are to provide the Town of Smithfield for the year ended June 30, 2019. We will audit the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the Town of Smithfield as of and for the year ended June 30, 2019. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Town of Smithfield' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town of Smithfield' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Law Enforcement Officers Special Separation Allowance
3. Other Post-Employment Benefit Schedules
4. Schedule of Proportionate Share of the Net Pension Liability (Asset) and Contributions – LGERS

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Smithfield' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole.

1. Combining and Individual Fund Statements, Budgetary Schedules, and Other Schedules

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally

accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the Town of Smithfield and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the Town of Smithfield' financial statements. Our report will be addressed to the Mayor and Town Council of the Town of Smithfield. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing* Standards in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the Town of Smithfield is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories (if material), and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of Smithfield' compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements and related notes of the Town of Smithfield in conformity with U.S. generally accepted accounting principles based on information provided by you. We will also assist in preparing year-end cash to accrual entries. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedures or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles, and for the compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing. We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If for whatever reason your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate. We will not undertake any accounting services (including but not limited to reconciliation of accounts and preparation of requested schedules) without obtaining approval through a written change order or additional engagement letter for such additional work.

We will provide copies of our reports to the Town; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Thompson, Price, Scott, Adams & Co, P.A. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to requesting Regulators or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Thompson, Price, Scott, Adams & Co, P.A. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately July 1, 2019 and to issue our reports no later than October 31, 2019, with final copies being provided to the Town upon approval by the Local Government Commission. Alan Thompson is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign them.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed $22,750. However, any additional fees incurred in obtaining required audit evidence (i.e. bank confirmations) will be billed directly to the Town. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the Town of Smithfield and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Alan W. Thompson
Thompson, Price, Scott, Adams & Co, P.A.

RESPONSE:

This letter correctly sets forth the understanding of the Town of Smithfield.

Management Signature: _____

Title: _____

Date: _____

Governance Signature: _____

Title: _____

Date: _____

CC: Mayor and Town Council

CONTRACT TO AUDIT ACCOUNTS

The	Governing Board TOWN COUNCIL
of	Primary Government Unit TOWN OF SMITHFIELD
and	Discretely Presented Component Unit (DPCU) (if applicable) N/A

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name THOMSPON, PRICE, SCOTT, ADAMS & CO, P.A.
	Auditor Address 1626 SOUTH MADISON STREET, WHITEVILLE, NC 28472

Hereinafter referred to as Auditor

for	Fiscal Year Ending 06/30/19	Audit Report Due Date 10/31/19

Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

County and Multi-County Health Departments: The Office of State Auditor will require Auditors of these Governmental Units to perform agreed upon procedures (AUPs) on eligibility determination on certain programs. Both Auditor and Governmental Unit agree that Auditor shall complete and report on these AUPs on

eligibility determination as required by OSA and in accordance with the instructions and timeline provided by OSA.

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2011 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.

7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit- related work in the State of North Carolina. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved 'with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

9. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 12).

10. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

12. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

13. The Auditor shall submit the report of audit in PDF format to LGC Staff when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC staff.

If the OSA designates certain programs to be audited as major programs, as discussed in Item 2, a turnaround document and a representation letter addressed to the OSA shall be submitted to LGC Staff.

14. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

15. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

16. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 26 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

17. Special provisions should be limited. Please list any special provisions in an attachment.

18. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the parent government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

19. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

20. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

21. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

22. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

23. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

24. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

FEES FOR AUDIT SERVICES

For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and *Governmental Auditing Standards* (as applicable). Bookkeeping and other non-attest services necessary to perform the audit shall be included under this contract. However, bookkeeping assistance shall be limited to the extent that the Auditor is not auditing his or her own work or making management decisions. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience necessary to oversee the services and accept responsibility for the results of the services. Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. The Auditor shall maintain written documentation of his or her compliance with these standards in the audit work papers.

Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter, but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8, 9, and 12 for details on other allowable and excluded fees.

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees below. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee. Should the 75% cap provided below conflict with the cap calculated by LGC staff based on the prior year audit fee on file with the LGC, the LGC calculation prevails.

20 NCAC 03 .0505: All invoices for services rendered in an audit engagement as defined in 20 NCAC 3 .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law.

PRIMARY GOVERNMENT FEES

Primary Government Unit	TOWN OF SMITHFIELD
Audit	$ 21,000
Writing Financial Statements	$ 1,750
All Other Non-Attest Services	$ 0
75% Cap for Interim Invoice Approval	$ 17,062.50

DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit	$
Writing Financial Statements	$
All Other Non-Attest Services	$
75% Cap for Interim Invoice Approval	$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm THOMSPON, PRICE, SCOTT, ADAMS & CO, P.A.	
Authorized Firm Representative (typed or printed) ALAN W. THOMPSON	Signature
Date 04/04/19	Email Address alanthompson@tpsacpas.com

GOVERNMENTAL UNIT

Governmental Unit TOWN OF SMITHFIELD	
Date Primary Government Unit Governing Board Approved Audit Contract (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
Mayor/Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

(Pre-audit certificate not required for charter schools)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

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

Primary Governmental Unit Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address

Request for Town Council Action

Consent Agenda Item:	**Resolution # 639 (06-2019)**
Date:	05/07/2019

Subject:	Resolution to Support HB 396
Department:	General Government
Presented by:	Mike Scott
Presentation:	Consent Agenda

Issue Statement

The Town Council had previously approved resolution 617 (04-2018) which is very similar in form to HB 396 currently proposed in the North Carolina House. This new resolution would support HB 396.

Financial Impact

None

Action Needed

Approve Draft Resolution #639 (06-2019)

Recommendation

Approve Draft Resolution # 639 (06-2019)

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Draft Resolution 639 (06-2019)
3. House Bill 396

Staff Report

Consent Agenda Item:	Resolution # 639 (06-2019)

The attached resolution offers the Town of Smithfield's support of HB 396 which authorizes the Town of Smithfield to hold a referendum vote of its citizens to create a ¼ cent local option sales tax that could be used to improve Smithfield's Streets, Infrastructure, Public Safety, Affordable Housing or Economic Development. Upon approval of the resolution, a copy will be sent to Smithfield's State Representatives and Senators encouraging them to support this bill.

TOWN OF SMITHFIELD
RESOLUTION # 639 (06-2019)
SUPPORTING HOUSE BILL 396
MUNICIPAL LOCAL OPTION SALES TAX

WHEREAS, The Town Council of Smithfield completed a community wide survey in 2017 and the primary recommendation among citizens was additional street repairs and resurfacing; and

WHEREAS, Smithfield is located on Interstate 95, US Highway 301 and US Highway 70 and is home to retail shops, hotels, restaurants and tourist destinations, as well as the County Seat of Johnson County; and

WHEREAS, This additional visitor traffic weighs heavily upon the streets and roads and emergency services of Smithfield and increases the need for road repairs and emergency personnel; and

WHEREAS, Current sales tax revenues are divided ad valorem within the County, sending the large majority of this money to areas outside of Smithfield leaving most infrastructure repairs and cost of emergency services to the property tax payer; and

WHEREAS, House Bill 396 would allow the Town to place a referendum on the ballot to levy a one-quarter cent municipal sales and use tax for the Town of Smithfield; and

WHEREAS, voters of the Town of Smithfield would be given the opportunity to decide if this additional revenue was in the best interest of the Town; and

WHEREAS, House Bill 396 would provide additional revenue to assist the Town with not only improvements to public infrastructure, but also to assist with public facilities, affordable housing, economic development and police, fire and rescue services.

THEREFORE, BE IT RESOLVED that the Town of Smithfield endorses and supports passage of House Bill 396 Municipal Local Option Sale Tax and urge our Representatives to support this bill.

Adopted this the 7th day of May, 2019.

_____

M. Andy Moore, Mayor

ATTEST:

_____

Shannan L. Parrish, Town Clerk

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H **1**

HOUSE BILL 396

Short Title:	Municipal Local Option Sales Tax.	(Public)
Sponsors:	Representative Montgomery. *For a complete list of sponsors, refer to the North Carolina General Assembly web site.*	
Referred to:	State and Local Government, if favorable, Finance, if favorable, Rules, Calendar, and Operations of the House	

March 21, 2019

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE LEVY OF A MUNICIPAL ONE-QUARTER PERCENT SALES AND USE TAX.

The General Assembly of North Carolina enacts:

SECTION 1. Subchapter VIII of Chapter 105 of the General Statutes is amended by adding a new Article to read:

"Article 47.

"First One-Quarter Cent (1/4¢) Municipal Sales and Use Tax.

"**§ 105-540. Short title.**

This Article is the First One-Quarter Cent (1/4¢) Municipal Sales and Use Tax Act.

"**§ 105-541. Levy.**

(a) Authority. – If the majority of those voting in a referendum held pursuant to this Article vote for the levy of the tax, the governing body of the municipality may, by resolution and after 10 days' public notice, levy a local sales and use tax at a rate of one-quarter percent (1/4%) in addition to any other State and local sales and use taxes levied pursuant to law.

(b) Vote. – The governing body of the municipality may direct the county board of elections to conduct an advisory referendum on the question of whether to levy a local sales and use tax in the municipality as provided in this Article. The election shall be held on a date jointly agreed upon by the governing body of the municipality and the county board of elections and shall be held in accordance with the procedures of G.S. 163A-1592.

(c) Ballot Question. – The form of the question to be presented on a ballot for a special election concerning the levy of the tax authorized by this Article shall be:

"[ ] FOR [ ] AGAINST

Local sales and use tax at the rate of one-quarter percent (1/4%) in addition to all other State and local sales and use taxes for the purposes of construction of and improvements to public infrastructure and public facilities; affordable housing; economic development; and police, fire, and rescue services."

"**§ 105-542. Administration.**

Except as provided in this Article, the adoption, levy, collection, administration, and repeal of the additional taxes authorized by this Article shall be in accordance with Article 39 of this Chapter. References to "county," "counties," or "board of county commissioners" within Article 39 of this Chapter shall be interpreted as referring to "municipality," "municipalities," or "governing body of the municipality," respectively, for purposes of the tax authorized by this Article. G.S. 105-468.1 is an administrative provision that applies to this Article. A tax levied

under this Article does not apply to the sales price of food that is exempt from tax pursuant to G.S. 105-164.13B or to the sales price of a bundled transaction taxable pursuant to G.S. 105-467(a)(5a).

"**§ 105-543. Distribution and use.**

(a) Distribution. – The Secretary shall, on a monthly basis, distribute to each taxing municipality for which the Secretary collects the tax the net proceeds, as defined in G.S. 105-472, of the tax collected in that municipality under this Article. If the Secretary collects local sales or use taxes in a month and the taxes cannot be identified as being attributable to a particular taxing municipality, the Secretary shall allocate the taxes among the taxing municipalities in proportion to the amount of taxes collected in each municipality under this Article during that month and shall include them in the monthly distribution. Amounts collected by electronic funds transfer payments are included in the distribution for the month in which the return that applies to the payment is received.

(b) Use. – A municipality may use the net proceeds of a tax levied under this Article for the purposes of construction of and improvements to public infrastructure and public facilities; affordable housing; economic development; and police, fire, and rescue services."

SECTION 2. This act is effective when it becomes law.

Request for Town Council Action

Consent Agenda Item:	**Resolution #640 Adopting LWSP**
Date:	05/07/2019

Subject:	Adopting the Local Water Supply plan for the Smithfield South Water District
Department:	Public Utilities
Presented by:	Ted Credle
Presentation:	Consent Agenda

Issue Statement

The annual report to the NCDEQ has been filed; however, acceptance will only be finalized once the Town Council adopts the update to the Smithfield South Water District's Local Water Supply Plan (LWSP)

Financial Impact

None.

Action Needed

Adopt Resolution # 640 (07-2019) for the Smithfield South Water District's Local Water Supply Plan

Recommendation

Staff recommends adoption of the resolution

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Filed Plan for 2018
3. Letter of Notification
4. Resolution #640 (07-2019)

Staff Report

Consent Agenda Item:	Resolution Adopting LWSP

The Public Utilities Department must file an annual update to the North Carolina Department of Environmental Quality (NCDEQ) regarding the Smithfield South Water District's annual update to its Local Water Supply Plan (LWSP). After the filing is reviewed by the NCDEQ, and clarifications are made, the State accepts the plan as public record. This annual update is finalized only after the local governing body passes a resolution approving the update, in accordance with General Statute 143-555 (l).

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
LINDA CULPEPPER
Director

NORTH CAROLINA
Environmental Quality

March 14, 2019

Ted Credle
Public Utility Director
Smithfield South
P.O. Box 761
Smithfield, NC 27577

Subject: LWSP Meet Minimum Criteria
Smithfield South Water System
PWSID#: 40-51-007
Johnston County

Dear Mr. Credle,

This letter is to notify you that our staff has reviewed the information contained in the 2018 Local Water Supply Plan (LWSP) update submitted by your office. Since all the required information is complete, the LWSP for the Smithfield South Water System hereby meets the minimum criteria established in North Carolina General Statute 143-355(l).

Your water system's 2018 LWSP is now viewable online from the LWSP website found at: **https://www.ncwater.org/Water_Supply_Planning/Local_Water_Supply_Plan/search.php**. The plan has been made available after our best efforts to screen any errors. As a final check, please review and report any mistakes or omissions to the review engineer. Unless notified otherwise, the Division of Water Resources considers your 2018 LWSP complete.

The 2018 LWSP must next be adopted by your water system's governing board; a model LWSP resolution is available online on the right side of the page in the Forms and Docs section at: **https://www.ncwater.org/Water_Supply_Planning/Local_Water_Supply_Plan/learn.php**. A copy of the signed resolution must be submitted to Linwood Peele, Water Supply Planning Section Supervisor, at the address printed at the bottom of this letter. The LWSP cannot be considered compliant with the requirements of NCGS 143-355(l) until an adopted resolution is received.

Thank you very much for your efforts to provide your customers with a safe and reliable supply of drinking water. We look forward to continuing to work with you in these efforts. Please contact Louis Murray at **louis.murray@ncdenr.gov** or (919)707-9017, or Linwood Peele at **linwood.peele@ncdenr.gov** or (919) 707-9024, if we can be of further assistance.

Sincerely,

Linwood E. Peele, Supervisor
Division of Water Resources
NCDEQ

Smithfield South

2018

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

1. System Information

Complete

Contact Information

Water System Name:	Smithfield South	PWSID:	40-51-007
Mailing Address:	P. O. Box 761 Smithfield, NC 27577	Ownership:	Municipality
Contact Person:	Ted Credle	Title:	Public Utility Director
Phone:	919-934-1688	Cell/Mobile:	--
Secondary Contact:	Dale Boyette	Phone:	919-934-2661
Mailing Address:	Po Box 761 Smithfield, NC 27577	Cell/Mobile:	--

Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Polyvinyl Chloride	2-6	100.00 %

What are the estimated total miles of distribution system lines? 6 Miles

How many feet of distribution lines were replaced during 2018? 0 Feet

How many feet of new water mains were added during 2018? 0 Feet

How many meters were replaced in 2018? 0

How old are the oldest meters in this system? 20 Year(s)

How many meters for outdoor water use, such as irrigation, are not billed for sewer services? 60

What is this system's finished water storage capacity? 0.0000 Million Gallons

Has water pressure been inadequate in any part of the system since last update? *Line breaks that were repaired quickly should not be included.* No

Programs

Does this system have a program to work or flush hydrants? Yes, As Needed

Does this system have a valve exercise program? Yes, As Needed

Does this system have a cross-connection program? No

Does this system have a program to replace meters? No

Does this system have a plumbing retrofit program? No

Does this system have an active water conservation public education program? No

Does this system have a leak detection program? No

Water Conservation

What type of rate structure is used? Increasing Block

How much reclaimed water does this system use? 0.0000 MGD For how many connections? 0

Does this system have an interconnection with another system capable of providing water in an emergency? Yes

2. Water Use Information

Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population
Neuse River (10-1)	100 %	Johnston	100 %

What was the year-round population served in 2018? 660

Has this system acquired another system since last report? No

Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	247	0.0538	0	0.0000
Commercial	37	0.0081	0	0.0000
Industrial	0	0.0000	0	0.0000
Institutional	1	0.0079	0	0.0000

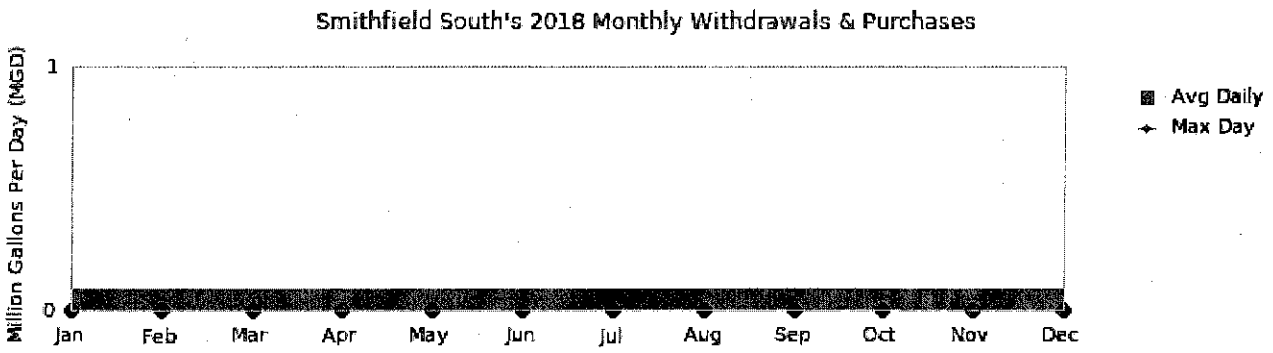
How much water was used for system processes (backwash, line cleaning, flushing, etc.)? 0.0018 MGD

3. Water Supply Sources

Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	0.0810		May	0.0810		Sep	0.0810	
Feb	0.0810		Jun	0.0810		Oct	0.0810	
Mar	0.0810		Jul	0.0810		Nov	0.0810	
Apr	0.0810		Aug	0.0810		Dec	0.0810	

The max day values are not available since the meter is only read once per month.



Water Purchases From Other Systems

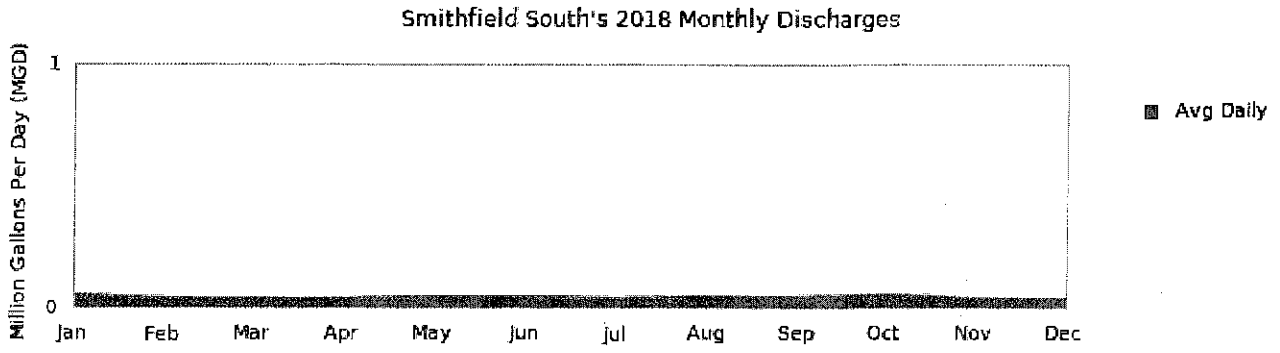
Seller	PWSID	Average Daily Purchased (MGD)	Days Used	MGD	Contract Expiration	Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
Johnston County	03-51-070	0.0810	365	0.0000		Yes	No	6	Regular

There is no contract or agreed upon volume for this system. Johnston County simply meets SSWD demand each day, whatever that amount is.

4. Wastewater Information

Monthly Discharges

	Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)
Jan	0.0550	May	0.0470	Sep	0.0440
Feb	0.0390	Jun	0.0450	Oct	0.0530
Mar	0.0380	Jul	0.0400	Nov	0.0410
Apr	0.0430	Aug	0.0450	Dec	0.0430



How many sewer connections does this system have? 174

How many water service connections with septic systems does this system have? 112

Are there plans to build or expand wastewater treatment facilities in the next 10 years? No

Wastewater Interconnections

Water System	PWSID	Type	Average Daily Amount		Contract Maximum (MGD)
			MGD	Days Used	
Johnston County	03-51-070	Discharging	0.0444	365	0.0000

5. Planning

Projections

	2018	2020	2030	2040	2050	2060
Year-Round Population	660	670	670	670	670	670
Seasonal Population	0	0	0	0	0	0
Residential	0.0538	0.0538	0.0538	0.0538	0.0538	0.0538
Commercial	0.0081	0.0081	0.0081	0.0081	0.0081	0.0081
Industrial	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Institutional	0.0079	0.0079	0.0079	0.0079	0.0079	0.0079
System Process	0.0018	0.0018	0.0018	0.0018	0.0018	0.0018
Unaccounted-for	0.0094	0.0094	0.0094	0.0094	0.0094	0.0094

Future Supply Sources

Source Name	PWSID	Source Type	Additional Supply	Year Online	Year Offline	Type
Johnston County	03-51-070	Purchase	0.0300	2020		Regular

There is no contract or agreed upon volume for this system. Johnston County simply meets SSWD demand each day, whatever that amount is". Although this is understood, the future supply needs to be added to this Plan so that it can internally calculate and show projected demand-to-supply ratios of less than 80%.

Demand v/s Percent of Supply

	2018	2020	2030	2040	2050	2060
Surface Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Ground Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Purchases	0.0810	0.0810	0.0810	0.0810	0.0810	0.0810
Future Supplies		0.0300	0.0300	0.0300	0.0300	0.0300
Total Available Supply (MGD)	0.0810	0.1110	0.1110	0.1110	0.1110	0.1110
Service Area Demand	0.0810	0.0810	0.0810	0.0810	0.0810	0.0810
Sales	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Future Sales		0.0000	0.0000	0.0000	0.0000	0.0000
Total Demand (MGD)	0.0810	0.0810	0.0810	0.0810	0.0810	0.0810
Demand as Percent of Supply	**100%**	73%	73%	73%	73%	73%

The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.

Your long-term water demand is 82 gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here.

Are there other demand management practices you will implement to reduce your future supply needs? This is a purchase water system.
We buy from Johnston County East.
JoCo will provide 100% of future demand.

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs? none

How does the water system intend to implement the demand management and supply planning components above? This is a purchase water system.
We buy from Johnston County East.
JoCo will provide 100% of future demand.

Additional Information

Has this system participated in regional water supply or water use planning? **No**

What major water supply reports or studies were used for planning?

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues:

TOWN OF SMITHFIELD
RESOLUTION #640 (07-2019)
APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for Smithfield South Water District, has been developed and submitted to the NCDEQ for approval; and

WHEREAS, the NCDEQ finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Smithfield South Water District, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield that the Local Water Supply Plan entitled, Smithfield South Water District dated 2018, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Adopted this the 7th day of May, 2019.

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan L. Parrish, Town Clerk

Request for Town Council Action

Consent Agenda Item:	**Resolution #641 Adopting LWSP**
Date:	05/07/2019

Subject:	Adopting the Local Water Supply plan for the Town of Smithfield
Department:	Public Utilities
Presented by:	Ted Credle
Presentation:	Consent Agenda

Issue Statement

The annual report to the NCDEQ has been filed; however, acceptance will only be finalized once the Town Council adopts the update to the Town's Local Water Supply Plan (LWSP)

Financial Impact

None

Action Needed

Adopt Resolution #641 (08-2019) for the Town's Local Water Supply Plan

Recommendation

Staff recommends adoption of the resolution

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Filed Plan for 2018
3. Letter of Notification
4. Resolution # 641 (08-2019)

Staff Report

Consent Agenda Item:	Resolution Adopting LWSP

The Public Utilities Department must file an annual update to the North Carolina Department of Environmental Quality (NCDEQ) regarding the Town's annual update to its Local Water Supply Plan (LWSP). After the filing is reviewed by the NCDEQ, and clarifications are made, the State accepts the plan as public record. This annual update is finalized only after the local governing body passes a resolution approving the update, in accordance with General Statute 143-555 (l).

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
LINDA CULPEPPER
Director

NORTH CAROLINA
Environmental Quality

March 26, 2019

Ted Credle
Public Utility Director
City of Smithfield
P.O. Box 761
Smithfield, NC 27577

Subject: LWSP Meet Minimum Criteria
City of Smithfield Water System
PWSID#: 03-51-010
Johnston County

Dear Mr. Credle,

This letter is to notify you that our staff has reviewed the information contained in the 2018 Local Water Supply Plan (LWSP) update submitted by your office. Since all the required information is complete, the LWSP for the City of Smithfield Water System hereby meets the minimum criteria established in North Carolina General Statute 143-355(l).

Your water system's 2018 LWSP is now viewable online from the LWSP website found at: **https://www.ncwater.org/Water_Supply_Planning/Local_Water_Supply_Plan/search.php**. The plan has been made available after our best efforts to screen any errors. As a final check, please review and report any mistakes or omissions to the review engineer. Unless notified otherwise, the Division of Water Resources considers your 2018 LWSP complete.

The 2018 LWSP must next be adopted by your water system's governing board; a model LWSP resolution is available online on the right side of the page in the Forms and Docs section at: **https://www.ncwater.org/Water_Supply_Planning/Local_Water_Supply_Plan/learn.php**. A copy of the signed resolution must be submitted to Linwood Peele, Water Supply Planning Section Supervisor, at the address printed at the bottom of this letter. The LWSP cannot be considered compliant with the requirements of NCGS 143-355(l) until an adopted resolution is received.

Thank you very much for your efforts to provide your customers with a safe and reliable supply of drinking water. We look forward to continuing to work with you in these efforts. Please contact Louis Murray at **louis.murray@ncdenr.gov** or (919)707-9017, or Linwood Peele at **linwood.peele@ncdenr.gov** or (919) 707-9024, if we can be of further assistance.

Sincerely,

Linwood E. Peele, Supervisor
Division of Water Resources
NCDEQ

Smithfield

2018

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

1. System Information

Complete

Contact Information

Water System Name:	Smithfield	PWSID:	03-51-010
Mailing Address:	PO Box 761 Smithfield, NC 27577	Ownership:	Municipality
Contact Person:	Ted Credle	Title:	Public Utility Director
Phone:	919-934-2798	Cell/Mobile:	--
Secondary Contact:	Dale Boyette	Phone:	919-934-2661
Mailing Address:	515 N. 2nd Street Smithfield, NC 27577	Cell/Mobile:	--

Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Asbestos Cement	6-16	22.40 %
Cast Iron	6-8	21.80 %
Ductile Iron	6-24	24.10 %
Galvanized Iron	1-2	7.60 %
Polyvinyl Chloride	2-12	24.10 %

What are the estimated total miles of distribution system lines? 116 Miles

How many feet of distribution lines were replaced during 2018? 7,265 Feet

How many feet of new water mains were added during 2018? 213 Feet

How many meters were replaced in 2018? 1,258

How old are the oldest meters in this system? 25 Year(s)

How many meters for outdoor water use, such as irrigation, are not billed for sewer services? 0

What is this system's finished water storage capacity? 2.0000 Million Gallons

Has water pressure been inadequate in any part of the system since last update? *Line breaks that were repaired quickly should not be included.* No

Programs

Does this system have a program to work or flush hydrants? Yes, Weekly

Does this system have a valve exercise program? No

Does this system have a cross-connection program? Yes

Does this system have a program to replace meters? Yes

Does this system have a plumbing retrofit program? No

Does this system have an active water conservation public education program? No

Does this system have a leak detection program? No

Water Conservation

What type of rate structure is used? Increasing Block

How much reclaimed water does this system use? 0.0000 MGD For how many connections? 0

Does this system have an interconnection with another system capable of providing water in an emergency? Yes

2. Water Use Information

Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population
Neuse River (10-1)	100 %	Johnston	100 %

What was the year-round population served in 2018? 12,400

Has this system acquired another system since last report? No

Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	4,517	1.1700	0	0.0000
Commercial	992	0.2572	0	0.0000
Industrial	17	0.0044	0	0.0000
Institutional	82	0.0212	0	0.0000

How much water was used for system processes (backwash, line cleaning, flushing, etc.)? 0.1860 MGD

We believe the current per capita numbers are better numbers than previous years. This belief is founded on the fact our Town has significantly upgraded its accounting/billing software during the 2018 calendar year. The numbers from previous years were the best information we had at the time; however, the confidence in the new system is higher.

Water Sales

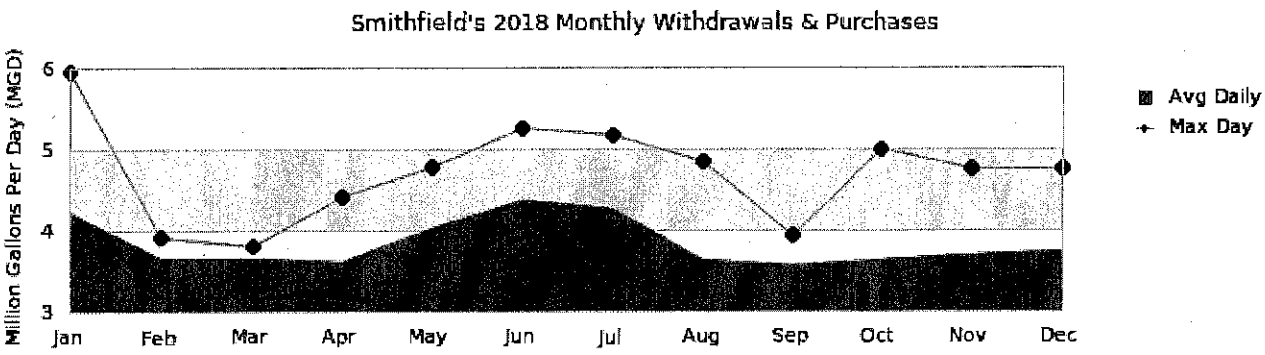
Purchaser	PWSID	Average Daily Sold (MGD)	Days Used	Contract MGD	Contract Expiration	Contract Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
Johnston County Utilities	03-51-070	2.1760	365	2.0000	2024	Yes	Yes	16	Regular

Johnston County is required to comply. In the event of drought, the Town and County will both have restrictions and will act accordingly -- almost as one unit.

3. Water Supply Sources

Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	4.2061	5.9640	May	4.0130	4.7760	Sep	3.5560	3.9180
Feb	3.6447	3.9060	Jun	4.3633	5.2560	Oct	3.6180	5.0000
Mar	3.6539	3.7940	Jul	4.2490	5.1620	Nov	3.6770	4.7500
Apr	3.6091	4.3990	Aug	3.6170	4.8520	Dec	3.7400	4.7500



Surface Water Sources

Stream	Reservoir	Average Daily Withdrawal MGD	Average Daily Withdrawal Days Used	Maximum Day Withdrawal (MGD)	Available Raw Water Supply MGD	Available Raw Water Supply * Qualifier	Usable On-Stream Raw Water Supply Storage (MG)
Neuse River	Peal Reservoir	3.8774	365	5.9640	6.2000	T	0.0000

* Qualifier: C=Contract Amount, SY20=20-year Safe Yield, SY50=50-year Safe Yield, F=20% of 7Q10 or other instream flow requirement, CUA=Capacity Use Area Permit

Surface Water Sources (continued)

Stream	Reservoir	Drainage Area (sq mi)	Metered?	Sub-Basin	County	Year Offline	Use Type
Neuse River	Peal Reservoir	1,200	Yes	Neuse River (10-1)	Johnston		Regular

What is this system's off-stream raw water supply storage capacity? 12 Million gallons

Are surface water sources monitored? Yes, Daily

Are you required to maintain minimum flows downstream of its intake or dam? No

Does this system anticipate transferring surface water between river basins? No

Water Purchases From Other Systems

Seller	PWSID	Average Daily Purchased (MGD)	Days Used	Contract MGD	Contract Expiration	Contract Recurring	Required to comply with water use restrictions?	Pipe Size (s) (Inches)	Use Type
Johnston County	03-51-070	0.0000	0	0.0000	2024	Yes	No	6	Emergency

Water Treatment Plants

Plant Name	Permitted Capacity (MGD)	Is Raw Water Metered?	Is Finished Water Ouput Metered?	Source
Smithfield Water Plant	6.2000	Yes	Yes	Neuse River

Did average daily water production exceed 80% of approved plant capacity for five consecutive days during 2018? No

If yes, was any water conservation implemented? No

Did average daily water production exceed 90% of approved plant capacity for five consecutive days during 2018? No

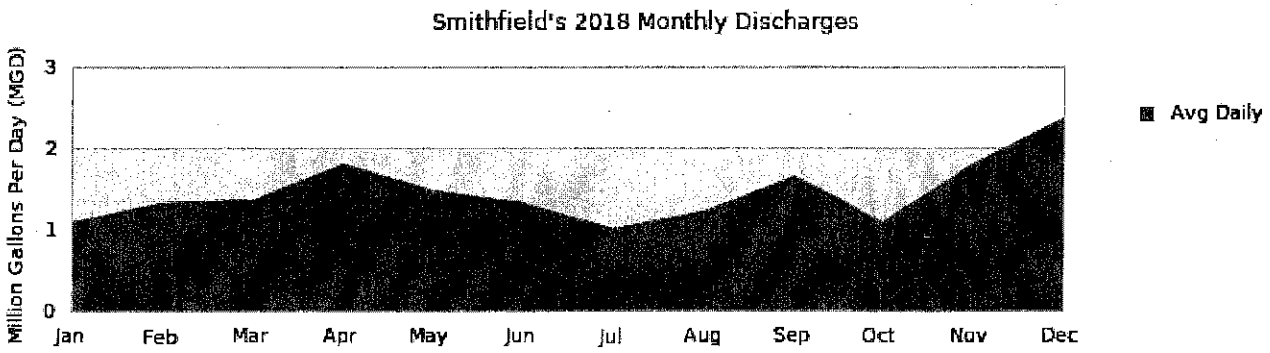
If yes, was any water conservation implemented?

Are peak day demands expected to exceed the water treatment plant capacity in the next 10 years? Yes

4. Wastewater Information

Monthly Discharges

	Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)
Jan	1.0789	May	1.4696	Sep	1.6580
Feb	1.3290	Jun	1.3201	Oct	1.0804
Mar	1.3719	Jul	0.9893	Nov	1.8070
Apr	1.7952	Aug	1.2010	Dec	2.3731



How many sewer connections does this system have? 5,170

How many water service connections with septic systems does this system have? 123

Are there plans to build or expand wastewater treatment facilities in the next 10 years? No

The monthly reported amount does not include I&I (inflow & infiltration).

Wastewater Permits

Permit Number	Permitted Capacity (MGD)	Design Capacity (MGD)	Average Annual Daily Discharge (MGD)	Maximum Day Discharge (MGD)	Receiving Stream	Receiving Basin
NC0083348	0.3000	0.3000	0.1100	365.0000	Buffalo Creek	Neuse River (10-1)

Permit NC0083348 is specific to the Smithfield WTP process water discharged into Buffalo Creek. Any amount associated with this permit should not be included in any calculation or flow value sent to JoCo waste plant.

Wastewater Interconnections

Water System	PWSID	Type	Average Daily Amount		Contract Maximum (MGD)
			MGD	Days Used	
Johnston County	03-51-070	Discharging	1.4561	365	0.0000

5. Planning

Projections

	2018	2020	2030	2040	2050	2060
Year-Round Population	12,400	12,500	12,650	12,750	12,850	12,950
Seasonal Population	0	0	0	0	0	0
Residential	1.1700	1.1773	1.1891	1.1985	1.2079	1.2173
Commercial	0.2572	0.2600	0.2678	0.2758	0.2841	0.2926
Industrial	0.0044	0.0046	0.0046	0.0046	0.0046	0.0046
Institutional	0.0212	0.0225	0.0225	0.0225	0.0225	0.0225
System Process	0.1860	0.1880	0.1900	0.1920	0.1940	0.1960
Unaccounted-for	0.0626	0.1000	0.1000	0.1000	0.1000	0.1000

Future Water Sales

Purchaser	PWSID	MGD	Contract Year Begin	Year End	Pipe Size(s) (Inches)	Use Type
Johnston County West	03-51-070	1.0000	2020			Regular

Future Supply Sources

Source Name	PWSID	Source Type	Additional Supply	Year Online	Year Offline	Type
Town of Smithfield	03-51-010	Surface	2.1000	2022		Regular

The WTP Expansion project has seen some delay and the increase to future supply has been pushed back. The supply source will now come online in 2022, and the sale should occur in 2020.

Demand v/s Percent of Supply

	2018	2020	2030	2040	2050	2060
Surface Water Supply	6.2000	6.2000	6.2000	6.2000	6.2000	6.2000
Ground Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Purchases	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Future Supplies		0.0000	2.1000	2.1000	2.1000	2.1000
Total Available Supply (MGD)	6.2000	6.2000	8.3000	8.3000	8.3000	8.3000
Service Area Demand	1.7014	1.7524	1.7740	1.7934	1.8131	1.8330
Sales	2.1760	2.1760	2.1760	2.1760	2.1760	2.1760
Future Sales		1.0000	1.0000	1.0000	1.0000	1.0000
Total Demand (MGD)	3.8774	4.9284	4.9500	4.9694	4.9891	5.0090
Demand as Percent of Supply	63%	79%	60%	60%	60%	60%

The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.

Your long-term water demand is 94 gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here.

Are there other demand management practices you will implement to reduce your future supply needs?

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs?

How does the water system intend to implement the demand management and supply planning components above?

Additional Information

Has this system participated in regional water supply or water use planning? No

What major water supply reports or studies were used for planning?

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues:

TOWN OF SMITHFIELD
RESOLUTION # 641 (08-2019)
APPROVING LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (l) requires that each unit of local government that provides public water service or that plans to provide public water service and each large community water system shall, either individually or together with other units of local government and large community water systems, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Smithfield, has been developed and submitted to the NCDEQ for approval; and

WHEREAS, the NCDEQ finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (l) and that it will provide appropriate guidance for the future management of water supplies for the Town of Smithfield, as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield that the Local Water Supply Plan entitled, Town of Smithfield dated 2018, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Adopted this the 7th day of May, 2019.

_____
M. Andy Moore, Mayor

ATTEST:

_____
Shannan L. Parrish, Town Clerk

Request for Town Council Action

Consent Agenda Item:	**Resolution #642 Records Retention & Disposition Schedule**
Date:	05/07/2019

Subject:	Records Retention & Disposition Amendments
Department:	General Government
Presented by:	Shannan Parrish
Presentation:	Consent Agenda

Issue Statement

The North Carolina Department of Natural and Cultural Resources Division of Archives and Records recently provided an update to the Records Retention and Disposition Schedule which all Municipalities that follow the schedule must adopt

Financial Impact

N/A

Action Needed

The Town Council is asked to adopt Resolution #642 (09-2019)

Recommendation

Adopt Resolution # 642 (09-2019)

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Resolution # 642 (09-2019)
3. Signature Page of the 2019 General Records Retention and Disposition Schedule for Local Government Agencies

Staff Report

Consent Agenda Item: **Amendments to the Records Retention & Disposition Schedule**

Since January 2013, The Town of Smithfield has been adhering to the North Carolina Department of Natural and Cultural Resources Division of Archives and Records Retention and Disposition Schedule. In March of this year, The NCDNCR released an additional records schedule for local government agencies that must be adopted by all Municipalities that follow the general schedule. The new local government agencies schedule should be followed along with the general schedule from 2012 that was amended in December of 2016.

The March 2019 updates to North Carolina Local Government Records Retention Schedules have been signed by the Department of Natural and Cultural Resources.
The universal update covering General Records is taking the form of a General Local Records Retention Schedule. When adopted, it supersedes the following standards on all local schedules published prior to March 1, 2019:

- Administration and Management Records
- Budget, Fiscal, and Payroll Records
- Geographic Information System (GIS) Records
- Information Technology Records
- Legal Records
- Personnel Records
- Public Relations Records
- Risk Management Records
- Workforce Development Records

To adopt this schedule, the governing board should take action in a regular open meeting–typically as part of the consent agenda or by resolution. The signature page to the schedule should then be signed by the Clerk, Manager, or other Executive Officer; and by the head of the governing body.

The complete General Record and Local Schedule is on file in the Office of the Town Clerk

TOWN OF SMITHFIELD
RESOLUTION # 642 (08-2019)

(1) ADOPT THE 2019 GENERAL RECORDS SCHEDULE FOR LOCAL GOVERNMENT AGENCIES; (2) REAFFIRM THAT PORTIONS OF THE PREVIOUSLY ADOPTED 2012 SCHEDULE ARE STILL IN EFFECT; AND (3) ADOPT THE TOWN OF SMITHFIELD'S RECORD RETENTION AND DISPOSITION SCHEDULE FOR MUNICIPALITIES CONCERNING WHEN ADMINISTRATIVE/REFERENCE VALUE ENDS

WHEREAS, the North Carolina Department of Natural and Cultural Resources, Division of Archives and Records, Government Records Section has published the General Records Schedule for Local Government Agencies, which supersedes parts of the Municipal Retention and Disposition Schedule which it is charged with issuing; and

WHEREAS, NCGS Section 121-5 and NCGS Section 132-3 require a municipality to approve the schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the NC Division of Archives and Records; and

WHEREAS, the document attached to this Resolution is the form acknowledging the approval of the schedule as required by the NC Division of Archives and Records, Government Records Section; and

WHEREAS, to reduce the burden and costs of record retention and maintain efficient Town records management, the Town Council finds and determines that this Resolution should be approved;

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

1. Adopt the General Records Schedule for Local Government Agencies;
2. Reaffirm that portions of the Previously Adopted 2012 Schedule are still in effect; and
3. Adopt the Town of Smithfield's Records Retention and Disposition Schedule for Municipalities Concerning when Administrative /Reference Value ends.

Adopted this the 7th Day of May, 2019

_____

M. Andy Moore, Mayor

Attest:

_____

Shannan L. Parrish, Town Clerk

2019 Local Government Agencies
General Records Retention and Disposition Schedule

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. ***Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.***

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when *"reference value ends."* All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction *"destroy when reference value ends."* If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction *"destroy when reference value ends."*

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes the general standards in all previous local government retention and disposition schedules and is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

Sarah E. Koonts

Muncipal/County Clerk or Manager
Title: _____

Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Susi H Hamilton

Head of Governing Body
Title: _____

Susi H. Hamilton, Secretary
Department of Natural and Cultural Resources

Municipality/County: _____

EXECUTIVE SUMMARY

- ✓ According to G.S. § 121-5(b) and G.S. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Richard Pearce-Moses, *A Glossary of Archival and Records Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by G.S. § 121-5 and G.S. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina provides microfilming services for the minutes of major decision-making boards and commissions. Once those records are filmed, we will store the silver halide negative (original) in our security vault. There is a nominal fee for filming and duplicating film. Contact the Records Management Analyst in charge of microfilm coordination for the most current information.

MANAGING PUBLIC RECORDS IN NORTH CAROLINA

Q. What is this "records retention and disposition schedule"?

A. This document is a tool for the employees of local government agencies across North Carolina to use when managing the records in their offices. It lists records commonly found in agency offices and gives an assessment of their value by indicating how long those records should be retained. This schedule is also an agreement between your agency and the State Archives of North Carolina.

This schedule serves as the inventory and schedule that the State Archives of North Carolina is directed by G.S. § 121-5(c) and G.S. § 132-8 to provide. It supersedes all previous editions, including all amendments.

Q. How do I get this schedule approved?

A. This schedule must be approved by your governing body for use in your agency. That approval should be made in a regular meeting and recorded as an action in the minutes. It may be done as part of the consent agenda, by resolution, or other action.

Q. Am I required to have all the records listed on this schedule?

A. No, this is not a list of records you must have in your office.

Q. What is "reference value"?

A. Items containing "reference value" in the disposition instructions are generally records that hold limited value, which is typically restricted to those documenting routine operations within the office. A minimum retention period should be established by the office for any items containing the phrase "destroy in office when reference value ends" in the disposition instructions.

Q. Do the standards correspond to the organizational structure of my agency?

A. Records series are grouped into standards to make it easier for users to locate records and their disposition instructions. You may find that the groupings reflect the organizational structure of your agency, or you may find that records are located in various standards depending on the content of the record. The intent of the schedule's organization is to provide an easy reference guide for the records created in your agency.

Q. What if I cannot find some of my records on this schedule?

A. Sometimes the records are listed in a different standard than how you organize them in your office. Be sure to check the Index and utilize the search function on the PDF version of the schedule to facilitate the location of records series. If you still cannot locate your records on the schedule, contact a Records Management Analyst. We will work with you to amend this records schedule so that you may destroy records appropriately.

Q. What are public records?

A. The *General Statutes of North Carolina*, Chapter 132, provides this definition of public records:

> "Public record" or "public records" shall mean all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions. Agency of North Carolina government or its subdivisions shall mean and include every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government.

Q. Is any person allowed to see my records?

A. Yes, except as restricted by specific provisions in state or federal law. G.S. § 132-6 instructs:

> "Every custodian of public records shall permit any record in the custodian's custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law. … No person requesting to inspect and examine public records, or to obtain copies thereof, shall be required to disclose the purpose or motive for the request."

Q. What about my confidential records?

A. Not all government records are open to public inspection. Exceptions to the access requirements in G.S. § 132-6 and the definition of public records in G.S. § 132-1 are found throughout the General Statutes. You must be able to cite a specific provision in the General Statutes or federal law when you restrict or deny access to a particular record.

Q. Am I required to make available to the public copies of drafts that have not been approved?

A. Yes, even if a report, permit, or other record has not been finalized, it is still a public record subject to request. Any record that is not confidential by law must be provided when a request is received, whether it is "finished" or not.

Q. What do I do with permanent records?

A. Permanent records should be maintained in the office that created the records, forever.

The Department of Natural and Cultural Resources (DNCR) is charged by the General Assembly with the administration of a records management program (N.C.G.S. §121-4 (2) and §132-8.1) and the maintenance of "*a program for the selection and preservation of public records considered* ***essential*** *to the operation of government and to the* ***protection of the rights and interests*** *of persons"* (§132-8.2). Permanent records with these characteristics require preservation duplicates that are human-readable (paper or microfilm). Some examples of these characteristics include:

- Affect multiple people, without regard to relation
- Have significance over a long span of time
- Document governance
- Document citizenship

Examples of records with these characteristics:

- Minutes of governing bodies at the state and local levels are the basic evidence of our system of governance, and are routinely provided for the public to read.
- Records, such as deeds and tax scrolls, about land document changes in ownership and condition. Counties maintain offices expressly for the purpose of making those records available to the public. Other records in local and state governments document potential public health hazards, such as hazardous materials spills.
- Adoptions, marriages, and divorces document changes in familial relationships and document citizenship. Though adoptions are confidential (not available for public inspection), they document citizenship and changes in inheritance and familial succession.
- Court records, such as wills, estates, and capital cases, affect people within and across family groups, are made available for public inspection, and often involve transactions related to the examples above.

See the Human-Readable Preservation Duplicates policy issued by the North Carolina Department of Natural and Cultural Resources (https://archives.ncdcr.gov/documents/human-readable-preservation-duplicates) and check with a records analyst to determine whether your permanent records require a preservation duplicate.

Q. What is historical value?

A. Historical records document significant events, actions, decisions, conditions, relationships, and similar developments. These records have administrative, legal, fiscal, or evidential importance for the government or its citizens. Call a Records Management Analyst for further assistance in assessing historical value.

Q. What if I do not have any records?

A. Nearly every position in government generates, receives, or uses records. Computer files of any kind, including drafts and e-mail, are public records. Even if your records are not the official or final version, your records are public records. Not all records have high historical, legal, or fiscal value, but they all must be destroyed in accordance with the provisions of the appropriate records schedule.

Q. May I store our unused records in the basement, attic, shed, etc.?

A. Public records are public property. Though we encourage agencies to find places to store records that do not take up too much valuable office space, the selected space should be dry, secure, and free from pests and mold. Your office must ensure that records stored away from your main office area are well protected from natural and man-made problems while remaining readily available to your staff and the public.

Q. Our old records are stored in the attic, basement, or off-site building, etc. Are we required to provide public access to these records?

A. Yes, as long as the records are not confidential by law. You should also be aware that confidentiality can expire.

Q. Aren't all our old records at the State Archives of North Carolina?

A. Probably not. The State Archives of North Carolina collects only very specific types of records from local government offices. Contact a Records Management Analyst for more information about which records are held or can be transferred to the State Archives of North Carolina for permanent preservation.

Q. I found some really old records. What should I do with them?

A. Call a Records Management Analyst. We will help you examine the records and assess their historical value.

Q. Can I give my old records to the historical society or public library?

A. Before you offer any record to a historical society, public library, or any other entity, you must contact a Records Management Analyst. Permanent records must be kept either in your offices or at the State Archives of North Carolina.

Q. Whom can I call with questions?

A. If you are located west of Statesville, call our Western Office in Asheville at (828) 296-7230 extension 224. If you are east of Statesville, all the way to the coast, call our Raleigh office at (919) 814-6900.

AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION

Q. Why is there an asterisk in the disposition instructions of so many items on this schedule?

A. No record involved in a pending or ongoing audit, legal, or other official action may be destroyed before that audit or action is resolved.

A legal hold or litigation hold means that records that are the subject of the legal hold or litigation hold must be preserved and thus must not be destroyed until officially released from the hold. A legal hold or litigation hold is placed when either an official discovery order is served on the agency requesting the production of the records in question (for a litigation, regulatory investigation, audit, open records request, etc.) or litigation is pending and the agency is thus on notice to preserve all potentially relevant records. You must also ensure that for a claim or litigation that appears to be reasonably foreseeable or anticipated but not yet initiated, any records (in paper or electronic formats) relevant to such a claim or litigation are preserved and not destroyed until released by your General Counsel. The records in question must not be destroyed until the completion of the action and the resolution of all issues that arise from it regardless of the retention period set forth in this schedule.

We have used an asterisk (*) in the disposition instructions to mark records series that are commonly audited, litigated, or may be subject to other official actions. However, any record has this potential. Records custodians are responsible for being aware of potential actions, and for preventing the destruction of any record that is, or may be reasonably expected to become, involved in an audit, legal, or other official action.

Records used during routine audits may be destroyed when the governing body accepts the audit, if the records have completed the retention period listed in this schedule. If time remains in the retention period, the records must be maintained for the remainder of the period. The auditor's working papers must be kept according to the schedule. (See **AUDITS: PERFORMANCE**, page 2, item 8, and **AUDITS: FINANCIAL**, page 19, item 6.) Should a dispute arise over an audit, the records that were audited should be retained until that dispute is resolved.

The attorney representing the agency should inform records custodians when legal matters are concluded and records will no longer be needed. Following the conclusion of any legal action, the records may be destroyed if they have met the retention period in the schedule. Otherwise, they should be kept for the remaining time period.

TRANSITORY RECORDS

Transitory records are defined as "record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use."[1]

According to North Carolina General Statutes § 121 and § 132, every document, paper, letter, map, book, photograph, film, sound recording, magnetic or other tape, electronic data processing record, artifact, or other documentary material, regardless of physical form or characteristics, made or received in connection with the transaction of public business by any state, county, municipal agency, or other political subdivision of government is considered a public record and may not be disposed of, erased, or destroyed without specific approval from the Department of Natural and Cultural Resources.

The Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called "transitory records." The following questions and answers discuss types of transitory records commonly created in state government. They may be disposed of according to the guidance below. However, all public employees should be familiar with the General Schedule for State Agency Records, their office's Program Records Retention and Disposition Schedule, and any other applicable guidelines for their office. If any of these documents require a different retention period for these records, follow the longer of the two retention periods. When in doubt about whether a record is transitory, or whether it has special significance or importance, retain the record in question and seek guidance from the analyst assigned to your agency.

Q. What do I do with routing slips, fax cover sheets, "while you were out" slips, memory aids, etc.?

A. Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed.

Similarly, "while you were out" slips, memory aids, and other records requesting follow-up actions (including voicemails) have minimal value once the official action these records are supporting has been completed and documented. Unless they are listed on the General Schedule for State Agency Records or your office's Program Records Retention and Disposition Schedule, these records may be destroyed or otherwise disposed of once the action has been resolved.

Q. What about research materials, drafts, and other working papers used to create a final, official record?

A. Drafts and working papers are materials, including notes and calculations, gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of General Statute § 132, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents which may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and

[1] *A Glossary of Archival and Records Terminology*, Richard Pearce-Moses (2005)

- Drafts and working papers for presentations, workshops, and other explanations of agency policy that are already formally documented.

Q. What if I have forms designed and used solely to create, update, or modify records in an electronic medium?

A. If these records are not required for audit or legal purposes, they may be destroyed in office after completion of data entry and after all verification and quality control procedures. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g. a signature or notary's seal), they should be retained according to the disposition instructions for the records series encompassing the forms' function.

See also the State Archives of North Carolina's guidance on digital signatures found at: https://archives.ncdcr.gov/documents/digital-signature-policy-guidelines

Request for Town Council Action

Consent Agenda Item: **Advisory Board Appointments**

Date: 05/07/2019

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

Issue Statement

The Town Council is asked to consider a new appointment to the Board of Adjustment and to the Appearance Commission

Financial Impact

N/A

Action Needed

The Council is ask to consider the new appointment of Martin Lazarus to the Board of Adjustment and the new appointment of Mary Foy Ragsdale to the Appearance Commission

Recommendation

Staff recommends approval of this appointment

Approved: ☑ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Martin Lazarus – Board Application
3. Mary Foy Ragsdale - Board Application

Staff Report

Consent Agenda Item

Advisory Board Appointments

Current Board vacancies are as follows:

- Appearance Commission – 3 positions
- Board of Adjustment – 1 in Town Member and 1 In Town Alternate

Board Appointments

1. Martin Lazarus has submitted an application for consideration to be appointed to a first term on the Board of Adjustment.
2. Mary Foy Ragsdale has submitted an application for consideration to be appointed to a first term on the Appearance Commission.

Town of Smithfield
Board, Commission, or Committee Application

Name: Lazarus (Last) Martin (First) D (MI)

Home Address: 140 Valleywood Cir, Smithfield, NC 327577

Business Name & Address:

Telephone Numbers: (Home) 609.742.3143 (Mobile) martindlazarus@gmail.com (Email)

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

- ☐ Appearance Commission
- ☒ Board of Adjustment In Town Resident
- ☐ Board of Adjustment ETJ Member
- ☐ Historic Properties Commission
- ☐ Library Board of Directors
- ☐ Parks/Recreation Advisory Commission
- ☐ Planning Board In-Town Resident
- ☐ Planning Board ETJ Resident
- ☐ Other:

Interests & Skills: I've been working in IT for the past 8 years and have expert knowledge in databases, data mining, and programming. I love solving problems and finding solutions.

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

Recent Job Experiences: I currently work as a Senior Business Intelligence Developer where I design databases, attend and facilitate meetings, gather requirements, write complex code, and mentor less experienced developers.

Civic or Service Organization Experience: I am a member of the JCC Technology Advisory Board

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

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

Why are you interested in serving on this Board/Commission/Committee? I'm interested in making Smithfield a better place. I've lived here for 5 years and want to give back to the community.

Affirmation of Eligibility:

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

_Yes ■No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? _ Yes ■ No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Martin Lazarus

Signature: _____ Date: 4-11-19

Return completed for to:
Shannan Parrish
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.parrish@smithfield-nc.com

Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions

SMITHFIELD
NORTH CAROLINA

Town of Smithfield
Board, Commission, or Committee Application

Name: Ragsdale (Last) Mary Foy (First) (MI)

Home Address: 829 S. 2nd Street

~~Business Name & Address~~: Smithfield, NC 27577

Telephone Numbers: _____ (Home) (919) 464-1991 (Mobile) maryfoy.ragsdale@gmail.com (Email)

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

- [x] Appearance Commission
- [ ] Board of Adjustment In Town Resident
- [ ] Board of Adjustment ETJ Member
- [ ] Historic Properties Commission
- [ ] Library Board of Directors
- [ ] Parks/Recreation Advisory Commission
- [ ] Planning Board In-Town Resident
- [ ] Planning Board ETJ Resident
- [ ] Other: _____

Interests & Skills: Architecture, Landscaping, Design, Organization

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 Graduate - Masters Degree

Recent Job Experiences: House Renovations, Interior Designer, Nanny for family in Raleigh, Elementary School Teacher

Civic or Service Organization Experience: Junior League of Atlanta, GA

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

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

Why are you interested in serving on this Board/Commission/Committee? I am interested in contributing to the appearance and betterment of Smithfield.

Affirmation of Eligibility:

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

□Yes ☒No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? □ Yes ☒No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Mary Foy Ragsdale

Signature: Mary Foy Ragsdale Date: 4-22-19

Return completed for to:
Shannan Parrish
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.parrish@smithfield-nc.com

Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions

Staff Report

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

Date of Meeting: **May 07, 2019**
Staff Work By: **Tim Kerigan, HR Director**

Background

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

In addition, please find the following current vacancies:

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

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 17-18 Budget.

Position	Department	Budget Line	Rate of Pay
Police Officer I	Police	10-20-5100-5100-0200	$16.85/hr. ($37,676.60/yr.)
Sanitation Worker	PW – Sanitation	10-40-5800-5100-0200	$11.07/hr. ($23,025.60/yr.)
Water Plant Trainee	PU – Water Plant	30-71-7200-5100-0200	$13.49/hr. ($28,059.20/yr.)
Zoning Compliance Asst.	Planning	10-10-4900-5100-0200	$12.00/hr.

Business Items

Request for Town Council Action

Business Item: **SUP-19-05**
Date: 05/07/2019

Subject: Special Use Permit for Single Family Residential
Department: Planning Department
Presented by: Stephen Wensman, Planning Director
Presentation: Business Item

Issue Statement

Bonnie Creech Godwin is requesting a Special Use Permit to use a property in the O/I Office/Institutional Zoning District for a single family residence.

Financial Impact

None

Action Needed

Gather additional information needed to approve or deny the request

Recommendation

The Planning Department recommends approval of the special use permit, SUP-19-05 the following condition based on the findings of fact:

- The applicant shall use the property strictly in accordance with the plans submitted and approved by the Smithfield Town Council

Approved: ☑Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Findings of Fact
3. Application
4. Site Map
5. Adjacent Property Owners List and Notification

Staff Report

Business Item: **SUP-19-05**

Application Number: SUP-19-05
Project Name: N/A
Property ID number: 15010047
Town Limits/ETJ: Town
Applicant: Bonnie Creech Godwin
Owners: Highway 39 #6217 LP
Agents: N/A

Request:

Bonnie Creech Godwin is requesting a Special Use Permit to use a property in the O/I Office/Institutional Zoning District for a single family residence.

Project Location:

707 North Street with the Property ID# 15010047.

Site data:

Acreage:	.17 acres
Present Zoning:	O/I Office/Institutional
Proposed Zoning:	N/A
Existing Use:	Vacant Office
Proposed Use:	Single Family Residential
Water Service:	Town of Smithfield
Sewer Service:	Town of Smithfield
Electrical Service:	Town of Smithfield
Fire District:	Town of Smithfield

Adjacent Zoning and Land Use:

	Zoning	Existing Use
North:	O/I	Single Family Residential
South:	O/I	Office
West:	O/I	Single Family Residential
East:	O/I	Office

Environmental:

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

Property Description:

The property is a .17 acre property located at 707 North Street with the Property ID# 15010047. The property is a former single family residence that has been used as an office. The property has a driveway access off of North Street and has an attached carport that extends back to the rear property line with 7 parking spaces. The property also shares a large parking lot with the 3 office properties to the east. Within the shared parking lot, an additional 3 parking stalls are shown to be on the property.

Analysis:

The applicant indicates that it has been difficult to attract an office user for the home and she would like to use the property for a residence as was originally intended for the structure. This property and the 3 properties to the east are all former single family homes that have been used for offices. The other three appear to be used for office use currently. These properties have a shared parking lot in the rear of the homes. There does not appear to be a shared access easement for the parking lot. The other properties sharing the parking lot include:

- 709 North Street (Neuse Gastroenterology office);
- 711 North Street (Johnston Memorial Hospital)
- 713 North Street (Dr. Manmohan Singh office)

There is more than adequate parking for the residential use on the property. With the shared parking arrangement, it is possible that office visitors may use the available parking stalls on this property from time to time.

The remaining two properties on the block, to the west of the subject property, are currently used for single family homes.

Findings of Fact:

The UDO, Article 4, sets forth eight findings of fact that are required for approval of a special use permit through a quasi-judicial process. Staff has listed its recommended findings for each (***in Italics***):

4.9.3.5.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare. ***The use of the structure and property for single family residential is will not be detrimental or create endangerment to public health, safety or welfare. Single family residential is a less intensive use than an office use.***

4.9.3.5.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located. ***The use of the property for single family residential use is consistent with the use of the adjacent properties to the west, therefore, in harmony with existing development.***

4.9.3.5.3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. ***The use will not have an impact on the normal and orderly development and improvement of the surrounding property for uses permitted in the district. Single family residential is a special use in the district with a valid permit. Portions of the block are currently used for office and residential in harmony with each other.***

4.9.3.5.4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided. ***Adequate utilities are present. The use will have no impact on the utilities.***

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

The single family use has adequate ingress and egress with a direct access to North Street.

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

4.9.3.5.7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern. ***The use will have no impact on the public access.***

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

Recommended Conditions of Approval:

Staff recommends the following condition:

- The applicant shall use the property strictly in accordance with the plans submitted and approved by the Smithfield Town Council.

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

Application Number: SUP-19-05 **Name:** Bonnie Godwin Property

Request: The applicant is requesting a special use permit to allow for a residential dwelling on property located within an O/I (Office/Institutional) zoning district. The property considered for approval is located on the north side of North Street, approximately 100 feet east of its intersection with North Seventh Street. The property is further identified as Johnston County Tax ID# 15010047.

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

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

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

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

3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

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

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

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

7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

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

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Special Use Permit Application #* ***SUP-19-05*** *with the following condition:*

1. That all other requirements of the Unified Development Ordinance are met prior to site plan approval.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Special Use Permit Application #* ***SUP-19-05*** *for the following stated reason:*

_____

_____

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Special Use Permit Application Number SUP-19-05 is hereby:

_____ approved upon acceptance and conformity with the following conditions:

1. That all other requirements of the Unified Development Ordinance are met prior to site plan approval.

_____ denied for the noted reasons.

_____

_____

Decision made this 7th day of May, 2019 while in regular session.

_____

M. Andy Moore, Mayor

ATTEST:

_____

Shannan L. Parrish, Town Clerk

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

SPECIAL USE PERMIT APPLICATION

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

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

SITE INFORMATION:

Name of Project: HIGHWAY 39 #6217 LP **Acreage of Property:** .174

Parcel ID Number: 15010046 **Tax ID:** 30-0084193

Deed Book: 04982 **Deed Page(s):** 0823

Address: PO BOX 815 SELMA NC 27576

Location: 707 NORTH STREEET SMITHFIELD NC 27577

Existing Use: COMMERICAL **Proposed Use:** RESIDENTIAL

Existing Zoning District: _____

Is project within a Planned Development: Yes No

Planned Development District (if applicable): _____

Is project within an Overlay District: Yes No

Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

MapClick
JOHNSTON COUNTY, NORTH CAROLINA

Login | Home | Disclaimer | Contact | Help

Map Info | Locate | Query | Select | Themes & Analysis | Reports | Measure | Reset

Address

Street Number (optional): 707

Enter at least the first two characters of the street name and only the street name. Hint: US & NC Hwys have a space between the letters and numbers, i.e., US 70.

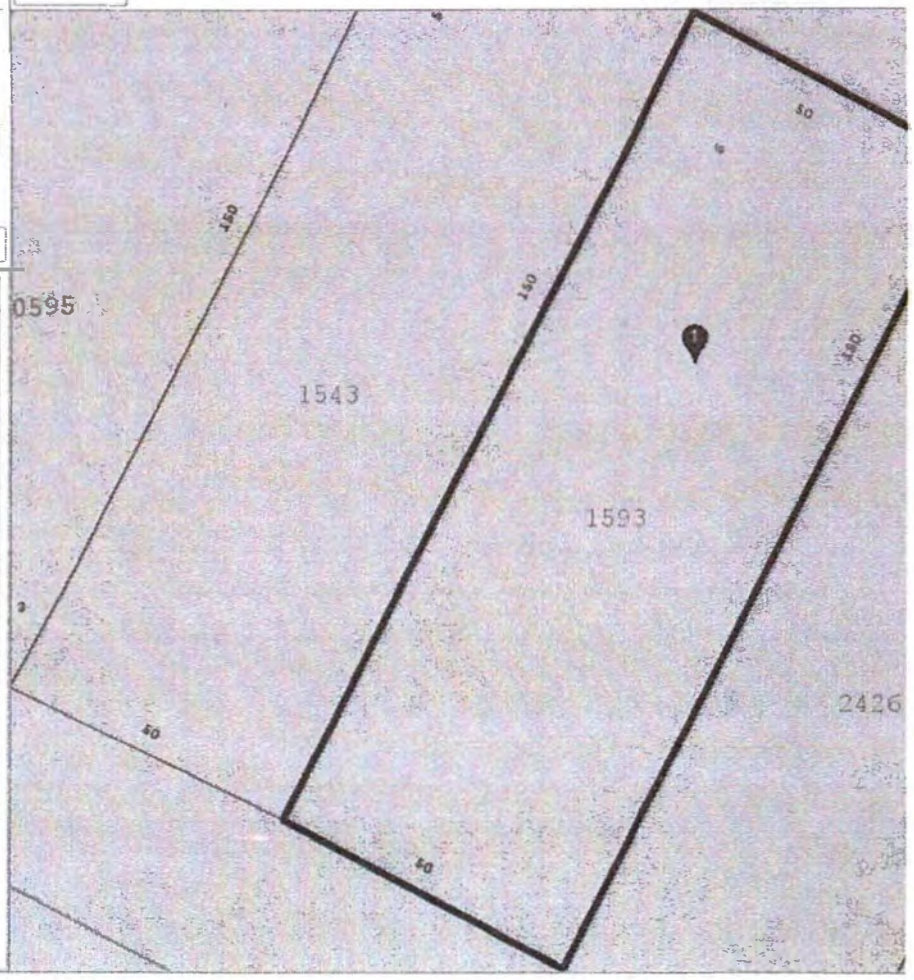
Street Name: NORTH ST SMITHFIELD

Submit

Results for item 1

Id	15010047
Tag	15010047
NCPin	169415-72-1593
Mapsheet No	169415
Owner Name 1	HIGHWAY 39 #6217 LIMITED PARTNERSHIP
Owner Name 2	
Mail Address 1	
Mail Address 2	PO BOX 607
Mail Address 3	SELMA, NC 27576-0607
Site Address 1	707 NORTH ST
Site Address 2	SMITHFIELD, NC 27577-
Book	04982
Page	0823
Market Value	82050
Assessed Acreage	0.17
Calc. Acreage	0.174
Sales Price	50000
Sale Date	2017-06-29

Pan | ZoomBox | Zoom In | Zoom Out | Full Extent | Previous | Next | Refre



Saved Parcel Information

OWNER INFORMATION:

Name: Highway 39 # 6217 LP

Mailing Address: PO BOX 815 SELMA NC 27576

Phone Number: 919-320-7146 **Fax:** 919-202-5149

Email Address: bonniegodwin1@gmaill.com

APPLICANT INFORMATION:

Applicant: BONNIE CREECH GODWIN

Mailing Address: PO BOX 815 SELMA NC 27576

Phone Number: 919-320-7146 **Fax:** 919-202-5149

Contact Person: BONNIE CREECH GODWIN

Email Address: bonniegodwin1@gmaill.com

STATEMENT OF JUSTIFICATION

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

SAID PROPERTY IS AN OLDER HOME THAT WAS USED AS A COMMERICAL OFFICE .
THE OFFICE WAS SOLD TO US NOT KNOWING THE RENTERS WERE LEAVING. WE HAVE BEEN UNABBLE
TO RENT PROPERTY SINCE PURCHASE. THIS PROPERTY HAS OUT LIVED IT USEFULNESS
FOR COMMERICAL INTEREST. ADJACENT PROPERTIES ON THIS BLOCK ARE PRIMARILY RESIDENTIAL
THIS PROPERTY WOULD BE MORE SUITABLE AS A RESIDENTIAL CLASSIFACATION TO INCREASE
THE LIKELIIHOOD OF LONG TERM OCCUPANTS.

REQUIRED FINDING OF FACT

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

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

   THERE WOULD BE NO DANGER TO PERSONS PROPERTY OR ENVIORMENT

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

   IT WILL BE IN HARMONY AS THERE ARE RESIDENTIAL PROPERTIES BESIDE THIS LOCATION

3) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

   ABSOLUTELY NOT

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

   ALL THE ABOVE ARE PROVIDED

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

   ADEQUATE INGRESS AND EGRESS ARE PROVIDED

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

   PROPERTY DOES CONFORM TO ALL REGULATIONS

7) Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

   PUBLIC ACCESS IS PROVIDED

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

   PROPOSED USE WILL CONFORM USE ADOPTED BY TOWN COUNCIL

REQUIRED SITE PLAN INFORMATION

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

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

APPLICANT AFFIDAVIT

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

BONNIE C GODWIN	Bonnie Godwin	2/25
Print Name	*Signature of Applicant*	*Date*

OWNER'S CONSENT FORM

Name of Project: _____ **Submittal Date:** 2/25/19

OWNERS AUTHORIZATION

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

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

	BONNIE C GODWIN	2/25/2019
Signature of Owner	***Print Name***	***Date***

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

Bonnie Godwin	BONNIE C GODWIN	2/25/2019
Signature of Owner/Applicant	***Print Name***	***Date***

FOR OFFICE USE ONLY

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

700 Block of North Street

SMITHFIELD NORTH CAROLINA

Project Name:
Highway 39 #6217 LP

File Number:
SUP-19-05

Proposed Use:
Residential

Property Owner:
Highway 39# 6217 LP

Applicant:
Bonnie Godwin

Address:
707 North Street

Tax ID#
15010047

Zoning District:
O/I Office/ Institutional

Feet
0 25 50 100

Map created by Mark Helmer, AICP Senior Planner, GIS Specialist on 3/19/2019

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15010042	169415-72-2598	JUDITH B. CASTLEBERRY REVOCABLE TRUST	328 BARBOUR ST	CLAYTON	NC	27520-2406
15010046	169415-72-1543	GLENNIE REA CORP THE	P O BOX 607	SELMA	NC	27576-0000
15010047	169415-72-1593	HIGHWAY 39 #6217 LIMITED PARTNERSHIP	PO BOX 607	SELMA	NC	27576-0607
15010044	169415-72-1691	EARP, GLORIA SHERRON	113 W RIVERSIDE DR	SMITHFIELD	NC	27577-3807
15010048	169419-72-2426	NEUSE GASTROENTEROLOGY PA	709 NORTH ST	SMITHFIELD	NC	27577-4019

SMITHFIELD
NORTH CAROLINA

PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, SUP-19-05, were notified by First Class Mail on 3-18-19.

Signature

Johnston County, North Carolina

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

18th day of March, 2019

Julianne Edmonds
Notary Public Signature

Julianne Edmonds
Notary Public Name

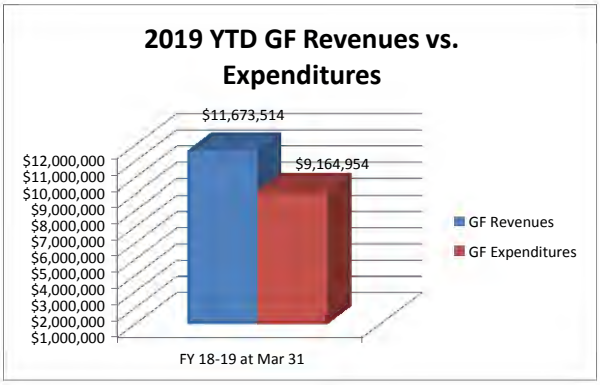
My Commission expires on Jan. 15, 2023
(Seal)

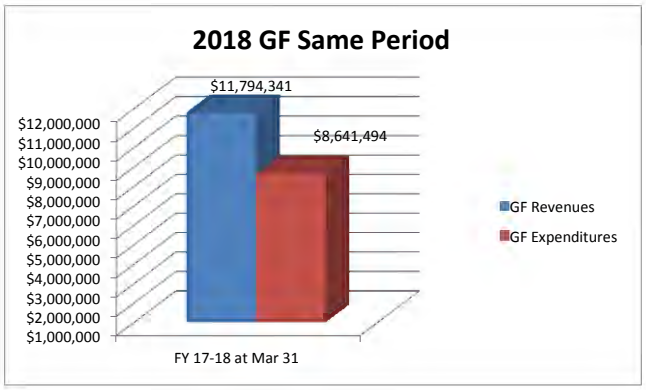
JULIANNE EDMONDS NOTARY PUBLIC JOHNSTON COUNTY, N.C.

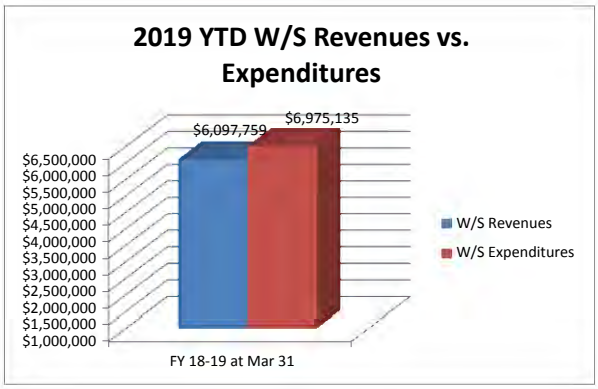
N

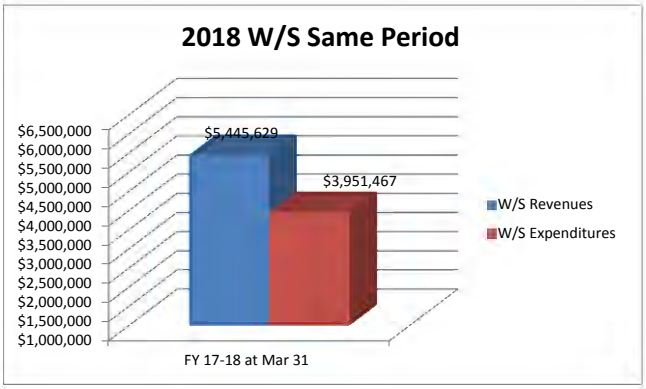
Financial Report

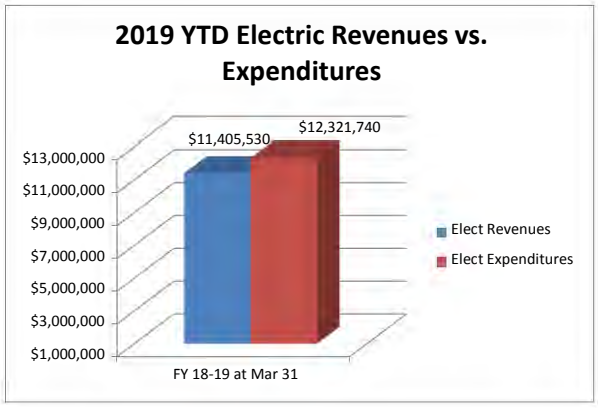
Town of Smithfield
Revenues vs. Expenditures

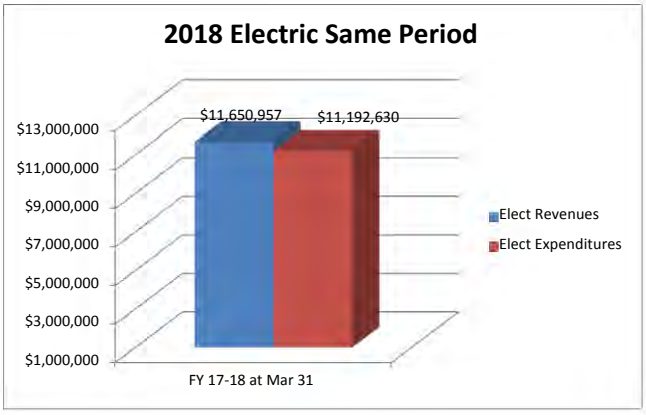












TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
March 31, 2019
Gauge: 9/12 or 75.0 Percent **75.00%**

GENERAL FUND

Revenues	Frequency	**Actual to Date FY '17-18**	**Budget FY '18-19**	**Actual to Date FY '18-19**	**YTD % Collected**
Current & Prior Year Property Taxes	Monthly	$ 5,633,367	$ 5,663,000	$ 5,620,818	99.26%
Motor Vehicle Taxes	Monthly	391,007	515,000	422,282	82.00%
Utility Franchise Taxes	Quarterly	714,357	975,000	740,754	75.97%
Local Option Sales Taxes	Monthly	1,487,712	2,200,000	1,592,560	72.39%
Aquatic and Other Recreation	Monthly	563,622	877,500	514,845	58.67%
Sanitation (Includes Penalties)	Monthly	907,595	1,305,500	930,021	71.24%
Grants		69,993	85,115	200,563	235.64%
All Other Revenues		1,765,074	1,239,881	1,390,057	112.11%
Loan Proceeds		-	88,500	-	0.00%
Transfers (Electric and Fire Dist.)		261,614	261,614	261,614	100.00%
Fund Balance Appropriated		-	1,374,837	-	0.00%
Total		$ 11,794,341	$ 14,585,947	$ 11,673,514	80.03%

Expenditures	**Actual FY '17-18**	**Budget FY '18-19**	**Actual to Date FY '18-19**	**YTD % Collected**
General Gov.-Governing Body	$ 271,799	$ 488,406	$ 314,165	64.32%
Non Departmental	635,098	840,906	682,048	81.11%
Debt Service	1,013,069	1,003,781	988,702	98.50%
Finance	68,407	105,501	71,245	67.53%
Planning	207,191	646,927	353,732	54.68%
Police	2,406,569	3,790,500	2,343,495	61.83%
Fire	1,267,662	2,106,953	1,563,472	74.21%
EMS	-	-	-	#DIV/0!
General Services/Public Works	334,400	546,914	342,594	62.64%
Streets	340,482	905,643	297,383	32.84%
Motor Pool/Garage	45,941	92,582	56,310	60.82%
Powell Bill	28,973	582,725	24,626	4.23%
Sanitation	748,581	1,116,768	787,121	70.48%
Parks and Rec	614,907	1,012,771	634,733	62.67%
SRAC	658,415	969,779	688,339	70.98%
Sarah Yard Center	-	40,600	16,989	41.84%
Contingency	-	335,191	-	0.00%
Appropriations/Contributions	-	-	-	0.00%
Total	$ 8,641,494	$ 14,585,947	$ 9,164,954	62.83%

YTD Fund Balance Increase (Decrease)	-	-

75.00%

WATER AND SEWER FUND

Revenues	Actual FY '17-18	Budget FY '18-19	Actual to Date FY '18-19	YTD % Collected
Water Charges	$ 1,730,568	$ 2,852,000	$ 1,844,682	64.68%
Water Sales (Wholesale)	925,274	$ 1,200,000	$ 1,049,585	87.47%
Sewer Charges	2,492,787	3,800,000	2,952,227	77.69%
Tap Fees	10,340	13,000	1,265	9.73%
All Other Revenues	35,950	599,000	101,913	17.01%
Grants	250,710	-	148,087	#DIV/0!
Loan Proceeds	-	-	-	#DIV/0!
Fund Balance Appropriated	-	626,432	-	0.00%
Total	$ 5,445,629	$ 9,090,432	$ 6,097,759	67.08%

Expenditures	Actual FY '17-18	Budget FY '18-19	Actual to Date FY '18-19	YTD % Collected
Water Plant (Less Transfers)	$ 1,269,863	$ 1,811,936	$ 1,247,953	68.87%
Water Distribution/Sewer Coll (Less Transfers)	2,093,397	4,231,837	3,102,400	73.31%
Transfer to General Fund	-	-	-	#DIV/0!
Transfer to W/S Capital Proj. Fund	-	1,467,000	1,350,000	92.02%
Debt Service	588,207	1,382,896	1,274,782	92.18%
Contingency	-	196,763	-	0.00%
Total	$ 3,951,467	$ 9,090,432	$ 6,975,135	76.73%

ELECTRIC FUND

Revenues	Actual FY '17-18	Budget FY '18-19	Actual to Date FY '18-19	YTD % Collected
Electric Sales	$ 11,318,474	$ 16,400,000	$ 11,137,488	67.91%
Penalties	269,485	320,000	112,095	35.03%
All Other Revenues	62,998	59,000	140,873	238.77%
Grants			15,074	
Loan Proceeds	-	-	-	
Fund Balance Appropriated	-	120,075	-	
Total	$ 11,650,957	$ 16,899,075	$ 11,405,530	67.49%

Expenditures	Actual FY '17-18	Budget FY '18-19	Actual to Date FY '18-19	YTD % Collected
Administration/Operations	$ 1,484,402	$ 2,195,899	$ 1,555,099	70.82%
Purchased Power - Non Demand	4,375,173	12,600,000	3,604,517	28.61%
Purchased Power - Demand	4,108,239	-	4,757,500	#DIV/0!
Purchased Power - Debt	867,132	-	867,132	#DIV/0!
Debt Service	351,278	359,972	351,278	97.58%
Capital Outlay	6,406	-	-	
Contingency	-	441,990	-	
Transfers to Electric Capital Proj Fund		1,215,000	1,100,000	
Transfer to Electric Capital Reserve		-	-	
Transfers to General Fund	-	86,214	86,214	100.00%
Total	$ 11,192,630	$ 16,899,075	$ 12,321,740	72.91%

CASH AND INVESTMENTS				
General Fund (Includes P. Bill)	12,902,813			
Water and Sewer Fund	6,095,861			
Eletric Fund*	9,726,276			Interest Rate
JB George Endowment (40)	132,660			
Water Plant Expansion (43)	(487,260)			
Booker Dairy Road Fund (44)	448,850			
Capital Project Fund: Wtr/Sewer (45)	499,275			
Capital Project Fund: General (46)	531,131	1st CITIZENS	24,180,028	0.5% (Earn
Capital Project Fund: Electric (47)	1,360,496	NCCMT	2,354,183	2.28% and
Firemen Relief Fund (50)	142,532	KS BANK	3,722,335	1.75%
Fire District Fund (51)	13,850	UNITED COMM	1,290,135	0.95%
General Capital Reserve Fund (72)	180,197	PNC BANK	-	0.00%
Total	$31,546,681		$ 31,546,681	

*Plug

Account Balances Confirmed By Finance Director on 3/18/2019

Department Reports

Department Report

Annual Economic Development Update

Date of Meeting: **May 07, 2019**

Staff Work By: **Tim Kerigan, Economic Development Liaison**

Update

In July 2017, upon request of Economic Development Liaison Tim Kerigan along with Rocky Lane of Sanford Holshouser, Council approved to continue to engage the Scope of Work with Sanford Holshouser for Implementation of the Strategic Economic Development Update Action Items that originally began in August 2016.

Since August of 2016, the Town has been able to make steady progress on implementing the identified action items from the Town's Economic Development Strategic Plan that was updated in 2014.

Action Requested

No action requested.

Smithfield Economic Development Implementation Activities MAR/APR 2019

1. BRE – Phone contact with Greg Pari, the new manager of Penn Compression. Greg has recently taken over for Daniel Leslie who has retired. The town's BRE program was explained and Greg was very enthusiastic about the program and meeting with us. However, as he is just getting a feel of the plant it would have to be scheduled for several weeks out. Several dates were emailed for Greg to check his calendar.

2. Internal/External Marketing – After further review of the Emery Advertising proposal for a 12-page marketing booklet and a similar proposal from Shanna and Randy Capps of Johnston County Now, it was decided that we should schedule a meeting with the Capps to revisit their proposal. The meeting was scheduled for 16APR19.

3. Downtown Development/Brewery Attraction – Facilitated a meeting with the owner of the building targeted for the location of a brewery, potential brewery owner/operators, and the DSDC to discuss the path forward. The meeting went very well with everyone sharing a common vision. Timelines and next steps were discussed. To ensure that the project is supported and moved forward, a working group was created that would include the owner, the potential brewery owner/operator, an architect, an engineer, a brewery equipment vendor, the DSDC and the town (note-the group will be coordinated by the DSDC). A meeting will be scheduled to tour the facility with the architect and engineer to evaluate the facility vis-à-vis housing brewery equipment.

4. Downtown Development – Spoke with a businessman who had recently purchased a building about the redevelopment of the facility. An engineer was recommended to do an evaluation on the property before moving ahead.

5. Product Development

    a. WH Industrial Park - discussed the recertification of the property, which will require rezoning with Stephen Wensman. Stephen raised several questions about the property such as the current zoning in the land use plan, what other uses may be suitable for the property and highway access. Stephen is of the opinion that the access point, as laid out in the conceptual drawings that were done in the previous certification would be too close the US 70 Ramp. We will research these issues and get back together in the next couple of months before moving ahead with the recertification.
    b. West Smithfield Industrial Park – discussed the current zoning of the property and Chris Johnson's desire to move ahead with the rezoning. It was suggested that we schedule a meeting with Chris to discuss the rezoning and the steps involved. The meeting will be scheduled for April.

6. Retirement Development – met with a landowner who expressed the desire to develop a piece of property he owned as a Retirement Community. The planning is in the early stages and he has engaged a person, with deep experience in development to assist with this and other projects. A meeting will be schedule with the project manager over the next several weeks to discuss the plans further and offer the town's assistance.

SMITHFIELD STRATEGIC PLAN IMPLEMENTATION-April 25 2019

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
Develop overall support for the Economic Development Program						
		Develop and increase support for the Town's economic development efforts	Smithfield-Selma Chamber of Commerce		Good contact and support established with the organization. Tim attends Chamber meetings regularly	
			Commercial Realtors		Maintaining on-going contact with realtors.	
			SEDAC		Maintaining on-going contact with SEDAC.	
			East Smithfield		Met with Tony Nixon to discuss needs, challenges, and opportunities in the community.	Received a listing of East Smithfield concerns submitted to the former town manager by the East Smithfield Improvement Organization.
			Business Community		Meeting with business community via BRE program.	Additional meetings with the business community are being scheduled via BRE activities.
Existing Business & Industry Support						
	Reestablish the Existing Industry Outreach Program					
		Develop a contact directory of Existing Industries			Initial Directory completed and will be updated regularly.	

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Developing an introductory letter to be mailed by January 2017				
		Schedule visitations			Visitations are on-going.	Contacted several companies via phone to discuss the town's renewed emphasis on BRE.
						Phone conversation with Greg Parr, the new manager for Penn Compression. Informed him of the town's BRE program and sent him some dates for a face to face meeting.
		Determine Recognition Activities			Options discussed and being considered.	
New Business Recruitment						
	Attract new business investment and jobs	Identify needs of major companies in the County that Smithfield can capitalize on	JCED		Met with Chris Johnson and discussed business attraction and expansion issues, including product and workforce.	
					Met with Durwood Stephenson regarding an initiative that would be of great benefit to the town, and would assist in the recruitment of other businesses.	Met with Chris Johnson to discuss needs of new locations and expansions that are coming to the county. The number one need is product-buildings. Cold Storage facilities were identified as a specific need.
Town Image/Gateways						

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
	Gateways					
		Identify areas for improvement	SEDAC		Meetings to be scheduled in conjunction with Visioning/Branding and the development of the Strategic Communication Plan (SCP) to more fully discuss the issue.	Met with a developer who expressed developing a parcel located a one of Smithfield's gateways. The developer has been involved in many successful projects and what the vision he expressed for the property would greatly enhance the area and improve the aesthetics. We will follow up with the developer to identify ways that we can encourage him to make his vision a reality.
			East Smithfield - Tony Nixon		Tony Nixon of the East Smithfield Improvement organization was identified as the best person to contact re: to East Smithfield issues.	Information will be gathered on the different areas of the town, including East Smithfield, in the development of the SCP and Visioning/Branding efforts.
			Business Community			
	Conduct a Visioning/Brandi ng process					
			ElectriCities/ Business Community/ SEDAC/East Smithfield		Town Council agreed to move forward with the development of the Strategic Communication Plan at their 07MAR17 meeting and a draft is being prepared by ElectriCities for review.	Received a draft strategic communications plan from Michelle Vaught, VP of Marketing for ElectriCities.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
					A decision on what level of Visioning/Branding effort the town feels is appropriate will be made after a review of the SCP.	
					A decision on what level of Visioning/Branding effort the town feels is appropriate will be made after a review of the SCP.	
Product Development						
	Industrial Sites and Buildings	Increase the Town's product inventory	County and SEDAC		Contacted one of the Wellons-Howell property owners to discuss recertification. Reached out to owners of other properties identified as suitable for development as industrial sites. Searching for other suitable properties for evaluations and inclusion in the town's product inventory	Discussed the recertification of the WH property with Stephen Wensman. Stephen raised several questions about the property such as current zoning in the land use plan, other uses of the property, and highway access. Further research and discussions will be conducted before moving forward on recertification.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
					The town is partnering with Johnston County Economic Development on assembling properties for an industrial park that will then be certified. Five parcels lie within the town's corporate limits. Land owners will be contacted to secure the properties for the project.	Setting up a meeting with Chris Johnson to discuss the rezoning of the properties in the West Smithfield Industrial Park, the procedure, the effect on the landowners, etc.
						The additional information requested by SHPO has been submitted and it is anticipated that final approval of certification of West Smithfield Industrial Park will be granted at the April Steering Committee meeting.
	Infrastructure Improvements					

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Golden LEAF Grant	Public Works Department-Johnston County		The county has received, or will receive grant funding for economic development related projects from the Golden LEAF Foundation. One of the projects identified is the extension improvement of water/sewer lines along the U.S. 70 corridor, which will serve the new industrial park. The GL Board will approve the projects at their April meeting.	Estimates for the number of jobs that West Smithfield Industrial Park could support and the average wage of those jobs are being prepared to be included in a follow up information request from the Golden LEAF in support of the grant.
Downtown Redevelopment						
	Renovation and redevelopment of Downtown properties	Redevelopment of the former Town Hall			The final report on the redevelopment of the Old Town Hall by the UNC SOG graduate student class was presented on 30NOV17.	Condemnation proceedings have been initiated on the property. It is still hoped that some scenario can be developed to ensure that the facility can be rehabilitated and become a positive for the town.
						Spoke with Bob Spence about what condemnation of the OTH means and the current status of the proceedings.

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
						Facilitated a meeting with the building owner, potential brewery owner/operators, and the DSDC to discuss the path forward. The meeting went well and a working group was created to push the project forward.
						Met with a businessman who had recently purchased a building in town to discuss the redevelopment of the property. In response to his inquiry, we recommended an engineer for an evaluation of the building.
Internal/External Marketing						
	Internal	Identify the Economic Development Program Spokesman			Tim Kerigan is the spokesperson for the Economic Development Program.	Met with the Chamber's Economic Development Committee to give an update on the town's economic development efforts.
		Develop a newsletter			Exploring options for newsletter.	
	External	Develop Marketing Materials			The marketing flyer has been reviewed and finalized, utilizing town staff resources.	The ElectriCities Smart Communities Grant Award was received and will be used to enhance the town's marketing materials.
	Internal/External					

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Strategic Communications Plan			Received a draft strategic communications plan, social media presentation, social media content calendar, and references to additional resources for social media.	After further review of the proposals to produce a marketing booklet, it was decided to schedule a meeting with Shanna and Randy Capps of Johnston County Now to discuss their proposal further.
Johnston Community College						
	Identify JCC needs that can be translated into economic development activities	Convene a meeting with JCC leadership to discuss opportunities for collaboration	JCC		Follow up meeting with Dr. Johnson and Dr. McGraw to continue earlier discussion and identify other areas of collaboration.	
Incentives						
		Review the Town's Incentives to assess the Town's competitiveness			A list of typical incentive practices was developed for consideration of incentive proposals for current and future prospects	Tim, Mike Scott, and Rocky discussed what options may be available for the redevelopment of the OTH. Incentives the town may be willing to consider for the project, the recruitment of a brewery, and other economic development projects were discussed.
Retirement Development						

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Determine interest in advancing this initiative				Met with a landowner who is interested in developing the property as a Retirement Community. The planning is in the early stages and he has engaged an experienced developer to assist with the project. A meeting will be scheduled with the project manager over the next several weeks to discuss the plans and offer the town's assistance.
Residential Development						
		Assess Housing Stock	Tax Office Planning Department Local Realtors		Working with the SEDAC Redevelopment Committee to explore options of increasing/enhancing the housing stock in the town limits, primarily near downtown.	Met with Sarah Edwards and Mike Fleming to revisit Mike's idea of promoting redevelopment or renovation of housing in the areas near downtown. Several communities that have had success in this area were identified and the practices and methods that they used to achieve this success will be researched.
						Tim, Stephen Wensman, and Rocky met with Brooks Moore, Construction Management Officer to discuss Smithfield Residential Development and new school construction.
Retail Development						

ACTIVITY		TASK	PARTNER	RESOURCES NEEDED	STATUS	NOTES
		Expanding the Retail offerings of the Town	ElectriCities-Retail Strategies		Discussions were held with a retail developer that has an interest in the town for a project.	Reviewed a social media promotion that supported retail in a nearby community. It was decided to approach the Chamber to support a similar initiative to promote retail in Smithfield.
						Met with the Principles of Adventure Development to discuss their plans for the redevelopment/renovations of the Pine Needles Shopping Center. We offered in support for their efforts.
						Also met with the principles of Adventure Development to discuss their interest in developing a East Market Street parcel. The asking price is too high to make the project financially feasible. Some ideas that would mitigate the cost were discussed and we will follow-up on those strategies and get back to the developers.
Public Education						Tim, Stephen Wensman, and Rocky met with Brooks Moore, Construction Management Officer to discuss Smithfield Residential Development and new school construction.

FINANCE DEPARTMENTAL REPORT FOR MARCH, 2019

SUMMARY OF ACTIVITIES:

Daily Collections/Property Taxes/Other…….	$2,851,463
Franchise Tax……...	0
Sales & Use Tax……..	256,129
Powel Bill…….....	0
Total Revenue	**$3,107,592**

Expenditures: General, Water, Electric and Firemen's Fund….. $3,954,637

FINANCE:

- Compiled and submitted monthly retirement report on 3/31/2019
- Issued 74 purchase orders
- Processed 883 vendor invoices for payment and issued 475 accounts payable checks
- Prepared and processed 2 regular payrolls. Remitted federal and state payroll taxes on 3/8/2019 and 3/22/2019
- Issued 0 new privilege licenses (new law change in effect 7/1/2015)
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected $0 in grass cutting invoices. Total collected to date is $8,216
- Processed 4 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Bad debt calendar year-to-date collections total $24,845.12 (EMS = $7,657.44; SRAC = $3,073.79; Utility= $14,113.89; and Other = $0).
- Invoiced 3 grave opening for a total of $2,100.
- Invoiced Smithfield Housing Authority, Johnston Community College, Johnston County Schools and Neuse Charter School for Police Security
- Earned $5,285.54 in interest from FCB and paid 0 in fees on the central depository account
- Paid $6,923.47 to PNC Bank for credit/debit card fees
- Audrey Mitchell (Senior Cashier) attended ElectriCities Customer Service Class in Clayton on March 13, 2019

FINANCE DIRECTOR

- Attended Town Council Meeting on March 5, 2019
- Met with Utilities Director and Cecil Rhodes on utility study on March 8, 2019
- Met with Barbara Evins of Systel to discuss current copiers on March 8, 2019
- Provided debt data and three years of Trial Balance reports to Ted Credle for Utility Study on March 26, 2019
- Attended after hours budget meeting on March 26, 2019
- Met with Barbara Evins of Systel to discuss current copiers
- Met with First Citizens Bank for Procurement Card Demo March 13, 2019
- Attended Department Head Meeting on March 5 and 19, 2019
- Completed 2019 Memorandum of Participation for Separation Allowance Benefit Actuarial Study on March 28, 2019

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

BOARD ACTIONS REPORT - 2019

	March
Town Council	
Zoning Map Ammendments	0
Special Use Permit	1
Zoning Ordinance Amendments	1
Major Subdivisions	0
Annexations	0
Special Events	0
Site Plan	0
Planning Board	
Zoning Map Amendments	1
Zoning Ordinace Ammendments	0
Major Subdivisions	0
Board of Adjustment	
Variance	0
Admin Appeal	0
Historic Properties Commission	
Certificate of Appropriateness	0
Historic Landmarks	0

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Permit Issued for March 2019

		Permit Fees	Permits Issued
Zoning	Land Use	1,050.00	11
Site Plan	Minor Site Plan	$175.00	4
Zoning	Sign	$500.00	10
	Total:	$1,725.00	25
	Fiscal YTD Total:	$14,400.00	190

SP19-000014	Site Plan	Minor Site Plan	Tesla Super Charger	1704 East Market Street
SP19-000015	Site Plan	Minor Site Plan	Inground Pool	1064 North Lakeside Drive
Z19-000036	Zoning	Land Use	Jones & Frank/Construction Storage	36 East Edgerton Street Unit G
SP19-000016	Site Plan	Minor Site Plan	Single Family Dwelling	Westerman Place
Z19-000037	Zoning	Sign	Kate Spade	1025 Outlet Center Drive Suite 1015
Z19-000038	Zoning	Sign	Sound Station & Security	713 East Market Street
Z19-000039	Zoning	Land Use	Interior Modification Only/ Existing SFD	825 Midway Street
Z19-000040	Zoning	Land Use	Zack's Chargrill	618-A East Market Street
Z19-000041	Zoning	Land Use	Sound Partners Insurance	133 North Second Street
Z19-000042	Zoning	Land Use	Old Time Grill	388-B Venture Drive
SP19-000017	Site Plan	Minor Site Plan	24' x18' Detached Garage	110 Lakeridge Drive
SP19-000018	Site Plan	Minor Site Plan	Handicap Ramp	1000 WILSON'S MILLS Road
Z19-000043	Zoning	Land Use	Keystone Fireworks	1273 North Brightleaf Boulevard
Z19-000044	Zoning	Sign	Keystone Novelties Fireworks Sales	1273 North Brightleaf Boulevard
Z19-000045	Zoning	Land Use	301 CBD Hemp, Kratom & Vape	600-B South Brightleaf Boulevard
Z19-000046	Zoning	Sign	Haines Vision Care	1319 North Brightleaf Boulevard
Z19-000047	Zoning	Land Use	Inomancy Home Health Care	1304-D West Market Street
Z19-000048	Zoning	Sign	Super 8 Hotel	735 Outlet Center Drive
Z19-000049	Zoning	Sign	301 CBD, Hemp, Kratom & Vape	600-B South Brightleaf Boulevard
Z19-000050	Zoning	Sign	Samsonite Company Stores, LLC	1025 Outlet Center Drive Suite 460
Z19-000051	Zoning	Land Use	Jackson Automotive	206 South Brightleaf Boulevard
Z19-000052	Zoning	Sign	Jackson Automotive	206 South Brightleaf Boulevard
Z19-000053	Zoning	Sign	Billboard Repair / Replace	Whitley Farm Road
Z19-000054	Zoning	Land Use	Johnston County Board of Elections	805-B South Third Street
Z19-000055	Zoning	Land Use	S2Technologies, LLC	115 North Second Street
Z19-000056	Zoning	Sign	AT&T	1319 North Brightleaf Boulevard

TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING March 31, 2019

I. STATISTICAL SECTION

Month Ending March 31, 2019		March2019	March 2018	Total 2019	Total 2018	YTD Difference
Calls For Service		1617	1940	4749	5446	-697
Incident Reports Completed		145	135	393	414	-21
Cases Closed		96	98	271	289	-18
Accident Reports		67	71	216	201	15
Arrest Reports		99	93	261	293	-32
Burglaries Reported		5	5	19	16	3
Drug Charges		48	34	98	94	4
DWI Charges		7	5	22	16	6
Citations Issued		165	248	521	630	-109
Speeding		36	51	113	149	-36
No Operator License		43	63	128	139	-11
Registration Violations		18	43	67	111	-44

II. PERSONNEL UPDATE

The police department is currently short 3 positions at this time. 3 officers are in field training and still waiting for paperwork from training/standards on a fourth. Interviews were conducted on March 26, 2019 and three background investigations have been started for the three remaining vacant positions.

III. MISCELLANEOUS

Mandatory in-service training was continued in March, with most courses be completed on line. Officers have read to multiple elementary school classes during the month of March. Rapid Deployment training was completed with the assistance of Johnston Community College. Coffee with a Cop was held at the McDonalds in West Smithfield.

REPORTED UCR OFFENSES FOR THE MONTH OF MARCH 2019

PART I CRIMES	March 2018	March 2019	+/-	Percent Changed	Year-To-Date 2018	Year-To-Date 2019	+/-	Percent Changed
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	3	3	N.C.	0	3	3	N.C.
ROBBERY	0	2	2	N.C.	4	3	-1	-25%
Commercial	0	0	0	N.C.	1	1	0	0%
Individual	0	2	2	N.C.	3	2	-1	-33%
ASSAULT	2	4	2	100%	8	22	14	175%
* VIOLENT *	2	9	7	350%	12	28	16	133%
BURGLARY	3	5	2	67%	14	17	3	21%
Residential	0	3	3	N.C.	6	13	7	117%
Non-Resident.	3	2	-1	-33%	8	4	-4	-50%
LARCENY	28	19	-9	-32%	102	54	-48	-47%
AUTO THEFT	1	3	2	200%	2	3	1	50%
ARSON	0	1	1	N.C.	0	1	1	N.C.
* PROPERTY *	32	28	-4	-13%	118	75	-43	-36%
PART I TOTAL:	34	37	3	9%	130	103	-27	-21%
PART II CRIMES								
Drug	25	28	3	12%	87	69	-18	-21%
Assault Simple	16	7	-9	-56%	38	19	-19	-50%
Forgery/Counterfeit	5	3	-2	-40%	13	10	-3	-23%
Fraud	5	9	4	80%	14	13	-1	-7%
Embezzlement	1	0	-1	-100%	1	1	0	0%
Stolen Property	3	2	-1	-33%	7	3	-4	-57%
Vandalism	6	8	2	33%	11	14	3	27%
Weapons	1	0	-1	-100%	5	1	-4	-80%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	0	0	0	N.C.	0	0	0	N.C.
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	0	0	N.C.	1	2	1	100%
D. W. I.	5	9	4	80%	15	26	11	73%
Liquor Law Violation	1	0	-1	-100%	2	4	2	100%
Disorderly Conduct	0	2	2	N.C.	0	2	2	N.C.
Obscenity	0	0	0	N.C.	1	0	-1	-100%
Kidnap	0	0	0	N.C.	0	1	1	N.C.
All Other Offenses	7	24	17	243%	19	83	64	337%
PART II TOTAL:	75	92	17	23%	214	248	34	16%
GRAND TOTAL:	109	129	20	18%	344	351	7	2%

N.C. = Not Calculable

Town of Smithfield

Fire Department

March, 2019

I. Statistical Section

Responded to	2019 Mar	Mar IN	Mar OUT	2018 Mar	2019 IN	2019 OUT	2019 YTD	2018 YTD
Total Structure Fires Dispatched	**5**	**3**	**2**	**8**	**14**	**16**	**30**	**35**
Confirmed Structure Fires (Our District)	2	2	0	4	8	0	8	12
Confirmed Structure Fires (Other Districts)	2	0	0	0	0	0	9	1
EMS/Rescue Calls	**141**	**135**	**6**	**159**	**354**	**19**	**373**	**460**
Vehicle Fires	**1**	**1**	**0**	**3**	**1**	**1**	**2**	**8**
Motor Vehicle Accidents	**17**	**11**	**6**	**16**	**47**	**7**	**54**	**47**
Fire Alarms (Actual)	**11**	**9**	**2**	**8**	**24**	**2**	**26**	**32**
Fire Alarms (False)	**8**	**7**	**1**	**6**	**23**	**2**	**25**	**29**
Misc./Other Calls	**29**	**27**	**2**	**26**	**73**	**6**	**79**	**65**
Mutual Aid (Received)	3	0	0	9	0	0	14	21
Mutual Aid (Given)	2	**0**	0	4	0	0	16	20
Overlapping Calls (Calls at the same time)	43	0	0	29	0	0	116	94
TOTAL EMERGENCY RESPONSES	**211**	**192**	**19**	**226**	**539**	**37**	**576**	**676**

*** Denotes the breakdown of calls, these are not calculated into the totals ***
IN/OUT denotes in and out of the Town, not outside the fire district. When we respond to another fire district (Mutual Aid), which is outside of our total fire district boundaries that is reported in (Other Districts).

	Mar	YTD
Fire Inspections/Compliance Inspections	31	115
Public Fire Education Programs	3	5
Children in Attendance	124	**403**
Adults in Attendance	83	**117**
Plans Review Construction/Renovation Projects	4	16
Fire Code Citations	1	2
Fire Lane Citations	0	0
Consultation/Walk Through	5	12
Re-Inspections	8	30

II. Major Revenues

	Mar	YTD
Inspections	$1,035.00	$4,060.00
False Alarms	$350.00	$975.00
Fire Recovery USA	$398.00	$1,190.00
EMS Debt Setoff	$0.00	$0.00

Major Expenses for the Month:

III. Personnel Update:

IV. Narrative of monthly departmental activities:

- We participated in a Fire prevention/Training program's in the month of March:
    - South Smithfield Elementary - Fire Ext. training for staff
    - A Caring Heart Child case Management - Fire Ext. training for staff
    - Read across America - West Smithfield Elementary

Town of Smithfield
Public Works Department
March 31, 2019

185 Total Work Orders completed by the Public Works Department

5 Burials, at $700.00 each = $3,500.00

0 Cremation Burial, $400.00 each = $0.00

$0 Sunset Cemetery Lot Sales

$0 Riverside Extension Cemetery Lot Sales

408.36 tons of household waste collected

136 tons of yard waste collected

5.16 tons of recycling collected

4.27 tons of C&D collected

2100lbs. of Shredded steel

166 scrap tires were recycled

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
March 31, 2019

I. Statistical Section

5 Burials

4 Works Orders – Buildings & Facilities Division

21 Work Orders – Grounds Division

57 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	$0.00
Riverside Ext Cemetery Lot Sales:	$0.00
Grave Opening Fees:	$3,500.00
Total Revenue:	$3,500.00

III. Major Expenses for the Month:

$952.25 to Swift Creek for landscape shrubs in Town Hall beds, $3,92.44 to Deere & Company for bag system on mower.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works Department safety meeting was on "Safety Cans and Containers FAQ's."

Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
Mar. 31, 2019

I. Statistical Section

- **a.** All catch basins in problem areas were cleaned on a weekly basis
- **b.** 4 - Work Orders – 31.92 Tons of Asphalt was placed in 5 gator areas and 9 areas damaged by roots.
- **c.** Removed West Smithfield Welcome sign for future sign placement.
- **d.** Installed new landscape bed in front of Town Hall.
- **e.** 37 - Work Orders – 1,875lbs. of Cold Patch was used for 63 Potholes.

II. Major Revenues

None for the month

III. Major Expenses for the Month:

$912.39 to Gregory Poole for Compressor and valve assembly on truck 405, $762.98 to Northern Tool for power washer, $1,546.80 to US Cellular for 20 GPS truck devices, $3,024.00 to Withers and Ravenel for street survey.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting was on "Safety Cans and Containers FAQ's."

Town of Smithfield
Public Works Department
March 2019 Drainage Report

Location:	1943 W Market Street.
Starting Date:	3/1/2019
Completion Date:	3/1/2019
Description	Removed landscape bed and welcome sign in West Smithfield, for future sign placement.
Man-hours:	8hrs.
Equipment:	420 Cat backhoe, 408 dump truck.
Materials:	N/A

Location:	1st Street and Meadowbrook.
Starting Date:	3/4/2019
Completion Date	3/4/2019
Description:	Guard rail at creek was replaced with gates.
Man-hours:	8hrs.
Equipment:	401 pickup plus hand tools.
Materials:	10ft and 14ft gates.

Location:	Vermont and Sanders, 1st and Holding, 8th and Wilkins, North and Buffalo Rd, 350 E Market Street, East Street, 1st and Parker, 400Blk of Wellons, Harris and MLK, Hospital and Buffalo, MLK and Lee, East and North Ave, 91-10251 Outlet Center Drive, 150-735 Equity Drive, 201 Canterbury, Holding and Crescent, Stevens and Vermont, 2nd and Stevens, 10 Woodsdale, Woodsdale and Bookerdairy Rd, 37-42 Peedin Rd, Wellons and Rosewood, Chestnut and Bingham, Chestnut and Beechwood, 200 W Holding, 5th and Glenn, Computer and Powell, 7th and Lee, 408 North Street, Wellons and Rosewood, 869-910-946 Berkshire Rd, 400 Lee Street.
Starting Date:	3/5/2019
Completion Date	3/26/2019
Description:	Repaired 63 potholes.
Man-hours:	8.58hrs.
Equipment:	401 pickup plus hand tools.
Materials:	31.25 bags of Perma Patch.

Location:	702 A MLK Drive.
Starting Date:	3/8/2019
Completion Date:	3/8/2019
Description:	Repaired sinkhole around catch basin for positive drainage.
Man-hours:	2hrs.
Equipment:	402 pickup plus hand tools.
Materials:	160lbs. of concrete mix.

Location:	Wellons and Chestnut, N Sussex and Canterbury, 110-112 E Caroline Ave, Parking Lot beside Simple Twist.
Starting Date:	3/13/2019
Completion Date:	3/21/2019
Description:	Repaired 9 areas of asphalt damaged by roots and 5 gator areas.
Man-hours:	104.75hrs.
Equipment:	420 Cat backhoe, 405 dump truck, asphalt roller plus hand tools.
Materials:	31.92 tons of I2 asphalt.

Location:	Malta and E Market Street.
Starting Date:	3/19/2019
Completion Date:	3/19/2019
Description:	Repaired low shoulder damaged by trucks.
Man-hours:	2hrs.
Equipment:	420 Cat backhoe plus hand tools.
Materials:	2 yards of fill dirt.

Location:	2nd Ave from 925-1000 Blk, corner of Ward and Broadway.
Starting Date:	3/27/2019
Completion Date:	3/27/2019
Description:	Clean Drains and repaired low shoulder for positive drainage.
Man-hours:	3.5hrs.
Equipment:	420 Cat backhoe plus hand tools.
Materials:	2 yards of 57 stone and 2 yards of topsoil.

Location:	6th and SBL Blvd, 5th and Bridge.
Starting Date:	3/26/2019
Completion Date:	3/26/2019
Description:	Replaced faded stop signs at both locations.
Man-hours:	1hr.
Equipment:	401 pickup plus hand tools.
Materials:	Two 30x30 stop signs plus hardware.

Asphalt Repair List
March 2019

WO #	Location	District	Size	Repair Date
# 18919 (12/7/2018)	Wellons St. near Chestnut Dr.	1	(2)Bad areas in pavement, 8` x 20`, and 5` x 7`	3/13/2019
# 19151(1/25/2019)	N. Sussex Dr. & Canterbury Rd.	3	8` x 8` bad areas in the asphalt	3/13/2019
# 19376 (3/12/2019)	110 & 112 E. Caroline Ave.	1	(2) Bad areas in pavement, 8' x 10' and 7' x 16'	3/13/2019
# 19368 (3/12/2019)	Dot`s Lot near Simple Twist at 227 E. Market St.	2	Dot's Lot Parking Lot Area: 10' x 14', 10' x 20', 15' x 30', 2' x 36', 2' x 2', 4' x 4', 16' x 20', 8' x 24', 5' x 5'	3/20/2019 and 3/21/2019
			31.92 tons of asphalt was used in: 9 root damage repairs	
			and 5 cut out bad areas in the asphalt	

Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
Mar. 31, 2019

I. Statistical Section

_11_ Preventive Maintenances

_0_ North Carolina Inspections

_31_ Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

None for the month.

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department safety meeting was on "Safety Cans and Containers FAQ's."

Town of Smithfield
Public Works Sanitation Division
Monthly Report
March 31, 2019

I. Statistical Section

The Division collected from approximately 4100 homes, 4 times during the month

a. Sanitation forces completed 52 work orders
b. Sanitation forces collected tons 408.36 of household waste
c. Sanitation forces disposed of 68 loads of yard waste and debris at Spain Farms Nursery
d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
e. Town's forces collected 4.27 tons of construction debris (C&D)
f. Town disposed of 166 scrap tires that was collected at Convenient Site Center
g. Recycling forces collected 2.71 tons of recyclable plastic
h. Recycled 1480 lbs. of cardboard material from the Convenient Site Center
i. A total of 0 gals of cooking oil was collected at the Convenient Site Center
j. Recycled 2740 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

a. Received $0 from Sonoco Products for cardboard material
b. Sold 0 lbs. of aluminum cans for $0
c. Sold 2100 lbs. of shredder steel for $126.00 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid $1980.00 for disposal of yard waste and debris.
Paid $762.53 to Amick Equipment for repairs to bucket on knuckle boom loader. Paid $540 for U.S. cellular 2 months Tablet shared for the year.

IV. Personnel Update:

No new personnel were hired.

V. Narrative of monthly departmental activities:

The department worked closely with Parks & Recreation providing traffic control devices and event containers for special events held at the SRAC. The Public Works Department safety meeting was on "Safety Cans and Containers FAQ's."
Community Service Workers worked 5.83 hrs.

PARKS AND RECREATION

MONTHLY REPORT FOR MARCH, 2019

PROGRAMS SATISTICS	MARCH, 2019	MARCH, 2018
NUMBER OF PROGRAMS	12	13
TOTAL ATHLETICS PARTICIPANTS	388	108
TOTAL NON/ATHLETIC PARTICIPANTS	176	346
SARAH YARD CENTER	305	
NUMBER OF GAMES PLAYED	18	19
TOTAL NUMBER OF PLAYERS (GAMES)	344	472
NUMBER OF PRACTICES	43	89
TOTAL NUMBER OF PLAYER(S) PRACTICES	590	1156

	MARCH, 2019	18/19 FY YTD	MARCH, 2018	17/18 FY YTD
PARKS RENTALS	110	279	31	169
USERS (PARKS RENTALS)	3830	13920	642	13920
TOTAL UNIQUE CONTACTS	**5,328**		**2,724**	

FINANCIAL STATISCTICS	MARCH, 2019	18/19 FY YTD	MARCH, 2018	17/18 FY YTD
PARKS AND RECREATION REVENUES	$ 9,378.00	$ 55,642.00	$ 11,250.25	$ 68,842.55
PARKS AND RECREATON EXPENDITURES (OPERATIONS)	$ 53,381.00	$ 537,565.00	$ 48,838.90	$ 481,099.90
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	$ 23,454.00	$ 97,168.00	$ 1,345.95	$ 133,807.49
SARAH YARD CENTER	$ 1,802.00	$ 16,989.00		

HIGHLIGHTS

SMITHFIELD RECREATION AND AQUATICS CENTER

MONTHLY REPORT FOR MARCH, 2019

PROGRAMS SATISTICS	MARCH, 2019	MARCH, 2018
NUMBER OF PROGRAMS	27	28
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	4062	2616

	MARCH, 2019	18/19 FY YTD	MARCH, 2018	17/18 FY YTD
SRAC MEMBER VISITS	4179	33802	5382	44909
DAY PASSES	892	6709	612	6355
RENTALS (SRAC)	60	476	55	662
USERS (SRAC RENTALS)	1508	2790	2905	27423
TOTAL UNIQUE CONTACTS	**10,641**	**106,028**	**11,515**	**97,329**

FINANCIAL STATISCTICS	MARCH, 2019	18/19 FY YTD	MARCH, 2018	17/18 FY YTD
SRAC REVENUES	$ 61,074.00	$ 458,335.00	$ 63,896.00	$ 494,479.00
SRAC EXPENDITURES	$ 82,471.00	$ 688,339.00	$ 68,583.75	$ 658,415.06
SRAC MEMBERSHIPS	2004			

Utilities Department
Monthly Report
March 2019

- **Statistical Section**
  - Electric CP Demand 22,366 Kw relative to February's demand of 24,078 Kw.
  - Electric System Reliability for was 99.998%, with two (2) recorded outage; relative to February's 99.999%.
  - Raw water treated on a daily average was 3.699 MG relative to 3.503 MG for February; with maximum demand of 3.994 MG relative to February's 4.000 MG.
  - Total finished water to the system was 104.896 MG relative to February's 92.499 MG. Average daily for the month was 3.384 MG relative to February's 2.984 MG. Daily maximum was 3.695 MG (March 25th) relative to February's 3.537 MG. Daily minimum was 3.148 (March 9th), relative to February's 2.768 MG.
- **Miscellaneous Revenues**
  - Water sales were $206,729 relative to February's $235,424
  - Sewer sales were $341,091 relative to February's $347,433
  - Electrical sales were $1,250,416 relative to February's sales of $1,359,353
  - Johnston County Water purchases were $117,522 for 58.761 MG relative to February's $115,250 for 57.625 MG.
- **Major Expenses for the Month**
  - Electricity purchases were $946,002 relative to February's $965,769.
  - Johnston County sewer charge was $295,248 for 87.872 MG relative to February's $272,666 for 81.096 MG.
- **Personnel Changes –**
  - None

Town of Smithfield
Electric Department
Monthly Report
March, 2019

I. Statistical Section

- Street Lights repaired –26
- Area Lights repaired -16
- Service calls – 27
- Underground Electric Locates –175
- Poles changed out, installed or removed-0
- Underground Services Installed/Repaired -1

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- Utility Dept. had 2 Safety meetings, Blood Screening & Lockout-Tagout.

V. Miscellaneous Activities:

- Continuing conversion work on the south side of Town. (Holding St. to Wellons St.)
- Install all underground electrical lines at 200 Kellie Dr. assisted Living Facility.
- Continue installing underground conduit along Kellie Dr.
- Started installing conduit for JCC upgrade.
- Set transformer for Outlet Store electrical vehicle charging station.
- Install new service at PS#6 Finney Dr.

WATER & SEWER

MARCH 2019 MONTHLY REPORT

DISCONNECT WATER	5
RECONNECT WATER	1
TEST METER	5
TEMPORARY METER SET	0
DISCOLORED WATER CALLS	2
LOW PRESSURE CALLS	5
NEW/RENEW SERVICE INSTALLS	0
LEAK DETECTION	11
METER CHECKS	15
METER REPAIRS	6
WATER MAIN/SERVICE REPAIRS	6
STREET CUTS	3
REPLACE EXISTING METERS	3
INSTALL NEW METERS	4
FIRE HYDRANTS REPAIRED	1
FIRE HYDRANTS REPLACED	0
SEWER REPAIRS	18
CLEANOUTS INSTALLED	14
INSPECTIONS	22
SEWER MAIN CLEANED	7617LF

- SERVICE LATERALS CLEANED 1560LF
- SERVICE CALLS 128
- LOCATES 158

- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY

MAJOR EXPENSES FOR THE MONTH OF MARCH

- McClung's finished installing the cabinet at SLS #6.
- Generator at SLS#3 had problems, had to call Gregory Poole to come out to fix.
- Dump truck finally finished at Carolina Freightliner.

PERSONNEL UPDATES

UPCOMING PROJECTS FOR THE MONTH OF APRIL

- Braswell will be continuing to work on Kellie Dr. water and sewer installation.
- JF Wilkerson is continuing the 16" water main extension on Durwood Stephenson, they should be finishing this month.
- Corbett will be starting the upgrades at SLS #5 on 3/11/19.

Smithfield Water Plant

Distribution Sampling Site Plan

Street Name	Date	Chlorine	Time	Gallons	Psi
Stephson Drive	03/11/19	1.4	15	7965	10
Computer Drive	03/11/19	1.5	15	31860	10
Castle Drive	03/11/19	1.5	15	7965	10
Parkway Drive	03/11/19	1.5	15	63720	40
Garner Drive	03/11/19	1.2	15	63723	40
Hwy 210 LIFT ST.	03/11/19	0.8	15	15930	40
Skyland Drive	03/11/19	1.6	15	7965	10
Bradford Street	03/11/19	0.8	15	15930	10
Kellie Drive	03/12/19	0.8	15	7965	10
Edgewater	03/12/19	0.6	15	7965	10
Edgecombe	03/12/19	0.6	15	15930	40
Valley Wood	03/12/19	0.6	15	63720	40
Creek Wood	03/12/19	0.6	15	63720	40
White Oak Drive	03/12/19	1.2	15	7965	10
Brookwood Drive	03/13/19	0.4	15	22515	5
Runneymede Place	03/13/19	1.2	15	31860	10
Nottingham Place	03/13/19	1.4	15	38985	10
Heritage Drive	03/13/19	0.6	15	38985	10
Noble Plaza #1	03/13/19	0.6	15	9750	10
Noble Plaza #2	03/13/19	0.6	15	9750	10
Pinecrest Street	03/13/19	0.8	15	19500	10
S. Sussex Drive	03/13/19	1.3	15	31860	10
Elm Drive	03/13/19	0.8	15	9750	10
	03/13/19				
Coor Farm Supply	03/13/19	0.4	15	7965	10
Old Goldsboro Rd,	03/13/19	0.4	15	7965	10
Hillcrest Drive	03/06/19	1.4	15	31860	10
Eason Street	03/06/19	0.4	15	38985	40
Magnolia circle	03/06/19	0.8	15	78030	40
Rainbow Drive	03/06/19	1.4	15	19500	60
Rainbow Circle	03/06/19	1.4	15	19500	60
Moonbeam Circle	03/06/19	1.4	15	19500	60
Ray Drive	03/06/19	0.4	15	15930	60
Will Drive	03/06/19	0.6	15	63720	40
Michael Lane	03/06/19	0.8	15	63720	40
Ward Street	03/20/19	1.2	15	15930	40
				977883	

Hydrant Flushing

Street Name	Date	Chlorine	Time	Gallons	PSI
North Street	03/20/19	1.4	15	17820	40
West Street	03/20/19	1.2	15	78030	50
Regency Drive	03/20/19	1.6	15	63720	60
Randers Court	03/20/19	1.6	15	15930	40
Noble Street	03/20/19	0.2	15	15930	40
Fieldale Dr#1(L)	03/20/19	0.2	15	63720	40
Fieldale Dr#2(R)	03/20/19	1.6	15	63720	40
Heather Court	03/20/19	1.6	15	15930	40
Reeding Place	03/20/19	1.6	15	15930	40
East Street	03/20/19	1.2	15	63720	40
Smith Street	03/20/19	1.4	15	63720	40
Wellons Street	03/20/19	1.4	15	63720	40
Kay Drive	03/06/19	0.8	15	38985	15
Huntington Place	03/06/19	1.2	15	38985	15
N. Lakeside Drive	03/06/19	1.2	15	9750	15
Cypress Point	03/06/19	1.2	15	34890	12
Quail Run	03/06/19	1.2	15	8715	12
British Court	03/06/19	1.2	15	8715	12
Tyler Street	03/06/19	1.4	15	78030	60
Yelverton Road	03/06/19	1.6	15	63720	40
Ava Gardner	03/06/19	1	15	63720	40
Waddell Drive	03/06/19	1.8	15	7965	10
Henly Place	03/06/19	1.8	15	8715	12
Birch Street	03/06/19	1.6	15	34890	12
Pine Street	03/06/19	1.6	15	38985	15
Oak Drive	03/06/19	1.6	15	37695	14
Cedar Drive	03/06/19	1.6	15	31860	10
Aspen Drive	03/06/19	1.6	15	34890	12
Furlonge Street	03/07/19	1.8	15	34890	12
Golden Corral	03/07/19	1.8	15	40290	16
Holland Drive	03/07/19	0.6	15	9750	15
Davis Street	03/07/19	1.8	15	34890	12
Caroline Ave.	03/07/19	1.8	15	31860	10
Johnston Street	03/07/19	1.8	15	38985	15
Ryans	03/07/19	1	90	9750	15
				1282815	2260698

MONTHLY WATER LOSS REPORT

MARCH, 2019

(5) Meters with slow washer leaks

1" Line, 1/8" hole – 1day

(2)3/4" Line, 1/8" hole – 3days

(2)3/4" Line, 1/4" hole – 4hrs

6" Line, 1/4" hole – 3hrs

Fire Hydrant slow drip