



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

Sloan Stevens

Travis Scott

David Barbour

Stephen Rabil

Roger A. Wood

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

## Town Council

## Agenda

## Packet

Meeting Date: Tuesday, November 1, 2022

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577





**TOWN OF SMITHFIELD  
TOWN COUNCIL AGENDA  
REGULAR MEETING NOVEMBER 1, 2022  
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

1. Presentation on the Neuse River Trail Study – Item also includes consideration and request for approval to adopt Resolution No. 713 (22-2022) supporting the study.  
(Planning Director – Stephen Wensman) See attached information.....1

Public Hearings:

1. ZA-22-03 Town of Smithfield: The applicant is requesting an amendment to Unified Development Ordinances, Article 8, Section 8.13.6 to allow for a maximum building height of 100 feet when located within a B-3 (Highway Entrance Business) zoning district and within 660 feet of Interstate Highway 95 and striking the requirement for a special use permit when a building exceeds 40 feet in height and located within a commercial or industrial zoning district.  
(Planning Director – Stephen Wensman) See attached information.....5

Citizens Comments

Consent Agenda Items:

1. Approval of Minutes:
  - a. October 4, 2022 – Regular Meeting
  - b. October 4, 2022 – Closed Session (Under Separate Cover)
  - c. October 18, 2022 – Special Session.....19

|   |    |
|---|----|
| 2. Special Event: Employee Appreciation & Wellness Day – Walker Auto & Truck is requesting approval to hold an event at 600 M. Durwood Stephenson Parkway on November 5, 2022 from 10:00 am until 3:00 pm. This request includes the use of a food truck.<br>(Planning Director – Stephen Wensman) <u>See</u> attached information..... | 41 |
| 3. Special Event: Day of Thanks – Women on the Move is <b>requesting approval</b> to hold an event at Smith Collins Park on November 5, 2022 from 12:00 pm until 5:00 pm. This request includes the use of amplified sound.<br>(Planning Director – Stephen Wensman) <u>See</u> <b>attached information</b> .....                       | 53 |
| 4. Consideration and request for approval to promote a Police Officer I to the rank of Police Officer II<br>(Chief of Police – R. Keith Powell) <u>See</u> attached information.....  | 59 |
| 5. Consideration and request for approval to promote a Police Officer II to the rank of Master Police Officer<br>(Chief of Police – R. Keith Powell) <u>See</u> attached information.....   | 67 |
| 6. Consideration and request for approval to adopt Resolution No. 714 (23-2022) allowing retiring Chief of Police R. Keith Powell to purchase his service badge and weapon<br>(Police Captain – James Grady) <u>See</u> attached information.....   | 89 |
| 7. Consideration and request for approval to award a contract to the Wooten Company for the <b>update to the Town’s Sewer Asset Management Plan</b><br>(Public Utilities Director – Ted Credle) <u>See</u> attached information.....  | 93 |
| 8. New Hire Report<br>(HR Director – Tim Kerigan) <u>See</u> attached information.....  | 99 |

Business Items:

|   |     |
|---|-----|
| 1. Consideration and request for approval of contracts for the Eva Ennis Splash Pad & Trail<br>(Planning Director – Stephen Wensman) <u>See</u> attached information..... | 101 |
|---|-----|

**Councilmember’s Comments**

**Town Manager’s Report**

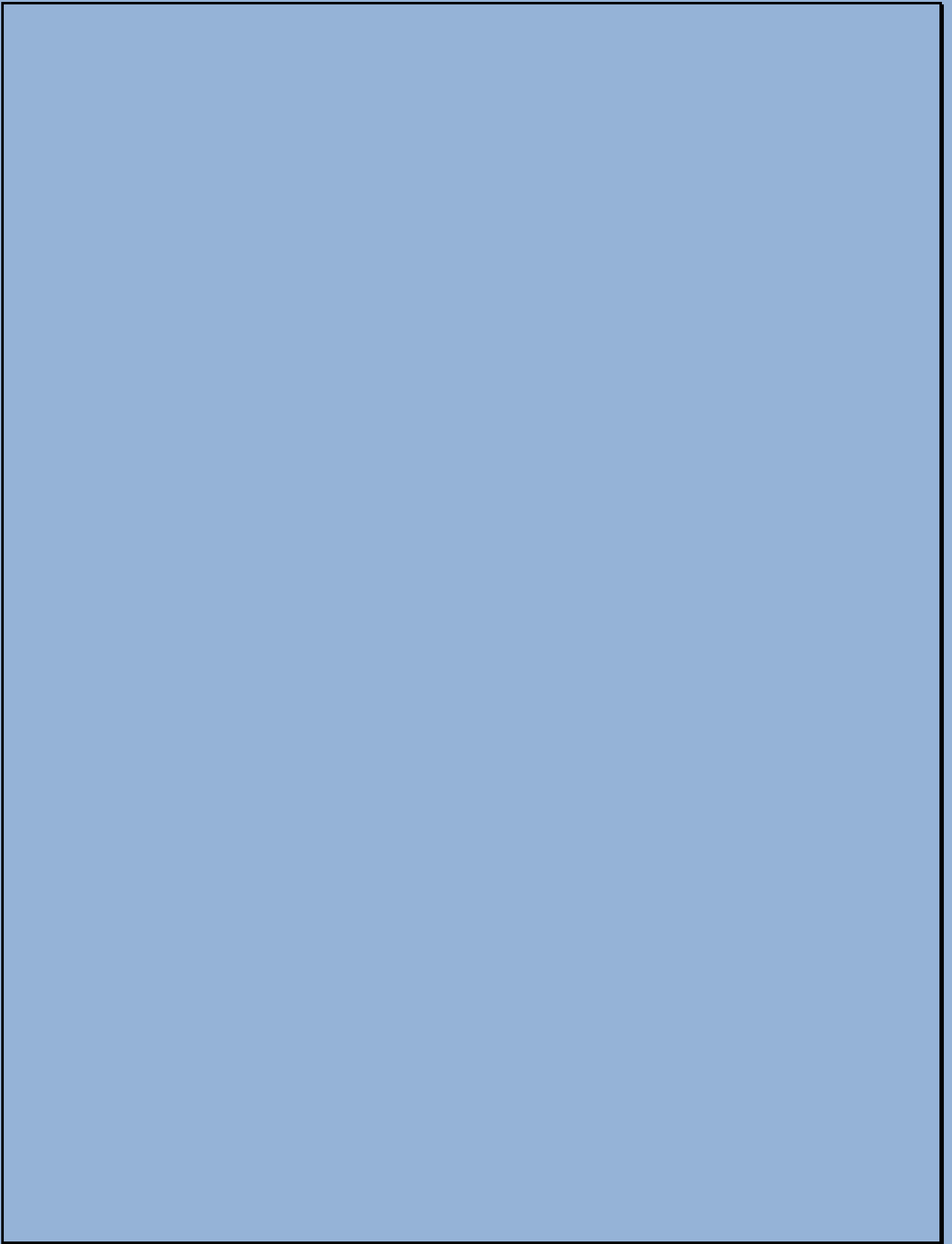
- Financial Report (See attached information).....109
- Department Reports (See attached information)..... 113
- **Manager’s Report** (Will be provided at the Meeting)

Closed Session: Pursuant to NCGS 143-318.11 (a) (5) & (6)

Reconvene In Open Session

Adjourn

# Presentation





# Request for Town Council Action

Presentation: Application  
for  
Temporary  
Use Permit  
Date: 11/01/2022

---

Subject: Adopt Resolution of Support for the Neuse River Trail Study  
Department: Planning Department  
Presented by: Planning Director – Stephen Wensman  
Presentation: Presentation

---

## Issue Statement

To adopt resolution of support for the Neuse River Trail Study

## Financial Impact

None

## Action Needed

The review the Neuse River Trail Study and adopt a resolution of support for the study

## Recommendation

Staff recommends the Town Council adopt Resolution No. 713 (22-2022) in support for the Neuse River Trail Study.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 713 (22-2022)
3. Neuse River Trail Study – Separate Attachment



# Staff Report

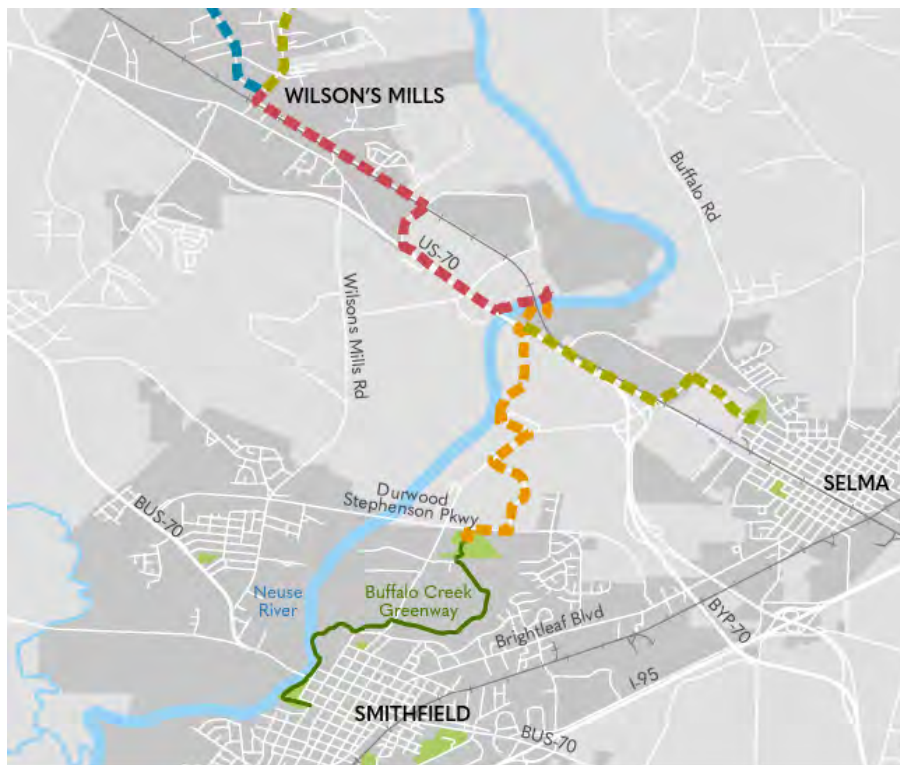
Presentation: Neuse River Trail Study

## Overview:

The proposed Neuse River Trail is a 15-mile corridor in Johnston County connecting existing greenways in Clayton and Smithfield. The proposed trail is a critical missing link in the regional greenway network and is the identified corridor for gap segments of the Mountains-to-Sea Trail and East Coast Greenway.

The Upper Coastal Plain Rural Planning Organization (RPO), Johnston County, and NCDOT led the Neuse River Trail feasibility study to assess existing conditions and evaluate potential routes, develop detailed cost estimates, and provide strategies for implementation.

The study identified a preferred alignment within the Town of Smithfield (Segment D) begins along the Neuse River, to Buffalo Road, to Kellie Drive, to M. Derwood Stephenson Parkway to Community Park.





## Implementation Recommendations:

The Report contains implementation recommendations for Smithfield:

### **MUNICIPALITIES: TOWNS OF CLAYTON, WILSON'S MILLS, SMITHFIELD, + SELMA**

Municipal governments lead or support the development of recreation and transportation projects within their jurisdiction. On projects they play a supporting role, municipal staff are the primary coordinators for community engagement, policy development, and maintenance.

**Jurisdictions along the NRT corridor include the Town of Clayton, Town of Wilson's Mills, Town of Smithfield, and Town of Selma.** Each jurisdiction has established Capital Improvement Programs (CIP) that identify and prioritize projects for funding, and some jurisdictions also have bicycle and pedestrian friendly policies in their code of ordinances that require facilities identified in locally adopted plans to be developed. Most jurisdictions along the corridor also have established procedures that guide public participation for recreation and transportation projects. As project partners in the development of NRT segments within their jurisdictions, municipal roles in implementation include:

- Adopt Resolutions of Support for the NRT Feasibility Study and amend local plans to incorporate study recommendations.
- Lead development of local segments of the proposed NRT.
- Coordinate with Johnston County and neighboring municipalities on developing the connections across jurisdictional boundaries.

### Recommendation:

The adopting of this resolution is the first step towards implementation. Staff recommends the Town Council adopt Resolution No. 713 (22-2022) in support of the Neuse River Trail Study.

### Recommended Motion:

**"move to adopt Resolution No. 713 (22-2022) in support of the Neuse River Trail Study"**

**TOWN OF SMITHFIELD**  
**Resolution No. 713 (22-2022)**  
**Supporting the Neuse River Trail Feasibility Study**

**Whereas**, the Town Council of the Town of Smithfield is committed to the planning and development of the Mountains to Sea Trail and the East Coast Greenway as they connect and progress through the town and the county; and

**Whereas**, Johnston County and the Upper Coastal Plain Rural Planning Organization through grant funding from North Carolina Department of Transportation and in coordination with North Carolina State Parks Trail Programs has commissioned the Neuse River Trail Feasibility Study; and

**Whereas**, the Neuse River Trail Feasibility Study focuses and directs the development of the indicated section of the East Coast Greenway (National and State Trail) and the Mountains to Sea (State Trail) as a back-bone bicycle and pedestrian route for recreation, transportation and healthy connectivity; and

**Whereas**, it will provide connectivity to Harnett, Wake and Wayne Counties; and

**Whereas**, it will provide enhanced opportunities for commerce and tourism through the towns connected; and

**Whereas**, it has been endorsed and adopted by the Johnston County Board of Commissioners; and

**Whereas**, Neuse River Trail Feasibility Study will provide a plan and pathway toward the completion of the trail, that will create an invaluable resource for our children, grandchildren and great-grandchildren; and

**Now, Therefore, Be It Resolved by the Smithfield Town Council**, that the Town of Smithfield, North Carolina adopts the Neuse River Trail Feasibility Study and the direction of trail development throughout their jurisdiction.

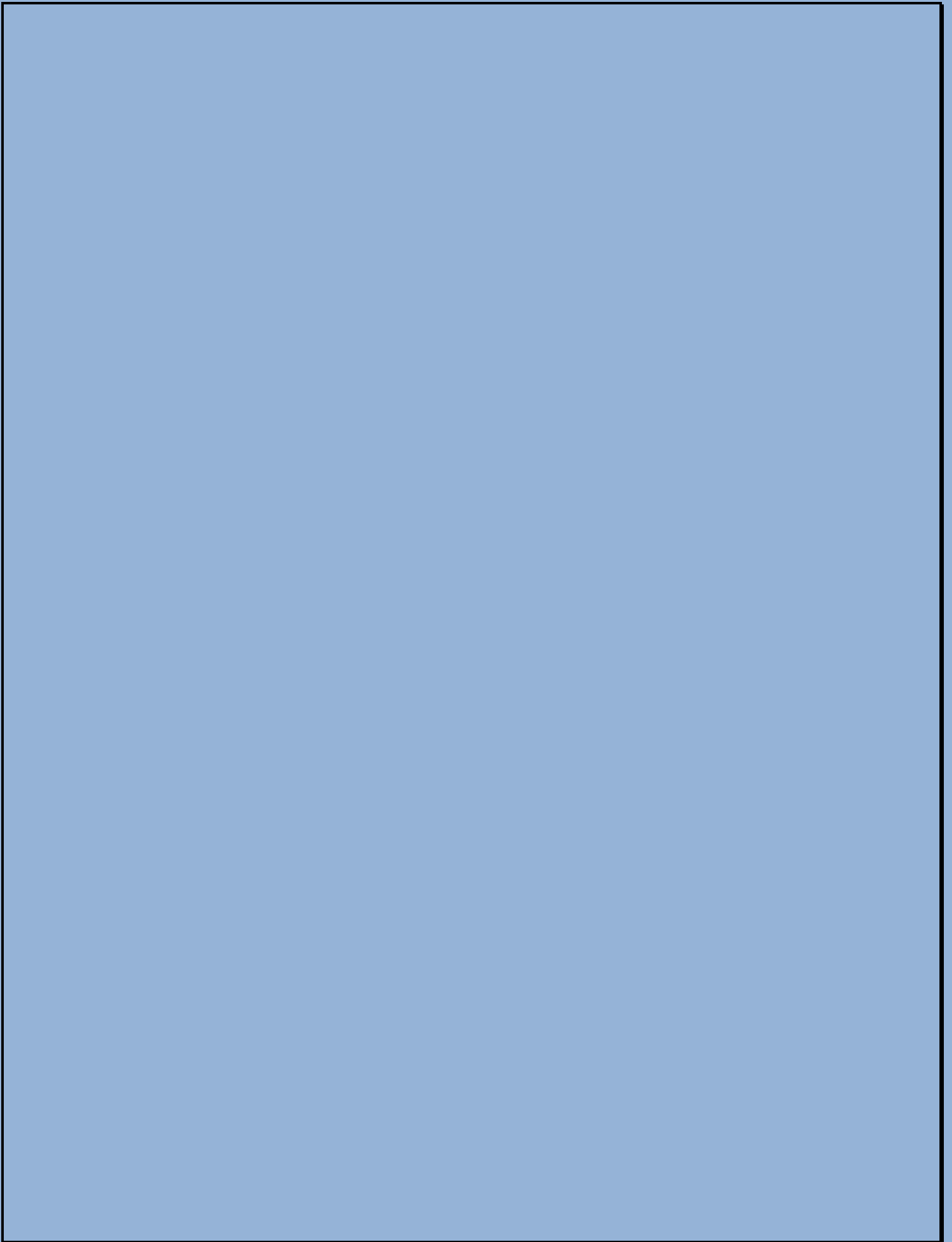
Adopted this the 1<sup>st</sup> day of November, 2022

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

Attest:

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

# Public Hearing





# Request for Town Council Action

Public  
Hearing: ZA-22-03  
Date: 11/01/2022

---

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

---

## Issue Statement

Request to amend the Unified Development Ordinance, Article 8, Section 8.9 as it pertains to building height in the B-3 Highway Entranceway Business District

## Financial Impact

None.

## Action Needed

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

## Recommendation

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-22-03, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Draft Zoning Text Amendment
3. Consistency Statement
4. Application
5. **Planning Board Minutes**
6. **Legal Advertisement**



# Staff Report

Public  
Hearing: ZA-22-03

## REQUEST:

The Planning Board had requested Staff to draft an amendment to the Unified Development Ordinance (UDO) **so that special use permits for height greater than 40' up to 100' would no longer be required.**

## ANALYSIS:

Each zoning district has specific dimensional standards including a standard for building height in Article 8 of the UDO. Section 8.13 contains Notes to the Zoning District Standards including the note:

Section 8.13.5 Building height may be increased above 40 feet up to a maximum of 100 feet through the issuance of a special use permit.

This note does not specify to which districts it applies, but the only commercial and industrial districts allow 40-foot building heights. The Town recently amended the UDO to allow **buildings up to 80' in height** in the Light Industrial District. All of the special use permits for height over 40 feet have been within 660 feet of I-95 and all have been for hotels. In all cases, no special conditions were placed on special use permits.

The draft UDO amendment would amend Section 8.9.1, by adding a reference to Section **8.13.6 and amending Section 8.13.6, by striking SUP requirement for buildings over 40' to 100' and allowing buildings height up to 100' within 660 feet of the I-95** corridor in the B-3 zoning district.

This amendment would eliminate the ability to construct buildings over 40 feet in the other commercial districts and the heavy industrial district unless the additional building height were allowed through a conditional zoning application.

## CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment as proposed consistency with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-22-03, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

STAFF RECOMMENDED MOTION:

Staff recommends the following motion:

“Move to approve zoning text amendment, ZA-22-03, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the **amendment is reasonable and in the public interest.**”

**DRAFT ORDINANCE # ZA-22-03**  
**AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD**  
**UNIFIED DEVELOPMENT ORDINANCE**  
**ARTICLE 8, SECTION 8.9 B-3 HIGHWAY ENTRANCEWAY BUSINESS DISTRICT**

**WHEREAS**, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 8, Section 8.9 as it pertains to building height in the B-3 Highway Entranceway Business District.

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

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

[Revise Article 8, Section 8.9.1. adding a reference to Section 8.13.6 and amending Section 8.13.6, striking SUP requirement for buildings over 40' to 100' and allowing buildings height up to 100' within 660 feet of the I-95 corridor in the B-3 zoning district.]

**PART 1**

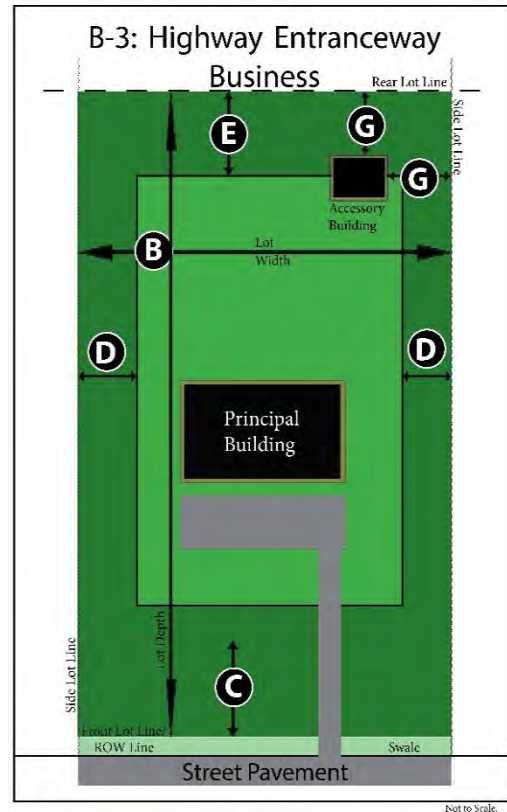
That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.



**SECTION 8.9 B-3 HIGHWAY ENTRANCEWAY BUSINESS DISTRICT.**

**8.9.1. Dimensional Requirements.**

|   |  |
|---|--|
| (A) Minimum Lot Area<br>• Major shopping center<br>• Minor shopping center<br>• Other building or use     | 12,000 sq ft<br>12,000 sq ft<br>12,000 sq ft   |
| (B) Minimum Lot Frontage<br>• Major shopping center<br>• Minor shopping center<br>• Other building or use | 200 ft<br>125 ft<br>125 ft   |
| (C) Front Yard Setback<br>• Major shopping center<br>• Minor shopping center<br>• Other building or use   | 100/50 ft (see Sect 8.9.2.1)<br>50/35 ft (see Sect 8.9.2.2)<br>50/35 ft (see Sect 8.9.2.2) |
| (D) Side Yard Width<br>• Major shopping center<br>• Minor shopping center<br>• Other building or use      | 50 ft<br>15 ft (see Sect 8.8.2.3)<br>15 ft (see Sect 8.8.2.3)                              |
| (E) Rear Yard Depth<br>• Major shopping center<br>• Minor shopping center<br>• Other building or use      | 50 ft<br>25 ft<br>25 ft  |
| (F) Maximum Building Height   | 40 ft (See Sect. 8.13.6)   |
| (G) Accessory Buildings   | 10 ft (See Sect. 8.13.3)   |



...

**8.13.6.** Building height may be increased above 40 feet up to a maximum of 100 feet ~~through~~ if the building is within 660 feet of the I-95 corridor in the B-3 zoning district, issuance of a conditional special use permit.

**PART 2**

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

**PART 3**

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

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

Duly adopted this the 1<sup>st</sup> day of November, 2022.

---

M. Andy Moore, Mayor

ATTEST

---

Shannan L. Parrish, Town Clerk

THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
AMENDMENT CONSISTENCY STATEMENT  
BY THE SMITHFIELD TOWN COUNCIL  
ZA-22-03

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

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

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

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment ZA-22-03 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the regularly scheduled meeting of Town Council; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,

That the final action regarding zoning ordinance amendment ZA-22-03 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

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

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

**APPLICANT INFORMATION:**

|                                     |                                |
|-------------------------------------|--------------------------------|
| Town of Smithfield Planning Depart. | <b>350 East Market Street</b>  |
| Petitioner's Name                   | Address or PO Box              |
| <b>Smithfield 27577</b>             | <b>919-934-2116, ext. 1114</b> |
| City, State, Zip Code               | Telephone                      |

Proposed amendment to the Town of Smithfield Unified Development Ordinance:  
 to amend sup requirement for building height over 40' to 100'  
 make it permitted by right within 660 ft. of I-95 in the B-3 District.

(Attach additional sheets as necessary)

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

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

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

*Stephen Wenson*  
 Signature of Petitioner

**9/1/22**  
 Date

**FOR OFFICE USE ONLY**

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

**Town of Smithfield  
Planning Board Minutes  
Thursday, September 1st, 2022  
Town Hall Council Chambers  
6:00 PM**

Members Present:

Chairman Mark Lane  
Vice-Chairman Debbie Howard  
Ashley Spain  
Debbie Howard  
Wiley Narron  
Alisa Bizzell

Members Absent:

Doris Wallace  
Brian Stanley

Staff Present:

Mark Helmer, Senior Planner  
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Stephen Wensman, Planning Director

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA** Debbie Howard made a motion to approve the agenda; seconded by Ashley Spain. Unanimously approved

**APPROVAL OF MINUTES for September 1st, 2022**

Debbie Howard made a motion to approve the minutes, seconded by Ashley Spain. Unanimously approved.

**NEW BUSINESS**

**ZA-22-03 Town of Smithfield: The applicant is requesting an amendment to Unified Development Ordinances, Article 8, Section 8.13.6 to allow for a maximum building height of 100 feet when located within a B-3 (Highway Entrance Business) zoning district and within 660 feet of Interstate Highway 95.**

Mark Helmer presented ZA-22-03 stating the Planning Board had requested staff to draft an amendment to the Unified Development Ordinance (UDO) so that special use permits for height greater than 40' up to 100' would no longer be required. Each zoning district has specific dimensional standards including a standard for building height in Article 8 of the UDO. Section 8.13 contains notes to the Zoning District Standards including the note:

Section 8.13.5 Building height may be increased above 40 feet up to a maximum of 100 feet through the issuance of a special use permit.

This note does not specify to which districts it applies, but the only districts that currently allow building heights of 40 feet are the commercial and industrial districts. The Town recently amended the UDO to allow buildings up to 80' in height in the Light Industrial District. All of the special use permits for height over 40 feet have been within 660 feet of I-95 and all have been for hotels. In all cases, no special conditions were placed on special use permits.

The draft UDO amendment would amend Section 8.9.1, by adding a reference to Section 8.13.6 and amending Section 8.13.6, by striking SUP requirement for buildings over 40' to 100' and allowing buildings height up to 100' within 660 feet of the I-95 corridor in the B-3 zoning district. This amendment would eliminate the ability to construct buildings over 40 feet in the other commercial districts and the heavy industrial district unless the additional building height were allowed through a conditional zoning application.

Staff finds the zoning text amendment as proposed consistency with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Planning Staff recommend the Planning Board recommend approval of the zoning text amendment, ZA-22-03, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Mark Lane asked if there was any other B-3 zone besides the hotel district?

Mark Helmer said yes there are other B-3 zones and he showed them on the map.

Debbie Howard made a motion to recommend approval of zoning text amendment, ZA-22-03, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest; seconded by Ashley Spain. Unanimously approved

**ZA-22-01 Town of Smithfield: The applicant is requesting an amendment to Unified Development Ordinances, Article 10, Section 10.114 as it pertains to recreation and park dedication requirements for major subdivisions, commercial developments and industrial parks.**

Mark Helmer stated staff is requesting the Planning Board recommend approval of an amendment to the Unified Development Ordinance, Article 10, Section 10.114 as it pertains to recreation and park dedication requirements for major subdivisions.

The Town Council directed staff to review park dedication requirements in the Unified Development Ordinance. As a result, Park Director, Gary Johnson, had the parks consultants, McAdams, to review the Town's Park dedication fee-in-lieu requirements (See attached

Report). The report found the Town's fee in lieu, currently at 1.75%, to be the lowest in a comparison with peer communities. The report also found the Town's regulation to be out of compliance with the recent 160D enabling legislation. The report suggests the need to increase fee-in-lieu requirements to address parks and recreation needs into the future and provides examples showing fee increases to 2.25% and 3%. Staff has augmented the examples showing increases up to 10% (See the attached Park Dedication Fee-in-Lieu Comparisons). Staff has drafted the ordinance with a 7% park dedication requirement. This can be amended by the Council at the public hearing changing the amount to a greater or lesser figure.

Other changes to Article 10, Section 10.114 Recreation include:

- Changed required fee-in-lieu to be based on appraised tax value. The current ordinance requires the fee to be based on an independent appraisal.
- Aligned the applicability section to more closely match the 160D as it pertains to applying park dedication funds to improvements to the "immediate area".
- Amended the exceptions section. Eliminated the subsection that pertains to land dedication less than 2000 sq. ft. Parks that small won't be able to meet recreation needs and the Town Council already has the ability to require park fee in lieu.
- Amends section 10.114.2.3 pertaining to greenway connections. The Council reviews plats and can already conditionalize connections to adjacent greenways. The dimensions in the ordinance are too rigid and the requirement should be left to the discretion of the Town Council.
- Removed all sections related to commercial park dedication or fee in lieu. Staff could find no other community in North Carolina that requires commercial park dedication.
- Off-street Parking section was deleted and now refers to the Article 10, Part I Off-Street Parking and Loading Requirements.
- In Section 10.114.7, the required recommendation by Recreation and Parks Advisory Council was deleted. Plat review by the Advisory Board has not been a town practice for a very long time.
- In Section 10.114.7 the provision that gives park dedication credit for private parks has been deleted. The 160D legislation implies that park dedication should be for the subdivision and "Immediate area" and private parks would not meet that public purpose.
- The section that allows fees to be paid 1-year after preliminary plat was deleted. The Town has no process to collect fee-in-lieu except at final plat.

Wiley Narron asked what was meant by peer communities?

Mark Helmer said we look to other communities like our size to see what they are doing. We probably checked out Knightdale, Garner and Wilson. We have the lowest fees to anyone around us.

Wiley Narron asked if 10.114.8 Payments in Lieu of Dedication is the tax value of the acreage necessary for that subdivision?

Mark Helmer said the fee-in-lieu is calculated based on what a private appraiser hired by the property owners says it's worth. But we are proposing to change it and base the fee-in-lieu on what the tax office says it is worth.

Debbie Howard said right now land values are much higher than what tax values are.

Mark Helmer said at this point and time yes, however that isn't always the case.

Wiley Narron asked if by going by the appraised tax value that it provided a happy medium?

Mark Helmer said it's just more cut and drier. It eliminates any discrepancies from multiple appraisers and is a statutory requirement.

Debbie Howard asked if a developer came in with a subdivision request would they not be required to have open space?

Mark Helmer said they would still have to meet all other development requirements. In addition, developments must dedicate property for park space or pay fee-in-lieu.

Debbie Howard said she didn't have a problem with this request other than going from 1.75 to 10%. She feels that we are making a huge jump all at one time. We want to control development and make smart development. We've had some developments come in over the last few years that we've had no control over because we had to go by the books.

Mark Helmer said the reason we go out and look at the other numbers is because we want to be competitive with other communities. They want to be sure development is paying their way. One of those ways is to make sure we have a park system that is capable of serving the community now and into the future. If we don't require these developers to help us with the infrastructure then how else are we going to pay for it. It seems like a lot because we haven't been getting what we should have.

Ashley Spain agrees that current fees are too low. If we are receiving fee-in-lieu where is the land going to be located for these parks.

Mark Helmer said the way state statutes requires that the park dedication be used for parks in the immediate area around the development.

Mark Lane suggested that Debbie Howard gather some questions about this.

Debbie Howard stated that she would like to see ZA-22-01 tabled for at least one month to allow her time to digest this request.



Mark Helmer said we've had this ordinance in place for a long time. We've increased the fees to match what other surrounding towns are doing.

Debbie Howard made a motion to table ZA-22-01 until the next Planning Board meeting on November 3, 2022; seconded by Wiley Narron. Unanimously approved

**OLD BUSINESS:** None

**Adjournment**

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

Respectfully Submitted,

A handwritten signature in black ink that reads "Julie Edmonds". The signature is written in a cursive, flowing style.

Julie Edmonds  
Administrative Support Specialist



**PLANNING DEPARTMENT**

Mark E. Helmer, AICP, Senior Planner

---

**Notice Of Public Hearing**

Notice is hereby given that the Town Council of the Town of Smithfield will conduct a public hearing during the course of their open meeting which starts at 7:00 P.M. on Tuesday, November 1, 2022 in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

**ZA-22-03 Town of Smithfield:** The applicant is requesting an amendment to Unified Development Ordinances, Article 8, Section 8.13.6 to allow for a maximum building height of 100 feet when located within a B-3 (Highway Entrance Business) zoning district and within 660 feet of Interstate Highway 95 and striking the requirement for a special use permit when a building exceeds 40 feet in height and located within a commercial or industrial zoning district.

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

Run Legal ad in the Johnstonian on October 19 and October 26, 2022.

# Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, October 4, 2022 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore, presided.

Councilmen Present:

John Dunn, Mayor Pro-Tem  
Marlon Lee, District 1  
Sloan Stevens, District 2  
David Barbour, District 4  
Stephen Rabil, At-Large  
Roger Wood, At-Large

Councilmen Absent

Travis Scott, District 3

Administrative Staff Present

Michael Scott, Town Manager  
Michael Brown, Fire Chief  
Ted Credle, Public Utilities Director  
Lawrence Davis, Public Works Director Dr.  
Gary Johnson, Parks & Rec Director  
Eric McDowell, IT Director  
Shannan Parrish, Town Clerk  
R. Keith Powell, Chief of Police  
Greg Siler, Finance Director  
Stephen Wensman, Planning Director

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

Tim Kerigan, Human Resources/PIO

**CALL TO ORDER**

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

**INVOCATION**

The invocation was given by Councilman Barbour followed by the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

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

- Add to the Presentations:
  - Consideration and request for approval to adopt Resolution No. 712 (21-2022) Supporting Operation Green Light for Veterans
  - School Bond Referendum
- Add to Business Item: Consideration and request for approval to allow the Fire Department to hire an additional Firefighter position due to a pending retirement.

**PRESENTATIONS:**

**1. Administrating Oath of Office to new Police Officer Joshua Lynch**

Mayor Moore administered the Oath of Office to new Police Officer Joshua Lynch and welcomed him to the Town of Smithfield

**2. Proclamation: Recognizing October 2-8, 2022 as Public Power Week in the Town of Smithfield**

Mayor Moore presented the following proclamation to Public Utilities Director Ted Credle.

PROCLAMATION

Recognizing Public Power Week  
October 2-8, 2022  
In the Town of Smithfield

WHEREAS, public power is a crucial component in cities and towns across North Carolina, contributing to the overall health of communities by providing unmatched electric reliability, affordable and sustainable power, excellent local service, and essential jobs in communities; and

WHEREAS, North Carolina's more than 70 public power cities and towns are among more than 2,000 across the country, providing electricity with a reliability rating of 99.98 percent to nearly 1.3 million North Carolinians; and

WHEREAS, many of North Carolina's public power cities and towns have been electric providers for more than 100 years, assisting their communities through boom times as well as pandemics and economic downturns, maintaining life-saving electricity to homes and businesses; and

WHEREAS, North Carolina public power communities are part of a mutual aid network that spans the state and country, providing invaluable support during times of hurricanes and other natural disasters while maintaining a superior safety record; and

WHEREAS, North Carolina's public power utilities are dependable institutions that provide excellent service, valuable energy solutions, and a commitment to community; and

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

WHEREAS, the Town of Smithfield recognizes Public Power Week and commends the public power cities and towns across our state for their outstanding contributions to our communities.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield, along with the Town Council, do hereby proclaim October 2nd through the 8th as

Public Power Week

in the Town of Smithfield and commends its observation to all citizens.

**3. Proclamation: Recognizing October 9-15, 2022 as Fire Prevention Week in the Town of Smithfield**

Mayor Moore presented the following proclamation to Fire Chief Mike Brown.

Proclamation  
Recognizing October 9-15, 2022  
As Fire Prevention Week  
In the Town of Smithfield

WHEREAS, the Town of Smithfield is committed to ensuring the safety and security of all those living in and visiting the Town; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,580 people in the United States in 2020, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 356,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, first responders are dedicated to reducing the occurrence of home fires and injuries through prevention and protection education; and

WHEREAS, the 2022 Fire Prevention Week™ theme, “Fire won’t wait. Plan your escape.™,” effectively serves to remind us it is important to have a home fire escape plan.

NOW, THEREFORE, I, M. Andy Moore, Mayor of the Town of Smithfield do hereby proclaim October 9<sup>th</sup> through the 15<sup>th</sup> as

Fire Prevention Week

in Smithfield, North Carolina, and I urge all citizens to take time to have a fire escape plan and to support the many public safety activities and efforts of fire and emergency services.

#### **4. Consideration and request for approval to adopt Resolution No. 712 Supporting Operation Green Lights for Veterans**

Councilman Barbour made a motion, seconded by Councilman Wood, to adopt Resolution No. 712 (21-2022) Supporting Operation Green Light for Veterans

TOWN OF SMITHFIELD  
RESOLUTION NO. 712 (21-2022)  
Supporting Operation Green Light for Veterans

WHEREAS, the residents of the Town of Smithfield have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, the Town of Smithfield seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm’s way for the good of all; and

WHEREAS, Veterans continue to serve our community in the various Veterans Services Organizations, religious groups, civil service, and by functioning as Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress

during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all municipalities to recognize Operation Green Light for Veterans; and

WHEREAS, the Town of Smithfield appreciates the sacrifices of our United States Military Personnel and believes specific recognition should be granted.

NOW THEREFORE, BE IT RESOLVED, with designation as a Green Light for Veterans, the Town of Smithfield Town Council, hereby declares from October through Veterans Day, November 11, 2022, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; and

BE IT FURTHER RESOLVED, that in observance of Operation Green Light, the Town of Smithfield encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

## 5. School Bond Referendum Presentation

Friends of Johnston County Public Schools Committee members, Landis Bullock and Johnna Faulkner, made a presentation to the Town Council in support of the School Bond Referendum. They explained how supporting the upcoming bond referendum would help all the schools in Johnston County.

Following the presentation, Mayor Moore stated his concern was for Smithfield schools. He questioned how constructing a school in the Wilson's Mills area would alleviate overcrowding in other area schools. Mr. Bullock responded that districts would be redrawn and students from 6 high schools would attend the new high school in Wilson's Mills.

Councilman Wood questioned if the proposed redistricting would keep students in their district or would students still be allowed to transfer to a high school of their choosing. He stated allowing students to transfer to other schools was a problem. Mr. Bullock responded that was a Board of Education issue and should be discussed with them.

Councilman Barbour stated he was concerned because student enrollment had not increased drastically. Mr. Bullock responded that growth was happening in Smithfield and Johnston County and the additional schools would be needed for that future growth.

Mayor Moore stated that the Town has done an excellent job at recruiting residential development. His fear was that the practice of student transfers would continue and Smithfield schools would continue to suffer. He stated students living in Smithfield should attend Smithfield schools. He asked for the redistricting plan and data concerning the alleviation of overcrowding in area school that warrant the need for an additional high school to be shared with the Council. Mr. Bullock responded he would arrange for a meeting with School Superintendent, Dr. Bracy, members of the School Board and members of the Council to discuss all the Council's concerns.

Mr. Bullock asked for the Council's support of the school bond referendum.

## PUBLIC HEARING:

1. **Economic Development Incentive Grant – Project Neyer:** In accordance with NCGS 158-7.1(a), The Town Council has called for a public hearing to consider an economic development incentive grant and adoption of Resolution No. 706 (15-2022)



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

Mike Fleming, Smithfield's representative on the Johnston County Economic Development Advisory Board, addressed the Council on the proposed economic development incentive grant for the Neyer project. He explained it was Al Neyer's desire to invest and build a state of the art 260,000 square foot Class A manufacturing facility in Smithfield on Wal Pat Road. Neyer was a leading commercial real estate development and design build firm in multiple markets throughout the eastern United States. In addition to the \$25 million investment, this project has the ability to create over 25 new jobs in the near future with an average salary of over \$50,000 annually. The economic development incentive comes at no risk to the taxpayers as these incentives are only given as a result of the company's commitment to follow through and invest in Smithfield. The incentive comes from a percentage of taxes Neyer or its client pays. If the required benchmarks set forth in the agreement are not met, no incentive will be given. Mr. Fleming explained that in order to offer the economic development incentive, it must meet four statutory requirements. It must meet the job creation requirement, which this does with the proposed 25 jobs. It must meet the investment threshold, which it does with the \$25 million investment. It doesn't compete with any other location. And it must meet the job diversification requirement, which it does. Mr. Fleming introduced Daniel Gutter with Neyer.

Mr. Gutter expressed his appreciation to Town Staff for their work on the project thus far. He explained that projects like this do not come to fruition without the economic development grants awarded by the Town and County. He expressed his appreciation to the Town Council for considering the grant.

Mayor Moore asked if there were any questions from Council.

Councilman Stevens questioned if this was a spec build. Mr. Gutter responded it would be a 264,000 square foot industrial building. Neyer will build the shell, but are flexible enough that any proposed use for the building could be accommodated.

Councilman Stevens further questioned if the economic development incentive would remain with Neyer if the building was sold.

Town Manager Michael Scott responded the economic development incentive would follow whoever was responsible for paying the property taxes. The grant is merely a reimbursement of a percentage of property taxes paid by the owner of the property.

Councilman Barbour questioned if the Town Attorney agreed that the Town was in compliance with the legal requirements of the incentive grant. Mr. Spence replied the Town was refunding 50% of the collected taxes over a five-year period.

Councilman Barbour further questioned if the grant amount was based on an estimated current value. Mr. Spence responded the grant amount was an estimate. Town Manager Michael Scott responded that the grant amount was 50% of the total taxes collected over a five-year period.

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

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

Councilman Barbour made a motion, seconded by Councilman Wood, to adopt Resolution No. 706 (15-2022) and the economic development incentive. Unanimously approved.

**TOWN OF SMITHFIELD  
RESOLUTION NO. 706 (15-2022)  
AUTHORIZING INCENTIVES FOR ECONOMIC DEVELOPMENT  
WHEREAS, the Town of Smithfield seeks to promote economic growth and  
development within its jurisdiction and the social and economic improvement of its**

citizens, and desires to accelerate the quality and quantity of economic growth and employment opportunities in its jurisdiction by encouraging business enterprises satisfying the aforementioned public purposes and thereby reduce physical, economic and social distress resulting from unemployment and under employments existing in its jurisdiction;

**WHEREAS**, while the Town of Smithfield offers many advantages as a business destination, it suffers from a shortage of ready-to-go industrial, assembly, and manufacturing space and desires to promote economic growth and development opportunities in the Town;

**WHEREAS**, the Town of Smithfield is in discussions with Brogden Industrial I, LLC (the "Company") to induce the Company to locate a new Building (the "Building") which will provide Class A speculative building space for industrial, assembly, and manufacturing purposes on a Project Site in the Town of Smithfield;

**WHEREAS**, the Company proposes to develop and build a 264,000+/- square foot, single-story, cross-docked, concrete tilt-up, Class A speculative industrial facility, with flexible design and accommodating auto parking, truck docks, and trailer storage, capable of accommodating industrial requirements, worth approximately twenty million and 00/100<sup>th</sup> dollars (\$20,000,000.00);

**WHEREAS**, North Carolina General Statute 158-7.1(a) authorizes the Town to make appropriations for economic development purposes which will increase the population, taxable property, employment, industrial output or business prospects of the Town;

**WHEREAS**, the Town Council has determined that granting incentives (the "Incentives") to the Company in exchange for the commitment of the Company to locate, develop and build out the Building with expandable Class A speculative industrial space on the Project Site in the Town of Smithfield would be beneficial to the Town's efforts to increase economic opportunities for its residents, its population, *ad valorem* tax revenues and sales tax revenues, and enhance and improve business prospects in general, including the creation of a substantial number of jobs;

**WHEREAS**, the Town Council has received and reviewed a proposed Economic Development Incentive Agreement between the Town and the Company (the "Agreement") providing for the Town's granting the Incentives to the Company in consideration of the Company's commitments set forth in the Agreement; and

**WHEREAS**, the Town Council has, pursuant to the notice and hearing requirements of North Carolina General Statute 158-7.1, held a public hearing to consider whether to grant the Incentives in exchange for the commitment of the Company to locate and operate the industrial logistics facility in the Town of Smithfield.

**NOW THEREFORE**, the Smithfield Town Council:

1. Determines and concludes (a) that granting the Incentives in exchange for the commitment of the Company to proceed with the development and buildout of the 264,000+/- square foot expandable Building on the Project Site would be beneficial to the Town's efforts to increase overall economic opportunities for, and improve the general welfare of, its residents and increase its population, *ad valorem* tax revenues, sales tax revenues and business prospects in general and result in the creation of a number of new well-paying jobs in the Town, and (b) that the benefits described above accruing to the Town will outweigh the cost of the Incentives granted hereunder, creating a net public benefit; and
2. In consideration for the commitment by the Company to proceed with the development and buildout of the Building on the Project Site in accordance with the terms set forth in the conceptual plans, Agreement, authorizes the Mayor and, alternatively, the Town Manager, subject to compliance with any pre-audit

requirements under the Local Government Budget and Fiscal Control Act, to enter into and execute the Agreement, and any other necessary documents, on behalf of the Town for the Town to grant Incentives on terms not materially inconsistent with the Agreement as set forth on Exhibit A attached hereto and incorporated herein by reference.

3. The Agreement shall be construed as a continuing contract in accordance with North Carolina General Statutes § 160A-17

- 2. Conditional Zoning Request – Blueline Aviation (CZ-22-03)** The applicant was requesting rezoning of a 14.43-acre tract of land from anR-20A (Residential) zoning district to a PUD (Conditional Zoning) district. The property considered for approval is located on the west side of Swift Creek Road approximately 650 feet north of its intersection with Airport Industrial Drive and further identified as Johnston County Tax ID# 15J08015B.

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

Planning Director Stephen Wensman clarified there was an error in the staff report. The Planning Board recommended denial of the request based on parking, fire access and not meeting the comprehensive growth plan.

Mr. Wensman explained the conditional zoning request was for a planned development consisting of a mix of uses: residential dormitory, classroom, office space, hotel and flex industrial or office space. The property was recently cleared of trees. The front ½ acre to 1 acre had been graded and a gravel parking lot was installed in violation of the code. In the center of the site is the remnants of a former gravel storage yard. There have been no permits for any development on the site and none of the paving/impervious was approved. Mr. Wensman further explained the issues with this proposed development was a mixed use planned unit development (PUD) in an area that was never envisioned as a mixed-use PUD. The area was guided for industrial uses. With approval of this application, the Council would be amending the Comprehensive Growth Management Plan (Comp Plan). Whatever decision made by the Council, for or against, should reference the Comp Plan. If the Council chose to deny the application, they could do so based on the fact that it does not meet the Comp Plan. In the past, the Council has approved projects that did not meet the Comp Plan because the vision of the developer was a good vision that the Town wanted to adopt. The developer has requested to voluntarily annex this property into the Town of Smithfield which was the next item on the agenda.

The project was proposed to be developed into phases. Phase 1 and future phases, with a total of three potential phases. Phase 1 included a parking lot for the Blueline facility on the airport property and a 28-room dormitory/classroom structure (expandable for additional 24 rooms) and with +/- 127 parking spaces. Staff recommended phase 1 include the office/classroom building and the lateral access. Staff felt the phase line should be further into the site just passed the first lateral access. This was because the first building was the residential dormitory for Blue Line. The second building was a future building of office and classroom space with shared parking. The developer agreed that the phase line proposed by staff was a better option. Mr. Wensman provided a detailed description of the first phase. By Swift Creek Road, there would be a larger parking lot that would primarily serve the Blue Line Aviation facility across the street. Given the dangerous conditions existing on Swift Creek Road, staff was recommending flashing lights or other safety equipment be installed as permitted by NCDOT to ensure public safety was achieved. There was a condition of approval related to DOT improvements for safety.

Mr. Wensman explained the issue of parking was a point of contention during the Planning Board meeting. The applicant resolved those issues by modifying the layout of the buildings. The access to the development will be off Swift Creek Road. NCDOT has indicated it will require left turn lane into the development and an ADA accessible crosswalk tying the development into the airport property. A TIA will be required with the preliminary plat. Given the dangerous conditions that include hills, curves and poor visibility, staff recommends flashing lights or other safety equipment be installed, as permitted by NCDOT, to ensure public safety is achieved. NCDOT required turn lanes are not shown on the master plan.

Within the development, the developer was proposing 27' wide back-to-back streets within a 50' right-of-way. The Town's standard right-of-way width is 60' wide but a 50' wide right-of-way can be approved by the Town Council. The 50' public right-of-way may be appropriate given the narrowness of the development site. Wider right-of-way may restrict the ability to develop the site. 27' wide b/b is narrow for a commercial street, although there a variety of commercial street widths in town. For comparison purposes, Towne Centre Place is 34' wide b/b and Equity Drive is 24' wide b/b with no parking. Lateral connections to the adjacent vacant parcel are appropriate and meet the UDO requirements. With a revised phase 1, there will be a lateral connection in the first phase and in a future phase. Sidewalks were shown on the north side of the proposed street. A five-foot sidewalk was required along Swift Creek Road.

Also discussed at the Planning Board, was the issue of Fire Department access. Mr. Wensman explained the master plan had been modified and was now compliant with Fire Code. The changes to the plans permit fire apparatus to obtain access to the buildings as needed. The master plan included a Fire Apparatus Plan.

The Site Data Table on the master plan indicates building setbacks for front, side and rear. Depending on the future lot configuration, the indicated setbacks may not be accurate. With the conditional zoning, the setbacks are those shown on the master plan. In Phase 1, the future 24-unit dorm is setback +/- 16' from the future street right-of-way and 25' from the adjacent property to the north. The future 2-story classroom/school administration building is setback +/- 14' from the future street right-of-way and 20' from the lateral street right-of-way. The future hotel is approximately 28' from the adjacent property to the north. The setback from Swift Creek Road is 50'.

The Master Plan showed trees in the street yard and parking islands and identified the street and buffer yards. There are no details on shrub plantings. The developer is proposing a 50' building setback and has shown a 50' wide buffer with a Type A buffer planting between the flex industrial and the residential area to the west. The buffer yard for the flex industrial/office should have a Type C planting, not a Type A. The existing vegetation was to remain undisturbed in this area. Foundation plantings and interior parking lot island shrubs were not shown but are required. The developer was proposing an enhanced streetyard and side bufferyard with 3 canopy trees and 15 shrubs per 100' (2 trees and 12 shrubs/100' required). The rear loading area of the flex industrial/office should be screened from the residentially zoned property to the north with an opaque fence, wall or solid vegetated buffer.

The developer has shown 2 conceptual stormwater ponds located on the southern property line and adjacent to the Airport Industrial Park. The master plan shows locations for trash and recycling enclosures as required. The PUD Masterplan shows locations for ground mounted identification signs in phase 1, but none in future phases. An POA will be required to own and maintain the stormwater facilities and any property held in common. The POA declarations need to be submitted for review by the Town Attorney prior to final plat. No architectural standards are proposed. An illustration of the proposed phase 1 dormitory facility has been provided showing a prefabricated modular structure with façade details added at the entrances and elsewhere to provide visual interest. There were no details on the structures or palate of materials to be used on the future buildings.

**PUD Conditional zoning:**

The UDO lacks specific PUD standards except for PUD Streets found in UDO Section 10.110.19. This section addresses pedestrian and vehicular connectivity only. In the absence of specific standards, staff has evaluated the mixed-use development based on the overall mix of uses and the dimensional regulations typically associated with those uses. For instance, institutional uses found in the O/I district have setbacks that different than those found in commercial uses found in the B-3 zoning district. Industrial standards are again slightly different.

**Deviations from UDO.** Because there are no specific PUD standards, there are no specific deviations requested from the UDO, however there are clearly several standards shown that should be considered:

| Standard | UDO Typical | Proposed |
|----------|-------------|----------|
|----------|-------------|----------|

|                         |   |                                     |
|-------------------------|---|-------------------------------------|
| Front Yard Setbacks     | O/I = 25'<br>B-3 =35'<br>LI = 50'   | 15' for hotel and dormitory         |
| Architectural Standards | None required, but typically provided with Conditional Zoning                 | None provided                       |
| Right-of-way/Street     | Transportation Plan Street Typology recommends a 34' b/b in 60' right-of-way. | 27' b/b street in 50' right-of-way. |
| Sidewalk                | 5' sidewalk on Swift Creek Road   | None provided.                      |

Proposed Standards Exceeding UDO Requirements.

The round-a-bout will exceed the minimum turn radius specified in the Standard Details and Specifications Manual.

Enhanced Streetyard and Side bufferyard plantings with 3 canopy trees and 15 shrubs per 100 lineal feet. Parking island spacing reduced from 15 spaces to 14 spaces resulting in more interior parking planting. The minimum parking island area increased from 100 sq. ft. to 160 sq. ft. 7% open space.

Consistency Statement (Staff's Opinion)

With the approval of the rezoning, the Town Council is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

Consistency with the Comprehensive Growth Management Plan – the development is not consistent with the comprehensive plan. If approved, the Council should acknowledge that the comprehensive plan is hereby amended guiding the property for Mixed Use development.

Consistency with the Unified Development Code – the property will be developed in conformance with the UDO conditional zoning provisions that allows a good faith negotiation of development standards.

Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses.

STAFF RECOMMENDATION:

Planning Staff recommends approval of CZ-22-03 with the following 9 conditions:

1. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail – drawing 0315 and that the detail be provided on future construction drawings.
2. That the landscape plan be provided meeting the minimum requirements of the UDO Part III and with enhanced street yard and side bufferyard consisting of 3 canopy trees and 15 shrubs per 100 lineal feet.
3. A 5' wide public sidewalk shall be provided along the Swift Creek right-of-way.
4. The POA declarations need to be submitted for review by the Town Attorney prior to final plat.
5. That architectural standards be drafted and included in the POA declarations.
6. That an POA be responsible for the ownership and maintenance of all common amenities.
7. That flashing lights or other safety equipment be installed, as permitted by NCDOT, to ensure public safety is achieved at the crosswalk on Swift Creek Road along with all other NCDOT required improvements.

8. That phase 1 include the future 2-story simulator classrooms/school administration building and lateral access road.
9. All Parking areas shall be paved with bituminous or concrete with standard curb and gutter.

The Planning Board, at its July 14, 2022, meeting unanimously voted to recommend denial of CZ-22-03, Blue Line Aviation. Since that time, the master plan has been amended addressing fire code issues, parking issues and with enhanced landscaping. The Planning Board has not reviewed the amended master plan.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the October 4, 2022 agenda packet.

Mayor Moore asked if there were any questions from Council.

Councilman Wood questioned if the applicant was currently in violation of the code and had not paid the accrued fines. Mr. Wensman responded there was a code enforcement action against the applicant and he was not aware if any fines had been collected.

Mayor Pro-Tem Dunn questioned who set the standards for safety equipment to be installed on Swift Creek Road. Mr. Wensman responded NCDOT sets the standard, but staff is encouraging a more robust safety device.

Councilman Barbour asked if the Comprehensive Plan was just a guesstimation of what the Town believed could be developed in certain area. Mr. Wensman responded it was used as a guide for development, but it could be amended by the Council.

Councilman Stevens questioned the maintenance of the streets inside the development. Mr. Wensman responded they would become Town maintained streets if the annexation was approved.

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

Patrick Byker with Morningstar Law Group made a brief presentation to the Council. He explained this was a fairly tough site to develop because of the shape of the parcel. While it contained 14.4 acres, it was only 275 feet wide, and it's over 2000 feet deep. He expressed his appreciation to Planning Staff and Fire Staff for their guidance which allowed the applicant to achieve the final version. He stated the applicant agreed with all the conditions outlined by Mr. Wensman. He further stated they recognized that there have been zoning issues on this site and they wish to move forward and resolve the fine issue in the near future. The plan before the Council was reviewed and amended due to staff and the Planning Board's input.

Mr. Byker explained that the first phase reflected what Blueline needed to expand its enrollment and better serve its students. The first phase of the rezoning would not increase traffic materially over what is on Swift Creek Road today. They will work with NCDOT on all the required traffic and safety improvements. Beside the dormitory, an instructional building will be built primarily to house flight simulators. In future phases, a relatively small hotel will be built consistent with airports around the Country. Mr. Byker outlined the list of ways the plan exceeded the Town's standards.

Emily Rubio, a flight instructor for Blueline, spoke to the Council about the need for this rezoning and how the school could increase the number of students.

Adam Walters, President of Blueline, spoke to the Council about its expanded capacity and how the business would like to continue its growth in Smithfield.

Mayor Pro-Tem Dunn questioned the current student capacity. Mr. Walters responded there were 75 students which was maximum capacity currently for the school. Mayor Pro-Tem Dunn further questioned the length of time for the school. Mr. Walters responded it was a 5 ½ to 6-month program.

Councilman Barbour questioned where the current students were housed. Mr. Walters responded they were housed across the County in shared apartments.

Councilman Barbour stated he would like to add an additional condition of approval that all outstanding zoning violation issues be resolved

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

Mark Lane, Chairman of the Planning Board, stated the Planning Board denied this request because of inadequate parking. He stated he did not feel the new plan addressed the parking concerns. Mr. Wensman responded that the plan had been reconfigured to address any parking issues.

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

Councilman Barbour made a motion, seconded by Mayor Pro-Tem Dunn, to approve the zoning map amendment, CZ-22-03, with the 10 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

Approved Conditions:

1. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail – drawing 0315 and that the detail be provided on future construction drawings.
2. That the landscape plan be provided meeting the minimum requirements of the UDO Part III and with enhanced street yard and side bufferyard consisting of 3 canopy trees and 15 shrubs per 100 lineal feet.
3. A 5' wide public sidewalk shall be provided along the Swift Creek right-of-way.
4. The POA declarations need to be submitted for review by the Town Attorney prior to final plat.
5. That architectural standards be drafted and included in the POA declarations.
6. That an POA be responsible for the ownership and maintenance of all common amenities.
7. That flashing lights or other safety equipment be installed, as permitted by NCDOT, to ensure public safety is achieved at the crosswalk on Swift Creek Road along with all other NCDOT required improvements.
8. That phase 1 include the future 2-story simulator classrooms/school administration building and lateral access road.
9. All Parking areas shall be paved with bituminous or concrete with standard curb and gutter.
10. All outstanding zoning violation issues be resolved

- 3. Annexation Request – Blueline Aviation (ANX-22-02)** - The applicant has submitted a petition for a voluntarily noncontiguous annexation of 14.43 acres into the Town of Smithfield and adoption of Ordinance No. 511.

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

Planning Director Stephen Wensman explained this was the third step in the annexation process. He further explained this was a satellite annexation and due to special legislation, the Town was not limited to the amount of property that could be annexed. He explained the Clerk certified the sufficiency of the petition at a previous meeting. Mr. Wensman stated staff was recommending approval of the annexation request by Blueline Aviation.

Mayor Moore asked if there were any questions from Council.

Councilman Stevens questioned if the Town was only allowed a certain amount of land it could annex into the Town via satellite annexation. Mr. Wensman responded the Town has a special issued legislation by

the NC General Assembly that states there was no limit to the amount of land that could be annexed that was noncontiguous to the corporate limits.

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

Patrick Byker with Morningstar Law Group respectfully asked the Council to approve the annexation petition.

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

Councilman Barbour made a motion, seconded by Councilman Wood, to adopt Ordinance No. 511 approving the noncontiguous annexation petition and extending the corporate limits of the Town of Smithfield. Unanimously approved.

ORDINANCE No. 511 TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SMITHFIELD, NORTH CAROLINA

WHEREAS, the Town Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Council Chambers of the Smithfield Town Hall at 7:00 pm on October 4, 2022 after due notice by publication in the Johnstonian News on September 21, 2022; and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1 (b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town;
- c. The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. By virtue of an act of the General Assembly, The Town of Smithfield is exempt from exceeding ten percent (10%) of the area within the primary corporate limits of the Town, and

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of the real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Smithfield, North Carolina that:



Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Smithfield, as of January 4, 2022

3149B SWIFT CREEK ROAD DESCRIPTION

A PARCEL OF LAND NOW OR PREVIOUSLY OWNED BY BLUE LINE AVIATION, LLC (DB 6090 PG 571) LOCATED IN THE TOWN OF SMITHFIELD, JOHNSTON COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND IRON PIPE ON THE WESTERLY LINE OF SWIFT CREEK ROAD (SR #1501; 60 FOOT PUBLIC RIGHT OF WAY); SAID POINT BEING THE SOUTHERN MOST CORNER OF SAID LANDS OWNED BY BLUE LINE AVIATION, LLC;

THENCE N 49-13-59 W A DISTANCE OF 100.89 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY RONNIE STEPHENS (DB 5194 PG 694);

THENCE N 48-51-54 W ON THE NORTHEASTERLY LINE OF SAID STEPHENS LANDS, A DISTANCE OF 226.82 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY CMC REAL ESTATE (DB 5778 PG 880);

THENCE N 48-53-11 W ON THE NORTHEASTERLY LINE OF SAID CMC REAL ESTATE, A DISTANCE OF 338.42 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY MESSENGILL RENTAL (DB 6072 PG 711);

THENCE N 48-50-31 W ON THE NORTHEASTLY LINE OF SAID MASSENGILL RENTAL, A DISTANCE OF 96.51 FEET TO AN IRON BAR;

THENCE N 63-19-20 W ON THE NORTHERLY LINE OF SAID MASSENGIIL RENTAL, AND DCB BLDG, LLC (DB 5894 PG 278) A DISTANCE OF 602.90 FEET TO AN IRON PIPE AT THE EASTERN MOST CORNER OF LANDS NOW OR FORMERLY OWNED BY EMG PROPERTIES, LLC (DB 4542 PG 471);

THENCE N 63-18-15 W ON THE NORTHERLY LINE OF SAID EMG PROPERTIES LLC, A DISTANCE OF 695.95 FEET TO AN IRON PIPE ON THE EAST LINE OF SUNSET POINTE SUBDIVISION;

THENCE N 0-17-51 W ON THE EAST LINE OF SUNSET POINTE SUBDIVISION A DISTANCE OF 325.01 FEET TO AN IRON BAR AT THE INTERSECTION WITH THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OWNED BY BYRDS WHOLESALE INC (DB 1185 PG 278);

THENCE S 63-42-56 E A ON THE SOUTHERLY LINE OF SAID BYRDS WHOLESALE INC, A DISTANCE OF 1446.13 FEET TO AN IRON BAR;

THENCE S 50-21-23 E CONTINUING ON THE SOUTHERLY LINE OF SAID BYRDS WHOLESALE INC, A DISTANCE OF 740.40 FEET TO THE WEST LINE OF SWIFT CREEK ROAD;

THENCE ON THE WEST LINE OF SWIFT CREEK ROAD THE FOLLOWING 4 CALLS:

- (1) S 32-34-33 W A DISTANCE OF 40.76 FEET TO AN IRON BAR;
- (2) S 28-33-01 W A DISTANCE OF 66.55 FEET TO AN IRON BAR;
- (3) S 24-04-37 W A DISTANCE OF 61.71 FEET TO AN IRON BAR;
- (4) S 18-59-20 W A DISTANCE OF 156.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 628,567 SQUARE FEET, OR 14.43 ACRES MORE OR LESS.

Section 2. Upon and after October 4, 2022, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Smithfield and shall be entitled to the same privileges and benefits as other parts of the Town of Smithfield. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Smithfield shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy this ordinance. Such a map shall also be delivered to the Town Board of Elections, as required by G.S. 163-288.1.

**4. Amendments to the Town's Code of Ordinances Article IV Chapter 5 "Buildings and Building Regulations", Article V Chapter 5 "Commercial Building Maintenance and Appearance Regulations" and Chapter 8 Garbage, Trash and Refuse**

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

Town Attorney Bob Spence addressed the Council on amendments to the Town's Code of Ordinances. He explained the amendments were to comply with the new NC General Statutes 160D. Included in the Ordinances was an unsafe building code which allows Towns to specify the conditions they think are necessary for safe and usable commercial buildings. Also included in the Ordinances was basically a maintenance ordinance for yard maintenance. Mr. Spence further stated that the Council reviewed these Ordinance amendments during a recent special meeting and no changes were made since that meeting.

Mayor Moore asked if there were any questions from Council.

Councilman Barbour questioned if the Council needed separate motions for each of the amendments. Mr. Spence responded that only one motion was needed if the Council wished to approve all of the ordinances. Town Manager Michael Scott reminded the Council that they would need a super majority to adopt any ordinance on the first reading

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

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

Councilman Barbour made a motion, seconded by Councilman Wood, to adopt Ordinance No. 512, Ordinance No. 513 and Ordinance No. 514. Unanimously approved.

{Attached hereto and made an official part of these minutes are Ordinance Numbers 512, 513 and 514 which is on file in the Office of the Town Clerk}

**5. Unified Development Ordinance Text Amendment Request – Town of Smithfield (ZA-22-02): The applicant is requesting an amendment to Unified Development Ordinances, Section 3.4.2.2, Composition and Vacancies to reduce the Board of Adjustment size from 7 regular members to 5 regular members and to amend Sections 3.3.3.2, 3.4.2.3. and 3.5.4. to allow no more than 3 absences per calendar year for the Planning Board, Board of Adjustment and Historic Preservation Commission members**

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

Planning Director Stephen Wensman explained that staff was requesting the Town Council review the UDO

amendment referring to the number of Board of Adjustment members and attendance regulations for all Town Boards. He explained that over the past couple of years, there have been numerous vacancies and absences on Town boards making it difficult to conduct the business of the Town. The amendment addressed the issue by reducing the number of Board of Adjustment members. The Board of Adjustment meets on an as needed basis. Currently, it is a seven-member board, but reducing it to a five-member board allows the board to maintain a quorum. The other amendment creates consistency in attendance and common requirements for the Planning Board, Board of Adjustment and Historic Properties Commission. Instead of being three consecutive meetings be missed for a reason for termination, staff is proposing three meetings in a calendar year.

**Consistency Statement (Staff Opinion):**

Staff finds the zoning text amendment as proposed consistency with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

**Recommendation:**

Planning Staff and the Planning Board recommend approval of the zoning text amendment, ZA-22-2, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the October 4, 2022 agenda packet.

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

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

Mark Lane, Chairman of the Planning Board, stated the Planning Board wanted to make sure that there was a difference between being sick and missing a meeting and just simply missing a meeting. Mr. Wensman replied that the Ordinance was further reviewed by the Town Attorney after the Planning Board meeting. The proposed text amendment was in compliance with the statute.

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

Councilman Wood made a motion, seconded by Councilman Rabil, to approve of zoning text amendment, ZA-22-02, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest. Unanimously approved.

**DRAFT ORDINANCE # ZA-22-02  
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD  
UNIFIED DEVELOPMENT ORDINANCE  
ARTICLE 3 PERTAINING TO THE BOARD OF ADJUSTMENT MEMBERSHIP AND  
ATTENDANCE REQUIREMENTS FOR ALL TOWN BOARDS**

**WHEREAS**, the Smithfield Town Council wishes to amend certain provisions in the Unified Development Ordinance by making changes to the Town of Smithfield Unified Development Ordinance to reduce the number of Board of Adjustment membership by 1 in-Town and 1-ETJ member and to provide reasonable and consistent board attendance regulations for all Town boards.

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

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

## PART 1

[Revise Article 3, Section 3.3.3.1. COMPOSITION AND VACANCIES, amending the section and creating a new subsection 3.3.3.2 ATTENDANCE AT MEETINGS with 3 absences per year as the reasonable number of absences for the Planning Board]

**3.3.3.1. Composition and Vacancies.** The Planning Board....

~~Faithful attendance of the meetings of the Planning Board is considered a prerequisite for the maintenance of membership on the Planning Board. Failure to attend three (3) consecutive meetings shall be deemed adequate reason for termination of membership on the Planning Board by the Town Council.~~

**3.3.3.2. Attendance at Meetings.** Faithful attendance at the meetings of the Planning Board is important for the functioning of the board. If a member is absent from three meetings within any 365-day period without permission of the board and the member does not resign, then the Town Manager may hold an informal hearing with the Member as to whether his or her absence is excusable or whether it so damages the Board as to constitute cause for removal. After the hearing the Manager may excuse the absences or may refer the issue to the Town Council for a hearing on whether there is cause for removal. The Manager shall give the Member 10 days' notice of the time and place of the hearing and the Member may present evidence as to why he or she should not be removed.

## PART 2

[Revise Article 3, Section 3.4.2.2 MEMBERSHIP AND VACANCIES. To reduce the number of in-town and ETJ members by 1 each in order to better keep a full membership of the board. Also, create a new subsection 3.4.2.3 ATTENDANCE AT MEETINGS with 3 absences per year as the reasonable number of absences for the Board of Adjustment]

**3.4.2.2. Membership and Vacancies.** The Board of Adjustment shall consist of ~~five (5)~~ seven (7) regular members and two (2) alternate members. ~~Five (5)~~ Four (4) members and one (1) alternate member shall be citizens and residents of the town and shall be appointed by the Smithfield Town Council. ~~One (1) member~~ Two (2) members and one (1) alternate member shall be citizens and residents of the extraterritorial jurisdiction surrounding the Town of Smithfield, as described pursuant to NCGS 160D-307 and shall be appointed by the Board of County Commissioners of Johnston County....”

**3.4.2.3. Attendance at Meetings.** Faithful attendance at the meetings of the Board of Adjustment is important for the functioning of the board. If a member is absent from three meetings within any 365-day period without permission of the board and the member does not resign, then the Town Manager may hold an informal hearing with the Member as to whether his or her absence is excusable or whether it so damages the Board as to constitute cause for removal. After the hearing the Manager may excuse the absences or may refer the issue to the Town Council for a hearing on whether there is cause for removal. The Manager shall give the Member 10 days' notice of the time and place of the hearing and the Member may present evidence as to why he or she should not be removed.

### PART 3

[Revise Article 3, Section 3.5.4 Attendance at Meetings. with 3 absences per year as the reasonable number of absences for the Historic Preservation Commission]

**3.5.4. Attendance at Meetings.** Faithful attendance at the meetings of the Historic Preservation Commission is important for the functioning of the board. If a member is absent from three meetings within any 365-day period without permission of the board and the member does not resign, then the Town Manager may hold an informal hearing with the Member as to whether his or her absence is excusable or whether it so damages the Board as to constitute cause for removal. After the hearing the Manager may excuse the absences or may refer the issue to the Town Council for a hearing on whether there is cause for removal. The Manager shall give the Member 10 days' notice of the time and place of the hearing and the Member may present evidence as to why he or she should not be removed.

~~Any member of the commission who misses more than three (3) consecutive regular meetings or more than four (4) meetings in a calendar year shall lose his or her status as a member and shall be replaced or reappointed by the Town Council. The council shall act within sixty (60) days to fill vacancies on the commission. Absence due to sickness, death in the family or other emergencies of like nature shall be recognized as approved absences and shall not affect the member's status on the commission, except that in the event of a long illness or any other such cause for prolonged absence, the member shall be replaced.~~

### PART 4

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

### PART 5

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

### CITIZEN'S COMMENTS:

- Elizabeth Temple shared with the Council information concerning Ava Gardner and the upcoming Ava Gardner Festival.

### CONSENT AGENDA:

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

1. The following minutes were approved:
  - August 30, 2022 – Special Meeting
  - August 30, 2022 – Closed Session
  - September 6, 2022 – Regular Meeting
  - September 6, 2022 – Closed Session
2. Special Event: Faith and Blue – The Smithfield Police Department was granted approval to hold an event on October 8, 2022 from 10:00 am until 2:00 pm at Smith Collins Park. The use of amplified sound was also approved.

3. Special Event: Ava Gardner Festival – The Ava Gardner Museum was granted approval to hold its festival on October 8, 2022 from 9:00 am until 5:00 pm at 358 East Market Street. The use of amplified sound was also approved.
4. Special Event: Down Home NC Super Saturday Event – Down Home NC was granted approval to hold an event on October 29, 2022 from 10:00 am until 4:00 pm at Smith- Collins Park. The use of amplified sound was also approved.
5. Special Event: Homeless Outreach Community Event – Greater Vision Worship Center Church of Gd of prophecy was granted approval to hold a community outreach event on November 19, 2022 from 9:00 am until 4:00 pm in the parking lot of 350 East Market Street. The use of amplified sound was also approved.
6. Career Ladder Promotion: Approval was granted to promote a Police Officer II to the rank of Master Police Officer
7. Adoption of Resolution No. 710 (19-2022) allowing retiring Police Lieutenant Nathan Memmelaar to purchase his service badge and weapon

TOWN OF SMITHFIELD  
 RESOLUTION NO. 710 (19-2022)  
 AWARDING BADGE AND SERVICE WEAPON TO  
 RETIRING POLICE LIEUTENANT NATHAN MEMMELAAR

WHEREAS, NCGS § 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and

WHEREAS, NCGS § 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service weapon of such retiring member; and

WHEREAS, Lieutenant Nathan Memmelaar has served as a sworn law enforcement officer in North Carolina for 30 years with 20 of those years as a member of the Smithfield Police Department. Lieutenant Memmelaar will be retiring from the Smithfield Police Department on November 1, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council do hereby declare the service firearm (Glock 45, Serial Number BSTD914) and badge used by Lieutenant Memmelaar during his service with the Town of Smithfield as surplus property and be awarded to him at a cost of \$1.00 on his retirement.

8. Adoption of Resolution No. 711 (20-2022) allowing Retiring Master Police Officer Rickey Parker, Jr. to purchase his service badge and weapon

TOWN OF SMITHFIELD  
 RESOLUTION NO. 711 (20-2022)  
 AWARDING BADGE AND SERVICE WEAPON TO  
 RETIRING MASTER POLICE OFFICER RICKEY PARKER, Jr.

WHEREAS, NCGS § 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and

WHEREAS, NCGS § 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service weapon of such retiring member; and

WHEREAS, Master Police Officer Rickey Parker has served as a sworn law enforcement officer in North Carolina for 20 years with 7 of those years as a member of the Smithfield Police Department. Officer Parker will be retiring from the Smithfield Police Department on November 1, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council do hereby declare the service firearm (Glock 45, Serial Number BSTD916) and badge used by Officer Parker during his service with the Town of Smithfield as surplus property and be awarded to him at a cost of \$1.00 on his retirement.

- 9. Approval was granted to install crosswalks on Fourth Street and Johnston Street near First Baptist Church.
- 10. Bid was awarded and contract approved with the Wooten Company for design services of the West Smithfield sanitary Sewer Improvements Project
- 11. Advisory Board Appointment
  - Emery Ashley, Jr. was appointed to serve a first term on the Appearance Commission and Historic Properties Commission

12. New Hire Report

| <u>Position</u>            | <u>Department</u> | <u>Budget Line</u>   | <u>Rate of Pay</u>            |
|----------------------------|-------------------|----------------------|-------------------------------|
| Administrative Assistant   | PW – Streets      | 10-30-5600-5100-0200 | \$19.57/hr. (\$40,705.60/yr.) |
| Police Officer I           | Police            | 10-20-5100-5100-0200 | \$21.82/hr. (\$48,789.52/yr.) |
| P/T Firefighter (3)        | Fire              | 10-20-5300-5100-0210 | \$17.60/hr.                   |
| P/T SRAC Staff (4)         | P&R – Aquatics    | 10-60-6220-5100-0210 | \$10.00/hr.                   |
| P/T SRAC Staff             | P&R – Aquatics    | 10-60-6220-5100-0220 | \$10.00/hr.                   |
| P/T SRAC Staff             | P&R – Aquatics    | 10-60-6220-5100-0230 | \$10.00/hr.                   |
| Utility Line Mechanic (2)  | PU – Water/Sewer  | 30-71-7220-5100-0200 | \$17.03/hr. (\$35,422.40/yr.) |
| Water Plant Superintendent | PU – Water Plant  | 30-71-7200-5100-0200 | \$29.12/hr. (\$60,569.60/yr.) |

Current Vacancies

| <u>Position</u>                 | <u>Department</u> | <u>Budget Line</u>   |
|---------------------------------|-------------------|----------------------|
| Electric Line Technician        | PU – Electric     | 31-72-7230-5100-0200 |
| Facility Maintenance Specialist | P&R – Recreation  | 10-60-6200-5100-0200 |
| Police Officer                  | Police            | 10-20-5100-5100-0200 |
| Sanitation Equipment Operator   | PW – Sanitation   | 10-40-5800-5100-0200 |
| Utility Line Mechanic           | PU – Water/Sewer  | 30-71-7220-5100-0200 |

**BUSINESS ITEMS:**

**1. Consideration and request for approval to allow the Fire Department to hire and additional Firefighter position due to a pending retirement**

Fire Chief Michael Brown addressed the Council on a request to hire an additional firefighter due to a pending retirement in the Department. He explained he is currently in the process of hiring two firefighters due to vacancies and with a pending retirement, he would like to hire a third out of the current pool of candidates. Hiring the additional position, would also allow the three firefighters to be trained at the same time.

Mayor Moore questioned the impact to budget. Town Manager Michael Scott responded there may be some minor impact to the budget dependent on when the hiring takes place. Based on the timeline of the hiring and the retirement, he felt confident that the Fire Department’s budget would be fine.

Mayor Moore questioned if the employee chose not to retire then what would be the plan of action. The Town Manager responded that in this scenario, he would use funding from the part-time salary line to pay

for the full-time employee until such time as the retirement occurs. The Town Manager further stated that the Council sets the number of positions that can be filled. The Council would need to approve the additional hire temporarily until we have a resignation/retirement to fill this through attrition.

Councilman Barbour made a motion, seconded by Councilman Wood, to approve the position until such time as the retirement takes place. Unanimously approved.

**Councilmembers Comments:**

- Councilman Barbour informed Council of the second annual Drone Fly In Day on Saturday, October 8th
- Mayor Moore reminded the Council of the Ava Gardner festival that would be held in Smithfield during the upcoming weekend.

**Town Manager’s Report:**

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

- October is Fire Prevention Month, as people begin to turn their furnaces, fireplaces and portable heaters back on for the colder weather. The Fire Department is scheduled to provide presentations on fire prevention in the local schools.
- Boo Bash is scheduled at the Sara Yard Community Center from 4:30 to 6:30 on October 28th.
- Trunk or Treat is scheduled at Community Park on October 29th from 10:30 am to 12:30 pm.
- Trick or Treat is scheduled for Monday, October 31st from 5:00 pm to 8:00 pm. Residents are asked to leave porch lights on to welcome children who are trick or treating the area.
- The annual Veterans Day Celebration will take place at Community Park on November 11th from 5:30 pm to 8:30 pm. There will be a live band, food trucks and a great fireworks display, as well as a time to thank and recognize all the Veterans in attendance.

Mayor Moore asked for an explanation of the Town’s revenues and expenditures where vastly different in comparison to last year. Finance Director Greg Siler explained that the Finance Department “settled up” prior year revenues and expenditures earlier this year that it had in years past. He explained this was simply an accounting and there were no financial issues.

**Closed Session: Pursuant to NCGS 143-318.11 (a) (5)**

Councilman Wood made a motion, seconded by Councilman Rabil to enter into Close Session pursuant to the aforementioned statute. Unanimously approved at 9:43 pm.

**Reconvene in Open Session**

Councilman Barbour made a motion, seconded by Councilman Rabil, to reconvene in open session. Unanimously approved at 10:40 pm.

No action taken following Closed Session

**Adjourn**

Having no further business, Councilman Barbour made a motion, seconded by Councilman Stevens, to adjourn the meeting. The meeting adjourned at approximately 10:41 pm.

---

M. Andy Moore, Mayor

ATTEST:

---

Shannan L. Parrish, Town Clerk



The Smithfield Town Council held a Special Meeting on Tuesday, October 18, 2022 at 6:30 pm in the Council Chambers of the Smithfield Town Hall. Mayor Pro-Tem John Dunn presided.

Councilmen Present:  
Marlon Lee – District 1  
Sloan Stevens, District 2  
Travis Scott, District 3  
Stephen Rabil, At-Large

Councilmen Absent  
M. Andy Moore, Mayor  
Dr. David Barbour, District 4  
Roger Wood, At-Large

Administrative Staff Present  
Michael Scott, Town Manager  
Shannan Parrish, Town Clerk

**I. Call to Order**

Mayor Pro-Tem Dunn called the meeting to order at 6:35 pm

**II. Approval of the Agenda**

Councilman Scott made a motion, seconded by Councilman Lee, to approve the agenda as submitted. Unanimously approved.

**III. Business Item**

**1. Discussion concerning the Police Chief Hiring Process**

Becky Veazy and Erica Phillips with the MAPS group introduced their selves to the Council. Ms. Veazy explained the assessment center process. She explained the focus of the meeting was to get the Council's input on what knowledge skills, abilities and characteristics were needed by the next Chief of Police.

The Council identified the following:

1. Ability to differentiate between being firm but being fair and doing best for department and the Town
2. Creates a sense of fairness that helps recruit and retain staff.
3. Ability to handle growth in the community and know how to grow the department to deal with it
4. Good coach and mentor who will develop future leaders
5. Recognizes importance and knows how to develop a department with the diversity that reflects the community
6. Ensures that staff knows the Chief will support them in tough situations.
7. Keeps staff and the community informed of issues that affect them.
8. Involved in the community and ensure staff does the same
9. Develops important and effective relationships in the community – Chief & Staff
10. Expertise in recruitment and retention
11. Visionary Leader focused on staff development – encourages growth
12. A good advocate for Department needs
13. Keeps up with trends in recruitment, benefits, etc.

14. Emotional intelligence – able to deal with disappointment in an adult fashion (no blame)
15. Supports management and Council with staff and in the community even when not getting own way.
16. Sees self and department as part of team with Council, Town Manager and other departments.
17. Values transparency including supporting use of body worn cameras.

The Council's Top choices are listed below in order:

1. Recognizes importance and knows how to develop a department with the diversity that reflects the community
2. Ability to handle growth in the community and know how to grow the department to deal with it
3. Develops important and effective relationships in the community – Chief & Staff
4. Visionary Leader focused on staff development – encourages growth
5. A good advocate for Department needs
6. Keeps up with trends in recruitment, benefits, etc

#### IV. **Adjourn**

Having no further business, Councilman Stevens made a motion, seconded by Councilman Rabil, to adjourn the meeting. The meeting adjourned at approximately 7:40 pm.

ATTEST:

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

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



# Request for Town Council Action

Consent  
Agenda  
Item: Application  
for  
Temporary  
Use Permit  
Date: 11/01/2022

---

Subject: Temporary Use Permit  
Department: **Planning Department**  
Presented by: Planning **Director - Stephen Wensman**  
Presentation: Consent Agenda Item

---

## Issue Statement

Walker Auto & Truck is requesting to hold an employee appreciation and wellness day.

## Financial Impact

N/A

Action Needed **Council approval of the Temporary Use Permit Application**

Recommendation **Staff recommends approval of the Temporary Use Permit Application**

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. **Food Truck Information**



# Staff Report

Consent  
Agenda  
Item: Application  
for  
Temporary  
Use Permit

---

Walker Auto & Truck is requesting to hold an employee appreciation and wellness day at 600 M. Durwood Stephenson Parkway on November 5, 2022 from 10:00 am to 3:00 pm. They will have (1) ice cream truck available serving ice cream. The applicant has requested (4) event trash cans from public works.



## Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the event by emailing Julie Edmonds at [julie.edmonds@smithfield-nc.com](mailto:julie.edmonds@smithfield-nc.com) or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

### TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event \_\_\_\_\_
  - Over 100 people in attendance
  - Live Band or Amplified Sound \_\_\_\_\_
  - Requires closure or blockage of Town Street
  - Involves Food Trucks
  - Requires Security (potential safety, security concerns)
  - Involves structures larger than 200 square feet and canopies larger than 400 square feet
  - Involves Town Park property
  - Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

### OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) \_\_\_\_\_

|   |  |
|---|--|
| Walker & Employee Appreciation & Wellness | 600 Durwood Stephenson Hwy<br>Smithfield, NC 27577 |
| Name of Event                             | Location of Event/Use (exact street address)       |

### APPLICANT:

Name Walker Auto & Truck

Address 926 N. Brightleaf Blvd  
Smithfield, NC 27577

Phone number \_\_\_\_\_

Email address \_\_\_\_\_

Event date November 5, 2022

Event start time 10am-3p

Event set up time \_\_\_\_\_

Sound Amplification Type \_\_\_\_\_

Sound Amplification Time \_\_\_\_\_

### PROPERTY OWNER:

Name Walker Automotive Supply

Address 705 E. Six Forks Rd.  
Raleigh NC 27609

Phone number 919.833.8955

Email address \_\_\_\_\_

Will alcohol be sold or served? Y or (N)

Event end time 10am-3pm

Event cleanup time \_\_\_\_\_

Will food or goods be sold? Y or (N)

# Food Trucks (if applicable 1) (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).

Food Truck Vendor Jam Icecream Truck

**OWNERS AUTHORIZATION**

I hereby give CONSENT to Walker Auto + Truck (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.

Property owners name (print) Town of Smithfield  
Address 350 E. Market St. Zip \_\_\_\_\_  
Phone number \_\_\_\_\_ Email \_\_\_\_\_

Signature:  Date: 10.4.22

**OWNER'S CONSENT FORM**

Name of Event: Walker & Employee Appreciation & Wellness Submittal Date: 10.3.22

**OWNERS AUTHORIZATION**

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

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

 Signature of Owner  
Stephen Warsman Print Name  
10.4.22 Date

Security agency name & phone, if applicable: \_\_\_\_\_  
(If using Smithfield Police, applicant must contact the PD to schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? \_\_\_\_\_

If any town streets require closure, please list all street names. \_\_\_\_\_

Are event trash cans needed? (Y) or N How many? 4

Please provide a detailed description of the proposed temporary use or special event:

Employee Appreciation Field Day  
Nov 5, 2022 10 Am - 3 pm

**Temporary Use Submittal Checklist:**

- 1. Completed Temporary Use Permit application
- 2. Other documentations deemed necessary by the administrator
- 3. Application fee - \$100
- 4. Site plan, if required by the administrator

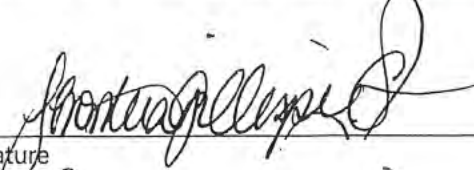
Method of Payment: Cash \_\_\_\_\_ Check# \_\_\_\_\_ Credit Card  Amount \$ 100.00

Payment Received By: \_\_\_\_\_

Date: \_\_\_\_\_

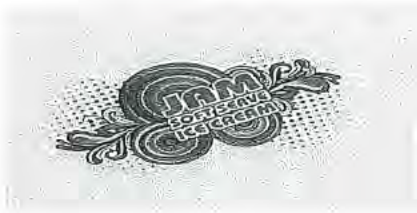
**CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER**

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/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Shontera Gillespie-Coleman  19 SEPTEMBER 2022  
 Applicant's Name (Print) Signature Date

Planning Director Signature:

 10/4/22



## 2022 Event Contract

JAM Ice Cream, hereinafter referred to as Service Provider, and **Walker Auto Stores**, hereinafter referred to as Buyer; hereby agree on 09/28/2022, to the following terms.

**Service provider will have:** 600 Durwood Stephenson PKWY  
1 truck(s) and 1 Server(s) at 926 N Brightleaf Boulevard Smithfield, NC 27577 for the serving hours of 12:00-2:00 pm on Saturday November 5, 2022.

Selections to be provided are: 75 Servings from our open menu - additional servings if any at \$6.5 each. All servings must be consumed at the date, time and location above

**The buyer agrees to:**

Purchase price of: \$487.50

Sales Tax: \$40.22

Server Gratuity (15%): \$73.12

Total: \$600.84

**Terms of Payment**


A deposit of \$300.42 will be made 09/29/2022.

The remaining balance of \$300.42 will be paid by cash, check or credit card upon arrival and before service begins. If you are paying by credit card the card must be physically present at the truck. If the card is not physically present at the truck there is a \$50 keying fee. The balance for any additional servings will be paid for at the conclusion of service. If for any reason there is a balance remaining once the truck departs service location there will be a \$100 administrative fee for invoicing.

Signature: 

**Execution of Terms:**

Date will be held during deposit period as indicated by deposit due date above and confirmed once both deposit and executed contract are received by seller. Any changes to the terms must be updated by the seller. Buyer changes on this document are not binding on the seller.

Signature: 

**Day of Service Contact Information:**

Name Tracy Brook  
Cell Phone 984 297-1795  
Email tracy.brook@walkerautostores.com

6017 Clapton Drive Wake Forest, NC 27587  
919-624-2436 [artie@jamicecream.com](mailto:artie@jamicecream.com)





**Cancellations:**

If you cancel service for any reason within 45 days of service deposit will be forfeited.

Signature: [Handwritten Signature]

**Rescheduling:**

If you have to reschedule service for any reason other than inclement weather, it must be done at least 21 days in advance or deposit will be forfeited and not be applied to new date. We will make every attempt to reschedule as our calendar allows with no guarantee of availability for a specific date/time. Rescheduled service must occur within 60 calendar days of original contracted service date or deposit will be forfeited.

Signature: [Handwritten Signature]

**Inclement weather:**

To reschedule under our inclement weather policy there must be at least a 50% chance of rain or other inclement weather event such as ice, snow or hurricane at the service location during service times according to The Weather Channel hourly forecast. For the safety of both our vehicles and employees we reserve the right to reschedule service if we deem it unsafe to operate. We will make every attempt to reschedule as our calendar allows with no guarantee of availability for a specific date/time. Rescheduled service must occur within 60 calendar days of original contracted service date or deposit will be forfeited. If rescheduling is requested by buyer within 3 hours of contracted service time due to inclement weather there will be a \$75 rescheduling fee.

Signature: [Handwritten Signature]

**Parking:**

As a 10,000 pound food truck we require a solid surface for parking and approach which would include paved and unpaved areas depending on soil conditions upon arrival. These should be fairly level as we do not have the ground clearance for high degrees of incline. Our trucks are 22' long, 8' wide and 12.5' high, these dimensions need to be considered when selecting parking and approach route. We do not have authority to park in handicap spaces and cannot serve from them. If parking along curb we require a minimum of 4 spaces to be able to safely maneuver our truck.

Signature: [Handwritten Signature]

It is the buyers' responsibility to confirm with host facility/ property any additional requirements and the buyer is responsible for any fees due to the facility/ property owner/ manager.

**E. Attestation**

Signature: [Handwritten Signature]  
Title: CFO

Printed Name: Sherrica Dilligpie-Coleman  
Organization: Walker Auto & Truck

I certify that I am authorized to act and sign on behalf of Buyer and that Buyer is bound by my actions. [Handwritten Signature]

6017 Clapton Drive Wake Forest, NC 27587  
919-624-2436 [artie@jamicecream.com](mailto:artie@jamicecream.com)

2023

NOT TRANSFERABLE  
STATUTE GS 81.106.119

LICENSE/CERTIFICATE: Retail Frozen Dessert  
EXPIRATION DATE: 06/30/2023

LICENSEE  
R  
ERTIFICATOR  
JAM ICE CREAM TRUCK #2  
6017 CLAPTON DRIVE  
WAKE FOREST, NC 27587

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



North Carolina Department of Agriculture & Consumer Services  
Steve Troxler, Commissioner  
License/Certificate

LICENSE/CERTIFICATE NO.  
9206

*Steve Troxler*  
STEVE TROXLER, COMMISSIONER

2023

NOT TRANSFERABLE  
STATUTE GS 81.106.119

LICENSE/CERTIFICATE: Retail Frozen Dessert  
EXPIRATION DATE: 06/30/2023

LICENSEE  
R  
ERTIFICATOR  
JAM ICE CREAM TRUCK # 1  
6017 CLAPTON DRIVE  
WAKE FOREST, NC 27587

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



North Carolina Department of Agriculture & Consumer Services  
Steve Troxler, Commissioner  
License/Certificate

LICENSE/CERTIFICATE NO.  
9095

*Steve Troxler*  
STEVE TROXLER, COMMISSIONER

# STATE OF NORTH CAROLINA REGISTRATION CARD

|  |                                       |                            |                |
|--|---------------------------------------|----------------------------|----------------|
| NC LIC NUMBER<br>JM4238                  | PLT EXP DATE<br>04/30/23              | INSPECTION DUE<br>04/30/23 |                |
| VEHICLE ID #                             |                                       | GROSS WT<br>10000          | EQUIP #        |
| MAKE/SERIES<br>FORD                      | TITLE<br>770889131082148              | YEAR<br>2013               | FUEL<br>G      |
| SHIPPING WEIGHT<br>4336                  | STYLE<br>TK                           | TOTAL FEE<br>149.25        | VEHICLE BRAND  |
| CLASSIFICATION<br>PRIVATE/COMMERCIAL VEH | CUSTOMER ID # OWNER 1<br>000036464696 | CUSTOMER ID # OWNER 2      | COUNTY<br>WAKE |

FOLD HERE - DO NOT TEAR

P46 - PRO  
INST  
01406643

JAM ICE CREAM INC

6017 CLAPTON DR  
WAKE FOREST NC 27587-4268

PROGRESSIVE  
P.O. BOX 6807  
CLEVELAND, OH 44101  
1-800-444-4487



**Policy number:**

Underwritten by:  
Progressive Southeastern Ins Co  
NAIC Number: 38784  
November 30, 2021  
Page 1 of 2

## Certificate of Insurance

**Certificate Holder**

THE TOWN OF WAKE FOREST  
301 SOUTH BROOKS STREET  
WAKE FOREST, NC 27587

**Insured**

JAM ICE CREAM INC  
6017 CLAPTON DR  
WAKE FOREST, NC 27587

**Agent**

NORTHEAST AGENCIES  
8209 IBM DR BLDG 102  
CHARLOTTE, NC 28262

This document certifies that insurance policies identified below have been issued by the designated insurer to the insured named above for the period(s) indicated. This Certificate is issued for information purposes only. It confers no rights upon the certificate holder and does not change, alter, modify, or extend the coverages afforded by the policies listed below. The coverages afforded by the policies listed below are subject to all the terms, exclusions, limitations, endorsements, and conditions of these policies. Liability coverage may not apply to all scheduled vehicles.

Policy Effective Date: Nov 25, 2021

Policy Expiration Date: Nov 25, 2022

**Insurance coverage(s)**

**Limits**

|                                    |   |
|------------------------------------|---|
| Bodily Injury/Property Damage      | \$1,000,000 Combined Single Limit               |
| Uninsured/Underinsured Motorist    | \$1,000,000 Combined Single Limit               |
| Uninsured Motorist Property Damage | (included in combined single limit w/\$100 Ded) |

**Description of Location/Vehicles/Special Items**

**Scheduled autos only**

2013 FORD E350 SUPER DUTY 1FDWE3FL4DDB36186

Stated Amount \$60,000

|                  |             |
|------------------|-------------|
| Medical Payments | \$5,000     |
| Comprehensive    | \$1,000 Ded |
| Collision        | \$1,000 Ded |

2013 FORD E350 SUPER DUTY 1FDWE3FL6DDA56842

Stated Amount \$60,000

|                  |             |
|------------------|-------------|
| Medical Payments | \$5,000     |
| Comprehensive    | \$1,000 Ded |
| Collision        | \$1,000 Ded |

2018 FORD MUSTANG 1FATP8UH0J5174944

|                  |             |
|------------------|-------------|
| Medical Payments | \$5,000     |
| Comprehensive    | \$1,000 Ded |
| Collision        | \$1,000 Ded |



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
11/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|  |   |
|--|---|
| <b>PRODUCER</b><br>Hiscox Inc.<br>5 Concourse Parkway<br>Suite 2150<br>Atlanta GA, 30328 | <b>CONTACT NAME:</b><br>PHONE (A/C, No, Ext): (888) 202-3007      FAX (A/C, No):<br>E-MAIL ADDRESS: contact@hiscox.com<br>INSURER(S) AFFORDING COVERAGE:      NAIC #<br>INSURER A:      Hiscox Insurance Company Inc      10200<br>INSURER B:<br>INSURER C:<br>INSURER D:<br>INSURER E:<br>INSURER F: |
| <b>INSURED</b><br>JAM ICE CREAM INC<br>417 S Main St<br>Rolesville, NC 27571             |   |

**COVERAGES**      **CERTIFICATE NUMBER:**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE   | ADDL INSD | SUBR WVD | POLICY NUMBER      | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS   |
|----------|---|-----------|----------|--------------------|-------------------------|-------------------------|--|
| A        | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER: | N         |          | UDC-4330993-CGL-21 | 11/25/2021              | 11/25/2022              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000<br>\$ |
|          | <b>AUTOMOBILE LIABILITY</b><br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY   |           |          |                    |                         |                         | COMBINED SINGLE LIMIT (Ea accident) \$<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$  |
|          | <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR<br><input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br>DED    RETENTION \$   |           |          |                    |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$   |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N<br>If yes, describe under DESCRIPTION OF OPERATIONS below  | N/A       |          |                    |                         |                         | <input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER<br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$  |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

|   |  |
|---|--|
| <b>CERTIFICATE HOLDER</b><br>THE TOWN OF WAKE FOREST<br>301 S BROOKS STREET<br>WAKE FOREST NC 27587 | <b>CANCELLATION</b><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.<br><br>AUTHORIZED REPRESENTATIVE<br> |
|---|--|





# Request for Town Council Action

**Consent  
Agenda  
Item:** Application  
for  
Temporary  
Use Permit  
**Date:** 11/01/2022

---

**Subject:** Women on the Move Event  
**Department:** Planning Department  
**Presented by:** Planning Director – Stephen Wensman  
**Presentation:** Consent Agenda Item

---

## Issue Statement

Women on the Move is requesting to use amplified sound at their event on November 5, 2022 from 12 pm to 5 pm.

## Financial Impact

N/A

**Action Needed** Council approval of the Temporary Use Permit Application

**Recommendation** Staff recommends approval of the Temporary Use Permit Application

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Temporary Use Permit Application



# Staff Report

**Consent  
Agenda  
Item:** **Application  
for  
Temporary  
Use Permit**

---

Women on the Move has requested to use amplified sound at their event being held at Smith Collins Park on November 5, 2022 from 12pm to 5pm. No other services have been requested by the applicant.





# Temporary Use Permit Application

Completed applications must be submitted at least 4 weeks prior to the event by emailing Julie Edmonds at [julie.edmonds@smithfield-nc.com](mailto:julie.edmonds@smithfield-nc.com) or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

### TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event \_\_\_\_\_
  - Over 100 people in attendance
  - Live Band or Amplified Sound Yes
  - Requires closure or blockage of Town Street
  - Involves Food Trucks
  - Requires Security (potential safety, security concerns)
  - Involves structures larger than 200 square feet and canopies larger than 400 square feet
  - Involves Town Park property
  - Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

### OTHER TEMP USES

- Modular Office Units
- Emergency, construction and repair residence
- Temporary storage facility (portable storage unit)
- Sale of agricultural products grown off-site
- Sale of Fireworks
- Other (please describe) \_\_\_\_\_

women on the Move By TLP, INC

|   |  |
|---|--|
| <u>A Day of Thanks</u><br>Name of Event | <u>Smith Collins Park East Lee St.</u><br>Location of Event/Use (exact street address) <u>Smithfield</u> |
|---|--|

### APPLICANT:

Name Betty M Johnson  
 Address 24 E Heath Ave  
 Phone number 919-271-7445  
 Email address Betlove@twc.com  
 Event date Nov 5-22  
 Event start time 12 - pm - 5 pm  
 Event set up time 5: pm  
 Sound Amplification Type Musci Amp.  
 Sound Amplification Time 12 pm - 5 pm

### PROPERTY OWNER:

Name Smith Collins Park  
 Address East Lee St Smith  
 Phone number \_\_\_\_\_  
 Email address \_\_\_\_\_  
 Will alcohol be sold or served? Y or N \_\_\_\_\_  
 Event end time \_\_\_\_\_  
 Event cleanup time \_\_\_\_\_  
 Will food or goods be sold? Y or N  
Give away

# Food Trucks (if applicable) 0 (Each Food Truck Requires Certificate of Inspections by Johnston County Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: \_\_\_\_\_  
(If using Smithfield Police, applicant must contact the PD to schedule security.)

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

If any town streets require closure, please list all street names. no

Are event trash cans needed? Y or  N How many? \_\_\_\_\_

**Please provide a detailed description of the proposed temporary use or special event:**

Will be playing music, and using microphone  
Talking with speaker

**Temporary Use Submittal Checklist:**

- 1. Completed Temporary Use Permit application
- 2. Other documentations deemed necessary by the administrator
- 3. Application fee - \$100
- 4. Site plan, if required by the administrator

Church

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

Payment Received By: \_\_\_\_\_

Date: \_\_\_\_\_

**CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER**

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/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Betty M Johnson Betty M Johnson 10-13-22  
Applicant's Name (Print) Signature Date

Planning Director Signature: Stephen Wern Date: 10/17/22

**OWNERS AUTHORIZATION**

I hereby give CONSENT to Betty Johnson (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.

Property owners name (print) Town of Smithfield  
Address 350 E. Market St. Zip 27577  
Phone number \_\_\_\_\_ Email \_\_\_\_\_

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

**OWNER'S CONSENT FORM**

Name of Event: Women on the Move Submittal Date: 10-17-22

**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.

\_\_\_\_\_  
*Signature of Owner*                      *Print Name*                      *Date*





# Request for Town Council Action

Consent  
Agenda  
Item: Police  
Promotion  
Date: 11/01/2022

---

Subject: Promotion  
Department: Police Department  
Presented by: Chief of Police - R. K. Powell  
Presentation: Consent Agenda Item

---

## Issue Statement

This is a request to promote one officer from the rank of Police Officer I (POI) to Police Officer II (PO II), moving from pay grade 218 to pay grade 219. Under the **Town's Employee Handbook, all promotions to a higher pay grade will be accompanied** by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

## Financial Impact

Approved Budgeted Amount for FY 2022-2023:

This salary increase will be covered by the Police **Department's current budget and will** not require a budget amendment to the current salary line item. In this case the required salary increase for the 2022/2023 Budget will cost \$2,615.86 which will be covered by budget.

## Action Needed

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

## Recommendation

It is requested to allow this Officer to be promoted to Patrol Officer II (PO II).

Approved:  Town Manager  Town Attorney

## Attachments:

1. **Staff Report**
2. Officer Request & Training Records



# Staff Report

Consent  
Agenda  
Item: Police  
Promotion

---

This is a request to promote one officer from the rank of Police Officer I (POI) to Police Officer II (PO II), moving from pay grade 218 to pay grade 219. **Under the Town's Employee Handbook**, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

# Smithfield Police Department

## Interoffice memorandum

Date: 10/08/2022

To: Lieutenant N. Memmelaar

From:

Subject: Police Officer II Memorandum

Please accept this memorandum as my request for advancement to the position of Police Officer II within the Smithfield Police Department. I meet all the requirements as set forth by department policy, to wit:

A) Hire date: 01/25/2021

B) Date of last advancement: 01/25/2022 - Completion of one year probationary period.

C) Level of education: High School diploma, BLET and 2+ years college credits.

D) Complete list of required classes and dates attended:

- Standardized Field Sobriety Testing – Completed on (02/13/2022).

- Intoximeter Certification – Completed on (02/18/2022).

- RADAR Operator – Completed on (04/08/2022).

E) Date awarded applicable law enforcement certificate(s)

- General Law Enforcement Certification – Awarded on 01/25/2022

# State of North Carolina

## CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION

General



Certification

In compliance with Chapter 17C of the General Statutes of the State of North Carolina and specifically with the appropriate Rules of Chapter 9 to Title 12 of the North Carolina Administrative Code, as promulgated by the Criminal Justice Education and Training Standards Commission under the authority of that statutory Chapter,

has apparently submitted all required documentation and fulfilled all requirements necessary to the determination of his/her suitability to be appointed as a LAW ENFORCEMENT OFFICER within this State. Upon due consideration, the Commission finds that proper application for certification has been submitted to it on behalf of the above named. The Commission further FINDS, and hereby CERTIFIES that this applicant appears to meet the MINIMUM STANDARD REQUIREMENTS for appointment as a LAW ENFORCEMENT OFFICER IN THE STATE OF NORTH CAROLINA OR ANY OF ITS POLITICAL SUBDIVISIONS.

Now therefore, the Commission serves notice that the applicant is awarded GENERAL CERTIFICATION. This Certification shall remain in effect for the duration of service in office unless suspended or revoked by the Commission for cause. Further, the Commission shall permit transfer of this officer between law enforcement agencies within this State, subject to the provisions of applicable Rules of the Administrative Code.

Issuance of Certification: GNA 100234389

Approved on: January 25, 2022

Agency Name: Smithfield Police Department

A handwritten signature in cursive script, appearing to read "Charles B. Smith".

Commission Chairman

A handwritten signature in cursive script, appearing to read "M. H. Smith".

Director,  
Criminal Justice Standards Division



COASTAL PLAIN LAW ENFORCEMENT TRAINING CENTER  
WILSON COMMUNITY COLLEGE

*Certificate*

awarded to

for the successful  
completion of

**Radar Operator Certification**

**39.0 hours**

**on the 8<sup>th</sup> day of April, 2022**



LAW ENFORCEMENT  
TRAINING CENTER

*Darlene W. Hall*

Darlene Hall  
DIRECTOR OF LAW ENFORCEMENT TRAINING

*Robert Holsten*

Robert Holsten  
VICE PRESIDENT FOR ACADEMIC AFFAIRS



Department of Criminal Justice Programs

**Certificate of Completion**

THIS CERTIFICATE IS AWARDED TO

FOR SUCCESSFUL COMPLETION OF

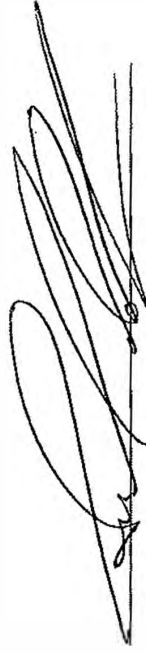
**STANDARDIZED FIELD SOBRIETY TESTING**

JOHNSTON COMMUNITY COLLEGE

June 30, 2021



Mark Sullivan  
Department Chair  
Criminal Justice Programs



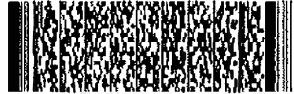
Sam Jones  
Lead Instructor  
Standardized Field Sobriety Testing

**North Carolina** Department of Health and Human Services  
Permit to Perform Chemical Analysis of Breath

APPLICATION HAVING BEEN MADE, a permit is hereby granted, or a renewal of same, to named cardholder to perform chemical analyses of the breath to determine alcohol concentration utilizing the Intoximeters, Model Intox EC/IR II and Model Intox EC/IR II (Enhanced with serial number 10,000 or higher).

Analyst: \_\_\_\_\_ Agency Type: PD  
Agency: Smithfield Effective Date: 03/01/2022  
Permit: 7731-1304 Expiration Date: 03/01/2024

*To conduct a breath test, press enter on your EC/IR-II, and insert this card into the reader when prompted.*



| Person Last Name | Person First Name | Person Suffix | Permit Number | Employing Organization Name         | Instrument   | Effective Date | Expiration Date |
|------------------|-------------------|---------------|---------------|-------------------------------------|--|----------------|-----------------|
| Bowman           | Nicholas          |               | 0805-1284     | Mitchell County Sheriff's Office    | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/10/2021      | 3/10/2023       |
| Bowman           |                   |               | 0801-6008     | Long View Police Department         | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/19/2021      | 3/19/2023       |
| Boyd             | Aaron             |               | 7731-13 04    | Smithfield Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/1/2022       | 3/1/2024        |
| Boyd             | Ashley            |               | 0011-5493     | Forest City Police Department       | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 10/19/2020     | 10/19/2022      |
| Boyd             | Ashley            |               | 0006-5535     | Apex Police Department              | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 10/15/2019     | 10/15/2021      |
| Boyd             | Bobby             | Jr.           | 0006-5535     | Apex Police Department              | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 4/1/2022       | 4/1/2024        |
| Boyd             | Bobby             |               | 0099-4746     | Washington Police Department        | Intoximeters, Model Intox EC/R II  | 1/8/2020       | 1/8/2022        |
| Boyd             | Bobby             | Jr.           | 0099-4746     | Washington Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/1/2022       | 2/1/2024        |
| Boyd             | Derrick           |               | 2031-4415     | Fayetteville Police Department      | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 9/8/2021       | 9/8/2023        |
| Boyd             | John              |               | 0070-2939     | Fuquay-Varina Police Department     | Intoximeters, Model Intox EC/R II  | 10/9/2019      | 10/9/2021       |
| Boyd             | John              |               | 0070-2939     | Fuquay-Varina Police Department     | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 9/8/2021       | 9/8/2023        |
| Boyd             | Matthew           |               | 0061-1872     | Lillington Police Department        | Intoximeters, Model Intox EC/R II  | 4/4/2020       | 4/4/2022        |
| Boyd             | Matthew           |               | 0061-1872     | Lillington Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/1/2022       | 2/1/2024        |
| Boyd             | Michael           | Jr.           | 7458-1894     | Morehead City Police Department     | Intoximeters, Model Intox EC/R II  | 5/1/2022       | 5/1/2024        |
| Boyd             | Michael           | Jr.           | 7458-1894     | Morehead City Police Department     | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 10/10/2019     | 10/10/2021      |
| Boyd             | Nicholas          |               | 6978-0687     | Apex Police Department              | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 9/8/2021       | 9/8/2023        |
| Boyd             | William           |               | 0016-6878     | Belhaven Police Department          | Intoximeters, Model Intox EC/R II  | 9/9/2021       | 9/9/2023        |
| Boyd             | William           |               | 0016-6878     | Belhaven Police Department          | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/13/2020      | 3/13/2022       |
| Boyette          | Matthew           |               | 0063-5368     | Tarboro Police Department           | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/1/2022       | 3/1/2024        |
| Boykin           | Benjamin          |               | 2345-2645     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/10/2021      | 3/10/2023       |
| Boyles           | Shannon           |               | 0016-7512     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 9/24/2021      | 9/24/2023       |
| Boyles           | Shannon           |               | 0016-7512     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II  | 1/9/2022       | 1/9/2024        |
| Brack            | Andrew            |               | 0038-2814     | Gastonia Police Department          | Intoximeters, Model Intox EC/R II  | 11/4/2021      | 11/4/2023       |
| Brack            | Andrew            |               | 0038-2814     | Gastonia Police Department          | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/20/2020      | 2/20/2022       |
| Brackett         | Charles           |               | 0016-7886     | High Point Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/1/2022       | 3/1/2024        |
| Bradburn         | Samuel            |               | 0034-4304     | Pittsboro Police Dept               | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/8/2021       | 2/8/2023        |
| Bradbury         | William           |               | 0016-7936     | Washington Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 12/11/2020     | 12/11/2022      |
| Brady            | Christopher       |               | 0005-9929     | Nags Head Police Department         | Intoximeters, Model Intox EC/R II  | 7/13/2020      | 7/13/2022       |
| Brady            | Christopher       |               | 0005-9929     | Nags Head Police Department         | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/11/2020      | 3/11/2022       |
| Bradford         | Christopher       |               | 0016-8020     | Raleigh Police Department           | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/1/2022       | 3/1/2024        |
| Bradford         | Christopher       |               | 0016-8020     | Raleigh Police Department           | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 7/10/2020      | 7/10/2022       |
| Bradley          | Bryan             |               | 0016-8492     | Nags Head Police Department         | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 7/1/2022       | 7/1/2024        |
| Bradley          | David             |               | 1483-7712     | Roanoke Rapids Police Department    | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/15/2021      | 3/15/2023       |
| Bradley          | Ernest            | Jr.           | 0016-8391     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 11/20/2020     | 11/20/2022      |
| Bradshaw         | David             |               | 5531-7524     | Pender County Sheriff's Office      | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 12/3/2020      | 12/3/2022       |
| Bradshaw         | Ethan             |               | 0061-2733     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 8/13/2021      | 8/13/2023       |
| Bradshaw         | Selina            |               | 0098-8291     | Holly Springs Police Department     | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 10/5/2020      | 10/5/2022       |
| Bradsher         | Clifton           | III           | 8362-3273     | Person County Sheriff's Office      | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/19/2021      | 3/19/2023       |
| Brady            | Ethan             |               | 0043-9069     | Ashboro Police Department           | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/26/2021      | 2/26/2023       |
| Brady            | John              |               | 0016-9239     | Cabarrus County Sheriff's Office    | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 12/4/2021      | 12/4/2023       |
| Brady            | Thomas            |               | 0099-7496     | Cumberland County Sheriff's Office  | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 1/28/2021      | 1/28/2023       |
| Brafford         | Cassie            |               | 0058-8015     | Carthage Police Department          | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 11/5/2021      | 11/5/2023       |
| Brame            | Darius            |               | 2204-6241     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 7/7/2021       | 7/7/2023        |
| Brame            | Bryant            |               | 0016-9451     | Cary Police Department              | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/12/2021      | 2/12/2023       |
| Brame            | Scott             |               | 0011-1116     | Wilmington Police Department        | Intoximeters, Model Intox EC/R II  | 10/18/2019     | 10/18/2021      |
| Brame            | Scott             |               | 0011-1116     | Wilmington Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 10/13/2019     | 10/13/2021      |
| Branley          | Michael           |               | 0006-5618     | Valdese Police Department           | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 8/6/2021       | 8/6/2023        |
| Branch           | Warren            |               | 0035-3752     | Cornelius Police Department         | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 10/22/2020     | 10/22/2022      |
| Brandl           | Joey              |               | 0011-1002     | Rutherford County Sheriff's Office  | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 4/16/2021      | 4/16/2023       |
| Brandner         | Ashley            |               | 0077-9701     | Carolina Beach Police Department    | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/17/2021      | 2/17/2023       |
| Brandner         | Ashley            |               | 0077-9701     | Carolina Beach Police Department    | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 9/11/2020      | 9/11/2022       |
| Brandham         | Lance             | III           | 0016-9898     | Kernersville Police Department      | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 7/1/2022       | 7/1/2024        |
| Brannon          | Christopher       |               | 0043-9068     | Wake County ABC Law Enforcement     | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 7/16/2019      | 7/16/2021       |
| Brannon          | Michael           |               | 1503-9190     | Alleghany County Sheriff's Office   | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 5/6/2021       | 5/6/2023        |
| Brannock         | Michael           |               | 1503-9190     | Alleghany County Sheriff's Office   | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/13/2020      | 3/13/2022       |
| Brannon          | Michael           |               | 0006-5635     | Wilmington Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 7/1/2022       | 7/1/2024        |
| Branley          | Jacob             |               | 3949-3817     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 12/2/2020      | 12/2/2022       |
| Branley          | Jamie             |               | 0017-0152     | Clayton Police Department           | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 9/24/2021      | 9/24/2023       |
| Branley          | Joshua            |               | 7986-7835     | Greenville Police Department        | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 3/9/2021       | 3/9/2023        |
| Braswell         | Christopher       |               | 0101-0008     | Warsaw Police Department            | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 7/1/2022       | 7/1/2024        |
| Braswell         | Dwight            |               | 0017-0356     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 5/12/2021      | 5/12/2023       |
| Braswell         | Dwight            |               | 0017-0356     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/18/2020      | 2/18/2022       |
| Braswell         | Dwight            |               | 0017-0356     | North Carolina State Highway Patrol | Intoximeters, Model Intox EC/R II and Model Intox EC/R II (Enhanced with serial number 10,000 or higher) | 2/1/2022       | 2/1/2024        |



# Request for Town Council Action

Consent  
Agenda  
Item: Police  
Date: Promotion  
11/01/2022

Subject: Promotion  
Department: Police Department  
Presented by: Chief **of Police** - R. K. Powell  
Presentation: Consent Agenda **Item**

## Issue Statement

This is a request to promote one officer from the rank of Police Officer II (PO II) to Master Police Officer (MPO), moving from pay grade 219 to pay grade 220. Under the **Town’s Employee Handbook, all promotions to a higher pay grade will be accompanied** by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

## Financial Impact

Approved Budgeted Amount for FY 2022-2023:

This salary increase will be covered by the Police **Department’s current budget and will** not require a budget amendment to the current salary line item. In this case the required salary increase for the 2022/2023 Budget will cost \$1,988.92 which will be covered by budget.

## Action Needed

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

## Recommendation

It is requested to allow this Officer to be promoted to Master Patrol Officer (MPO).

Approved:  Town Manager  Town Attorney

## Attachments:

1. **Staff Report**
2. Officer Request & Training Records
3. **Approved Career Ladder**



# Staff Report

Consent  
Agenda  
Item: Police  
Promotion

---

This is a request to promote one officer from the rank of Police Officer II (PO II) to Master Police Officer (MPO), moving from pay grade 219 to pay grade 220. **Under the Town's Employee Handbook**, all promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum salary or 5% increase, whichever is greater.

***Smithfield Police Department  
Interoffice Memorandum***

To: Chief K. Powell *KMP*  
From: October 21, 2022  
Date: Advancement to M.P.O  
Subject:

---

This memorandum is a formal letter requesting advancement from P.O II to the level of M.P.O. The following are a list of classes that have prepared me for advancement.

- I started with Smithfield Police Department on November 1, 2021 as a P.O II. I started my Law Enforcement career in 2002 and served actively for 6 years before reentering to the Military. After leaving the Military, I returned to Law Enforcement working with the Hamlet Police Department. While with the Hamlet Police Department I was promoted to the Ranks of Sergeant, Lieutenant, and meritoriously to the rank of Captain. I also served as Interim Chief of Police for the city of Hamlet from November 2020 to May 2021.
- I am currently enrolled at Liberty University, and will obtain my BS: in Criminal Justice: Public Administration in the fall of 2023.
- I have taken the following classes that either meet or exceed the minimum requirement set forth by General Order ( 504- Promotion & Career Ladder Advancement).
  1. FBI-LEEDA Command Leadership Institute: 28 Hours  
March 1-5, 2021
  2. FBI-LEEDA Supervisor Leadership Institute: 28 Hours  
April 19-23, 2021
  3. FBI-LEEDA Executive Leadership Institute: 28 Hours  
May 2-6, 2022
  4. Leadership On The Line: 24 Hours  
September 9-11, 2019
  5. Field Training Officer (FTO): 40 Hours  
March 18, 2022
  6. Death and Homicide Investigation: 40 Hours  
March 15-19, 2021

Child Death Investigation: 16 Hours

April 7, 2021

7. Recruiting and Hiring for Law Enforcement 6.75 Hours

January, 2021

8. Less Lethal Basic Instructor Course: 40 Hours

September 30, 2020

- I have not had any disciplinary actions against me since the start of my employment.
- I received an outstanding rating on my last performance review.

CC: Capt. Grady

Lt. Obranovich



# FBI-LEEDA

Law Enforcement Executive Development Association

## *Certificate of Completion*

*Presented to*

530<sup>th</sup> Command Leadership Institute  
Wake Forest, NC – March 1 - 5, 2021  
28 Contact Hours

*Dominic Rizzi*

Dominic Rizzi, Jr., Board President  
FBI-LEEDA, Inc.



*Jeffrey M. Jurek*

Wake Forest Police Department

# FBI-LEEDA

Law Enforcement Executive Development Association

## *Certificate of Completion*

*Presented to*

649<sup>th</sup> Supervisor Leadership Institute  
Blowing Rock, NC – April 19 - 23, 2021  
28 Contact Hours

*Dominic Rizzi, Jr.*

Dominic Rizzi, Jr., Board President  
FBI-LEEDA, Inc.



*Dominic Rizzi, Jr.*  
Blowing Rock Police Department

# FBI-LEEDA

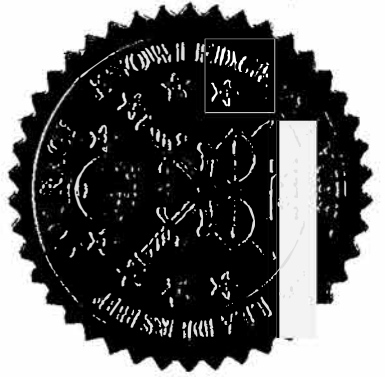
**Law Enforcement Executive Development Association**

## *Certificate of Completion*

*Presented to*

*For the successful completion of the*

495<sup>th</sup> Executive Leadership Institute  
Myrtle Beach, SC – May 2 – 6, 2022  
28 Contact Hours



*Perry Tarrant*

Perry Tarrant, Executive Director  
FBI-LEEDA, Inc.

Myrtle Beach Police Department



# TRILOGY AWARD



*This certifies that*

has successfully completed the required leadership courses to receive the FBI-LEEDA Trilogy Award.

Dated this 6<sup>th</sup> day of May, 2022

**FBI-LEEDA, Inc.**

Law Enforcement Executive Development  
Association



Perry Tarrant, Executive Director

FBI-LEEDA, Inc.

**GUILFORD TECHNICAL COMMUNITY COLLEGE  
CRIMINAL JUSTICE DEPARTMENT**

Jamestown, North Carolina

presents this certificate to:

For Successful Completion of a Twenty- Four Hour Course

**Leadership On The Line**

September 9 - 11, 2019

Terry Clanton  
Continuing Education Director

Joe Kennedy/ Bob Garbett  
BlueLine Training Group

# Department of Criminal Justice Programs

## Certificate of Completion

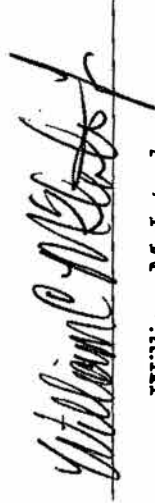
THIS CERTIFICATE IS AWARDED TO

FOR SUCCESSFUL COMPLETION OF

### Field Training Officer

JOHNSTON COMMUNITY COLLEGE

March 18, 2022



William McIntosh  
Director of Commission Programs

**GUILFORD TECHNICAL COMMUNITY COLLEGE**

**CRIMINAL JUSTICE DEPARTMENT**

Jamestown, North Carolina

presents this certificate to:

For Successful Completion of a Forty Hour Course

**Death and Homicide Investigation**

March 15-19, 2021

Terry Clanton

Program Director

Joe Kennedy

Lead Instructor

# North Carolina Justice Academy

STATE OF NORTH CAROLINA DEPARTMENT OF JUSTICE

**Awards this Certificate to**

for completion of the course

**Child Death Investigations**

on

04/07/2021

16h 0m

Hours/Credits



**Josh Stein, NC Attorney General**



**Trevor Allen, NCJA Director**





# CERTIFICATE OF COMPLETION

, This is to certify that

Has completed the following online course

**NCCC System - Recruiting and Hiring for Law Enforcement | 1-  
Day - January, 2021**

Credit Hours: 6.75



# CERTIFICATE OF TRAINING

This certifies that

has successfully completed training & is certified as a

Less Lethal Basic Instructor in the use of:

Flash-Bangs, Chemical Munitions, Impact Munitions, Aerosols

Lance Guckenberger

INSTRUCTOR

*Phil S. English*

DIRECTOR OF TRAINING

September 30, 2020

DATE COMPLETED  
(CERTIFICATE EXPIRES 4 YEARS  
FROM COMPLETION DATE)





**Chapter 500**  
**Personnel Policy 504: Promotions & Career Development**  
**Effective Date: January 1, 2014 Revised Date: June 15, 2020**  
**Approved by: Chief Robert K. Powell**

*R.K. Powell*

**I. POLICY STATEMENT**

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

**II. COMMENTARY**

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

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

**III. PROCEDURES**

A. Administration

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

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

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

B. Vacancy Announcements

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

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

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

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

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

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

C. Promotional Procedures

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

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

D. Minimum Qualifications for Promotion

1. Sergeant

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

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

## 2. Lieutenant

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

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

## 3. Captain

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

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

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

## E. Review and Appeal

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

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

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

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

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

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

#### F. Career Ladder

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

- a) Police Officer I
- b) Police Officer II
- c) Master Police Officer

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

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

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

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

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

G. Minimum Qualifications for Advancement

1. Police Officer I

Entry-level candidates must:

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

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

2. Police Officer II

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

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

3. Master Police Officer

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

- a) Have served as a Police Officer II for one year
- b) Have completed training hours, including:
  - 40 hours of Management/Supervision Training

Field Training Officer Certification and become Field Training Officer for the Department. After completion of FTO Training, the officer can be assigned a trainee by the Chief of Police or his Designee

Completion of Crisis Intervention Team (CIT) Certification.



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

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





# Request for Town Council Action

Consent  
Agenda  
Item: Awarding  
Service  
Badge &  
Firearm  
Date: 11/01/2022

---

Subject: **Chief Powell's** Service Weapon and Badge  
Department: Police Department  
Presented by: Captain - J.F. Grady  
Presentation: Consent Agenda Item

---

## Issue Statement

Chief Powell will be retiring on December 1, 2022 with 30 years of service with the Smithfield Police Department. Chief Powell has worked with the Town of Smithfield his entire career. I am requesting he be allowed to purchase his service weapon and badge.

## Financial Impact

No financial Impact

## Action Needed

Council to approve Chief Powell to be allowed to purchase his service weapon, a Glock 45, Serial Number BSTD911 and service badge for \$1.00

## Recommendation

Adopt Resolution No. 714 (23-2022) allowing Chief Powell to purchase his service weapon and badge.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. Resolution No. 714 (23-2022)



# Staff Report

Consent  
Agenda  
Item: Awarding  
Service  
Badge &  
Firearm

---

**Chief Powell's official retirement date will be December 1, 2022.** He is retiring with a total of 30 years in law enforcement with the Town of Smithfield. I am requesting he be allowed to purchase his service weapon (Glock 45/Serial number: BSTD911 and department issued badge for \$1.00. Thank you for your hard work and dedication to the Department and the Town. Congratulations on your upcoming retirement.

**TOWN OF SMITHFIELD  
RESOLUTION NO. 714 (23-2022)  
AWARDING BADGE AND SERVICE WEAPON TO  
RETIRING CHIEF OF POLICE R. KEITH POWELL**

**WHEREAS**, NCGS § 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and

**WHEREAS**, NCGS § 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service weapon of such retiring member; and

**WHEREAS**, Chief of Police R. Keith Powell has served as a sworn law enforcement officer in North Carolina for 30 years with all of those years as a member of the Smithfield Police Department. Chief Powell will be retiring from the Smithfield Police Department on December 1, 2022.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Town Council do hereby declare the service firearm (Glock 45, Serial Number BSTD914) and badge used by Chief of Police R. Keith Powell during his service with the Town of Smithfield as surplus property and be awarded to him at a cost of \$1.00 on his retirement.

Duly adopted this the 1<sup>st</sup> day of November, 2022.

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

ATTEST:

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





# Request for Town Council Action

Consent  
Agenda  
Item: Award of  
Contract  
Date: 11/01/2022

Subject: Award of Contract for General Consulting Services  
Department: Public Utilities  
Presented by: Public Utilities Director – Ted Credle  
Presentation: Consent Agenda Item

### Issue Statement

To make improvements to **the Town’s sanitary sewer** collection system, the Town will need to update the Sewer Asset Management Plan, originally performed in 2018. A portion of the Sanitary Sewer AIA grant award was budgeted for this expressed purpose. As the update is labor intensive, the Town desires a consultant to perform these services.

### Financial Impact

The funds for this contract (\$20,250) will be taken from line item 45-71-7220-5700-7425. The funds for this project were approved as part of the approved and adopted FY 2022 - FY 2023 budget. Moreover, these funds are part of the NCDEQ AIA grant and will be reimbursed to the Town.

### Action Needed

Approve the proposed contact with The Wooten Company and allow the Town Manager to execute the contract

### Recommendation

Staff recommends approval of the proposed contract and allow the Town Manager to execute the contract

Approved:  Town Manager  Town Attorney

### Attachments:

1. Staff Report
2. Proposed Agreement with The Wooten Company



# Staff Report

Consent  
Agenda  
Item: Award of  
Contract

---

As part of the Sewer AIA grant award, the Town proposed, and budgeted, a portion of the **grant to the update of the Town's Sewer Asset** Management Plan. The existing Plan, performed in 2018, is in need of an update, and will act as another guiding document to help make decisions for long-term capital improvements. As this work is time-consuming and labor intensive, the Town desires a consultant to perform the update.

The Town advertised the need for a consultant. The only respondent the Town received was The Wooten Company, who performed the work for the existing Plan in 2018. **The Wooten Company's proposal is under the budget, proposed on** the AIA application.

Staff is asking the Town Council to authorize the Town manager to execute the contract for an amount not to exceed \$20,250.00, for the proposed consulting services.

\*\*



This is **Task Order No. 18**  
consisting of 4 pages.

## **Task Order No. 18**

---

In accordance with the terms of the General Consulting Services Agreement between Owner and Engineer for Professional Services dated **May 6, 2015** ("Agreement"), Owner and Engineer agree as shown for Task Order No. 18.

1. Specific Project Data

A. Title: **Sewer Asset Management Plan Update**

Description: Under this task order, the sewer asset portion of the existing 2018 Asset Management Plan would be updated with additional sewer information (sewer map, manholes and line data) collected in the latest sewer inventory. The Town of Smithfield was awarded a 2021 North Carolina Division of Water Infrastructure (DWI) AIA grant. The Town already used a portion of this grant funding to perform additional manhole inventory work beyond that collected in 2017 (~ 1,702 manholes). This work was performed by Hydro Structures. Data from this most recent inventory effort in 2021-2022 was entered in the Town's new GIS database by Town staff. A portion of this grant funding was also used in a separate task order to model the existing sewer system (by The Wooten Company).

Per the preliminary scoping letter, a portion of the 2021 sewer grant AIA funding is to be used to fund this Task Order. Data from the updated manhole inventory would be incorporated along with any new CIP expenditures into the AMP. An overview of the results from the sewer system modeling would also be incorporated into the AMP. This Task Order also includes assistance in determining which lift stations are the best candidates for the magnetic flow meters the Town will purchase from grant money.

2.  Services of Engineer

**Scope of Services**

The following tasks are necessary to complete the work as requested by the Town.

Most of the existing 2018 AMP will be reused. This scope is to update the wastewater portion of the 2018 AMP only. This involves the following work items:

- 1) Incorporate results of the latest sewer manhole/pipe assessment work in terms of the updated manhole inventory, any CCTV work or smoke testing work and any recommended CIP improvements. Update Sections 5.4 and 6.3 of the 2018 AMP.
- 2) Evaluate and incorporate the results of the sewer modeling conducted by Wooten in Task Order 17. See if results help in determining which of the lift stations to install flow meters on (start with LS 4 and look at other candidates).
- 3) Add a subsection to Section 6.0 for a few paragraphs on the primary results from the modeling and potential CIPs
- 4) Update Section 6.5 and then 7.0 based on additional information.

3.  Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 and in Exhibit B, subject to the following:

- 1) **It is assumed that the Town will supply GIS based sewer asset data (including MH assessments) to The Wooten Company in order to update the existing 2018 Sewer Asset Management Plan**
- 2) **The Town will purchase sewer metering equipment separately using AIA grant funds and install this separate from this Task Order.**

4. Times for Rendering Services

| <u>Phase</u>                                     | <u>Completion Date</u>           |
|--|----------------------------------|
| <b><u>Sewer Asset Management Plan Update</u></b> | <b><u>Mid-February, 2023</u></b> |

5. Payments to Engineer

A. Owner shall pay Engineer for services rendered as follows:

| <i>Category of Services</i>               | <i>Compensation Method</i> | <i>Estimate of Compensation for Services</i> |
|---|----------------------------|--|
| <b>Sewer Asset Management Plan Update</b> | <b>Lump Sum</b>            | <b>\$20,250</b>                              |

6. Attachments: **Standard Hourly Rate Schedule**

7. Terms and Conditions:

Execution of this Task Order by Owner and Engineer make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is \_\_\_\_\_.

**OWNER:**

**Town of Smithfield**

By (Signature): \_\_\_\_\_

Typed Name: **Michael Scott**

Title: **Town Manager**

Date Signed: \_\_\_\_\_

**ENGINEER:**

**L.E. Wooten & Company dba  
The Wooten Company**

By (Signature): \_\_\_\_\_

Typed Name: **W. Brian Johnson, PE**

Title: **Director, Civil/Env.  
Engineering**

Date Signed: \_\_\_\_\_

Engineer License or Firm's  
Certificate No. **F-0115**  
State of: **North Carolina**

**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: **Ted Credle, PE**

Title: **Public Utilities Director**

Address: **P.O. Box 761  
Smithfield, NC 27577**

E-Mail Address: [ted.credle@smithfield-nc.com](mailto:ted.credle@smithfield-nc.com)

Phone: **(919) 934-2798**

**DESIGNATED REPRESENTATIVE FOR  
TASK ORDER:**

Typed Name: **Carl Scharfe, PE**

Title: **Project Manager**

Address: **120 N. Boylan Avenue  
Raleigh, NC 27603**

E-Mail Address: [cscharfe@thewootencompany.com](mailto:cscharfe@thewootencompany.com)

Phone: **(919) 828-0531**



# Staff Report

Consent  
Agenda  
Item: New Hire / Vacancy Report

## Background

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

In addition, please find the following current vacancies:

| <u>Position</u>                 | <u>Department</u> | <u>Budget Line</u>   |
|---------------------------------|-------------------|----------------------|
| Electric Line Technician        | PU – Electric     | 31-72-7230-5100-0200 |
| Equipment Mechanic              | PW – Garage       | 10-60-6200-5100-0200 |
| Facility Maintenance Specialist | P&R – Recreation  | 10-60-6200-5100-0200 |
| Firefighter                     | Fire              | 10-20-5300-5100-0200 |
| Police Officer                  | Police            | 10-20-5100-5100-0200 |
| Sanitation Equipment Operator   | PW – Sanitation   | 10-40-5800-5100-0200 |
| Utility Line Mechanic           | PU – Water/Sewer  | 30-71-7220-5100-0200 |
| Water Plant Operator            | PU – Water Plant  | 30-71-7200-5100-0200 |

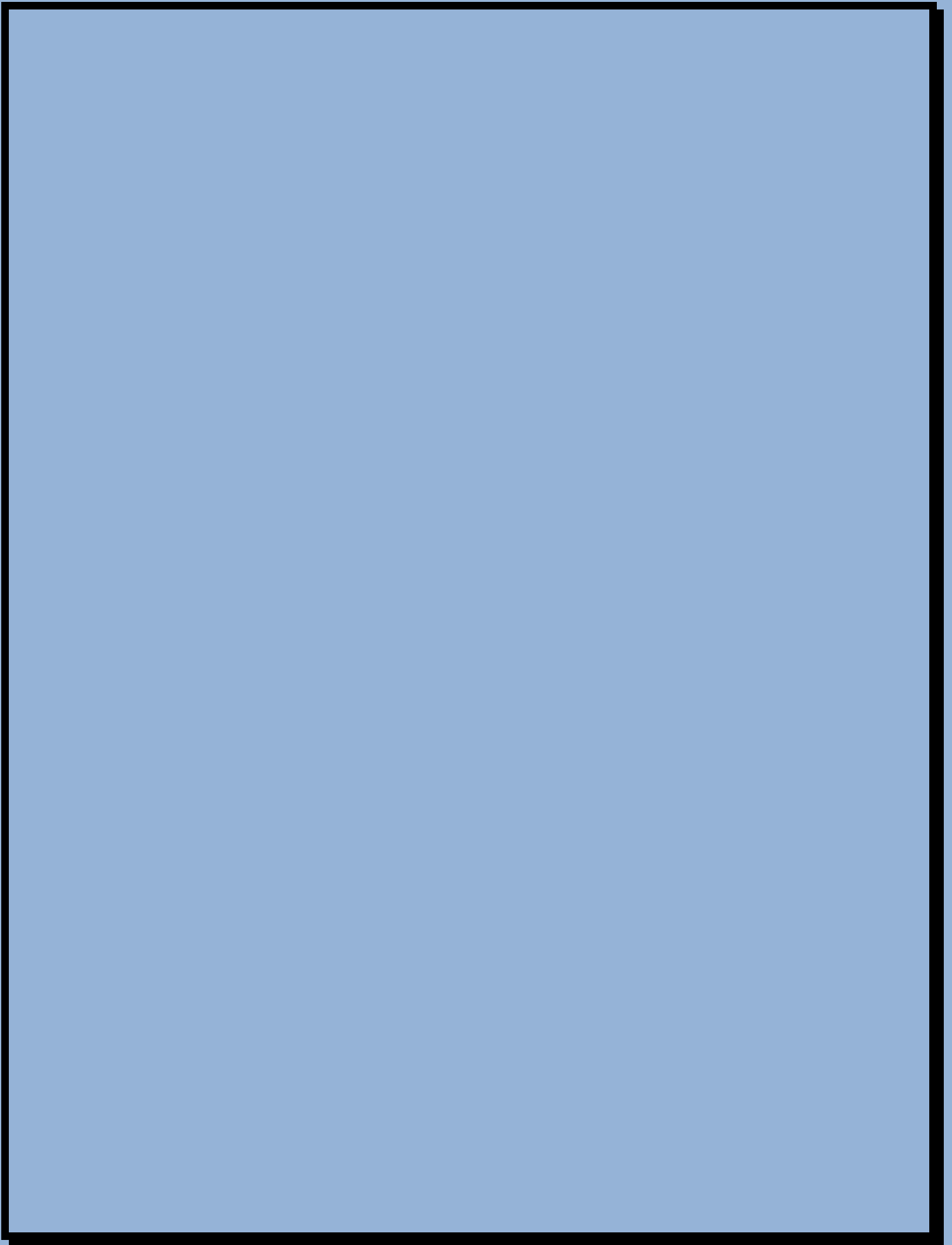
## Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2022-2023 Budget.

| <u>Position</u>                 | <u>Department</u> | <u>Budget Line</u>   | <u>Rate of Pay</u>            |
|---------------------------------|-------------------|----------------------|-------------------------------|
| Facility Maintenance Specialist | P&R – Recreation  | 10-60-6200-5100-0200 | \$16.87/hr. (\$35,089.60/yr.) |
| Police Officer I                | Police            | 10-20-5100-5100-0200 | \$21.82/hr. (\$48,789.52/yr.) |
| Police Officer II               | Police            | 10-20-5100-5100-0200 | \$22.90/hr. (\$51,204.40/yr.) |
| P/T Staff                       | P&R – Aquatics    | 10-60-6220-5100-0210 | \$10.00/hr.                   |
| P/T Staff                       | P&R – Recreation  | 10-60-6200-5100-0210 | \$10.00/hr.                   |
| Sanitation Workers (3)          | PW – Sanitation   | 10-40-5800-5100-0200 | \$15.48/hr. (32,198.40/yr.)   |



Business Item







# Request for Town Council Action

Contracts  
Item: for  
Services  
Date: 11/01/2022

---

Subject: Eva Ennis and Smith Collins Park Trail and Splash Pad  
Contracts for Services

Department: Planning and Parks and Recreation Departments

Presented by: Planning Director - Stephen Wensman

Presentation: Business Item

---

## Issue Statement

Staff requests approval of the Eva Ennis and Smith Collins Park Trail contracts for services with JP Edwards and the Splash pad contract for services with Carolina Recreation and Design LLC

## Financial Impact

\$2,318.75 from contingency funds.

## Action Needed

- Approve the contract for services in the amount of \$407,416.00 with JP Edwards
- Approve the contract for services in the amount of \$129,902.75 with Carolina Recreation and Design LLC

## Recommendation

Staff recommends the Town Council approve the contracts for services.

Approved:  Town Manager  Town Attorney

## Attachments:

1. Staff Report
2. JP Edwards Contract for Services
3. Carolina Recreation and Design LLC Quote
4. JP Edwards Scope of Work
5. Propose Trail Map



# Staff Report

Agenda Item: Contracts for Services

## Overview:

In the State Budget, the Town received \$535,000 for construction of the Eva Ennis-Smith Collins Park Trails and splash pad for Eva Ennis Park. Since the beginning of the year, town staff has been working with various stakeholders to obtain all the needed approvals and agreements for this project to move forward (trail crosses through a Duke power easement, and encroaches on NCDOT right-of-way, Johnston Community College and Johnston County Public School properties and an environmental buffer). The proposed splash pad will expand the existing splash pad adding more features.

An RFQ was prepared, and JP Edwards and Carolina Recreation and Design have been selected as the qualified contractors for the project.

## Project Budget:

The State awarded the Town with \$535,000 for the project in the State Budget. The Contracts exceed the project budget by \$2,318.75, however within the JP Edwards scope of work includes piping of the ditch on MLK Drive in front of the splash pad which is a \$21,000 add-on to the project that was not within the original scope of work. Last season, children were playing in the water filled ditch which is a health risk. If this add-on is removed from the contract for services figures, the project is \$18,681.25 under budget.

Including the piping of the MLK ditch add-on, the project exceeds the grant award by \$2,318.75 which is expected to come from Town contingency funds.

## Recommendation:

Staff recommends the Town Council approve the contracts for services with JP Edwards in the amount of \$407,416.00 and Carolina Recreation and Design LLC in the amount of \$129,902.75.

## Recommended Motion:

**"move to** approve the contracts for services with JP Edwards in the amount of \$407,416.00 and Carolina Recreation and Design LLC in the amount of **\$129,902.75."**

DATE: October 17, 2022

## CONTRACT AGREEMENT

This Agreement made this 17 day of October 2022, by and between The Town of Smithfield (hereinafter "Owner" with an office and principal place of business at 350 E Market Street, Smithfield, NC 27577 and JP Edwards, Inc. (hereinafter "Contractor") with an office and principal place of business at 929 North Brightleaf Blvd. Smithfield, NC 27577 hereinafter collectively "Parties" .

PROJECT: Design/Build of Eva Ennis Walking Path  
OWNER: Town of Smithfield  
ENGINEER: Adams & Hodge Engineering, PC

### ARTICLE 1

**CONTRACTOR PAYMENT.** The Owner agrees to pay the Contractor for satisfactory performance of Contractor's Work the sum of Four hundred and seven thousand - four hundred and sixteen Dollars (\$407,416.00)

Progress payments, less retainage of 10 %, shall be made to Contractor for work satisfactorily performed no later than thirty (30) days after receipt by Owner for Contractor's Work. Final payment of the balance due shall be made to Contractor no later than thirty (30) days after final inspection and receipt by Owner for Contractor's Work. These payments are subject to receipt of such lien waivers, affidavits, warranties and guarantees required by the Owner.

### ARTICLE 2

**SCOPE OF WORK.** Contractor agrees to commence Work herein described upon notification by Owner, and to perform and complete such Work in accordance with Plans prepared by the Engineer and under the general direction of Owner in accord with the Owner's schedule. This shall include all work necessary or incidental to complete the: Engineering, surveying and construction of approximately 6002 lf. of 8 ft. wide paved walking path around the JCC stormwater pond with associated parking lot and connecting to a similar walking path around the Smith-Collins Park including all clearing, grading, curb and gutter, paving, seeding, miscellaneous storm water piping and erosion control associated with the construction. (See attached estimate of probable construction cost, dated 9/29/2022)

---

---

### ARTICLE 3

**SCHEDULE OF WORK.** Time is of the essence. Contractor shall provide Owner with any requested scheduling information of Work. The Schedule of Work, will be prepared by Contractor and may be revised as the Work Progresses with Owners approval. The Contractor recognizes that changes may be made in the Schedule of Work and agrees to comply with such changes without additional compensation. Contractor shall coordinate its work with all other the Owner, and suppliers on the Project so as not to delay or damage their performance, work, or the Project.

### ARTICLE 4

**CHANGES.** The Owner without nullifying this Agreement may direct Contractor in writing to make changes to Work. Adjustment, if any, in the contract price or contract time resulting from such changes shall be set forth in a Change Order pursuant to standard construction practice.

### ARTICLE 5

**FAILURE OF PERFORMANCE.** Should Contractor fail to satisfy contractual deficiencies within three (3) working days from receipt of Owner's written notice, then the Owner, without prejudice to any right or remedies, shall have the right to take whatever steps it deems necessary to correct said deficiencies and charge the cost thereof to Contractor, who shall be liable for payment of same, including reasonable overhead, profit and attorney's fees.

### ARTICLE 6

**INSURANCE.** Prior to start of Contractor's Work, the Contractor shall procure for the Contractor's Work and maintain in force Worker's Compensation and Employer's Liability Insurance, Automobile Liability Insurance, Commercial General Liability

Insurance and all Insurance required of the Owner. Evidence of required insurance shall be furnished to the Owner prior to the commencement of the Work of the Contractor.

The Contractor may provide the coverage required herein using a primary liability policy or through a combination of primary liability and umbrella policies. However, the total limit of liability shall no to be less than the limits set forth in the Owner or greater if required by law.

Commercial General Liability Insurance shall include as minimum coverage: (i) Premises –Operations Liability; (ii) Products and Completed Operations Liability; (iii) Broad form Property Damage Liability; (iv) Blanket Contractual covering indemnity obligations herein; (v) Personal Injury Liability, with Employment Exclusion deleted; (vi) Property Damage Liability Insurance shall provide "X,C, and U" (explosion, collapse, and underground hazard) coverage as applicable;

**ARTICLE 7**

**Indemnification.** To the fullest extent permitted by law, Contractor shall indemnify, defend, and hold harmless the Owner, the Owner's surety(ies), partners and insurers, Owner, Architect/Engineer, their parents, members, subsidiaries, related corporations and any other entity as provided in the documents and agents and employees of any of them (hereinafter "Indemnified Parties") from and against claims, damages, losses, demands, suits, actions, judgments liability, fines, penalties, costs and expenses, (including but not limited to attorneys' and expert fees and costs of litigation, arbitration, or mediation), arising out of or resulting from performance of the Contractor's Work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease, or to injury to or destruction of tangible property (other than the Work itself) including the loss of use resulting from, but only to the extent caused or alleged to have been caused in whole or in any way part by the negligent acts or omissions of the Contractor, anyone directly or indirectly employed by the Contractor or anyone from whose acts the Contractor may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this paragraph.

**ARTICLE 8**

**WARRANTY.** Contractor warrants its work against all deficiencies and defects in materials and/or workmanship and agrees to satisfy same without cost to Owner or for a period of one (1) year from the date of Substantial Completion of the Project.

**ARTICLE 9**

**SPECIAL PROVISIONS.** (Insert and special provisions required by this Contract).

**The Owner will provide all environmental and engineering associated with storm water permitting. (Town Engineer)  
The Owner will provide GPS capture of all trail flag points in a format that is down loadable to Auto Cad. (Public Utilities)**

In witness whereof, the parties have executed this Agreement under Seal, the day and the year first written above.

\_\_\_\_\_  
**TOWN OF SMITHFIELD**  
\_\_\_\_\_  
Print signer's name and title

*J.P. Edwards*  
\_\_\_\_\_  
**J.P. EDWARDS, INC.**  
*J.P. Edwards (Pres.)*  
\_\_\_\_\_  
Print signer's name and title

**PLEASE SIGN AND RETURN ONE COPY.**

Carolin a Recreation and Desi gn LLC

344 Rolling Hills Road  
 Suite 201  
 Mooresville, NC 28117  
 Ph: 704-664-1833/Fax: 704-664-1163

Quotation

# 2021-1515

| Date      | Terms                           |
|-----------|---------------------------------|
| 6/23/2022 | 40% Depo 30% Ship 30% Comple te |

| Bill to:   | Ship to:   |
|--|--|
| TOWN OF SMITHFIELD<br>GARY JOHNSON<br>350 EAST MARKET ST<br>SMITHFIELD, NC 27577 | TOWN OF SMITHFIELD<br>GARY JOHNSON<br>350 EAST MARKET ST<br>SMITHFIELD, NC 27577 |

| Customer Phone | Customer Email |
|----------------|----------------|
|----------------|----------------|

| Item               | Description  | Qty  | Price Each | Total p rice |
|--------------------|--|------|------------|--------------|
| Water Splash       | WATERSPLASH FLOW THROUGH PHASE 2   | 1.00 | 32,563.05  | 32,563.05T   |
|                    | Reprogram Controller (New chip sent by Water Splash at no cost)  |      |            |              |
| Freight            | Freight to 27577   | 1.00 | 4,180.00   | 4,180.00T    |
| Labor - Splash ... | Splashpad Labor Includes the Following:<br>- Seed & Straw<br>- Excavation<br>- Splashpad and apron concrete<br>- Demo dry apron<br>- Plumbing, trenching, drainlines, & connection by licensed plumber<br>- Installation of features & footings<br>- Installation of kiosk with footings | 1.00 | 91,079.70  | 91,079.70    |
| Misc Materials     | Onsite Storage   | 3.00 | 330.00     | 990.00T      |
| Misc Materials     | Port-a-Potty   | 3.00 | 180.00     | 540.00T      |
| Permitting         | Permitting Cost  | 1.00 | 550.00     | 550.00       |

NOTES:

- Prices are firm for 45 days from above date.
- Any licenses required by a municipality are not included in contract price unless otherwise noted, and will result in an additional cost.
- Installation does not include excavation, site grading, drainage, landscape repairs, reseeding or anything not specifically shown as included.
- Customer is to provide a dumpster and site security after delivery.
- Permits to be supplied by purchaser unless noted above. CRD can supply permits at additional cost.
- Customer shall be responsible for all unknown conditions such as buried utilites (public & private), tree stumps, rock, or any concealed materials or conditions that may result in additional labor or materials cost. Customer will be billed hourly or per job for any additional costs.
- Any additions to the work scope that is added after initial contract date, will required a signed change order.
- Concrete slabs and sidewalks are not included unless noted.

|                     |                     |
|---------------------|---------------------|
| Subtotal:           | \$129,902.75        |
| Sales Tax: (6.75... | \$2,583.43          |
| <b>Total:</b>       | <b>\$132,486.18</b> |

*Thank you for this opportunity!*  
 Signature of Acceptance \_\_\_\_\_

THE FOLLOWING IS THE SCOPE OF WORK FOR THE EVA ENNIS WALKING TRAIL THE STORM UTILITIES, NEW PARKING LOT WHICH WAS APPROVED BY GARY.

|  |                         |
|--|-------------------------|
| <b>ITEM 1: WALKING TRAIL WITH CONCRETE (6002 LF)</b>                           | <b>\$ 307,520.00</b>    |
| A. Excavate for new walking trail 1,111cy @ 34                                 | 37,774.00               |
| B. Form, furnish concrete and place concrete (4") 48,016sf @ \$5.10            | 244,882.00              |
| C. Dress up and seed   | 15,000.00               |
| D. New curb on College Road 120lf @ \$23                                       | 2,760.00                |
| E. Storm drain on College Road   |                         |
| 1. 24" RCP 32 lf @ \$58  | 1,856.00                |
| 2. 18" RCP 32 lf @ \$37  | 1,184.00                |
| 3. Backfill 96cy @ \$22  | 2,112.00                |
| F. Storm drain in swale on back side of the pond (24') 32lf @ \$61             | 1,952.00                |
| <br><b>ITEM 2: NEW PARKING LOT NEXT TO SPLASH POOL DESIGNED BY PAUL EMBLER</b> | <br><b>\$ 63,066.00</b> |
| A. Storm Drains  |                         |
| 1. 15" ACP 200lf @ \$41  | 8,200.00                |
| 2. FES 2 2 Each @ \$800  | 1,600.00                |
| 3. 12" HDPE 115lf @ \$32   | 3,680.00                |
| 4. Backfill of pipe 60cy @ \$22  | 1,320.00                |
| 5. Drop inlets 4 each @ \$2,800  | 11,200.00               |
| B. Parking Lot   |                         |
| 1. Strip topsoil, off-site fill and fine grading                               | 9,500.00                |
| 2. Demolition – Remove asphalt, curb and trees                                 | 2,200.00                |
| 3. New curb and gutter 156lf @ \$22  | 3,432.00                |
| 4. ABC stone base 842sy @ \$8.35   | 7,031.00                |
| 5. Furnish and place 2" asphalt and fine grade 842sy @ \$17.70                 | 14,903.00               |
| <br><b>ITEM 3: MISCELLANEOUS EXPENSES</b>                                      | <br><b>\$ 30,850.00</b> |
| A. Adams & Hodge   | 13,750.00               |
| B. Paul Embler   | 8,200.00                |
| C. Surveyor  | 2,300.00                |
| D. Layout All Above Work   | 6,600.00                |
| <br><b>ITEM 4: EROSION CONTROL DESIGN BY ADAMS &amp; HODGE ENGINEERING</b>     | <br><b>\$ 22,860.00</b> |
| A. Silt Fence 4100 lf @ \$4  | 16,400.00               |
| B. Silt Fence Outlets 8 each @ \$60  | 480.00                  |
| C. Dissipator Pads (Rip Rap) 6 each @ \$100                                    | 600.00                  |
| D. Arc Inlet Protection 6 each @ \$80  | 480.00                  |

|   |          |
|---|----------|
| E. Wattles 10 each @ \$110                | 1,100.00 |
| F. Construction Entrances 2 each @ \$1900 | 3,800.00 |

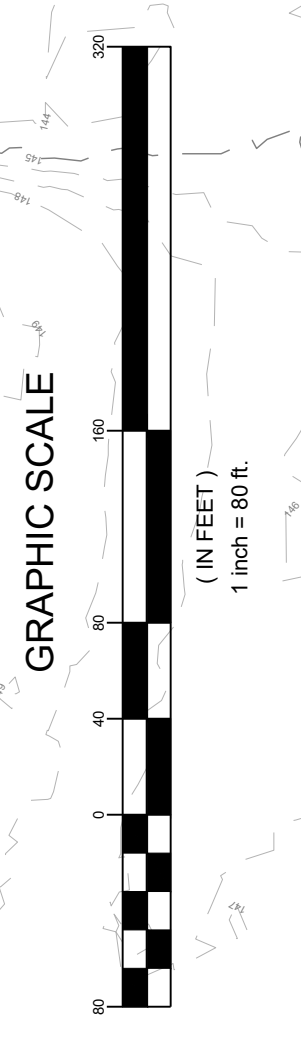
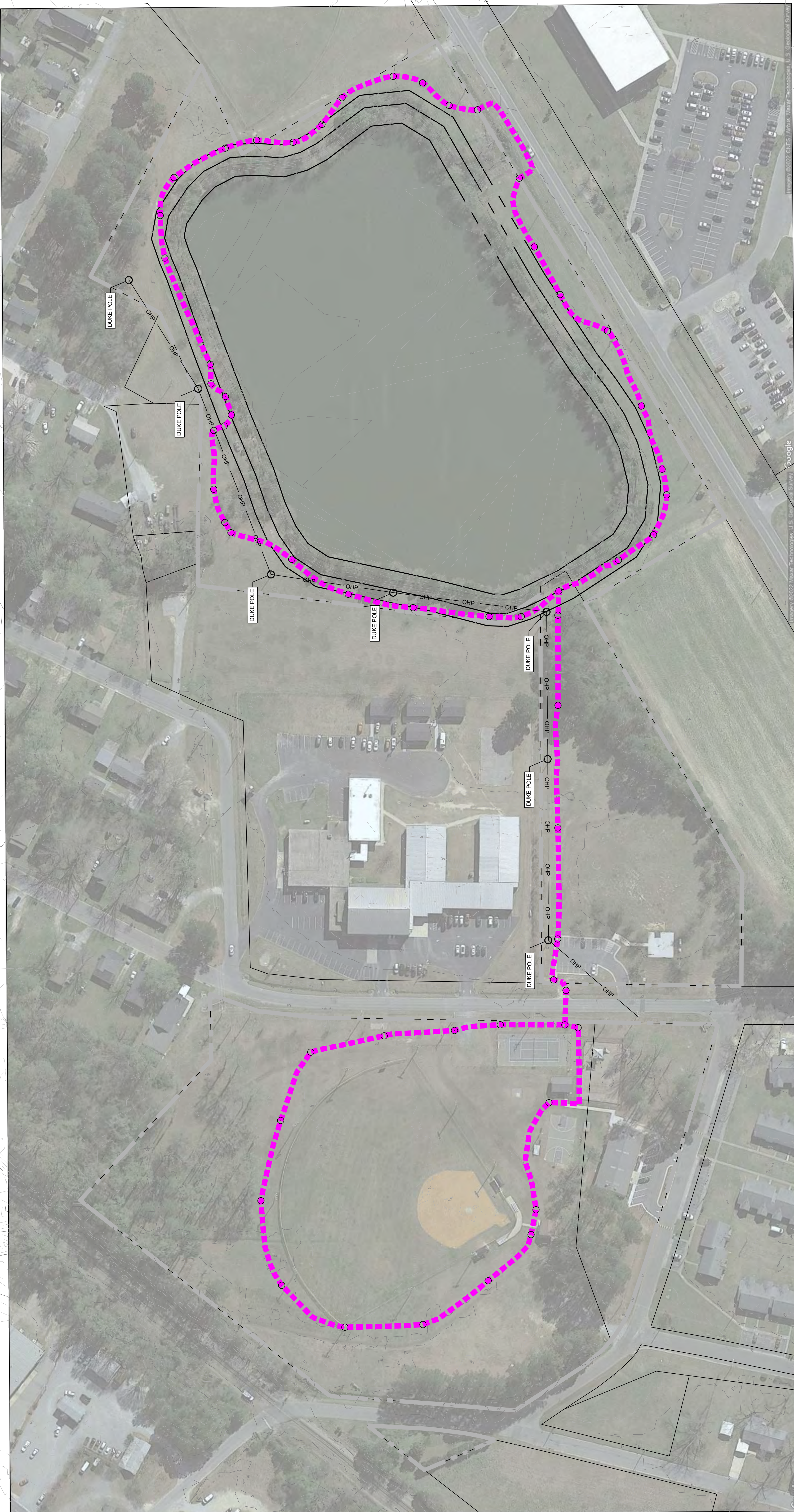
**TOTAL PROPOSAL: \$424,296.00**

**Note:**

I do not think we will need all of the above erosion control. I am deleting the silt fence and the silt fence outlets. As the trail is excavated it will be poured back the next day and backfilled the following day and also seeded. I am willing to gamble on this. If I have to install erosion control, there will be no cost to the town.

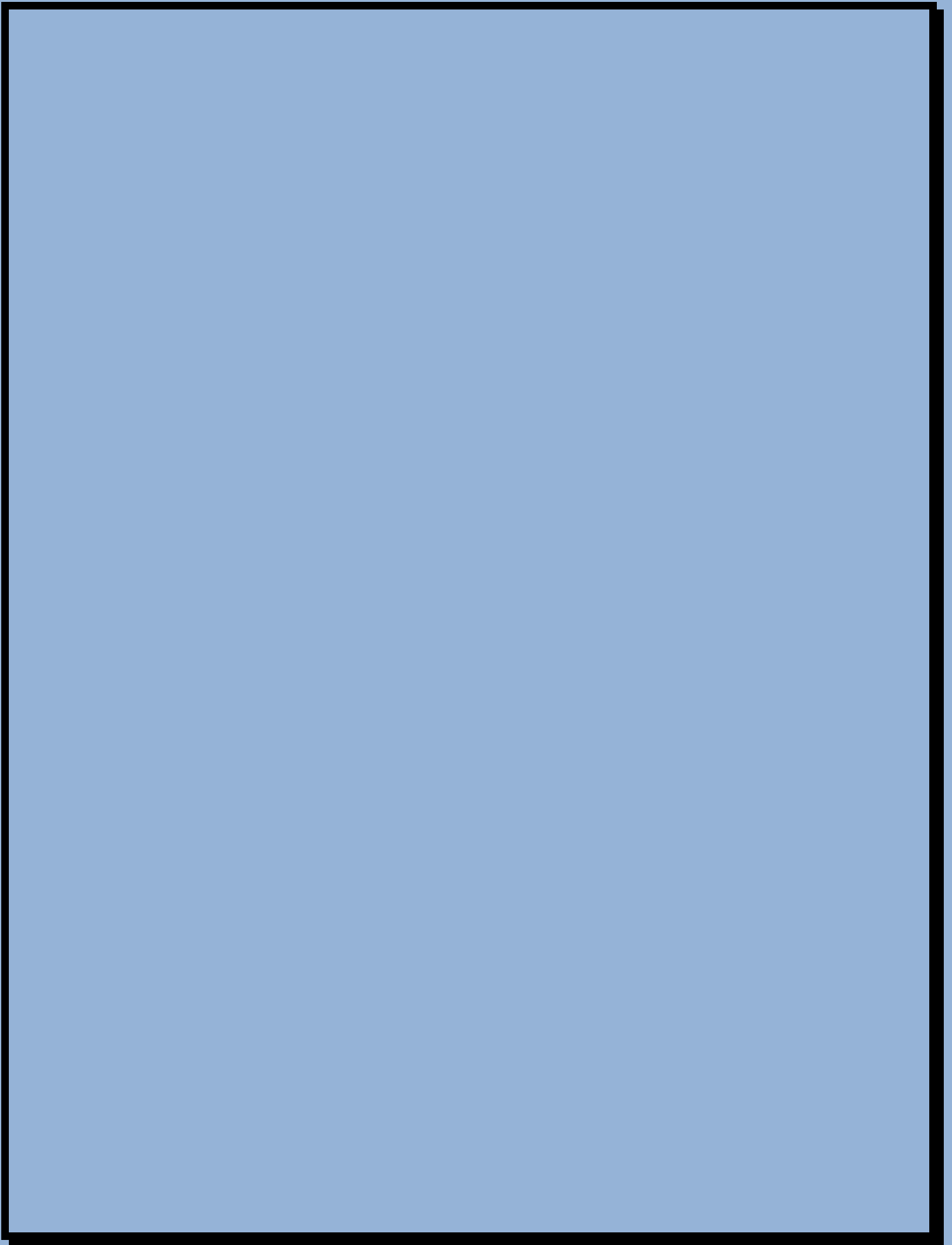
Delete Erosion Control \$ 16,880.00

**NEW TOTAL PRICE WITHOUT EROSION CONTROL: \$ 407,416.00**

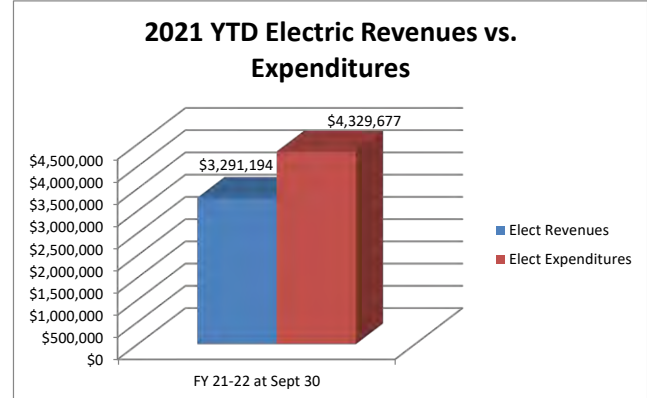
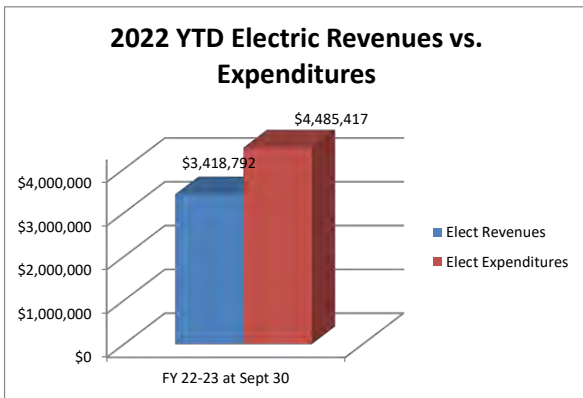
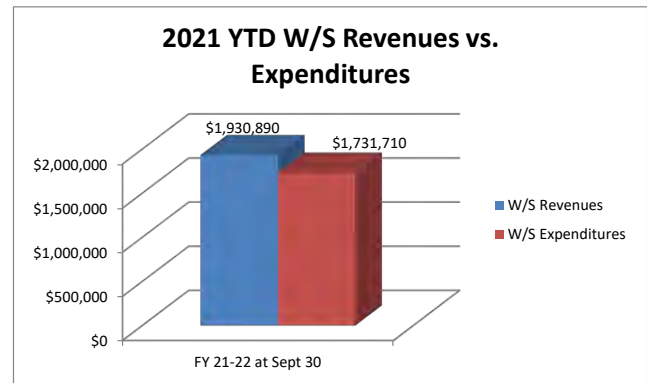
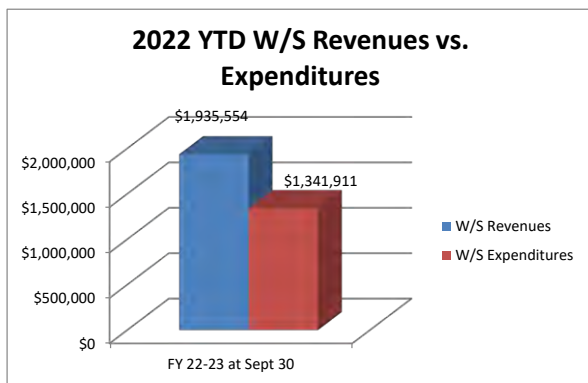
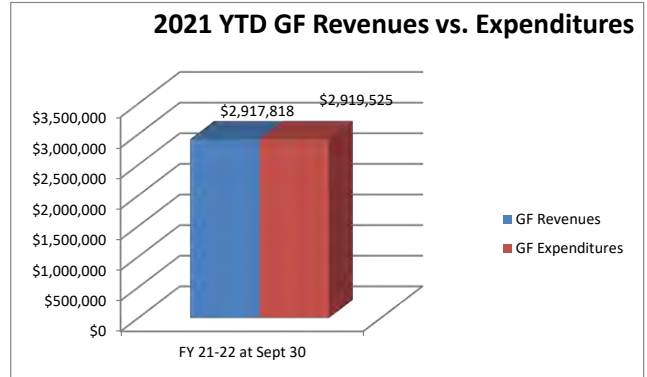
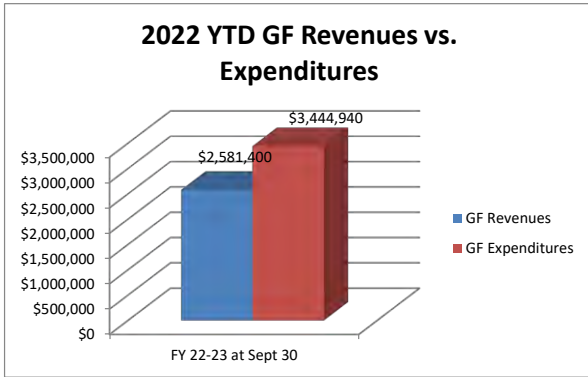




# Financial Report



## Town of Smithfield Revenues vs. Expenditures



**TOWN OF SMITHFIELD**  
**MAJOR FUNDS FINANCIAL SUMMARY REPORT**  
**September 30, 2022**  
**Gauge: 3/12 or 25 Percent**

**25.00%**

**GENERAL FUND**

|                                     | Frequency | Actual to Date      | Budget               | Actual to Date      | YTD %         |
|-------------------------------------|-----------|---------------------|----------------------|---------------------|---------------|
|                                     |           | FY '21-22           | FY '22-23            | FY '22-23           | Collected     |
| <b>Revenues</b>                     |           |                     |                      |                     |               |
| Current & Prior Year Property Taxes | Monthly   | \$ 1,280,217        | \$ 6,861,000         | \$ 739,429          | 10.78%        |
| Motor Vehicle Taxes                 | Monthly   | 206,793             | 700,000              | 201,819             | 28.83%        |
| Utility Franchise Taxes             | Quarterly | 221,039             | 960,000              | 227,683             | 23.72%        |
| Local Option Sales Taxes            | Monthly   | 287,162             | 3,040,000            | 332,614             | 10.94%        |
| Aquatic and Other Recreation        | Monthly   | 201,431             | 695,000              | 242,993             | 34.96%        |
| Sanitation (Includes Penalties)     | Monthly   | 278,307             | 1,475,040            | 286,738             | 19.44%        |
| Grants                              |           | -                   | 87,500               | -                   | 0.00%         |
| All Other Revenues                  |           | 442,870             | 1,558,470            | 550,126             | 35.30%        |
| Loan Proceeds                       |           |                     | -                    |                     | #DIV/0!       |
| Transfers (Electric and Fire Dist.) |           | -                   | 460,150              | -                   | 0.00%         |
| Fund Balance Appropriated           |           | -                   | 39,875               | -                   | 0.00%         |
| <b>Total</b>                        |           | <b>\$ 2,917,818</b> | <b>\$ 15,877,035</b> | <b>\$ 2,581,400</b> | <b>16.26%</b> |

|                               | Actual to Date      | Budget               | Actual to Date      | YTD %         |
|-------------------------------|---------------------|----------------------|---------------------|---------------|
|                               | FY '21-22           | FY '22-23            | FY '22-23           | Collected     |
| <b>Expenditures</b>           |                     |                      |                     |               |
| General Gov.-Governing Body   | \$ 100,190          | \$ 445,435           | \$ 131,199          | 29.45%        |
| Non Departmental              | 286,839             | 1,610,220            | 259,434             | 16.11%        |
| Debt Service                  | 211,469             | 448,888              | 211,469             | 47.11%        |
| Finance                       | 21,236              | 151,240              | 33,719              | 22.29%        |
| IT                            | -                   | 187,125              | 8,821               | 4.71%         |
| Planning                      | 63,671              | 374,235              | 82,110              | 21.94%        |
| Police                        | 812,880             | 4,391,405            | 922,598             | 21.01%        |
| Fire                          | 397,595             | 2,491,720            | 571,752             | 22.95%        |
| EMS                           | -                   | -                    | -                   | #DIV/0!       |
| General Services/Public Works | 118,190             | 613,170              | 152,984             | 24.95%        |
| Streets                       | 91,684              | 516,375              | 126,963             | 24.59%        |
| Motor Pool/Garage             | 21,845              | 113,245              | 27,805              | 24.55%        |
| Powell Bill                   | 10,474              | 355,318              | 29,288              | 8.24%         |
| Sanitation                    | 312,204             | 1,560,760            | 341,204             | 21.86%        |
| Stormwater                    | 2,915               | 157,290              | 8,113               | 5.16%         |
| Parks and Rec                 | 217,727             | 992,110              | 234,871             | 23.67%        |
| SRAC                          | 234,115             | 1,140,929            | 273,405             | 23.96%        |
| Sarah Yard Center             | 16,490              | 52,570               | 29,204              | 55.55%        |
| Contingency                   | -                   | 275,000              | -                   | 0.00%         |
| Appropriations/Contributions  | -                   | -                    | -                   | 0.00%         |
| <b>Total</b>                  | <b>\$ 2,919,525</b> | <b>\$ 15,877,035</b> | <b>\$ 3,444,940</b> | <b>21.70%</b> |

YTD Fund Balance Increase (Decrease)

- -

25.00%

**WATER AND SEWER FUND**

|                           | Actual to Date |    | Budget     | Actual to Date |           | YTD %   |
|---------------------------|----------------|----|------------|----------------|-----------|---------|
|                           | FY '21-22      |    | FY '22-23  | FY '22-23      | Collected |         |
| <b>Revenues</b>           |                |    |            |                |           |         |
| Water Charges             | \$ 585,981     | \$ | 2,870,000  | \$ 564,258     |           | 19.66%  |
| Water Sales (Wholesale)   | 405,346        | \$ | 2,000,000  | 381,618        |           | 19.08%  |
| Sewer Charges             | 906,969        |    | 4,505,000  | 931,627        |           | 20.68%  |
| Penalties                 | 11,392         |    | 55,000     | 13,947         |           | 25.36%  |
| Tap Fees                  | 5,985          |    | 24,000     | 815            |           | 3.40%   |
| Other Revenues            | 15,217         |    | 112,650    | 43,288         |           | 38.43%  |
| Grants                    | -              |    | 30,000     | -              |           | 0.00%   |
| Loan Proceeds             | -              |    | -          | -              |           | #DIV/0! |
| Fund Balance Appropriated | -              |    | 1,265,880  | -              |           | 0.00%   |
| Total                     | \$ 1,930,890   | \$ | 10,862,530 | \$ 1,935,554   |           | 17.82%  |

|  | Actual to Date |    | Budget     | Actual to Date |           | YTD %  |
|--|----------------|----|------------|----------------|-----------|--------|
|  | FY '21-22      |    | FY '22-23  | FY '22-23      | Collected |        |
| <b>Expenditures</b>                            |                |    |            |                |           |        |
| Water Plant (Less Transfers)                   | \$ 491,880     | \$ | 2,216,765  | \$ 419,384     |           | 18.92% |
| Water Distribution/Sewer Coll (Less Transfers) | 999,936        |    | 4,964,830  | 839,470        |           | 16.91% |
| Transfer to General Fund                       | -              |    | 117,640    | -              |           | 0.00%  |
| Transfer to W/S Capital Proj. Fund             | -              |    | 2,345,880  | -              |           | 0.00%  |
| Debt Service                                   | 239,895        |    | 967,414    | 83,057         |           | 8.59%  |
| Contingency                                    | -              |    | 250,001    | -              |           | 0.00%  |
| Total  | \$ 1,731,710   | \$ | 10,862,530 | \$ 1,341,911   |           | 12.35% |

**ELECTRIC FUND**

| Revenues                  | Actual to Date      | Budget               | Actual to Date      | YTD %         |
|---------------------------|---------------------|----------------------|---------------------|---------------|
|                           | FY '21-22           | FY '22-23            | FY '22-23           | Collected     |
| Electric Sales            | \$ 3,227,570        | \$ 16,127,650        | \$ 3,337,164        | 20.69%        |
| Penalties                 | 18,079              | 80,000               | 19,030              | 23.79%        |
| All Other Revenues        | 45,546              | 193,000              | 62,598              | 32.43%        |
| Grants                    | -                   | -                    | -                   | -             |
| Loan Proceeds             | -                   | -                    | -                   | -             |
| Fund Balance Appropriated | -                   | 305,000              | -                   | -             |
| <b>Total</b>              | <b>\$ 3,291,194</b> | <b>\$ 16,705,650</b> | <b>\$ 3,418,792</b> | <b>20.46%</b> |

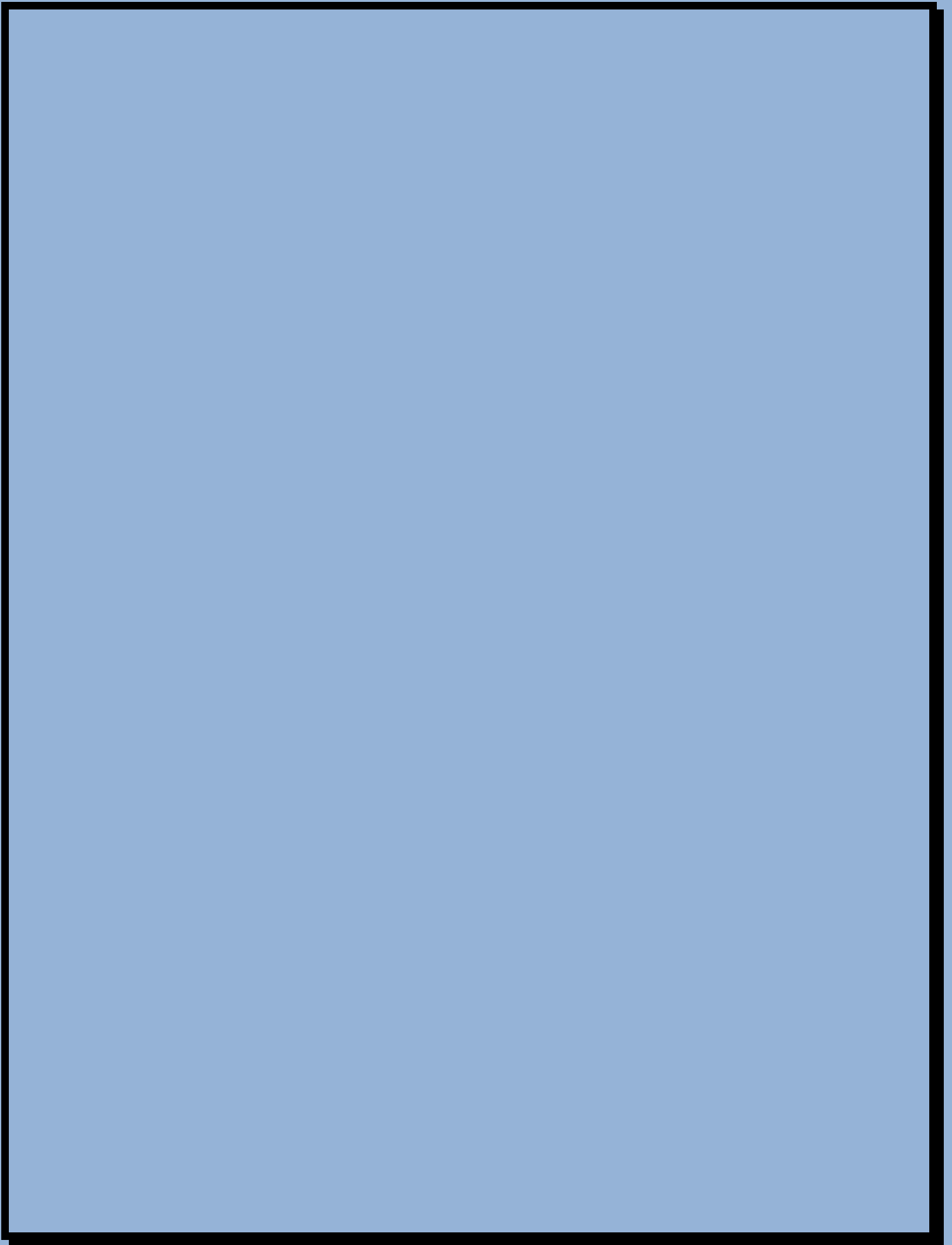
| Expenditures                            | Actual to Date      | Budget               | Actual to Date      | YTD %         |
|---|---------------------|----------------------|---------------------|---------------|
|   | FY '21-22           | FY '22-23            | FY '22-23           | Collected     |
| Administration/Operations               | \$ 671,150          | \$ 2,908,628         | \$ 720,867          | 24.78%        |
| Purchased Power - Non Demand            | 1,175,406           | 12,450,000           | 1,315,986           | 10.57%        |
| Purchased Power - Demand                | 1,851,492           | -                    | 1,816,935           | #DIV/0!       |
| Purchased Power - Debt                  | 289,044             | -                    | 289,044             | #DIV/0!       |
| Debt Service                            | 342,585             | 342,586              | 342,585             | 100.00%       |
| Capital Outlay                          | -                   | 16,700               | -                   | 0.00%         |
| Contingency                             | -                   | 277,879              | -                   | 0.00%         |
| Transfers to Electric Capital Proj Fund | -                   | 550,000              | -                   | 0.00%         |
| Transfer to Electric Capital Reserve    | -                   | -                    | -                   | -             |
| Transfers to General Fund               | -                   | 95,150               | -                   | 0.00%         |
| <b>Total</b>                            | <b>\$ 4,329,677</b> | <b>\$ 16,640,943</b> | <b>\$ 4,485,417</b> | <b>26.95%</b> |

**CASH AND INVESTMENTS FOR AUGUST**

|                                       |                      |              |                      |            |
|---------------------------------------|----------------------|--------------|----------------------|------------|
| General Fund (Includes P. Bill)       | 13,140,382           |              |                      |            |
| Water and Sewer Fund                  | 11,416,827           |              |                      |            |
| Electric Fund*                        | 10,796,728           |              |                      |            |
| ARPA (20)                             | 3,969,784            |              |                      |            |
| SCIF (21)                             | 1,487,019            |              |                      |            |
| JB George Endowment (40)              | 132,285              |              |                      |            |
| Water Plant Expansion (43)            | 1,097,643            |              |                      |            |
| Booker Dairy Road Fund (44)           | 457,896              |              |                      |            |
| Capital Project Fund: Wtr/Sewer (45)  | 318,994              |              |                      |            |
| Capital Project Fund: General (46)    | 1,123,905            |              |                      |            |
| Capital Project Fund: Electric (47)   | 668,619              |              |                      |            |
| FEMA Acquisitions and Elevations (48) | 550                  |              |                      |            |
| CDBG Neighborhood Revitalization (49) | (159,382)            | 1st CITIZENS | 32,405,834           | 0.3% (Earn |
| Firemen Relief Fund (50)              | 84,754               | NCCMT        | 4,985,950            | 0.600%     |
| Fire District Fund (51)               | 232,361              | KS BANK      | 2,382,631            | 0.25%      |
| General Capital Reserve Fund (72)     | 6,050                | TRUIST       | 5,000,000            | 1.30%      |
| <b>Total</b>                          | <b>\$ 44,774,415</b> |              | <b>\$ 44,774,415</b> |            |

**Account Balances Confirmed By Finance Director on 10/21/22**

# Department Reports







**FINANCE DEPARTMENTAL REPORT FOR SEPTEMBER, 2022**

**SUMMARY OF ACTIVITIES FOR MAJOR FUNDS (10,30,31):**

|   |                    |   |
|---|--------------------|---|
| Daily Collections/Property Taxes/Other.....     | \$3,769,481        |   |
| Franchise Tax.....                              | 227,682            |   |
| Sales & Use Tax.....                            | 332,614            | 0 |
| Powel Bill.....                                 |                    | 0 |
| <b>Total Revenue</b>                            | <b>\$4,329,777</b> |   |
| Expenditures: General, Water, and Electric..... | \$3,256,255        |   |

**FINANCE:**

- Compiled and submitted monthly retirement report on 9/30/2022
- Issued 97 purchase orders
- Processed 944 vendor invoices for payment and issued 450 accounts payable checks
- Prepared and processed 3 regular payrolls and remitted federal and state payroll taxes on 9/02, 9/12 and 9/30/2022
- Issued total of 0 renewal privilege licenses for beer and wine sales which leaves 6 outstanding
- 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 \$9,496
- Processed 7 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$26,734.56 (EMS: \$5,633.62; SRAC: \$5,119.46; Utility: \$15,981.48; and Other: \$0)
- Penn Credit - Bad Debt Collections received in August \$0; Total collections calendar year-to-date \$20,692.40
- Invoiced 2 grave opening for a total of \$1450
- Invoiced Johnston Community College for Police Security
- Earned \$1,364.64 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$10,834 in credit/debit/Tyler card fees, but received \$6,940 (31-72-3550-3520-0002) in convenience fees (Reporting month charged/earned, not month paid)

**FINANCE DIRECTOR**

- Attended Town Council Meeting on September 6, 2022
- Attended Department Head Meetings on September 2 and 20, 2022
- Paid Utility Sales Tax for August, 2022 on September 16, 2022
- Prepared throughout month for Auditor's visit on September 7 and 8, 2022
- Met with Zach Moore of Truist Bank to discuss banking relationship. Proposal presented to increase earnings credit in effort to switch banks from FCB to Truist
- Met with Stephen Parker of FCB to discuss banking relationship. Earnings credit to increase from .30 percent to .75 percent with 1 percent paid on total deposit relationship. This should increase interest earned monthly from approx. \$1400 to \$21,000 monthly



# Planning Department Development Report

Friday, October 21, 2022

**Project Name:** Wake Med Urgent Care

**Request:** 4000 square foot medical office

**Location:** 928 North Brightleaf Boulevard

**Tax ID#:** 15007006 **PIN#:** 260413-13-5325

**Project Status:** First Review Complete

**Notes:** BOA issued a 2.5 foot variance to western most side yard setback

| <b>Site Plan 2022-10</b>    |            |
|-----------------------------|------------|
| Submittal Date:             | 10/13/2022 |
| Planning Board Review:      |            |
| Board of Adjustment Review: | 7/28/2022  |
| Town Council Hearing Date:  |            |
| Approval Date:              |            |

**Project Name:** The Bar Association

**Request:** Private Bar / Night Club with no food service

**Location:** 447 Venture Drive

**Tax ID#:** 15L11009M **PIN#:** 260418-31-0201

**Project Status:**

**Notes:**

| <b>Special Use 2022-03</b>  |           |
|-----------------------------|-----------|
| Submittal Date:             | 10/7/2022 |
| Planning Board Review:      | 11/4/2022 |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  | 12/6/2022 |
| Approval Date:              |           |

**Project Name:** Highway 70 QOZB, LLC

**Request:** Rezone from Light Industrial to Heavy Industrial

**Location:** Gulfstream Court

**Tax ID#:** 15079005D **PIN#:** 168510-47-8027

**Project Status:**

**Notes:**

| <b>Map Amendment 2022-05</b> |           |
|------------------------------|-----------|
| Submittal Date:              | 10/7/2022 |
| Planning Board Review:       | 11/4/2022 |
| Board of Adjustment Review:  |           |
| Town Council Hearing Date:   | 12/6/2022 |
| Approval Date:               |           |

**Project Name:** Park Dedication Ordinance

**Request:** Updates and revises Ordinance

**Location:**

**Tax ID#:** **PIN#:**

**Project Status:**

**Notes:** Tabled by PB on 10/6/2022

| <b>Text Amendment 2022-01</b> |           |
|-------------------------------|-----------|
| Submittal Date:               | 9/2/2022  |
| Planning Board Review:        | 10/6/2022 |
| Board of Adjustment Review:   |           |
| Town Council Hearing Date:    | 12/6/2022 |
| Approval Date:                |           |

Project Name: **Deacon Jones Chrysler Addition**  
 Request: 6,800 sq ft addition  
 Location 1109 North Brightleaf Boulevard  
 Tax ID#: 15004022 PIN#: 260413-24-1290  
 Project Status **Approved**  
 Notes:

|                             |           |
|-----------------------------|-----------|
| <b>Site Plan 2022-07</b>    |           |
| Submittal Date:             | 8/24/2022 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              |           |

Project Name: **Brightleaf Plaza / Enterprise**  
 Request: 8,900 sq ft building on a 1.98 ac tract  
 Location 819 North Brightleaf Boulevard  
 Tax ID#: 15005041 PIN#: 260413-03-5247  
 Project Status **First Review Complete**  
 Notes:

|                             |           |
|-----------------------------|-----------|
| <b>Site Plan 2022-09</b>    |           |
| Submittal Date:             | 8/18/2022 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              |           |

Project Name: **Rex Digestive Center**  
 Request: 5,656 sq ft building on a 3.17 ac tract  
 Location 800 Berkshire Road  
 Tax ID#: 15004021G PIN#: 169416-93-4883  
 Project Status **First Review Complete**  
 Notes:

|                             |           |
|-----------------------------|-----------|
| <b>Site Plan 2022-08</b>    |           |
| Submittal Date:             | 8/15/2022 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              |           |

Project Name: **BOA and PB Attendance Requirments**  
 Request: Reduces the size of Board of Adjusments  
 Location  
 Tax ID#: PIN#:   
 Project Status **Approved**  
 Notes: PB Reccomends Approval

|                               |           |
|-------------------------------|-----------|
| <b>Text Amendment 2022-02</b> |           |
| Submittal Date:               | 8/5/2022  |
| Planning Board Review:        | 9/1/2022  |
| Board of Adjustment Review:   |           |
| Town Council Hearing Date:    | 10/3/2022 |
| Approval Date:                |           |

Project Name: **NC Heart and Vascular Addition**  
 Request: 4,000 sq ft addition  
 Location 910 Berkshire Road  
 Tax ID#: 15004199H PIN#: 260413-04-9166  
 Project Status **Approved**  
 Notes:

|                             |          |
|-----------------------------|----------|
| <b>Site Plan 2022-06</b>    |          |
| Submittal Date:             | 7/6/2022 |
| Planning Board Review:      |          |
| Board of Adjustment Review: |          |
| Town Council Hearing Date:  |          |
| Approval Date:              |          |

Project Name: **Brogden Industrial**  
 Request: 265,000 sq ft warehouse  
 Location 934 Brogden Road  
 Tax ID#: 15K11012C PIN#: 169310-35-5200  
 Project Status **First Review Complete**  
 Notes: Staff Review and approval

|                             |           |
|-----------------------------|-----------|
| <b>Site Plan 2022-05</b>    |           |
| Submittal Date:             | 5/18/2022 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              |           |

Project Name: **Blueline Aviation**  
 Request: 5 lot - mixed use PUD  
 Location 3149 Swift Creek Road  
 Tax ID#: 15J08015B PIN#: 168509-05-2529  
 Project Status **First Review Complete**  
 Notes: Planning Board recommends denial

|                                   |           |
|-----------------------------------|-----------|
| <b>Conditional Zoning 2022-03</b> |           |
| Submittal Date:                   | 5/6/2022  |
| Planning Board Review:            | 7/14/2022 |
| Board of Adjustment Review:       |           |
| Town Council Hearing Date:        |           |
| Approval Date:                    |           |

Project Name: **Whitley Townes**  
 Request: 70 lot Townhouse Subdivision  
 Location West Market Street  
 Tax ID#: 15084001 PIN#: 169409-06-6525  
 Project Status **Approved**  
 Notes: Construction drawings approved

|                             |          |
|-----------------------------|----------|
| <b>Subdivision 2022-03</b>  |          |
| Submittal Date:             | 4/1/2022 |
| Planning Board Review:      | 5/5/2022 |
| Board of Adjustment Review: |          |
| Town Council Hearing Date:  | 6/7/2022 |
| Approval Date:              |          |

Project Name: **Airport Industrial Park lot 7**  
 Request: Contractor Office with outdoor storage yard  
 Location 9541 Industrial Drive  
 Tax ID#: 15J08017K PIN#: 168509-05-1257  
 Project Status **Approved**  
 Notes: Under Construction

|                             |           |
|-----------------------------|-----------|
| <b>Site Plan 2022-03</b>    |           |
| Submittal Date:             | 3/25/2022 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              |           |

Project Name: **Take 5 Oil Change**  
 Request: Retail oil change service center  
 Location 1307 North Brightleaf Boulevard  
 Tax ID#: 14074019 PIN#: 260411-55-6272  
 Project Status **In Second Review**  
 Notes: Staff review of retail oil change service center

|                             |           |
|-----------------------------|-----------|
| <b>Site Plan 2022-02</b>    |           |
| Submittal Date:             | 3/11/2022 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              |           |

Project Name: **Floyd's Landing**  
 Request: 598 residential units on 698 acres  
 Location 2001 US Hwy 70 We  
 Tax ID#: 15078012 PIN#: 168500-73-3381  
 Project Status **Approved**  
 Notes: Construction drawing in staff review

|                             |          |
|-----------------------------|----------|
| <b>Subdivision 2022-02</b>  |          |
| Submittal Date:             | 3/4/2022 |
| Planning Board Review:      | 4/7/2022 |
| Board of Adjustment Review: |          |
| Town Council Hearing Date:  | 5/2/2022 |
| Approval Date:              |          |

Project Name: **Franklin Towns**  
 Request: Preliminary Sub'd for 134 townhouses on 15.9 acers  
 Location Wilson's Mills Road  
 Tax ID#: 15083049E PIN#: 169406-29-7604  
 Project Status **Approved**  
 Notes: Under Construction

|                             |          |
|-----------------------------|----------|
| <b>Subdivision 2022-01</b>  |          |
| Submittal Date:             | 1/7/2022 |
| Planning Board Review:      | 2/4/2022 |
| Board of Adjustment Review: |          |
| Town Council Hearing Date:  | 3/1/2022 |
| Approval Date:              |          |

Project Name: **Advancetech**  
Request: 98,280 sq ft manufacturing facility / warehouse  
Location 3900 West US 70 Business Highway  
Tax ID#: 17J08001D PIN#: 168618-20-5729  
Project Status **Approved**  
Notes: Under Construction

| Site Plan 2021-19           |
|-----------------------------|
| Submittal Date: 10/4/2021   |
| Planning Board Review:      |
| Board of Adjustment Review: |
| Town Council Hearing Date:  |
| Approval Date:              |

Project Name: **The Insurance Shoppe**  
Request: 4,900 sq ft free standing office  
Location 131 Kellie Drive  
Tax ID#: 14075021S PIN#: 260405-09-8296  
Project Status **Approved**  
Notes: Under Construction

| Site Plan 2021-18           |
|-----------------------------|
| Submittal Date: 10/1/2021   |
| Planning Board Review:      |
| Board of Adjustment Review: |
| Town Council Hearing Date:  |
| Approval Date:              |

Project Name: **ALA Johnston Charter School**  
Request: Site plan approval  
Location West US 70 Highway  
Tax ID#: 17J08004 PIN#: 168505-19-8748  
Project Status **Approved**  
Notes: Under Construction

| Site Plan 2021-18           |
|-----------------------------|
| Submittal Date: 9/17/2021   |
| Planning Board Review:      |
| Board of Adjustment Review: |
| Town Council Hearing Date:  |
| Approval Date:              |

Project Name: **JNX Corporate Hangers**  
Request: Parking and stormwater improvements  
Location 3146 Swift Creek Road  
Tax ID#: 15079017D PIN#: 168500-12-1015  
Project Status **Approved**  
Notes: Staff approved on 5/23/2022

| Site Plan 2021-17           |
|-----------------------------|
| Submittal Date: 9/17/2021   |
| Planning Board Review:      |
| Board of Adjustment Review: |
| Town Council Hearing Date:  |
| Approval Date:              |

Project Name: **Britt Street Triplexes**  
 Request: 6 lot division  
 Location Britt Street  
 Tax ID#: 15L11006 PIN#: 169409-06-1658  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Subdivision 2021-04</b>  |           |
|-----------------------------|-----------|
| Submittal Date:             | 9/3/2021  |
| Planning Board Review:      | 10/7/2021 |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  | 11/2/2021 |
| Approval Date:              |           |

Project Name: **Smithfied PD expansion**  
 Request: Addition to existing facility  
 Location 110 South Fifth Street  
 Tax ID#: 15025048 PIN#: 169419-50-2949  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Conditional Zoning 2021-05</b> |           |
|-----------------------------------|-----------|
| Submittal Date:                   | 9/3/2021  |
| Planning Board Review:            | 10/7/2021 |
| Board of Adjustment Review:       |           |
| Town Council Hearing Date:        | 11/9/2021 |
| Approval Date:                    |           |

Project Name: **Marin Woods Subdivision**  
 Request: 143 units on 31.56 Ac.  
 Location NC210 Highway  
 Tax ID#: 15077008 PIN#: 168400-74-4498  
 Project Status **Second Review Complete**  
 Notes: Under Construction

| <b>Subdivision 2021</b>     |          |
|-----------------------------|----------|
| Submittal Date:             | 7/2/2021 |
| Planning Board Review:      | 8/5/2021 |
| Board of Adjustment Review: |          |
| Town Council Hearing Date:  | 9/7/2021 |
| Approval Date:              |          |

Project Name: **Ample Storage Expansion**  
 Request: 32K additional building area on 1.84 acres  
 Location 787 West Market Street  
 Tax ID#: 15078199K PIN#: 169413-04-3402  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Site Plan 2021-16</b>    |           |
|-----------------------------|-----------|
| Submittal Date:             | 6/23/2021 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              |           |

Project Name: **Airport Industrial Park lot 13**  
 Request: Contractors Office with outdoor storage  
 Location 55 Airport Industri Drive  
 Tax ID#: 15J08017P PIN#: 168500-04-5363  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Site Plan 2021-05</b>    |          |
|-----------------------------|----------|
| Submittal Date:             | 4/6/2021 |
| Planning Board Review:      |          |
| Board of Adjustment Review: |          |
| Town Council Hearing Date:  |          |
| Approval Date:              | 5/5/2021 |

Project Name: **Smithfield Living Facility**  
 Request: 83 Unit Assisted Living Facility  
 Location Kellie Drive  
 Tax ID#: 14075022D PIN#: 260405-09-8645  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Site Plan 2020-07</b>    |           |
|-----------------------------|-----------|
| Submittal Date:             | 6/5/2020  |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              | 9/10/2020 |

Project Name: **JCC Engineering Building**  
 Request: 46,365 square foot educational facility  
 Location 245 College Road  
 Tax ID#: 15K10199F PIN#: 159308-87-5887  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Site Plan 2020-06</b>    |           |
|-----------------------------|-----------|
| Submittal Date:             | 5/19/2020 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              | 8/24/2020 |

Project Name: **Johnston County Detention Center**  
 Request: Site Plan Approval  
 Location 1071 Yelverton Grov Road  
 Tax ID#: 15L11011 PIN#: 260300-67-6920  
 Project Status **Approved**  
 Notes: Jail Site Completed- Public Safety Center Under Construction

| <b>Site Plan 2020-02</b>    |           |
|-----------------------------|-----------|
| Submittal Date:             | 2/7/2020  |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              | 7/14/2020 |



Project Name: **East River Phase 3-5**  
 Request: Residential Subdivision  
 Location Buffalo Road  
 Tax ID#: 14075013 PIN#: 169520-80-3415  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Subdivision 2018-01</b>  |           |
|-----------------------------|-----------|
| Submittal Date:             | 1/29/2020 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              | 4/20/2020 |

Project Name: **East River Phase 6-7**  
 Request: Townhouse Development  
 Location Buffalo Road  
 Tax ID#: 14075013 PIN#: 169520-80-3415  
 Project Status **Approved**  
 Notes: Under Construction

| <b>Subdivision 2018-01</b>  |           |
|-----------------------------|-----------|
| Submittal Date:             | 1/29/2020 |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              | 4/20/2020 |

Project Name: **Twin Creeks Phs 1**  
 Request: 28 Lot Subdivision  
 Location Gailee Road  
 Tax ID#: 15109011B PIN#: 167300-56-5565  
 Project Status  
 Notes: Under Construction

| <b>Subdivision 2019-01</b>  |          |
|-----------------------------|----------|
| Submittal Date:             | 4/5/2019 |
| Planning Board Review:      |          |
| Board of Adjustment Review: |          |
| Town Council Hearing Date:  |          |
| Approval Date:              |          |

Project Name: **Kamdon Ranch**  
 Request: 110 Lot Division  
 Location Swift Creek Road  
 Tax ID#: 15108020 PIN#: 167400-55-9495  
 Project Status **Approved**  
 Notes: Phase 2 under construction

| <b>Subdivision 2019-02</b>  |           |
|-----------------------------|-----------|
| Submittal Date:             | 4/5/2019  |
| Planning Board Review:      |           |
| Board of Adjustment Review: |           |
| Town Council Hearing Date:  |           |
| Approval Date:              | 6/27/2019 |

Project Name: **Smithdfield Landing**

Request: 5 lot residential subdivision

Location Front Street

Tax ID#: 15019017C PIN#: 169418-32-9491

Project Status **Approved**

Notes: SFD permits issued 7/18/2022

| <b>Special Use 2006-04</b>  |                 |
|-----------------------------|-----------------|
| Submittal Date:             |                 |
| Planning Board Review:      |                 |
| Board of Adjustment Review: |                 |
| Town Council Hearing Date:  |                 |
| Approval Date:              | <b>7/3/2008</b> |



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

**Permit Issued for September 2022**

|             |                   |                 |                                      | Permit Fees                | Permits Issued |
|-------------|-------------------|-----------------|--------------------------------------|----------------------------|----------------|
| Zoning      | Land Use          |                 |                                      | \$900.00                   | 10             |
| Subdivisi   | Major Subdivision |                 |                                      | \$955.00                   | 2              |
| Site Plan   | Minor Site Plan   |                 |                                      | \$200.00                   | 5              |
|             |                   |                 |                                      | Report Period              | 17             |
|             |                   |                 |                                      | Fiscal YTD Total:          | 67             |
|             |                   |                 |                                      | \$2,055.00                 |                |
|             |                   |                 |                                      | \$6,390.00                 |                |
| Z22-000122  | Zoning            | Land Use        | Go Calendars Toys and Games          | 1025 Outlet Center Dr      |                |
| Z22-000121  | Zoning            | Land Use        | Artisans Outlet                      | 1025 Outlet Center Dr      |                |
| SP22-000106 | Site Plan         | Minor Site Plan | 100 Sq. Ft. Accessory Building       | 48 Retreat Run             |                |
| Z22-000112  | Zoning            | Land Use        | Home Office                          | 602 East Lee St            |                |
| SP22-000095 | Site Plan         | Minor Site Plan | Drway permit                         | 602 East Lee St            |                |
| Z22-000113  | Zoning            | Land Use        | GlobalTASC, LLC                      | 101 St Market St           |                |
| SP22-000096 | Site Plan         | Minor Site Plan | Single Family Dwelling               | 1729 Galilee Rd            |                |
| Z22-000114  | Zoning            | Land Use        | Interstate Contract Glazing Inc      | 505 South Brightleaf Blvd  |                |
| Z22-000115  | Zoning            | Land Use        | Caribbean Delight Food Truck         | 1025 Outlet Center Dr      |                |
| Z22-000117  | Zoning            | Land Use        | Xtreme Shades                        | 25 Noble St                |                |
| Z22-000118  | Zoning            | Land Use        | J and M Assortment Resale            | 119 North Third St         |                |
| Z22-000119  | Zoning            | Land Use        | Vive La Vida Tacos and Burritos Food | 234 West Market St         |                |
| SP22-000097 | Site Plan         | Minor Site Plan | Building Addition                    | 1109 North Brightleaf Blvd |                |
| Z22-000120  | Zoning            | Land Use        | Bella Esposa Bridal                  | 1025 Outlet Center Dr      |                |
| SP22-000105 | Site Plan         | Minor Site Plan | SFD Addition                         | 4573 Swift Creek Rd        |                |



**TOWN OF SMITHFIELD  
POLICE DEPARTMENT  
MONTHLY REPORT  
MONTH ENDING September 30,2022**

**I. STATISTICAL SECTION**

| Month Ending Sept. 30,2022 | Sept 2022 | Sept 21 | Total 2022 | Total 2021 | YTD Difference |
|----------------------------|-----------|---------|------------|------------|----------------|
| Calls for Service          | 1829      | 2078    | 15375      | 16969      | -1594          |
| Incident Reports Completed | 122       | 156     | 1197       | 1185       | 12             |
| Cases Closed               | 37        | 114     | 683        | 890        | -207           |
| Accident Reports           | 86        | 63      | 812        | 656        | 156            |
| Arrest Reports             | 75        | 103     | 742        | 808        | -66            |
| Burglaries Reported        | 7         | 5       | 66         | 58         | 8              |
| Drug Charges               | 9         | 21      | 146        | 224        | -78            |
| DWI Charges                | 4         | 7       | 65         | 62         | 3              |
| Citations Issued           | 246       | 357     | 2201       | 2946       | -745           |
| Speeding                   | 140       | 149     | 1030       | 1110       | -80            |
| No Operator License        | 36        | 98      | 445        | 679        | -234           |
| Registration Violations    | 14        | 44      | 207        | 389        | -182           |

**II. PERSONNEL UPDATE**

The police department currently has seven vacancies. The department has one cadet in BLET, and two back grounds are almost completed with hopefully two officers being hired. Two officers are currently out on light duty. One officer remains on administrative leave.

**III. MISCELLANEOUS**

Mandatory in-service training was continued in the month of September. September was a slow month for community events.

### REPORTED UCR OFFENSES FOR THE MONTH OF SEPTEMBER 2022

| PART I CRIMES        | September |      | +/- | Percent<br>Changed | Year-To-Date |      | +/- | Percent<br>Changed |
|----------------------|-----------|------|-----|--------------------|--------------|------|-----|--------------------|
|                      | 2021      | 2022 |     |                    | 2021         | 2022 |     |                    |
| MURDER               | 0         | 0    | 0   | N.C.               | 1            | 0    | -1  | -100%              |
| RAPE                 | 0         | 0    | 0   | N.C.               | 0            | 3    | 3   | N.C.               |
| ROBBERY              | 1         | 1    | 0   | 0%                 | 7            | 5    | -2  | -29%               |
| Commercial           | 0         | 0    | 0   | N.C.               | 3            | 2    | -1  | -33%               |
| Individual           | 1         | 1    | 0   | 0%                 | 4            | 3    | -1  | -25%               |
| ASSAULT              | 4         | 3    | -1  | -25%               | 33           | 48   | 15  | 45%                |
| * VIOLENT *          | 5         | 4    | -1  | -20%               | 41           | 56   | 15  | 37%                |
| BURGLARY             | 5         | 6    | 1   | 20%                | 53           | 62   | 9   | 17%                |
| Residential          | 1         | 4    | 3   | 300%               | 29           | 33   | 4   | 14%                |
| Non-Resident.        | 4         | 2    | -2  | -50%               | 24           | 29   | 5   | 21%                |
| LARCENY              | 38        | 45   | 7   | 18%                | 292          | 356  | 64  | 22%                |
| AUTO THEFT           | 4         | 2    | -2  | -50%               | 35           | 28   | -7  | -20%               |
| ARSON                | 0         | 0    | 0   | N.C.               | 2            | 2    | 0   | 0%                 |
| * PROPERTY *         | 47        | 53   | 6   | 13%                | 382          | 448  | 66  | 17%                |
| PART I TOTAL:        | 52        | 57   | 5   | 10%                | 423          | 504  | 81  | 19%                |
| PART II CRIMES       |           |      |     |                    |              |      |     |                    |
| Drug                 | 31        | 10   | -21 | -68%               | 216          | 155  | -61 | -28%               |
| Assault Simple       | 14        | 6    | -8  | -57%               | 80           | 80   | 0   | 0%                 |
| Forgery/Counterfeit  | 5         | 3    | -2  | -40%               | 15           | 11   | -4  | -27%               |
| Fraud                | 6         | 6    | 0   | 0%                 | 51           | 72   | 21  | 41%                |
| Embezzlement         | 0         | 0    | 0   | N.C.               | 7            | 4    | -3  | -43%               |
| Stolen Property      | 2         | 0    | -2  | -100%              | 10           | 6    | -4  | -40%               |
| Vandalism            | 8         | 3    | -5  | -63%               | 47           | 50   | 3   | 6%                 |
| Weapons              | 0         | 1    | 1   | N.C.               | 12           | 4    | -8  | -67%               |
| Prostitution         | 0         | 0    | 0   | N.C.               | 0            | 0    | 0   | N.C.               |
| All Other Sex Offens | 1         | 1    | 0   | 0%                 | 8            | 4    | -4  | -50%               |
| Gambling             | 0         | 0    | 0   | N.C.               | 0            | 0    | 0   | N.C.               |
| Offn Agnst Faml/Chld | 0         | 0    | 0   | N.C.               | 1            | 4    | 3   | 300%               |
| D. W. I.             | 8         | 4    | -4  | -50%               | 61           | 62   | 1   | 2%                 |
| Liquor Law Violation | 1         | 0    | -1  | -100%              | 11           | 11   | 0   | 0%                 |
| Disorderly Conduct   | 1         | 1    | 0   | 0%                 | 6            | 8    | 2   | 33%                |
| Obscenity            | 0         | 0    | 0   | N.C.               | 0            | 0    | 0   | N.C.               |
| Kidnap               | 0         | 0    | 0   | N.C.               | 1            | 0    | -1  | -100%              |
| Human Trafficking    | 0         | 0    | 0   | N.C.               | 0            | 0    | 0   | N.C.               |
| All Other Offenses   | 15        | 25   | 10  | 67%                | 152          | 200  | 48  | 32%                |
| PART II TOTAL:       | 92        | 60   | -32 | -35%               | 678          | 671  | -7  | -1%                |
| GRAND TOTAL:         | 144       | 117  | -27 | -19%               | 1101         | 1175 | 74  | 7%                 |

N.C. = Not Calculable



**Town of Smithfield  
Fire Department  
September 2022**

**I. Statistical Section**

|                                  | <b>Sept</b> |
|----------------------------------|-------------|
| <b>Confirmed Structure Fires</b> | <b>5</b>    |
| <b>EMS Responses</b>             | <b>155</b>  |
| <b>Misc./Other Calls</b>         | <b>42</b>   |
| <b>Mutual Aid Calls</b>          | <b>8</b>    |
| <b>TOTAL EMERGENCY RESPONSES</b> | <b>210</b>  |

|   | <b>Sept</b> | <b>YTD</b> |
|---|-------------|------------|
| Fire Inspections                              | 93          | 480        |
| Public Fire Education Programs                | 14          | 37         |
| # Of Children Educated                        | 90          | 1033       |
| # Of Adults Educated                          | 14          | 529        |
| Plans Review Construction/Renovation Projects | 18          | 123        |
| Fire Department Permits reviewed / Issued     | 48          | 276        |
| Business Preplans                             | 27          | 66         |
| <b>Fire Related Injuries &amp; Deaths</b>     | 0           | 0          |
| # Of Civilian Deaths                          | 0           | 0          |
| # Of Civilian Injuries                        | 0           | 0          |

**II. Major Revenues**

|                          | <b>Sept</b>      | <b>YTD</b> |
|--------------------------|------------------|------------|
| <b>Inspections</b>       | <b>\$1000.00</b> | \$4700.50  |
| <b>Fire Recovery USA</b> | <b>\$0.00</b>    | \$2772.00  |

**III. Personnel Update:**

- New hire Interviews are November 3<sup>rd</sup>, have 9 candidates

**IV. Narrative of monthly departmental activities:**

- Squad was in-service 12 of 22 days
- Sept 12<sup>th</sup>, 9/11 Reembrance at SSS
- Driver Operator series ran Sept 12<sup>th</sup> – 22<sup>nd</sup>.
- Sept 12<sup>th</sup> 13<sup>th</sup> and 16<sup>th</sup> crews attended social media class
- Captains are being transferred to station 1 and Lieutenants to station 2 in October.
- Engine 2 Out of Service for warranty work for possibly a month. Using reserve engine.

## V. **Upcoming Plans**

- Mandatory Staff meeting on November 23<sup>rd</sup>.
- Working on 23/24 Budget
- **Smithfield Fire Dept will have the State ISO inspection November 28<sup>th</sup>.**
- Formulating a plan to start painting town hydrants with Ted Credle.
- Meeting with SSS Fire Academy with Dane Williford on October 27<sup>th</sup>.
- Rescue 1 specs in last stages for review. Hopefully will have finals back by December.





**Town of Smithfield**  
**Public Works Appearance Division**  
**Cemetery, Landscapes, and Grounds Maintenance**  
**Buildings, Facilities, and Sign Division**  
**Monthly Report**  
**Sept ,2022**



**I. Statistical Section**

5 Burials

0 Works Orders – Buildings & Facilities Division

0 Work Orders – Grounds Division

3 Work Orders – Sign Division

**II. Major Revenues**

|                                   |                    |
|-----------------------------------|--------------------|
| Sunset Cemetery Lot Sales:        | \$ <u>0</u>        |
| Riverside Ext Cemetery Lot Sales: | \$ <u>2,500.00</u> |
| Grave Opening Fees:               | \$ <u>3,625.00</u> |
| Total Revenue:                    | \$ <u>6,125.00</u> |

**III. Major Expenses for the Month:**

Paid Craft Digging service \$2,400.00  
The Appearance Division purchased

**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 Appearance Division safety meeting was on "Overhead hazards".

**Town of Smithfield  
Public Works Department  
Sept 30, 2022**



96 Total Work Orders completed by the Public Works Department  
5 Burials, at \$725.00 each = \$3,625.00  
0 Cremation Burial, \$400.00 each = \$0  
\$0 Sunset Cemetery Lot Sales  
\$2,500.00 Riverside Extension Cemetery Lot Sales  
453.24 tons of household waste collected  
124.00 tons of yard waste collected  
3.05 tons of recycling collected  
0 gallons of used motor oil were recycled  
0 scrap tires were recycled

**Appearance Commission Sept. 2022 Monthly Report:**

**Meeting was cancelled**

**Next Appearance Commission meeting will be on Oct.19, 2022 at 5:00 pm in Town Hall.**

**Town of Smithfield  
Public Works Fleet Maintenance Division  
Monthly Report  
Sept 30, 2022**



**I. Statistical Section**

- 6 Preventive Maintenances
- 0 North Carolina Inspections
- 35 Work Orders

**II. Major Revenues**

None for the Month

**III. Major Expenses for the Month:**

Paid Snap-on tool \$926.87 for torch assembly for plasma cutter

**IV. Personnel Update:**

None for the month

**V. Narrative of monthly departmental activities:**

The Public Works Dept. safety meeting was on "Overhead Hazards"

**Town of Smithfield**  
**Public Works Drainage/Street Division**  
**Monthly Report**  
**Sept 30, 2022**



**I. Statistical Section**

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Cubes used to cover gator areas and 0 yards gator cracks overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders – 0 Linear Feet of ditches were cleaned
- e. 11 Work Orders – 434lbs. of Cold Patch was used for 11 Potholes.

**II. Major Revenues**

None for the month

**III. Major Expenses for the Month:**

None for the month

**IV. Personnel Update:**

Sept 1<sup>st</sup> Pamela Collins New (Admin) Barber Barefoot retired. Sept 1<sup>st</sup>, 2022

**V. Narrative of monthly departmental activities:**

The Public Works Department safety meeting on "Overhead hazards".

Deliver (5) rollout containers, 4 barricades, and 12 traffic cones for street closure for the Third StEATery Event scheduled for Friday night at 6:00 pm on 9/16/2022.

**Public Works Department  
Sept. 2022 Drainage Report**

Location: Wellons and Chestnut Dr., North and 8th St., 707 1st St. 902 Berkshire Rd., 214 Henley PL,  
116 Henley ,4th, and North St.

Starting Date: 9/13/2022

Completion Date: 9/27/2022

Description: Potholes filled (2x2,2x2,2/2x2.31x1,12x2)

Man-hours: 1.50

Equipment: 412 ,905

Materials: 7 Bags of Perma Patch

Location: Wellons and Chestnut Dr. 207 East Davis, Bingham and Vermont

Starting Date: 9/1/2022

Completion Date 9/13/2022

Description: Cut Blind Corner, trim and cut back tree off road and out homeowners' driveway,  
Low Hanging limbs in street.

Man-hours: 2hrs

Equipment: 412

Materials: Lopes, Pole Saw

Location: Wellons and Crescent, S. 2<sup>nd</sup> Riverside Dr. and First 5x15 root damage ,

Starting Date: 9/14/2022

Completion Date 9/14/2022

Description: Root damaged Areas Wellons and Crescent 9x16 Root Damage<sup>Riverside Dr. and First 5x15</sup>  
root damage,S. 2<sup>nd</sup> 3x15 root damage

Man-hours: 10hrs.

Equipment: 412 411 Backhoe, dump truck 405, 304

Materials: n/a

Location: Outlet Center Dr., College and MLK, Whiteoak, Sunset

Starting Date: 9/23/2022

Completion Date: 9/23/2022

Description: Cut grass, Cut Ditch, Get up limbs

Man-hours: 9.5hrs

Equipment: 2 Scags truck 412 300 Tractor

Materials:

Location: 3rd and Rose  
Starting Date: 9/6/2022  
Completion Date: 9/6/2022  
Description: 2 Sink holes  
Man-hours: 1.50  
Equipment: 412  
Materials:

Location: 206 E Underwood Ave  
Starting Date:  
Completion Date:  
Description: Request from Code Enforcement to have this yard cut  
Man-hours: 3hrs  
Equipment: 412, 2 Scags  
Materials:

Location: 1102 Massey Street  
Starting Date: 9/12/2022  
Completion Date: 9/12/2022  
Description: Storm drain has fallen into drainpipe  
Man-hours: .50  
Equipment: 412 Bobcat tractor, 300  
Materials: chain, and drainage hook

Location: 8th St.,861 Berkshire  
Starting Date: 9/13/2022  
Completion Date: 9/27/202  
Description: 25MPH Sign tore down, 25 MPH Sign was knocked down  
Man-hours: 1hrs  
Equipment: 412  
Materials: (2) 8ft U channel Pole. 2 nuts. 2 washers. 2 bolts

Location: 100 Block of S. Third St.  
Starting Date: 9/16/2022  
Completion Date: 9/16/2022  
Description: Sarah Edwards - Downtown Development  
Man-hours: .50  
Equipment: 412  
Materials: Deliver (5) rollout containers, 4 barricades, and 12 traffic cones

## Water/Sewer Street Cut List

| Date:    | Address:                                  | Size:        | Emailed to PW on: | Date of Repair |
|----------|---|--------------|-------------------|----------------|
| 07/28/22 | S. 4th St., between E. Davis & E. Lee St. | 9x15         | 09/01/22          | 09/02/22       |
| 08/31/22 | 207 Pine St.                              | 8x20         | 09/01/22          | 09/02/22       |
|          |   |              |                   |                |
| 09/07/22 | Church & 6th St.                          | 10x10        | 09/29/22          |                |
| 09/07/22 | 812 Second Ave.                           | 5x5          | 09/29/22          |                |
| 09/08/22 | 1010 North St.                            | 12x20        | 09/29/22          |                |
| 09/13/22 | 214 W. Davis St.                          | 20x20        | 09/29/22          |                |
| 09/27/22 | 611 S. 3rd St.                            | 5x20         | 09/29/22          |                |
| 09/27/22 | 611 S. 3rd St.                            | 5x2 concrete | 09/29/22          |                |



**Town of Smithfield  
Public Works Sanitation Division  
Monthly Report  
September 30, 2022**



**I. Statistical Section**

The Division collected from approximately 4,094 homes, 4 times during the month

- a. Sanitation forces completed 47 work orders
- b. Sanitation forces collected tons 453.24 of household waste
- c. Sanitation forces disposed of 62 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 2.29 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 3.05 tons of recyclable plastic
- h. Recycled 0 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gals of Anti-freeze was collected at the Convenient Site Center
- j. Recycled 0 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

**II. Major Revenues**

- a. Received \$19.84 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for
- c. Sold 0 lbs. of shredder steel for \$0.00 to Omni Source

**III. Major Expenses for the Month:**

Spain Farms Nursery was paid \$ 2,664 for disposal of yard waste and debris. Black's Tire Service Co. was paid \$ 3,562.98 for tires for HHW TK# 303. CES was paid \$ 9,096.46 INV# 283744. NC Truck and Diesel Inc. was paid \$ 530.86 for box and trailer wire for Yellow Leaf Box. Velocity Truck Centers of Raleigh was paid \$ 1,728.78 for driver seat for HHW TK# 310. White's Tractor and Truck Co. was paid 930.36 for repairs to TK# 318.

**IV. Personnel Update:**

The Department worked with Mitchells Temporary for one vacant position in Sanitation.

**V. Narrative of monthly departmental activities:**

The department worked closely with Down Town Development providing traffic control devices and event containers for the 3<sup>rd</sup> Streatery Event . The Public Works Dept. safety meeting was on Hazard Awareness Mike Sliger conducted the meeting. Community Service Workers worked 0 Hrs.



## MONTHLY REPORT FOR SEPTEMBER, 2022

| <b>PROGRAMS STATISTICS</b>                                 | <b>SEPTEMBER, 2022</b> | <b>22/23 FY<br/>YTD</b> | <b>SEPTEMBER, 2021</b> | <b>21/22 FY<br/>YTD</b> |
|--|------------------------|-------------------------|------------------------|-------------------------|
| NUMBER OF PROGRAMS   | 8                      | 29                      | 6                      | 26                      |
| TOTAL ATHLETICS PARTICIPANTS                               | 357                    | 1336                    | 277                    | 857                     |
| TOTAL NON/ATHLETIC PARTICIPANTS                            | 163                    | 2048                    | 37                     | 1680                    |
| NUMBER OF GAMES PLAYED                                     | 64                     | 64                      | 26                     | 60                      |
| TOTAL NUMBER OF PLAYERS (GAMES)                            | 701                    | 701                     | 996                    | 1860                    |
| NUMBER OF PRACTICES  | 46                     | 134                     | 60                     | 97                      |
| TOTAL NUMBER OF PLAYER(S) PRACTICES                        | 635                    | 2151                    | 858                    | 1954                    |
| SARAH YARD COMMUNITY CENTER VISITS                         | 63                     | 202                     | 159                    | 481                     |
|  | <b>SEPTEMBER, 2022</b> | <b>22/23 FY<br/>YTD</b> | <b>SEPTEMBER, 2021</b> | <b>21/22 FY<br/>YTD</b> |
| PARKS RENTALS  | 81                     | 192                     | 48                     | 123                     |
| USERS (PARKS RENTALS)                                      | 2268                   | 5442                    | 1538                   | 3258                    |
| <b>TOTAL UNIQUE CONTACTS</b>                               | <b>3,830</b>           | <b>10,544</b>           | <b>3,588</b>           | <b>9,233</b>            |
|  | <b>SEPTEMBER, 2022</b> | <b>22/23 FY<br/>YTD</b> | <b>SEPTEMBER, 2021</b> | <b>21/22 FY<br/>YTD</b> |
| <b>FINANCIAL STATISTICS</b>                                |                        |                         |                        |                         |
| PARKS AND RECREATION REVENUES                              | \$ 5,019.00            | \$ 34,966.00            | \$ 4,931.00            | \$ 18,458.00            |
| PARKS AND RECREATION EXPENDITURES<br>(OPERATIONS)          | \$ 90,809.00           | \$ 209,753.00           | \$ 67,631.00           | \$ 178,977.00           |
| PARKS AND RECREATION EXPENDITURE<br>(CAPITAL OUTLAY EQUIP) | \$ 12,075.00           | \$ 25,117.00            | \$ 22,750.00           | \$ 38,750.00            |
| SARAH YARD COMMUNITY CENTER<br>(OPERATIONS)                | \$ 3,234.00            | \$ 7,703.00             | \$ 3,429.00            | \$ 7,989.00             |
| SARAH YARD COMMUNITY CENTER<br>(CAPITAL OUTLAY EQUIP)      | \$ -                   | \$ 21,500.00            | \$ 8,500.00            | \$ 8,500.00             |

HIGHLIGHTS: YOUTH FOOTBALL, BASEBALL & SOCCER / FUN AND FELLOWSHIP SOFTBALL / KINDER SOCCER  
YOUTH CHEERLEADING / DROP-IN PICKLEBALL PROGRAM



## SRAC MONTHLY REPORT FOR SEPTEMBER, 2022

| PROGRAMS SATISTICS                         | SEPTEMBER, 2022 | 22/23 FY<br>YTD | SEPTEMBER, 2022 | 22/23 FY<br>YTD |
|--|-----------------|-----------------|-----------------|-----------------|
| NUMBER OF PROGRAMS                         | 18              | 54              | 17              |                 |
| TOTAL CONTACT WITH PROGRAM<br>PARTICIPANTS | 5059            | 14928           | 2973            |                 |
|  | SEPTEMBER, 2022 | 22/23 FY<br>YTD | SEPTEMBER, 2021 | 21/22 FY<br>YTD |
| SRAC MEMBER VISITS                         | 2943            | 10144           | 2990            | 9922            |
| DAY PASSES                                 | 548             | 5900            | 621             | 5158            |
| RENTALS (SRAC)                             | 36              | 205             | 37              | 110             |
| USERS (SRAC RENTALS)                       | 1302            | 6410            | 1012            | 4686            |
| <b>TOTAL UNIQUE CONTACTS</b>               | <b>9,852</b>    | <b>37,382</b>   | <b>7,596</b>    | <b>30,808</b>   |
|  | SEPTEMBER, 2022 | 22/23 FY<br>YTD | SEPTEMBER, 2021 | 21/22 FY<br>YTD |
| <b>FINANCIAL STATISTICS</b>                |                 |                 |                 |                 |
| SRAC REVENUES                              | \$ 56,196.00    | \$ 203,023.00   | \$ 44,310.00    | \$ 178,951.00   |
| SRAC EXPENDITURES (OPERATIONS)             | \$ 106,088.00   | \$ 273,300.00   | \$ 74,876.00    | \$ 229,485.00   |
| SRAC EXPENDITURES (CAPITAL OUTLAY)         | \$ 2,403.00     | \$ 105.00       |                 |                 |
| SRAC MEMBERSHIPS                           | 2919            |                 | 2272            |                 |

**Highlights**      Handbuilding and Wheel Throwing Pottery Classes  
                          3200+ Swim Lessons  
                          SRAC Sharks Fall Swim Program



- **Statistical Section**

- Electric CP Demand 27,212 Kw relative to August's demand of 28,859 Kw.
- Electric System Reliability was 99.9728%, with four (4) recorded main line outages; relative to August's 99.9904%.
- Raw water treated on a daily average was 4.476 MG relative to 4.644 MG for August; with maximum demand of 4.972 MG relative to August's 5.158 MG.
- Total finished water to the system was 132.912 MG relative to August's 139.472 MG. Average daily for the month was 4.430 MG relative to August's 4.499 MG. Daily maximum was 5.230 MG (September 2<sup>nd</sup>) relative to August's 5.092 MG. Daily minimum was 3.684 MG (September 7<sup>th</sup>), relative to August's 3.091 MG.

- **Miscellaneous Revenues**

- Water sales were \$267,864 relative to August's \$242,187
- Sewer sales were \$434,983 relative to August's \$399,852
- Electrical sales were \$1,504,325 relative to August's sales of \$1,487,785
- Johnston County Water purchases were \$209,315 for 89.070 MG relative to August's \$175,860 for 74.834 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$1,071,889 relative to August's \$1,169,870.
- Johnston County sewer charge was \$146,774 for 37.401 MG relative to August's \$146,811 for 40.213 MG.

- **Personnel Changes**

- Anthony Quagliano began work as Utility Line Mechanic on September 26.



**Town of Smithfield  
Electric Department  
Monthly Report  
September, 2022**

**I. Statistical Section**

- Street Lights repaired –18
- Area Lights repaired 15
- Service calls – 45
- Underground Electric Locates -308
- Poles changed out/removed or installed -1
- Underground Services Installed -12

**II. Major Revenues**

- N/A

**III. Major Expenses for the Month:**

- N/A

**IV. Personnel Update:**

- The Utility Dept. had a Safety meeting on Hazard Communication.
- The Electrical Dept had Fork lift certification and re-certification training.
- The Electrical Dept. is short of workforce by 3 mid-grade linemen. We have trained these guys and they have left to go to other jobs for more money. As of now we don't have enough seasoned guys to maintain a constant and consistent work load.

**V. Miscellaneous Activities:**

- The Electrical Dept. is still continuing to install the infrastructure for East River Phase 3.
- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. is continuing to work on circuit audit lists.
- The Electrical Dept. helped the Street Dept. remove Flags along Market St.



## WATER & SEWER

### SEPTEMBER 2022 MONTHLY REPORT

|                              |         |
|------------------------------|---------|
| ● DISCONNECT WATER           | 4       |
| ● RECONNECT WATER            | 3       |
| ● TEST METER                 | 5       |
| ● TEMPORARY METER SET        | 6       |
| ● DISCOLORED WATER CALLS     | 9       |
| ● LOW PRESSURE CALLS         | 4       |
| ● NEW/RENEW SERVICE INSTALLS | 3       |
| ● LEAK DETECTION             | 12      |
| ● METER CHECKS               | 15      |
| ● METER REPAIRS              | 5       |
| ● WATER MAIN/SERVICE REPAIRS | 6       |
| ● STREET CUTS                | 6       |
| ● REPLACE EXISTING METERS    | 7       |
| ● INSTALL NEW METERS         | 2       |
| ● FIRE HYDRANTS REPAIRED     | 3       |
| ● FIRE HYDRANTS REPLACED     | 2       |
| ● SEWER REPAIRS              | 10      |
| ● CLEANOUTS INSTALLED        | 11      |
| ● INSPECTIONS                | 12      |
| ● CAMERA SEWER               | 2       |
| ● SEWER MAIN CLEANED         | 2725 LF |

- SERVICE LATERALS CLEANED                      650 LF
- SERVICE CALLS                                      78
- LOCATES    265
  
- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELPED PUBLIC WORKS CLEAN STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

## MAJOR EXPENSES FOR THE MONTH OF SEPTEMBER

- Stucky's Backhoe had to make a lot of the repairs due to staffing shortage
- Service the Vac Truck
- Ordered new tracks for the mini excavator

## PERSONNEL UPDATES

- John Mellor started
- Anthony Quagliano started

## UPCOMING PROJECTS FOR THE MONTH OF OCTOBER

- Contractor start Town homes on Wilson's Mills Rd.
- Donald still installing and repairing fire hydrants.
- Possibly starting the sewer replacement on Underwood Ave.



## **MONTHLY WATER LOSS REPORT**

**September 2022**

**(5) - Meters with slow washer leaks**

**(2)- 2" Line, 1/8" hole – 1 Day**

**(4)- 3/4" Line, 1/8" hole – 1 Day**

**Fire hydrant leaking**



**Smithfield Water Plant**  
Distribution Sampling Site Plan

**Hydrant Flushing**

| Street Name       | Date     | Chlorine | Time | Gallons | Psi | Street Name       | Date     | Chlorine | Time | Gallons | Psi |
|-------------------|----------|----------|------|---------|-----|-------------------|----------|----------|------|---------|-----|
| Stephson Drive    | 09/27/22 | 3        | 15   | 7965    | 10  | North Street      | 09/19/22 | 1        | 15   | 17820   | 40  |
| Computer Drive    | 09/27/22 | 3        | 15   | 31860   | 10  | West Street       | 09/19/22 | 1        | 15   | 78030   | 50  |
| Castle Drive      | 09/27/22 | 3        | 15   | 7965    | 10  | Regency Drive     | 09/19/22 | 1        | 15   | 63720   | 60  |
| Parkway Drive     | 09/27/22 | 3        | 15   | 63720   | 40  | Randers Court     | 09/19/22 | 1        | 15   | 15930   | 40  |
| Garner Drive      | 09/27/22 | 3        | 15   | 63723   | 40  | Noble Street      | 09/19/22 | 1        | 15   | 15930   | 40  |
| Hwy 210 LIFT ST.  | 09/27/22 | 3        | 15   | 15930   | 40  | Fieldale Dr#1(L)  | 09/19/22 | 1        | 15   | 63720   | 40  |
| Skyland Drive     | 09/28/22 | 3        | 15   | 7965    | 10  | Fieldale Dr#2(R)  | 09/19/22 | 1        | 15   | 63720   | 40  |
| Bradford Street   | 09/28/22 | 3        | 15   | 15930   | 10  | Heather Court     | 09/19/22 | 1        | 15   | 15930   | 40  |
| Kellie Drive      | 09/28/22 | 3        | 15   | 7965    | 10  | Reeding Place     | 09/19/22 | 1        | 15   | 15930   | 40  |
| Edgewater         | 09/28/22 | 3        | 15   | 7965    | 10  | East Street       | 09/19/22 | 1        | 15   | 63720   | 40  |
| Edgcombe          | 09/28/22 | 3        | 15   | 15930   | 40  | Smith Street      | 09/19/22 | 1        | 15   | 63720   | 40  |
| Valley Wood       | 09/28/22 | 3        | 15   | 63720   | 40  | Wellons Street    | 09/19/22 | 1        | 15   | 63720   | 40  |
| Creek Wood        | 09/28/22 | 3        | 15   | 63720   | 40  | Kay Drive         | 09/19/22 | 3        | 15   | 38985   | 15  |
| White Oak Drive   | 09/28/22 | 3        | 15   | 7965    | 10  | Huntington Place  | 09/19/22 | 3        | 15   | 38985   | 15  |
| Brookwood Drive   | 09/28/22 | 3        | 15   | 22515   | 5   | N. Lakeside Drive | 09/19/22 | 1.5      | 15   | 9750    | 15  |
| Runnymede Place   | 09/28/22 | 3        | 15   | 31860   | 10  | Cypress Point     | 09/19/22 | 2        | 15   | 34890   | 12  |
| Notttingham Place | 09/28/22 | 3        | 15   | 38985   | 10  | Quail Run         | 09/19/22 | 1.5      | 15   | 8715    | 12  |
| Heritage Drive    | 09/28/22 | 3        | 15   | 38985   | 10  | British Court     | 09/19/22 | 3        | 15   | 8715    | 12  |
| Noble Plaza #1    | 09/28/22 | 2.5      | 15   | 9750    | 10  | Tyler Street      | 09/19/22 | 2        | 15   | 78030   | 60  |
| Noble Plaza #2    | 09/29/22 | 3        | 15   | 9750    | 10  | Yelverton Road    | 09/19/22 | 2        | 15   | 63720   | 40  |
| Pinecrest Street  | 09/29/22 | 3        | 15   | 19500   | 10  | Ava Gardner       | 09/19/22 | 3        | 15   | 63720   | 40  |
| S. Sussex Drive   | 09/29/22 | 3        | 15   | 31860   | 10  | Waddell Drive     | 09/19/22 | 3        | 15   | 7965    | 10  |
| Elm Drive         | 09/29/22 | 3        | 15   | 9750    | 10  | Henly Place       | 09/19/22 | 3        | 15   | 8715    | 12  |
|                   |          |          |      |         |     | Birch Street      | 09/19/22 | 3        | 15   | 34890   | 12  |
| Coor Farm Supply  | 09/29/22 | 2        | 15   | 7965    | 10  | Pine Street       | 09/19/22 | 3        | 15   | 38985   | 15  |
| Old Goldsboro Rd. | 09/29/22 | 3        | 15   | 7965    | 10  | Oak Drive         | 09/19/22 | 3        | 15   | 37695   | 14  |
| Hilicrest Drive   | 09/19/22 | 3.5      | 15   | 31860   | 10  | Cedar Drive       | 09/19/22 | 3        | 15   | 31860   | 10  |
| Eason Street      | 09/19/22 | 2        | 15   | 38985   | 40  | Aspen Drive       | 09/19/22 | 3        | 15   | 34890   | 12  |
| Magnolia circle   | 09/19/22 | 1        | 15   | 78030   | 40  | Furlonge Street   | 09/19/22 | 2        | 15   | 34890   | 12  |
| Rainbow Drive     | 09/19/22 | 1        | 15   | 19500   | 60  | Golden Corral     | 09/19/22 | 3        | 15   | 40290   | 16  |
| Rainbow Circle    | 09/19/22 | 1.5      | 15   | 19500   | 60  | Holland Drive     | 09/19/22 | 3        | 15   | 9750    | 15  |
| Moonbeam Circle   | 09/19/22 | 1.5      | 15   | 19500   | 60  | Davis Street      | 09/19/22 | 3        | 15   | 34890   | 12  |
| Ray Drive         | 09/19/22 | 1        | 15   | 15930   | 60  | Caroline Ave.     | 09/19/22 | 3        | 15   | 31860   | 10  |
| Will Drive        | 09/19/22 | 1        | 15   | 63720   | 40  | Johnston Street   | 09/19/22 | 3        | 15   | 38985   | 15  |
| Michael Lane      | 09/19/22 | 1        | 15   | 63720   | 40  | Ryans             | 09/19/22 | 2        | 90   | 9750    | 15  |
| Ward Street       | 09/19/22 | 1        | 15   | 15930   | 40  |                   |          |          |      |         |     |

977883

1282815 2260698