



Mayor

M. Andy Moore

Mayor Pro-Tem

John A. Dunn

Council Members

Marlon Lee

David Stevens

Travis Scott

David Barbour

Stephen Rabil

Roger A. Wood

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Greg Siler

Town Clerk

Shannan Parrish

Town Council

Agenda

Packet

Meeting Date: Tuesday, May 3, 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 MAY 3, 2022
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations: None

Public Hearing:

- 1. RZ-22-01 Roger Stanley:** The applicant is requesting to rezone .35 acres of land from the B-3 (Business) zoning district to the R-8 (Residential) zoning district. The properties considered for rezoning are located on the west side of East Edgerton Street approximately 360 feet south of its intersection with North Brightleaf Boulevard. The properties are further identified as Johnston County Tax ID# 15006008, 15099030 and a portion of 15006006 and 15006004.
(Planning Director – Stephen Wensman) See attached information.....1
- 2. S-22-02 Floyds Landing:** The CE Group is requesting preliminary subdivision approval for a 199.8-acre tract of land located within an R-8 CZ (Residential Conditional Zoning) district for the construction of a 698-unit residential development. The properties considered for approval are located on the west side of US Highway 70 Business West approximately 300 feet northwest of its intersection with South Rodgers Drive. The properties are further identified as Johnston County Tax ID# 15079014 15078012B and a portion of Johnston County Tax ID#15078012, 15077035C and 15077035H.
(Planning Director – Stephen Wensman) See attached information.....23

Citizens Comments

Consent Agenda Items:

- 1. Approval of Minutes:**
 - a. April 5, 2022 – Regular Meeting
 - b. April 5, 2022 – Closed Session (Under Separate Cover).....63

- 2. Special Event: Concert – Compass Community Church is requesting to hold a concert at 207 North Brightleaf Blvd. on May 28, 2022 from 10:00 am until 3:00 pm. This request includes the use of amplified sound (Planning Director – Stephen Wensman) See attached information.....79**

- 3. Consideration and request for approval to sell property located at 801 South Second Avenue in the amount of \$8,500 (Town Manager – Michael Scott) See attached information.....85**

- 4. Consideration and request for approval to enter into an agreement with Thompson, Price, Scott, Adams & Company, PA to conduct the annual audit (Finance Director – Greg Siler) See attached information.....89**

- 5. Consideration and request for approval to adopt Resolution No. 697 (06-2022) amending the Records Retention and Disposition Schedule as requested by the North Carolina Department of Cultural Resources (Town Clerk – Shannan Parrish) See attached information.....107**

- 6. Consideration and request for approval to reappoint Robin Cook to a second term on the Appearance Commission (Town Clerk – Shannan Parrish) See attached information.....111**

- 7. New Hire Report (HR Director/ PIO – Tim Kerigan) See attached information.....115**

Business Item:

- 1. Consideration and request for approval to approve a contract with Balfour Beatty Construction, LLC for design services and the renovation/construction of the Neuse Amphitheater (Parks and Recreation Director – Gary Johnson) See attached information.....117**

- 2. Consideration and request for approval to award a bid in the amount \$42,261.48 to Barnes Cleaning Company for Janitorial Services (Public Works Director – Lawrence Davis) See attached information.....139**

- 3. Discussion concerning meter reading contract (Town Manager – Michael Scott) Information will be provided at the meeting**

- 4. FY 2022-2023 Budget Discussion (Town Manager – Michael Scott)**

Councilmember’s Comments

Town Manager’s Report

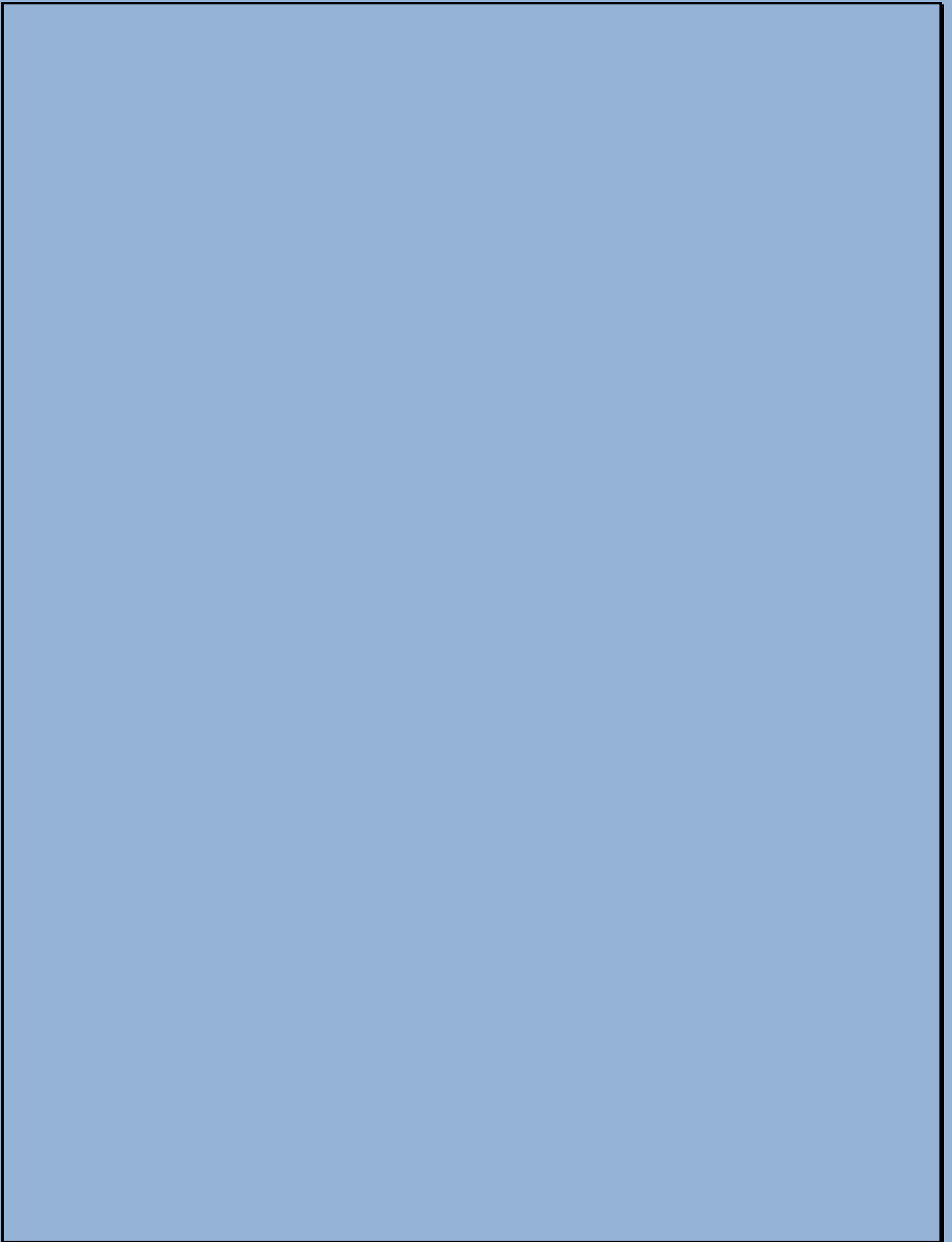
- Financial Report (See attached information).....157
- Department Reports (See attached information).....161
- Manager’s Report (Will be provided at the meeting)

Closed Session: Pursuant to NCGS 143-318.11 (a) (3) – To consult with the Town Attorney

Reconvene in Open Session

Recess: To a date time certain to continue FY 2022-2023 Budget Discussions

Public Hearings





Request for Town Council Action

Public Hearing: RZ-22-01
Date: 05/03/2022

Subject: Roger Stanley East Edgerton Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Public Hearing

Issue Statement

Roger Stanley is requesting the rezoning of two properties and a portion of a third from B-3 Highway, Entranceway Business to R-8 Single, Two and Multi-family Residential (16,000 sq. ft in area).

Financial Impact

None.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the rezoning and to decide whether to approve or deny the request.

Recommendation

Planning Staff recommends denial of the rezoning, R-22-01 with a statement declaring the request inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the action is NOT reasonable nor in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application and Statement of Justification
4. Survey
5. Adjacent Property Owners Listing and Certification
6. Zoning Map
7. Planning Board Minutes
8. Legal Advertisement



Staff Report

Public Hearing: RZ-22-01

REQUEST:

Roger Stanley is requesting the rezoning of two properties and a portion of two others from B-3 Highway, Entranceway Business to R-8 Single, Two and Multi-family Residential (16,000 sq. ft in area).

PROPERTY LOCATION:

The area to be rezoned is about 370 feet to the south of the N. Brightleaf Boulevard and East Edgerton Intersection on the west side of East Edgerton.

SITE DATA:

NC Pins 260413-02-0585, 260413-02-1588, 3,000 sq. ft of 169416-92-9618, and 550 sq. ft. of 260413-02-0517
 Acreage: 16,000 sq. ft.
 Present Zoning: B-3
 Proposed Zoning: R-8
 Existing Use: Residential/Commercial
 Proposed Use: Residential
 Fire District: Smithfield
 School Impacts: None
 Parks and Recreation: None
 Water Provider: Smithfield
 Sewer Provider: Smithfield
 Electric Provider: Smithfield

ENVIRONMENTAL:

The properties are not located within a floodplain.

ADJACENT ZONING AND LAND USES: (see attached map for complete listing)

	Zoning	Existing Land Uses
North	B-3 (Gateway Highway Business)	Commercial/Residential
South	B-3 (Gateway Highway Business)	Commercial
East	B-3 (Gateway Highway Business)	Commercial
West	B-3 (Gateway Highway Business)	Commercial

EXISTING CONDITIONS:

Roger Stanley, the applicant, owns four properties in the B-3 zoning district:

Property ID	Land Use	Acreage	Notes
169416-92-9618	Car Sales Lot & Detached Single Family	1.977	Perfect Ride
260413-02-0517	Vacant Property	.21	Landlocked parcel
260413-02-0585	Detached Single-Family	.136	Non-conforming residential use on B-3 lot
260413-02-1588	Vacant Property	.12	Lot with no street frontage



Roger is planning for an expansion of the car dealership (Property #1) and would like to move the detached single-family home from the dealership property to a vacant property he owns (Property #4). The current zoning does not allow detached single-family residential so a rezoning to R-8 is being requested to facilitate the moving of the house. The R-8 district would allow detached single family uses. Roger is also requesting the rezoning of the property #3 which has an existing home on it to make it a conforming lot. He is also

requesting the rezoning of a portion of both properties 1 & 2 (3,000 and 550 sq. ft. respectively) then recombine the rezoned land into two 70' wide, 8,000 sq. ft. R-8 lots. The existing garage on Lot #3 will be removed prior to the recombination of lots.

ANALYSIS:

The rezoning would facilitate the removal of a non-conforming residential use from the B-3 zoning district, however there are other issues to consider:

- **Comprehensive Plan Guidance.** The Comprehensive Growth Management Plan guides these properties for commercial uses.
- **Spot Zoning.** Rezoning of only two residential lots would be considered a spot zoning. Although spot zoning is not illegal, it must be reasonable and in the public interest. Considerations should include:
 - Physical characteristics that make is more suitable for residential (utilities, topography, soils, etc.).
 - Relationship to comprehensive plan designation.
 - Is the rezoning in harmony with the legitimate expectations of neighbors.
 - What is the implication for future development on surrounding parcels?

Staff does not believe the rezoning is reasonable or in the public interest.

- **Existing Nonconforming/Lot Recombination.** The lots requested for rezoning do not meet the R-8 dimensional requirements, lot width and size but the applicant plans to recombine the property after the rezoning to make them conform dimensionally.
- **Lot Frontage.** The vacant lot (property #4) being proposed to receive the moved single-family home lacks public street frontage. After recombination, the lot will only have 20 feet of lot frontage – the R-8 District requires 70'. The segment of East Edgerton in front of Lot 4 is a private driveway serving the warehouse buildings and the Town cemetery.
- **Non-conformity to remain.** If rezoned to R-8, the existing house on property #3 will not meet the 30' front yard setback nor the 10' side yard requirement. The house setback approximately 24' from East Edgerton right-of-way and will have a +/- 8' side yard setback.

CONSISTENCY STATEMENT (Staff Opinion):

With a rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is or is not consistent with adopted comprehensive plan and other applicable adopted plans and whether the action is or is not reasonable and in the public interest. Planning Staff considers the action to be inconsistent and not reasonable nor in the public interest:

- **Consistency with the Comprehensive Growth Management Plan - *The rezoning is not consistent with the Comprehensive Growth Management Plan. The Plan guides the property for Commercial.***

- **Consistency with the Unified Development Code** – *The existing property proposed for rezoning do not meet the R-8 District standards. The owner intends to recombine the lots after approval of the rezoning to make them conforming dimensionally; however, UDO requires developed lots to have frontage on a public or private street. The property planned to receive the single-family home has no street frontage meeting UDO requirements.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be incompatible with the commercial land uses surrounding the parcels.*

PLANNING BOARD RECOMMENDATION:

The Planning Board voted 5-2 in favor of the rezoning. Their justification was that they felt it was reasonable and in the public interest because Mr. Stanley is trying to upgrade his business and make better use of his properties. It was also stated by one member that they did not think the area would redevelop into anything different.

RECOMMENDATION:

Planning Staff recommends the Town Council deny the rezoning, RZ-22-01, with a statement declaring the request inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is not reasonable nor in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

"move to deny zoning map amendment, RZ-22-01, finding it inconsistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is not reasonable nor in the public interest."

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-22-01**

Whereas the Smithfield Town Council, upon acting on a zoning map 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 map 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 APPROVE THE ORDINANCE IS ADOPTED,

That the final action regarding zoning map amendment RZ-22-01 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 public meeting; 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 map 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 and information provided at the public meeting. Therefore, the amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO APPROVE THE ORDINANCE FAILS,

That the final action regarding zoning map amendment RZ-22-01 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 map 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

REZONING APPLICATION

Pursuant to Article 4, Section 4-1 of the 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. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.

Name of Project: Stanley Property Rezoning Acreage of Property: see attached
Parcel ID Number: see attached Tax ID: see attached
Deed Book: see attached Deed Page(s): see attached
Address: see attached
Location: Southwest quadrant of the intersection of US 301 N Brightleaf Blvd. and East Edgerton Street
Existing Use: commercial/residential Proposed Use: commercial/residential (2)
Existing Zoning District: B-3 Highway Commercial
Requested Zoning District: B-3 Highway Commercial and R-8 Residential
Is project within a Planned Development: Yes No
Planned Development District (if applicable): _____
Is project within an Overlay District: Yes No
Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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OWNER INFORMATION:

Name: see attached

Mailing Address: _____

Phone Number: _____ Fax: _____

Email Address: _____

APPLICANT INFORMATION:

Applicant: Terraeden Landscape & Design, LLC

Mailing Address: 11 Kentwood Drive, Smithfield, NC 27577

Phone Number: 919.219.3410 Fax: n/a

Contact Person: Paul C. Embler, Jr.

Email Address: pembler@embarqmail.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a rezoning application. This information is required to be present on all plans, except where otherwise noted:

- A map with metes and bounds description of the property proposed for reclassification.
- A list of adjacent property owners.
- A statement of justification.
- Other applicable documentation: Proposed Recombination Map.

STATEMENT OF JUSTIFICATION

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

APPLICANT AFFIDAVIT

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

PAUL C. EMBLER, JR.
Print Name


Signature of Applicant

3/3/
Date

JUSTIFICATION – STANLEY PROPERTY

There are two existing occupied single family residential rental units located on the Stanley property. (NCPIN 169416-92-9618 and NCPIN 260413-02-0585). The owners wish to expanded the exist auto sales lot on NCPIN 169416-92-9618, by constructing a new office/showroom/garage facility and expanding the vehicle display area. The planned expansion will include the area where one of the existing single family residential structures is located. Since the residential property is an existing viable rental property and the owners have invested significant monies (\$25,000.00) recently to renovate the residence they would like to relocate the residence to another location on their property. The construction of the new showroom, office and garage will cost approximate one million dollars and will significantly contribute to the tax base of the Town of Smithfield.

The owners are proposing to relocate the residence some 230 ft to the east (toward the railroad) along the south side of E. Edgerton Street and place the residence on the east side of their other single family residential rental property. In order to accomplish the relocation of the residence the owners proposed to rezone (see attached rezoning plan) their property in such a manner as to provide a large enough R-8 zoning area to allow for two standard R-8 single family residential lots (see attached proposed recombination plan). The newly created lots will both be served by the Town of Smithfield water, sewer and electrical systems.

Please note that in the past the Stanleys in conjunction with one adjacent property owner petition the Town to pave all of E. Edgerton Street. At that time the Town did not have sufficient funds to pave the street so the Stanleys and the adjacent property owners paved E. Edgerton Street at their own expense, with the approval of the Town.

R-8 LOT SIZE CRITERIA

LOT AREA = 8,000 SF

MIN. LOT WIDTH = 70'

MIN. FRONT YARD = 30'

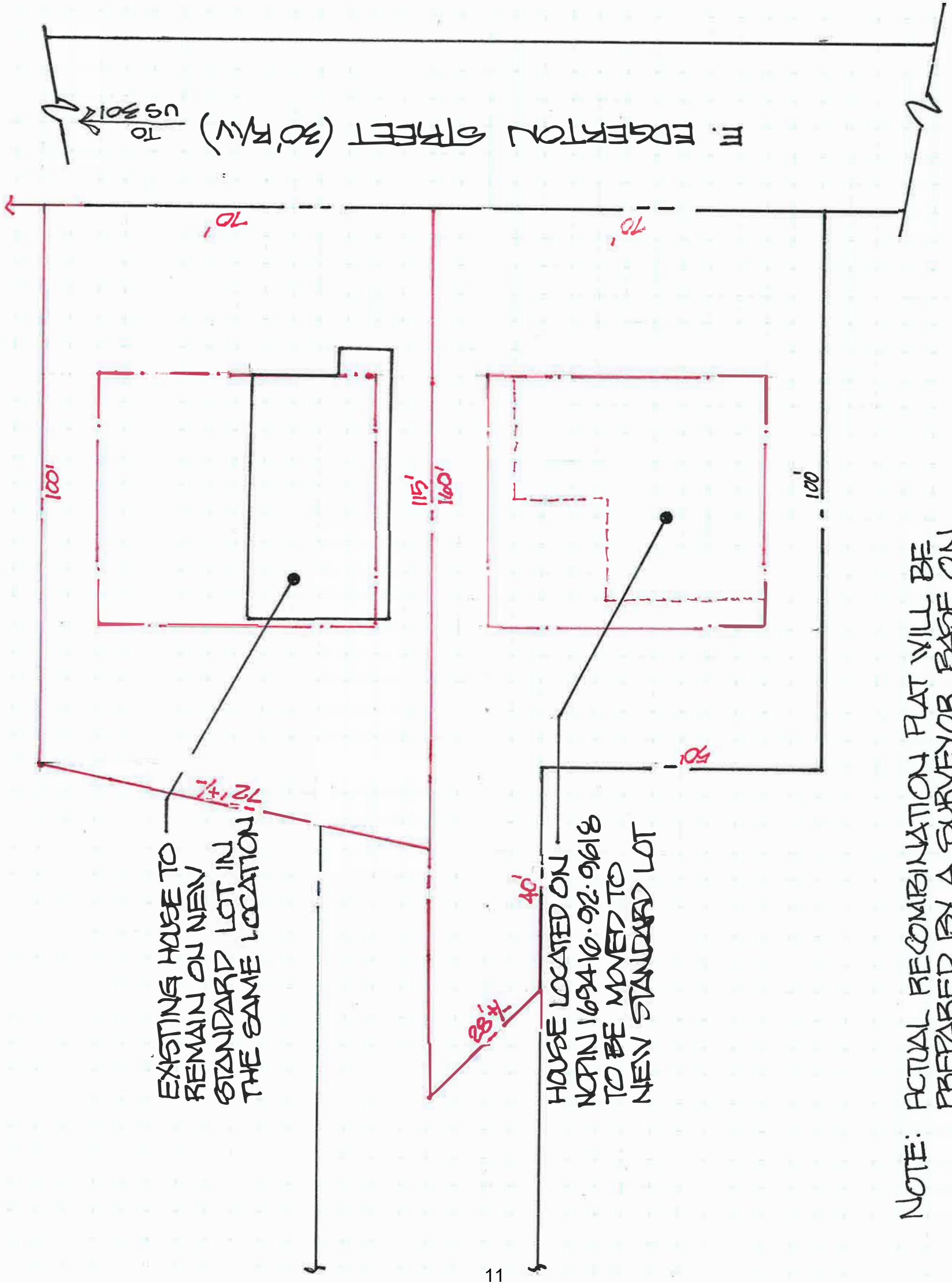
MIN. SIDE YARD = 10'

MIN. REAR YARD = 15'

* NOTE: BOTH NEWLY CREATED LOTS MEET THE R-8 CRITERIA.

PROPOSED RECOMBINATION MAP
STANLEY PROPERTY
SMITHFIELD, NC

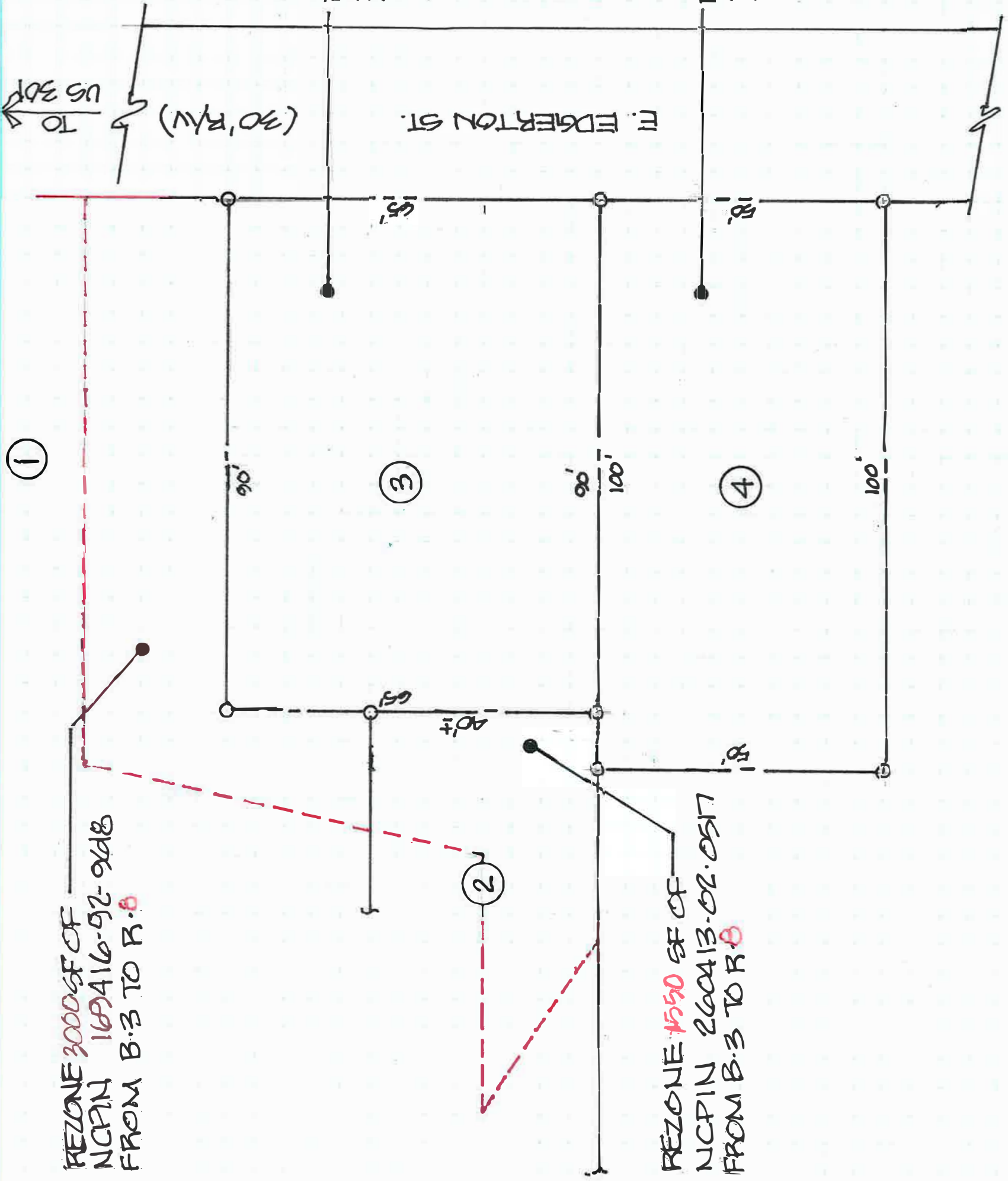
SCALE: 1" = 20'
2/25/2022
REV. 3/3/2022



EXISTING HOUSE TO REMAIN ON NEW STANDARD LOT IN THE SAME LOCATION

HOUSE LOCATED ON NCPIN 169416-92-9618 TO BE MOVED TO NEW STANDARD LOT

NOTE: ACTUAL RECOMBINATION PLAT WILL BE PREPARED BY A SURVEYOR BASED ON ACTUAL FIELD SURVEY.



PROPOSED
REZONING MAP

STANLEY PROPERTY
SMITHFIELD, NC.
SCALE: 1"=20'
2/25/2022
REV. 3/3/2022

* SEE PROPOSED RE-COMBINATION MAP FOR REUSE OF PARCEL

Adjacent Property Owners of
RZ-22-01

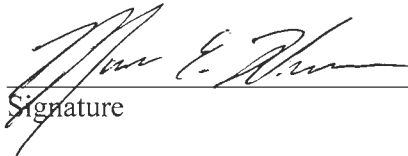
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15004024C	169416-93-4124	PATANDO II, LLC	101 S RAIFORD ST STE 200	SELMA	NC	27576-3154
15006008	260413-02-0585	GRAY CREEK PROPERTIES, LLC	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577
15006002	169416-92-5692	MOHAMED AND SONS INC	P O BOX 1236	SMITHFIELD	NC	27577-0000
15006006	169416-92-9618	STANLEY, ROGER E	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-0000
15006010	260413-02-1766	REVOCABLE TRUST	921 S VERMONT ST	SMITHFIELD	NC	27577-3725
15006003	169416-92-7780	MOHAMED & SONS, INC.	713 E MARKET ST	SMITHFIELD	NC	27577-4039
15005001	169416-93-8084	WORLEY, JEAN CREECH	733 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4329
15005002	260413-03-0024	WORLEY, JEAN CREECH	733 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4329
15006004	260413-02-0517	STANLEY, ROGER LEE	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4330
15099030	260413-02-1588	STANLEY, ROGER LEE	732 N BRIGHTLEAF BLVD	SMITHFIELD	NC	27577-4330
15006015	260417-02-2237	NEW VISION PARTNERS LLC	13200 STRICKLAND RD	RALEIGH	NC	27613-5212



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-22-01, were notified by First Class Mail on 4-11-22.



Signature

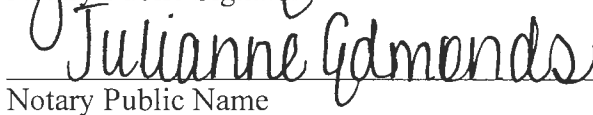
Johnston County, North Carolina

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

11th day of April, 2022



Notary Public Signature



Notary Public Name

My Commission expires on January 15th, 2023



East Edgerton Street

File Number:
RZ-22-01

Project Name:
Roger Stanley
Rezoning

Existing Zoning:
B-3 (Business)

Proposed Zoning:
R-8 (Residential)

Existing Land Use:
Single Family Dwelling
& Vacant Land

Tax ID#:
15006006, 15006004,
15006008, 15099030

Owner:
Roger Stanley

Applicant:
Roger Stanley



1 in = 200 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 3/29/2022



Approximate Location of
Proposed Rezoning

**Town of Smithfield
Planning Board Minutes
Thursday, April 7, 2022
Town Hall Council Chambers
6:00 PM**

Members Present:

Chairman Stephen Upton
Vice-Chairman Mark Lane
Debbie Howard
Doris Wallace
Sloan Stevens
Michael Johnson
Ashley Spain

Members Absent:

Alisa Bizzell

Staff Present:

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

Staff Absent:

CALL TO ORDER

APPROVAL OF AGENDA

Doris Wallace made a motion to approve the agenda, seconded by Mark Lane. Unanimously approved.

APPROVAL OF MINUTES FOR MARCH 3rd, 2022

Doris Wallace made a motion to approve the minutes, seconded by. Unanimously approved.

NEW BUSINESS

RZ-22-01 Roger Stanley: The applicant is requesting to rezone .35 acres of land from the B-3 (Business) zoning district to the R-8 (Residential) zoning district. The properties considered for rezoning are located on the west side of East Edgerton Street approximately 360 feet south of its intersection with North Brightleaf Boulevard. The properties are further identified as Johnston County Tax ID# 15006008, 15099030 and a portion of 15006006 and 15006004.

Stephen Wensman stated that Roger Stanley is requesting the rezoning of two properties and a portion of a third from B-3 Highway, Entranceway Business to R-8 Single, Two and Multi-family Residential representing 16,000 sq. ft in area. Roger is planning for an expansion of the car dealership and would like to move the detached single-family home from the dealership property to a vacant property he owns. The current zoning does not allow detached single-family residential so a rezoning to R-8 is being requested to facilitate the moving of the house. The R-8 district would allow detached single family uses. Roger is also requesting the rezoning of the property which has an existing home on it to make it a conforming lot. He is requesting the rezoning of a portion of both properties 1 & 2 3,000 and 550 sq. ft. respectively, then recombine the rezoned land into two 70' wide, 8,000 sq. ft. R-8 lots. The rezoning

would facilitate the removal of a non-conforming residential use from the B-3 zoning district, however there are other issues to consider:

Spot Zoning. Rezoning of only two residential lots would be considered a spot zoning. Although spot zoning is not illegal, it must be reasonable and in the public interest. Considerations should include:

- Physical characteristics that make is more suitable for residential (utilities, topography, soils, etc.).
- Relationship to comprehensive plan designation.
- Is the rezoning in harmony with the legitimate expectations of neighbors.
- What is the implication for future development on surrounding parcels.

Staff does not believe the rezoning is reasonable or in the public interest.

Existing Nonconforming/Lot Recombination. The lots requested for rezoning do not meet the R-8 dimensional requirements, lot width and size. The applicant plans to recombine the property after the rezoning to make them conform dimensionally.

Lot Frontage. The vacant lot (property #4) being proposed to receive the moved single-family home lacks public street frontage. That segment of East Edgerton is a private driveway serving the warehouse buildings and the Town cemetery.

Non-conformity to remain. If rezoned to R-8, the existing house on property #3 will not meet the 30' front yard setback requirement. The house setback approximately 24' from East Edgerton right-of-way.

Comprehensive Plan Guidance. The Comprehensive Growth Management Plan guides these properties for commercial uses.

CONSISTENCY STATEMENT (Staff Opinion):

With a rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is or is not consistent with adopted comprehensive plan and other applicable adopted plans and whether the action is or is not reasonable and in the public interest. Planning Staff considers the action to be inconsistent and not reasonable nor in the public interest:

- **Consistency with the Comprehensive Growth Management Plan** -The rezoning is not consistent with the Comprehensive Growth Management Plan. The Plan guides the property for Commercial.
- **Consistency with the Unified Development Code** – The existing property proposed for rezoning do not meet the R-8 District standards. The owner intends to recombine the lots after approval of the rezoning to make them conforming dimensionally; however, UDO requires developed lots to have frontage on a public or private street. The property planned to receive the single-family home has no street frontage meeting UDO requirements.
- **Compatibility with Surrounding Land Uses** - The property considered for rezoning will be incompatible with the commercial land uses surrounding the parcels.

Mark Lane asked if the house presently located on lot 3 was occupied?

Stephen Wensman said yes, it is.

Mark Lane asked if the house to be moved was occupied?

Stephen Wensman said he didn't know the current status of that.

Mark Lane asked where the street legally stops?

Stephen Wensman said it's where lot 4 begins, you can see a white line on the pavement at Edgerton Street.

Sloan Stevens asked if these homes were in non-conformity as they are zoned now?

Stephen Wensman said yes, they are single-family lots in a B-3 district, which is a non-conformity.

Sloan Stevens asked if the public road extended, would it help the situation.

Stephen Wensman said if the road frontage extended it would be more in compliance with the UDO.

Debbie Howard asked what size the lot currently was.

Stephen Wensman said he believes it is 50 feet wide.

Debbie Howard said looking at the yellow house, it doesn't look like it would fit on the lot and meet the setbacks on the sides.

Paul Embler of 11 Kentwood Drive, Smithfield came forward to represent the applicant. He gave some history on the property from years back. The house closest to Hwy 301 which is the one to be relocated has had improvements made to it such as a new roof and interior improvements. They are proposing to leave the house furthest away from Hwy 301 where it is. The property owner wants to clean up the front side of the property, therefore he can make improvements to the car lot, build a showroom and a garage. The proposed lot where the yellow house is, will have partial frontage. It will probably be 35 to 40 'max. There will be some road frontage on that lot so some driveway access could get to Edgerton St.

Stephen Wensman said if the current lot is 50', then you're wanting to add 20' to make it legal not 35' to 40'. He has been looking for the easement for Edgerton Street but hasn't been able to locate it. He doesn't know if it was ever recorded properly.

Mark Lane said if Mr. Stanley does what he proposes, does the road frontage become a non-issue?

Stephen Wensman said he can get a driveway if he puts it on the 20' but the lot will still be nonconforming because it doesn't have 70' of road frontage.

Mark Lane made a motion to recommend approval of zoning map amendment, RZ-22-01, finding it 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.

Approved by Sloan Stevens and Debbie Howard (Denied by Doris Wallace and Michael Johnson). Motion passed.

RZ-22-02 Henry Howley: The applicant is requesting to rezone a 1.73-acre tract of land from the B-2 (Business) zoning district to the R-20A (Residential-Agricultural) zoning district. The property considered for rezoning is located on the northeast side of the intersection of NC Hwy 210 and Swift Creek Rd and further identified as Johnston County Tax ID# 15I09015M.

Mark Helmer stated that Henry Howler is requesting the rezoning of his property located at 2222 NC Highway 210 from B-2 General Business to R-20A Residential-Agriculture. The property to be rezoned is located at 2222 NC Highway 210 which is located at the northeast corner of NC Highway 210 and Swift Creek Road. The property was zoned to B-2 many years ago. According to the applicant, the property is only being used for residential. The applicant wishes to rezone the property back to residential.

ANALYSIS:

- The proposed rezoning is consistent with the Comprehensive Growth Management Plan guides this property for rural residential uses.
- The proposed rezoning will have no impact on the non-conforming second dwelling on the property.
- The property exceeds the minimum requirements of the R-20A zoning district.

CONSISTENCY STATEMENT (Staff Opinion):

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

- **Consistency with the Comprehensive Growth Management Plan** -The rezoning is consistent with the Comprehensive Growth Management Plan.
- **Consistency with the Unified Development Code** – The property exceeds the minimum requirements of the R-20A District standards. The rezoning will have no impact on the existing non-conforming secondary dwelling that exists on the property.
- **Compatibility with Surrounding Land Uses** - The property considered for rezoning will be compatible with the surrounding land uses. The properties use will not change.

Debbie Howard made a motion to recommend approval of zoning map amendment, RZ-22-02, finding it 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 Doris Wallace. Unanimously approved.

S-22-02 Floyds Landing: This case was heard by the Planning Board

OLD BUSINESS: Stephen Upton asked the board to express their personal input on why they would like a full-time code enforcement officer.

Sloan Stevens said as the town grows, there are more roofs tops and one part-time code enforcement officer can't handle all of the town.

Mark Lane said we need to also make sure regulations are being followed and it's not being done right now. Tommy can't handle the whole Town on his own.

Adjournment

Being no further business, Doris Wallace 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 Hearings

Notice is hereby given that the Town Council of the Town of Smithfield will conduct public hearings during the course of their open meeting which starts at 7:00 P.M. on Tuesday, May 3, 2022 in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

RZ-22-01 Roger Stanley: The applicant is requesting to rezone .35 acres of land from the B-3 (Business) zoning district to the R-8 (Residential) zoning district. The properties considered for rezoning are located on the west side of East Edgerton Street approximately 360 feet south of its intersection with North Brightleaf Boulevard. The properties are further identified as Johnston County Tax ID# 15006008, 15099030 and a portion of 15006006 and 15006004.

S-22-02 Floyds Landing: The CE Group is requesting preliminary subdivision approval for a 199.8-acre tract of land located within an R-8 CZ (Residential Conditional Zoning) district for the construction of a 698-unit residential development. The properties considered for approval are located on the west side of US Highway 70 Business West approximately 300 feet northwest of its intersection with South Rodgers Drive. The properties are further identified as Johnston County Tax ID# 15079014 15078012B and a portion of Johnston County Tax ID#15078012, 15077035C and 15077035H.

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

Run Legal ad in the Johnstonian News on April 20, 2022 and April 27, 2022.



Request for Town Council Action

**Public
Hearing:** S-22-02
Date: 05/03/2022

Subject: Floyds Landing Preliminary Plat
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Quasi-Judicial Public Hearing

Issue Statement

CE Group Inc. is requesting preliminary subdivision of 199.8-acres into 89 detached single-family residential lots, 220 single-family attached townhouse lots, a single multi-family apartment lot in accordance with the R-8 Conditional Zoning District master plan.

Financial Impact

The subdivision will add to the town's tax base.

Action Needed

The Town Council is respectfully requested to hold a evidentiary hearing and make a decision to approve, approve with conditions or deny the plat.

Recommendation

Planning Staff recommend approval of S-22-02 with 15-conditions based on the finding of fact for preliminary subdivisions.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Finding of Fact
3. Application
4. Preliminary Plat - Separate Attachment
5. CZ-21-03 Staff Report
6. CZ-21-03 Master Plan - Separate Attachment
7. Adjacent Property Owners Listing and Certification
8. Zoning Map



Staff Report

**Agenda S-22-
Item: 02**

REQUEST:

CE Group Inc. is requesting preliminary subdivision of 199.8-acres into 89 detached single-family residential lots, 220 single-family attached townhouse lots, a single multi-family apartment lot in accordance with the R-8 Conditional Zoning District master plan.

PROPERTY LOCATION:

The property is located just north of the Smithfield Corporate Limits on the south side of US Highway 70 Bus W.

APPLICATION DATA:

Subdivision Name:	Floyd Landing
Tax ID#	15078012,15077035C, 15077035H,15079014 and 15078012B
Acreage:	199.8 acres
Present Zoning:	R8-CZ
Existing Use:	Agriculture/Residential
Proposed Use:	Detached single-family, Attached single-family (townhouses), multi-family
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke

DEVELOPMENT DATA:

Lot Area

Detached single family & TH lot area:	147.332 acres
Multi-family apartment lot area:	47.932 acres
Area remaining for commercial:	9.795 acres
<u>Open space area for commercial:</u>	<u>3.127 acres (to be deed restricted)</u>
Total area:	208.086 acres

Detached Single-Family/Townhouse

Public right-of-way area:	14.273 acres
Area in lots:	24.351 acres
Natural open space:	69.160 acres (mostly floodplain)
<u>Managed open space:</u>	<u>39.548 acres</u>
Total area:	147.332 acres

Detached Single-Family

Single-family detached single-family lots:	89
Average unit size:	1,600-2,100 sq. ft.
Average number of bedrooms:	3
Minimum lot size:	5,175 sq. ft.
Max building height:	35'

Townhomes

Townhouse Lots:	220
Max building height:	35' (3-story)
Average building size:	1,400-1,600 sq. ft.
Number of bedrooms:	2-3

Multi-family

Multi-family lot:	1
Multi-family units:	Max 220 units
Max building height:	50 feet
Number of bedrooms:	1-3 bedrooms

Impervious

Existing Impervious:	0.69 acres
Proposed Impervious:	39.131 acres
Impervious SF/TH/MF:	26.6%

PROPOSED PHASING PLAN:

The developer has shown a phasing plan with three phases:

Phase 1 (end of 2023)

Area:	62,100 acres
Public R/W:	6,872 lineal feet
Townhomes:	47 units
Detached Single-Family:	48 lots
Apartments:	96 units

Phase 2 (end of 2024)

Area:	30.594 acres
Public R/W	5,551 lineal feet
Townhouses:	88 lots
Detached Single-Family:	41 lots
Apartments:	144 units

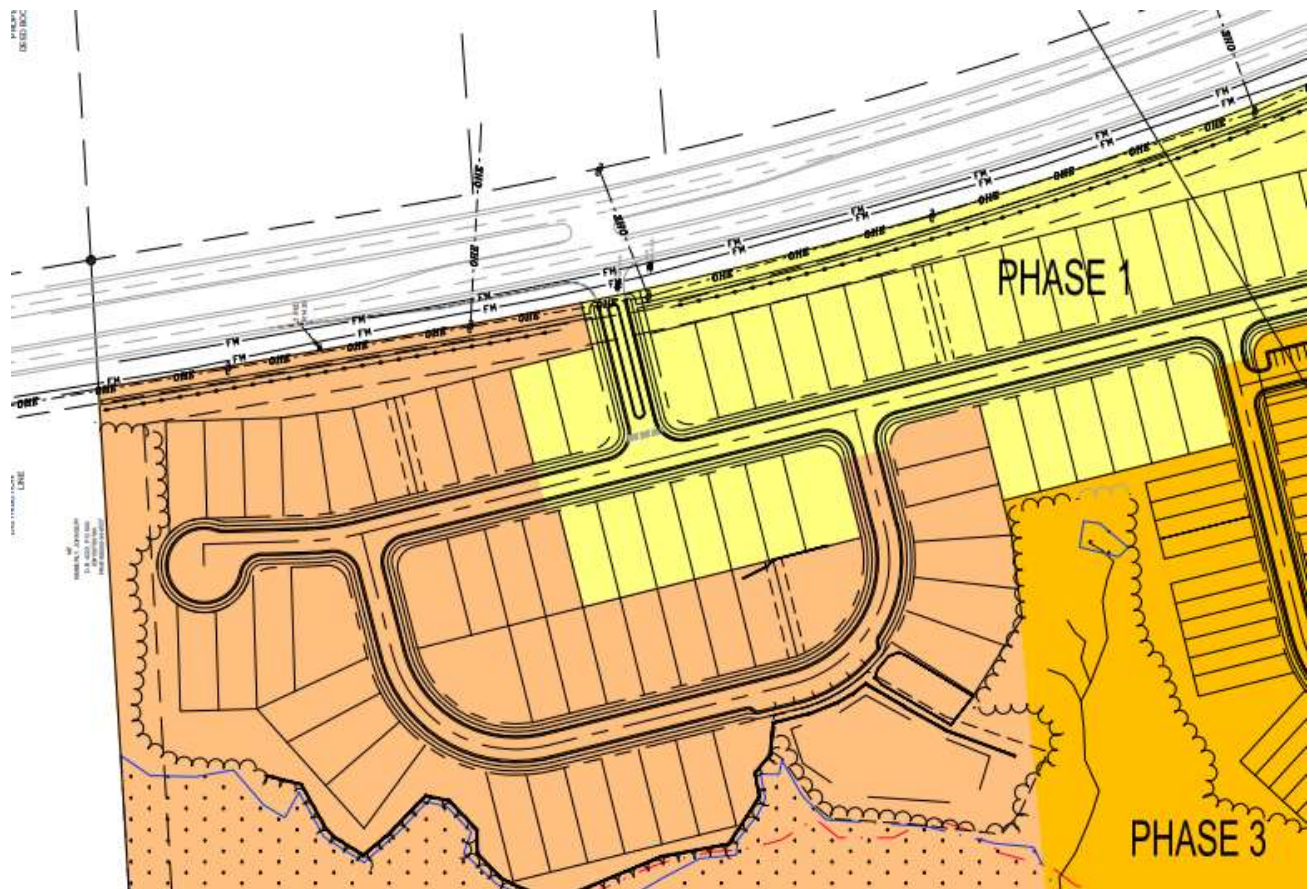
Phase 3 (end of 2025)

Area:	54.683 acres
Public R/W:	1,568 lineal feet
Townhomes:	85 lots
Apartments:	120 units

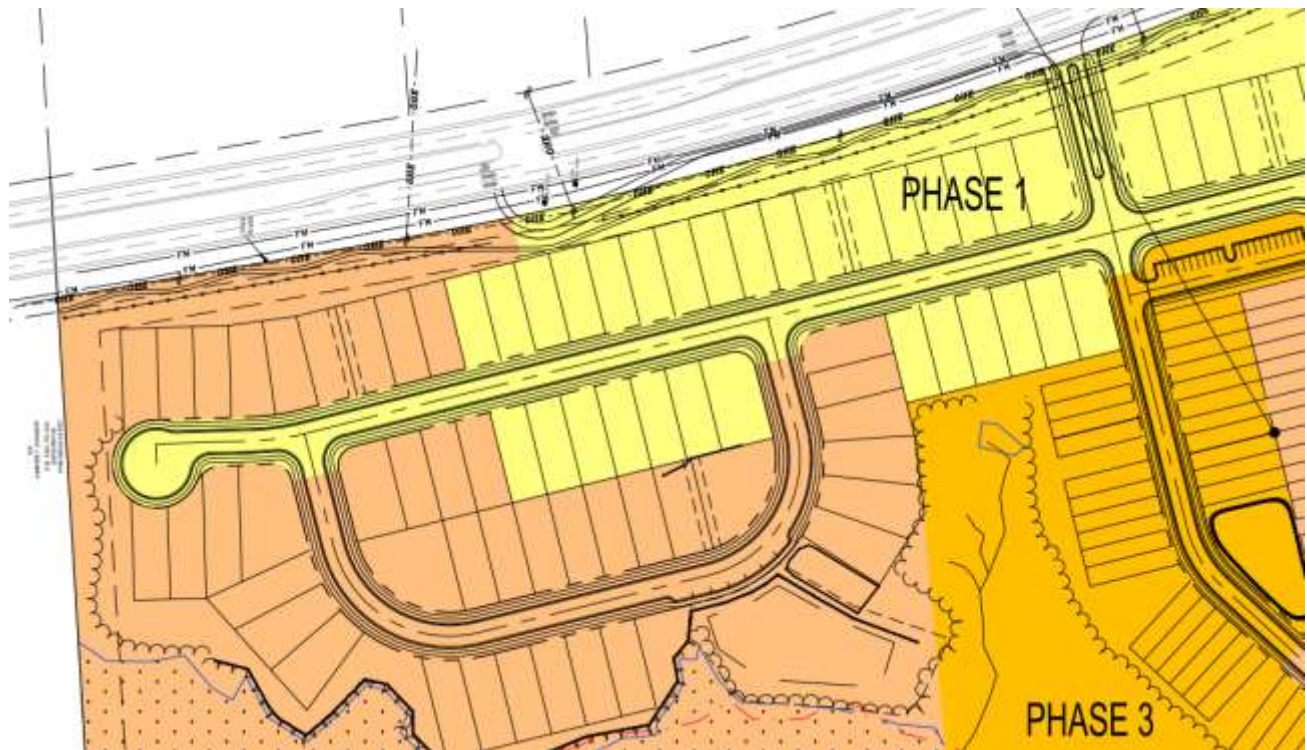
PRELIMINARY PLAT/ANALYSIS:

The property was rezoned to R-8 CZ with a master plan for the Floyds Landing development on 09/07/21. The preliminary plat is consistent with the approved master plan (See CZ-21-03 Staff Report and Attachments) with one significant change:

- Since approval of the masterplan with the rezoning to R-8 CZ, NCDOT has finalized its design for US 70 Hwy Business as it pertains to Floyd Landing and Amazon. There will be a semi-truck turnaround constructed in the location of the planned northern entrance of the Floyd Landing development. As a result, the northern Floyd Landing entrance has shifted to the south in a location where there is no break in the highway median. This entrance is now a right-in/right-out. Furthermore, the move of the entrance has resulted in a long cul-de-sac with 71 single family homes.
- The berm and buffering behind Lots 13-16 in phase 1 will be reduced in size accordingly. The applicant plans to increase the plantings in this area.



Northern Entrance R8-CZ Master Plan



Northern Entrance with Truck Turn-around -Preliminary Plat

FINDING OF FACT (STAFF OPINION):

To approve a preliminary plat, the Town Council shall make the following finding (staff's opinion in Bold/Italic):

1. The plat is consistent with the adopted plans and policies of the town; ***The plat is consistent with the adopted plans and policies of the town.***
2. The plat complies with all applicable requirements of this ordinance; ***The plan complies with all applicable requirements of this ordinance and the R-8 Conditional Zoning Master Plan***
3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. ***There is adequate infrastructure for the phased development.***
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. ***The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.***

RECOMMENDATION:

Planning Staff recommend approval of S-22-02 with the following conditions:

1. That the development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the following deviations:

Item	R-8 CZ
SF Min. lot size	5,175 sq. ft. (.12 ac.)
SF Min. lot width	45 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Building Separation	30' building separation
Townhouse Streets	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	31' wide back-to-back
Sidewalks	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	Storage garage units will be available for rent.

2. That trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
3. Decorative street lighting and decorative street signs be provided by the development throughout the site.
4. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
5. Provide a complete landscape and buffering plan.
6. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be planted adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
7. Public right-of-way serving the townhouse portion of the development be posted a no parking zone.
8. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail.
9. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
10. The required landscaping berms and fencing shall be installed with each phase of the development.
11. That the commercial area open space be deed restricted such that no commercial development can occur in the open space.
12. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
13. That additional opaque tree and shrub plantings be provided behind the truck turn-around with phase 1.

14. That all utility fees including system development fees be paid.
15. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat and the HOA
 - a. be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space
 - b. enforce no parking in the subdivision streets
 - c. enforce the provision requiring trash and recycling roll-offs to be stored in garages or rear yards.

RECOMMENDED MOTION:

"move to approve Floyds Landing Preliminary Plat, S-22-02, with 15-conditions based on the finding of fact for preliminary subdivision."

**Town of Smithfield
Preliminary Plat
Finding of Fact / Approval Criteria**

Application Number: S-22-02 **Project Name:** Floyds Landing Subdivision

Request: The applicant seeks a preliminary plat of Franklin Townes, a 134-lot townhouse subdivision located within the R-8 CZ zoning district. The property considered for rezoning is located at the Southeast intersection of M. Durwood Stephenson Parkway and Wilson’s Mills Road. The property is further identified as Johnston County Tax ID# 15083049E.

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

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

1. The plan is consistent with the adopted plans and policies of the town;
2. The plan complies with all applicable requirements of this ordinance;
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
4. The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses

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

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant’s representative, I move to approve Preliminary Plat Application # S-22-02 with the following conditions:*

1. That the development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the following deviations:

Item	R-8 CZ
SF Min. lot size	5,175 sq. ft. (.12 ac.)
SF Min. lot width	45 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Building Separation	30’ building separation

Townhouse Streets	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	31' wide back-to-back
Sidewalks	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	Storage garage units will be available for rent.

2. That trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
3. Decorative street lighting and decorative street signs be provided by the development throughout the site.
4. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
5. Provide a complete landscape and buffering plan.
6. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be planted adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
7. Public right-of-way serving the townhouse portion of the development be posted a no parking zone.
8. That the parking lot entrances be constructed in accordance with the town's standard driveway apron detail.
9. That the Town of Smithfield Stormwater Operations and Management agreement with a maintenance plan be submitted and recorded prior to final plat recording.
10. The required landscaping berms and fencing shall be installed with each phase of the development.
11. That the commercial area open space be deed restricted such that no commercial development can occur in the open space.
12. That park dedication fees in lieu be paid prior to recording the final plat in accordance with the UDO Section 10.114.8.
13. That additional opaque tree and shrub plantings be provided behind the truck turn-around with phase 1.
14. That all utility fees including system development fees be paid.
15. That the HOA declarations and covenants be submitted for Town Attorney review prior to final plat and the HOA
 - a. be responsible for the ownership and maintenance of all common amenities including front, side yard and open space landscaping, the stormwater SCM, parking lots, recreational amenities, and open space

- b. enforce no parking in the subdivision streets
- c. enforce the provision requiring trash and recycling roll-offs to be stored in garages or rear yards.

_____ **denied for the noted reasons.**

Decision made this 3rd day of May 2022 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



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

**Preliminary Subdivision Application
 General Information**

Development Name **Floyd Landing**

Proposed Use **Residential Single-family and multi-family (townhouse)**

Property Address(es) **2227 US Hwy. 70 Business**

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

PIN# 168500-40-6654, 168519-50-2545, 168500-73-3381, 168500-22-7443	TAX ID# 15077035H, 15077035C, 15078012, 15079014
--	---

Project type? Single Family Townhouse Multi-Family Non-Residential Planned Unit Development (PUD)

Creating a Non-Residential lot and an apartment multi-family lot as part of overall subdivision.

OWNER/DEVELOPER INFORMATION

Company Name Triangle Land Partners, LLC	Owner/Developer Name Andrew Ross
Address PO BOX 5548, Cary, NC 27512	
Phone 91970362063	Email Andrew.Ross@FloydDevelopment.com Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name CE Group, Inc.	Contact Name Joe Faulkner, RLA
Address 301 Glenwood Avenue Suite 220 Raleigh, NC 27603	
Phone 919-606-7703	Email Joe@CEGroupInc.com Fax

DEVELOPMENT TYPE AND SITE DATE TABLE (Applicable to all developments)

ZONING INFORMATION

Zoning District(s) **R-8 Conditional, B-3**

If more than one district, provide the acreage of each: **R-8 163.081 acres B-3 12.177 acres**

Overlay District? Yes No

Inside City Limits? Yes No

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

Project Narrative

As part of a complete application, a written project narrative that provides detailed information regarding your proposal must be included. On a separate sheet of paper, please address each of the lettered items listed below (answers must be submitted in both hard copy and electronic copy using the Adobe .PDF or MS Word .DOCX file formats):

- a) A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;
- b) A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);
- c) A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;
- d) A narrative explaining the intent of the project and/or your original or revised vision for the finished product;
- e) A statement showing the proposed density of the project with the method of calculating said density shown;
- f) Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision;
- g) A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);
- h) A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;
- i) Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;
- j) A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;
- k) A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

STORMWATER INFORMATION

Existing Impervious Surface <u>3,010 sf / 9069</u> acres/sf	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Impervious Surface <u>28,116 / 1,224,720</u> acres/sf	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed protection Area Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetlands <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation <u>1684 & 1685 - BFE 125.0</u>	

NUMBER OF LOTS AND DENSITY

Total # of Single Family Lots <u>89</u>	Overall Unit(s)/Acre Densities Per Zoning Districts
Total # of Townhouse Lots <u>220</u>	Acreage in active open space <u>55.943 AC</u>
Total # of All Lots <u>312</u>	Acreage in passive open space <u>66.213 AC</u>

SIGNATURE BLOCK (Applicable to all developments)

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

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

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

Signature  Date 2/18/2022

Signature _____ Date _____

REVIEW FEES

<input checked="" type="checkbox"/> Major Subdivision (Submit 7 paper copies & 1 Digital copy on CD) \$500.00 + \$5.00 a lot

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

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

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

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

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

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

FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

REQUIRED FINDING OF FACT

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

- 1) The plan is consistent with the adopted plans and policies of the town;

SEE ATTACHED

- 2) The plan complies with all applicable requirements of this ordinance;

- 3) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and

- 4) The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Floyd Landing
Residential Community
Smithfield, NC

Developer: Carolina Land Group LLC

February 2022



CE GROUP

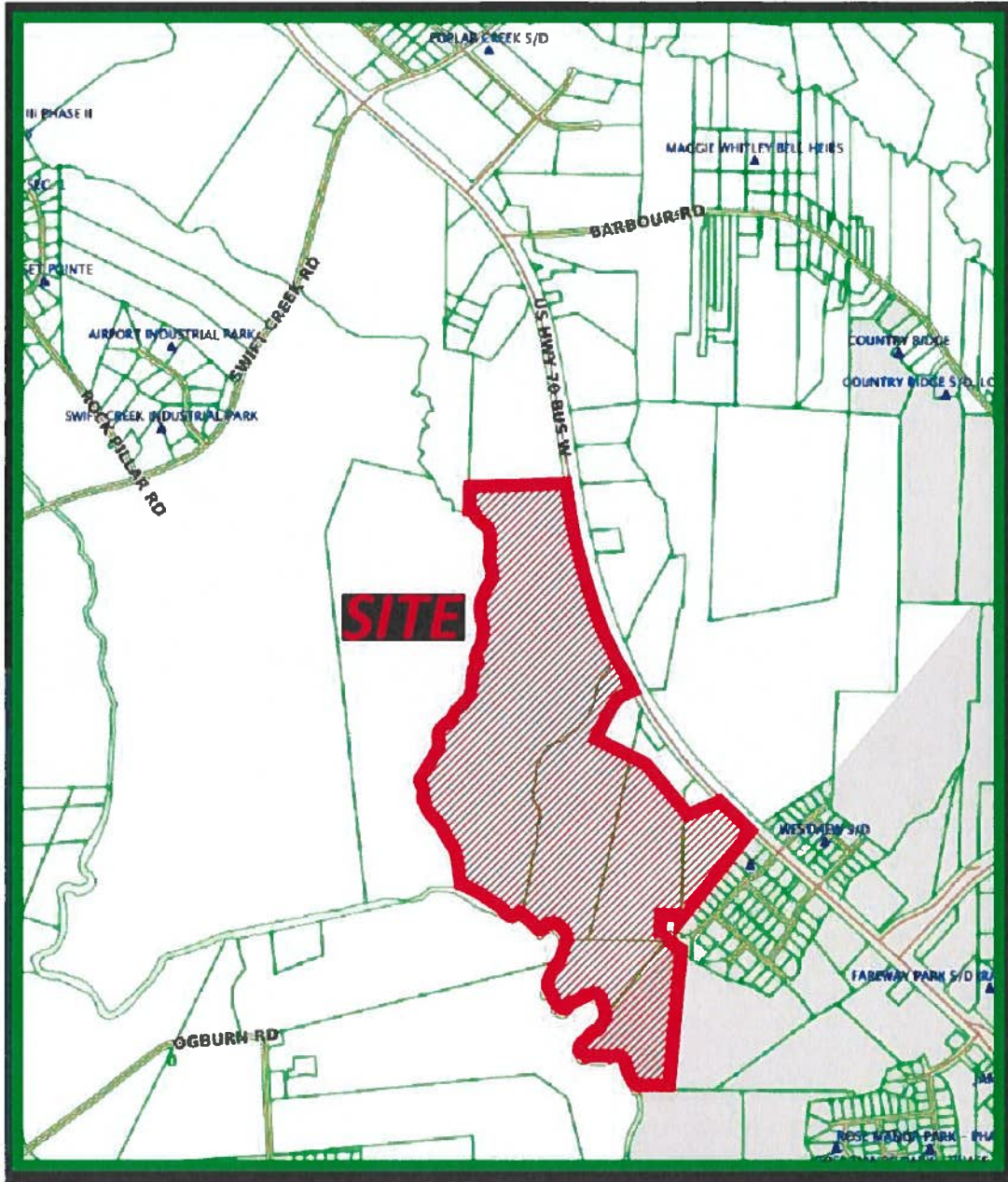
301 GLENWOOD AVENUE, SUITE 220, RALEIGH, NC 27603
Phone: (919) 367-8790 **License # C-1739**

PROVIDING CIVIL / SITE & INFRASTRUCTURE CONSULTING SERVICES SINCE 1998

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SECTION 2: VICINITY MAP



SECTION 3: GENERAL INFORMATION

Project Name: Floyd Landing

Developer: Triangle Land Partners, LLC
Attn: Andrew Ross
341 Kilmayne Drive, Suite 201
Cary, NC 27512

Prepared By: CE Group, Inc
301 Glenwood Avenue, Suite 220
Raleigh, NC 27603

Designated Point of Contact: Joe Faulkner (CE Group, Inc.)

PIN: 168500-41-0730, 168500-40-6654,
168519-50-2545, 168500-73-3381,
168407-58-1487

Deed Descriptions: See provided Survey

Property Acreage: 199.8 Ac. (8,403,288 SF)

Current Zoning: R-6-CZ & B-3 (Smithfield)

Proposed Lots: 311 Lots
SF Detached: 89 Lots
SF Townhomes: 220 Lots
Apartment Lot: 1 Lot
Commercial Lot: 1 Lot

Proposed Open Space: 122.156 Ac (5,321,115 SF)
Managed: 55.943 Ac (2,436,877 SF)
Natural: 66.213 Ac (2,884,238 SF)

ROW Acreage: 13.78 Ac (600,256 SF)

SECTION 4: PURPOSE STATEMENT

Floyd Landing is a proposed residential development under the Town of Smithfield UDO Ordinance. The project is located off US 70 US Business with direct access. There are three phases that encompass the single-family and townhomes portion of the project, providing a total unit count of 309 lots. Two additional lots are created as a result of the development proposal that will be reserved for future apartments and commercial development (per the current zoning).

This development application is a result of the Town's approval of a conditional rezoning package number CZ-21-03.

SECTION 5: DENSITY

The proposed density for the development is as follows:

Proposed Density (SF and TH): 1.92 DU/ Ac. (309 Lots/ 160.3 Ac.)

SECTION 6: INFRASTRUCTURE & PHASING

This application is broken into 3 phases as follows:

- Phase 1: Includes construction of main access roads into project from Hwy 70 Bus., lift station with forcemain to existing manhole in Hwy 70 Bus. right-of-way, 47 townhomes, 48 single-family lots and accompanying water, sewer and stormwater infrastructure
- Phase 2: Includes construction of northern loop road and access roads to townhomes, 88 townhomes, 41 single-family lots, and accompanying water, sewer and stormwater infrastructure
- Phase 3: Includes construction of remaining access roads to southern-most townhomes, 85 townhomes, and accompanying water, sewer and stormwater infrastructure

SECTION 7: NEIGHBOR CONCERNS

No neighborhood concerns were brought to the attention of the development group during the conditional rezoning process. However, voluntary buffers are provided along the existing single-family properties to the southeast and along the Hwy 70 Bus. frontage in order to present a consistent look and to be respectful of neighboring property owners.

SECTION 8: CONFLICTS

The Future Land Use Plan identifies this location as Low Density and Medium Density Residential. The project as proposed complies with the objectives of the Land Use Plan by proposing residential development.

Minimal impacts have been made to existing wetland features on site and preserves the western portion of property as natural open space not to be disturbed.

SECTION 9: IMPACTS

Traffic impacts have been studied with a formal TIA and all improvements will follow the guidance and approval as determined by NCDOT. The Town of Smithfield has already identified this area for both water and sewer service. Both Water and Sewer infrastructure are nearby. Tax base created by this development when completed should provide support for existing services that the Town already employs, such as fire, police, schools and community recreation. A Draft TIA is attached.

SECTION 10: PARKS & OPEN SPACE

The project will have several internal private parks. Playground structures are planned along with passive lawns for informal play.

The project will require the formation of a Property Owners Association which will handle the maintenance and ownership of common areas, buffers, recreation facilities, and stormwater quality features.

SECTION 11: DEVELOPMENT SCHEDULE

Infrastructure construction is anticipated to begin in late 2022. The first phase of home construction is intended to start Summer of 2023, with phase 2 starting 2024, and phase 3 starting 2025. All phasing is subject to change based on market conditions and public utility availability.



Request for Town Council Action

**Business
Item:** CZ-21-03
Date: 09/07/2021

Subject: Conditional Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Business Item

Issue Statement

CE Group Inc. is requesting a conditional rezoning request of 5 properties, 199.8-acres, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 89 detached single-family homes, 220 attached single-family townhomes, and 360 apartment units (669 total number of dwelling units). *This is a change from the August meeting when 118 detached single-family homes, 220 Townhomes and 360 apartment units (698 total number of dwelling units) were proposed. There are now 29 fewer detached single-family homes.*

Financial Impact

The subdivision will add to the town's tax base.

Action Needed

The Town Council is respectfully requested to review the conditional rezoning of properties from R-20A and B-3 to R-8 CZ and to decide whether to approve, approve with conditions, or deny the request.

Recommendation

Planning Staff recommends approval of CZ-21-03 with conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as to be amended and that the request is reasonable and in the public interest

Approved: Town Manager Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application
4. Master Plan - Separate Attachment
5. Traffic Impact Assessment – Separate Attachment
6. Adjacent Property Owners Lsiting
7. Zoning Map



Staff Report

Business Item: CZ-21-03

REQUEST:

CE Group Inc. is requesting a conditional rezoning request of 5 properties, 199.8-acres, from R-20A and B-3 to R-8 CZ with a master plan for a subdivision consisting of 89 detached single-family homes, 220 attached single-family townhomes, and 360 apartment units (669 total number of dwelling units). *This is a change from the August meeting when 118 detached single-family homes, 220 Townhomes and 360 apartment units (698 total number of dwelling units) were proposed. There are now 29 fewer detached single-family homes.*

PROPERTY LOCATION:

The property is located just north of the Smithfield Corporate Limits on the south side of US Highway 70 Bus W.

SITE DATA:

Subdivision Name:	Floyds Landing (to be renamed Wade Park)
Tax ID#	15078012,15077035C, 15077035H,15079014 and 15078012B
Acreage:	199.8 acres
Present Zoning:	B-3 and R-20A
Proposed Zoning:	R-8 CZ
Existing Use:	Agriculture/Residential
Proposed Use:	Detached single-family, Attached single-family (townhouses) and multi-family.
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Duke

ADJACENT ZONING AND LAND USES:

(See attached map)

	Zoning	Existing Land Uses
North	R-20A/B-3	Detached single-family residential and Agriculture
South	R-10	Detached single-family residential
East	B-3/Light Industrial	Detached single-family/ Commercial/Industrial
West	R-20A	Vacant

EXISTING CONDITIONS/ENVIRONMENTAL:

The site is within the Neuse River Basin and drains into the Reedy Branch and Swift Creek. The site generally slopes away from US Hwy 70 Business W. From north to south, the site is broken up into 3 developable areas by blue line streams. More than half the site is within the 100-year floodplain. The land is currently used for residential and agriculture purposes. An existing commercial billboard and the Town’s Wayfinding Gateway sign are located on the property identified as Tract 1. The site is a mix of open agricultural fields and wooded areas with several single-family homes. The existing homes will be removed from the site. The commercial/residential property owned by Zane and Betty Williams is not included in the rezoning and is not part of the development property.

CURRENT ZONING:

The site is currently zoned R-20A except for a 500’ strip along US Hwy 70 Bus W that is zoned B-3. The strip of B-3 was incorporated into the Town’s zoning when the ETJ was created. All the major corridors have remnant strips of commercial along them. With the rezoning, the applicant is excluding a portion of the B-3 from rezoning to create a small commercial development.

ANNEXATION:

The applicant will petition for voluntarily annexation of the development into the Town of Smithfield prior to final plat approval.

MASTER PLAN/ANALYSIS:

The applicant is proposing a master plan with a mix of detached single-family residential, townhomes and apartments.

Comprehensive Land Use Plan and Density. The Town’s land use plan guides the site for low density (north) and medium density residential (south) and conservation (west) where there is floodplain. The overall development will have an average density of 3.35 dwelling units per acre (previously proposed at 3.5 D.U.A.).

- The property identified as Tract 4 is guided for low density residential (corresponds with R-10 zoning) and allows a density of up to 4.36 units per acre

(97.79 acres x 4.35 = 425 single family units). The developer is proposing 89 detached single-family and 166 townhomes (309 total units). About 44% of Tract 4 is within the floodplain and undevelopable. The proposed development is consistent with the low-density guidance of the comprehensive plan.

- The remainder of the development site is guided for medium density residential with a maximum allowed density of 9.68 units per acre, or 4500 sq. ft. per unit. About 50% of the remaining medium density area is within the floodplain and undevelopable.

The proposed land uses and densities match the Town's comprehensive plan and are consistent with R-8 zoning. The developer has excluded portions of the affected tracts of land from the rezoning and has chosen to retain the B-3 zoning that exists for future commercial uses along the main entrance to the development. Although the B-3 zoning is inconsistent with the Town's land use plan, the requested rezoning is consistent with the Town's land use plan.

Highway Access. The proposed development will access the highway in 3 locations where there are existing breaks in the median. The Amazon is under development across US Hwy 70 Bus West and will also access the highway at the two southernmost median breaks. The Traffic Impact Analysis (TIA) prepared by Ramey Kemp has been submitted with this report with recommendations.

Streets. At the August meeting, the developer proposed a subdivision in which all the public rights-of-way were 60 feet wide. The right-of-way width in the townhouse area has been reduced to 50 feet wide to accommodate an increased setback from 20 feet to 30 feet, an increased lot depth from 100 feet to 110 feet. The street width in the townhouse area remains 27 feet back of curb to back of curb with a five-foot sidewalk, but the grass utility strip behind the curb is reduced from 5 feet to 3 feet. The distance between the public sidewalk and the garage is 33.5 feet. The average length of a passenger vehicle is 15-16 feet, so in many instances, it will be possible to stack two cars in the driveway without impacting the sidewalk.

The entrance roads off of US Highway 70 Business have been modified to accommodate landscaped center islands in 70' wide public rights-of-ways with a 35' wide street, back-to-back of curb.

The primary north-south street behind the commercially zoned area and the apartments will be a 35' wide street, back-to-back in a 60-foot-wide public right-of-way.

The streets fronted by detached single-family residential and the primary north-south extending to the commercial zoning will be consists a 31' wide paved road back-to-back of curb with sidewalks 5' off the back of curb.

Note: The Town's Standard Street Detail calls out a 34' wide road back-to-back of curb within a 60' right-of-way, a 5' sidewalk with a 5' utility strip off the back of curb on one side of the street.

The street curbing is shown as B6-12 type matching the Town's Standard Detail.

Within the single-family area, there are now 7 pull-off on-street parallel parking spaces provided within the public right-of-way.

Open space. Approximately 151.4 acres or 75% of the site will remain undeveloped open space. This area will be comprised of streams, wetlands, ponds, flood plain and buffers.

Riparian Buffers. The master plan shows 50’ riparian buffers as required along blue line streams.

Proposed Dimensional Standards and Estimated Sale/Rent Price.

Setbacks

Setback Type	Proposed R-8 CZ	Existing R-8	Amount of Deviation
Detached Single-Family			
Front	20 feet	30 feet	10 feet
Side	5 feet	10 feet	5 feet
Rear	20 feet	25 feet	5 feet
Attached Townhome			
Front	30 feet	30 feet	N/A
Side	0 feet	0 feet with SUP	N/A
Rear	20 feet	25 feet	5 feet

Lot Size/Dimensions/Price/Parking.

Detached Single-family:

- Proposed minimum lot size is 5,175 sq. feet, an increase from 4,829 sq. ft. (Note: R-10 (low density residential) requires 10,000 sq. ft. R-8 (medium residential) requires 8,000 sq. ft.).
- The typical lot dimensions have increased from 42’ wide to 45’ wide x 115’ (R-10 min lot width is 75’/ R-8 min lot width is 60’)
- Homes will be 3 bedroom and will range in size from 1,600-2,100 sq. ft.
- Homes will have 2-car garages.
- Single-family Home estimated sales price is the mid \$200,000s.
- Parking Summary: 2 cars within garages and 2 in driveways.

Townhomes:

- The developer is proposing 42 townhouses consisting of 5 - 6 units each (249 total units)
- The typical townhouse lot has increased in depth from 100’ to 110’.
- The townhouse lot width has increased from 20’ wide to 22’ wide with 24’ wide end units. End units will have double car garages.
- 1-car garage units will be:
 - 1400-1600 sq. ft.
 - 2-3 Bedroom/2 Bath

- Priced between \$180,000-low \$200,000s.
- 2-car garage units will be:
 - 1600-1750 sq. ft.
 - 3 Bedroom/2 bath
 - Priced between \$200,000-\$220,000
- Parking Summary:
 - 162 1-car garages
 - 87 2-car garages
 - 134 overflow parking spaces in parking lots
- Distance between townhouse buildings is 30 feet

Apartments:

- The property lines for the apartments are not yet defined.
- The apartments will be 1-3 bedrooms ranging from 800 sq. ft. to 1,500 sq. ft. in size:
 - 144 -1BD/1BA – 800sf-1,000sf
 - 180-2BD/2BA – 1,050sf-1,250sf
 - 36- 3BD/2BA – 1,300sf-1,500sf
- There will be 42 garage units for rent in the apartment area
- Apartment rental price will be:
 - 1BD/1BA - \$850-\$1,050 per month
 - 2BD/2BA - \$1,100-\$1,300 per month
 - 3BD/2BA –\$1,400-\$1,600 per monthly
- The proposed apartments will have a building height of 50 feet (35’ max per R-8 standards).

Building Height and Space Between Townhomes. The proposed maximum townhouse height is 35’ and proposed minimum distance between townhomes will be 30’. This represents a potential deviation from UDO Standards.

8.13.1.2. Building Separation. More than one building may be located on the site provided that building separation shall be determined as follows:

Height of Taller Building	Minimum Horizontal Distance Between Vertical Projections
20 feet or less	16 feet
Between 20.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

Architectural Standards. The developer is proposing the following architectural standards:

Single Family:

- End units facing a public ROW must include a minimum of two (2) windows.
- Façade Treatment: May include a mix of siding types including lap siding, board & batten, shake, stone or brick. Each unit shall include a minimum of two (2) of these elements.

- Landscaping: Each unit shall include a minimum of one (1) decorative tree, one (1) street tree, and six (6) shrubs.
- Each home shall have a minimum of a two-car garage.
- Garage Doors: shall contain decorative details or carriage style adornments.

Townhomes:

- End units facing a public ROW must include a minimum of two (2) windows.
- End units facing a public ROW must include screening landscaping the side yard.
- Façade Treatment: May include a mix of siding types including lap siding, board & batten, shake, stone or brick.
- Each unit shall include a minimum of two (2) of these elements.
- Landscaping: Each unit shall include a minimum of one (1) decorative tree and four (4) shrubs.
- A minimum of 50% of the units shall two-car garage.
- Garage Doors: shall contain decorative details or carriage style adornment.

Parking. The proposed development meets or exceeds 2.5 parking spaces/dwelling unit.

Detached Single-Family.

- Two parking spaces in attached garages and two within driveway
- Seven pull-off parallel parking stalls are provided for overflow.
- The public street is 31' wide paved road back-to-back of curb which will allow for on-street parallel parking between residential driveways.

Townhomes.

- Two parking spaces are proposed for each end unit within garages and 2-4 within driveways
- One parking space is proposed for each interior unit within a garage with 1-2 within the driveway
- 134 overflow/guest parking spaces provided in parking lots
- Townhouse roads are 27' wide back-to-back and not well suited for on-street parking.

Apartments.

- There is adequate parking in parking lots for the 360 apartments
- There are also 42 garage units that will be available for rent.

Note: The Planning Board recommended no parking on the Townhouse streets.

Public Sidewalks. 5' wide public sidewalk will be constructed in the public right-of-way along both sides of all subdivision streets.

Public Trail. An 8' asphalt multi-purpose trail is proposed along the US Hwy 70 Business W. (5' sidewalk is required by UDO). Note: This is consistent with the draft Pedestrian Plan currently being crafted by the Town's consultant.

Recreational Amenities. The projects will have several private parks with playground structures and passive lawn areas for informal use. The apartments will have a separate recreation building/pool house and swimming pool.

Landscaping and Bufferyards. Adjacent to US Hwy 70 Business W a 50' buffer with berm, 6' fence and landscaping is proposed. Adjacent to the norther boundary of the site a 50' landscaped buffer is proposed. Adjacent to the southern boundary of the site a 100' landscaped buffer is proposed. Within the public right-of-way, street trees are proposed. The Townhouse and Apartment developments will be required to meet the landscape requirements of the Unified Development Ordinance (UDO). In addition:

- The single family lots will have a minimum of 1 ornamental tree, 1 street tree and 6 shrubs.
- The Townhome lots will have a minimum of 1 ornamental tree and 4 shrubs.

Note: The Planning Board recommended a 100-foot buffer along the north side of the development to protect the development from future industrial development.

Dumpster/Trash facilities. No dumpster or trash/recycling facilities are shown but will be required with the apartment development. A condition is recommended that the townhouses be required to store trash/recycling rollouts within the garage or within the rear yards.

Stormwater Management. The development will comply with the Town's stormwater management ordinance utilizing a combination of water quality ponds, bioretention areas and other approved measures to treat and control stormwater runoff. As much as possible, the stormwater measures will be within the open apace areas and positioned and landscaped to be an amenity for the project.

Signs. A master sign plan will be submitted with the future preliminary plat.

Town Wayfinding Monument Sign. The existing monument sign located at the south end of Tract 1 is within the proposed 100' landscape buffer. There is no plan to move it with the development. With annexation the town's corporate limits will move further north. The developer is willing to allow the sign to be moved by the Town.

HOA. An HOA will provide common ownership and maintenance of the shared open space, stormwater SCMs and amenities. There will likely be a master HOA and individual HOAs for the homes, townhomes and apartments.

Conditional Rezoning. The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant is seeking the following deviations from the following UDO Requirements:

- Requested Deviations from UDO Requirements

Item	R-8/UDO	R-8 CZ
SF Min. lot	10,000 sq. ft. (.23	5,175 sq. ft. (.12 ac.)

size	ac.)	
SF Min. lot width	70 feet	45 feet
SF Min. front setback	30 feet	20 feet
SF Min. Side Setback	10 feet	5 feet
SF Min Rear Setback	25 feet	20 feet
TH Min Rear Setback	25 feet	20 feet
Max. Bldg. Height	35 feet	50 feet (3 story apartments)
Building Separation	40' for 35' tall building	30' building separation
Townhouse Streets	34' wide back-to-back with 5' utility strip in 60' R/W	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	34' wide back-to-back with 5' utility strip in 60' R/W	31' wide back-to-back
Sidewalks	Sidewalk along US Hwy 70 Bus.	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	24 SF enclosed storage space per unit.	Storage garage units will be available for rent.

- Proposed Improvements Exceeding UDO requirements:
 - 5' sidewalks on both sides of public streets.
 - 50-foot landscape buffer along north side
 - 50-foot bermed landscape buffer along east side
 - 100-foot landscaped buffer along south side
 - 8' multi-use trail along US Hwy 70 W vs. 5' sidewalk
 - Undisturbed open space within floodplain and common owned areas.
 - Enhanced entrance drives with center landscaped islands
 - Architectural standards
 - Apartment amenities including a maintenance and carwash area.
 - Numerous mini-parks owned by the HOA.

PLANNING BOARD ANALYSIS AND RECOMMENDATIONS (review of August submittal):

A consensus of the Planning Board is concerned with the distances between driveways in the townhouse area will not accommodate on-street parking and that off street parking is not conveniently located. Therefore, the Town of Smithfield Planning Board recommends the Smithfield Town Council declare that all public rights-of-way within the townhouse portion of the project be deemed a "no parking zone".

The Planning Board brought forth to the developer, multiple design elements that could be added to the project to increase livability and quality of life for its residents. The developer was in agreement with all proposed recommendations but requested that trees to be located within the townhouse portion of the development be understory trees due to space constraints.

SUMMARY OF MASTER PLAN CHANGES (from August to September Town Council meetings):

- Overall development density changed from 3.5 to 3.35 dwelling units per acre.
- The number of detached single-family units was reduced from 118 to 89.
- The buffer along US Highway 70 Business West includes landscaping with berm and a fence.
- Architectural details have been described.

Townhomes:

- Front setbacks have increased from 20' to 30' to create a distance of 33.5' from the sidewalk to the garage for parking to accommodate more parking.
- Townhouse road right-of-way has decreased in width from 60' to 50'.
- The street utility strip was reduced from 5' to 3' and sidewalk is 2.5' from edge of right-of-way.
- Townhouse lot depths increased from 100' to 110'.
- Townhouse end units increased from 20' wide to 24' wide to accommodate 2-car garages.
- Interior townhouse units increased from 20' wide to 22' wide.
- Each interior unit can accommodate 3 parking spaces with a 1-car garage.
- Each end unit can accommodate 4 parking spaces with a 2-car garage.
- Townhouse 2-car garage units will be priced from \$200,000-220,000.

Single-family:

- Lot widths increased from 42-45 feet wide.
- Minimum lot size increased from 4,830 to 5,175 sq. ft.
- Street widths increased to 31 feet back-to-back from 27' back-to-back to allow on street parking.
- Added 7 pullout parallel parking stalls for overflow parking.

Apartments:

- Provided additional details on Pool House/Pool
- Maintenance/car wash area

CONSISTENCY STATEMENT (Staff 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 comprehensive plan supports flexibility in zoning regulations.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO conditional zoning provisions.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses.*

RECOMMENDATIONS:

Planning Staff and the Planning Board recommend approval of CZ-21-03 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the following deviations:

Item	R-8 CZ
SF Min. lot size	5,175 sq. ft. (.12 ac.)
SF Min. lot width	45 feet
SF Min. front setback	20 feet
SF Min. Side Setback	5 feet
SF Min Rear Setback	20 feet
TH Min Rear Setback	10 feet
Max. Bldg. Height	50 feet (3 story apartments)
Building Separation	30' building separation
Townhouse Streets	27' wide back-to-back with 3' utility strips in 50' R/W
Single Family Streets	31' wide back-to-back
Sidewalks	8' trail along US Hwy 70 Bus.
Multi-family storage Spaces	Storage garage units will be available for rent.

2. That the public street at the south end of the subdivision terminate with 96' diameter cul-de-sac bulbs to meet Fire Code.
3. That trash and recycling roll off containers in the townhouse areas be stored within the garages or in the rear yards.
4. Decorative street lighting and decorative street signs be provided by the development throughout the site.
5. Provide subdivision signs made from robust material with landscaping equal to the area of the sign at all entrances into the development.
6. Provide a complete landscape and buffering plan.

7. All land held in common ownership that is adjacent to a public right-of-way shall be planted with a minimum of 2 shade trees per 100 feet linear feet of road frontage. These trees shall be planted adjacent to and outside of the public right-of-way and shall be maintained by the HOA.
8. That the preliminary plat and construction plans be constructed in accordance with the approved master plan.
9. Landscape buffers on the north and south ends of the development shall be 100 foot wide with planted berms.
10. Public right-of-way serving the townhouse portion of the development be posted a no parking zone.

RECOMMENDED MOTION:

"move to recommend approval of zoning map amendment, CZ-21-03, with 10 conditions of approval finding that the zoning amendment is consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans and the zoning amendment is reasonable and in the public interest."

Adjacent Property Owners of
S-22-02

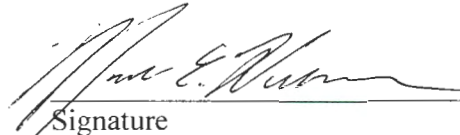
TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
15078012B	168407-58-1487	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078011G	168519-61-6073	Hall	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078012	168500-73-3381	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078012A	168519-52-2147	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15078011	168500-63-4559	ASP SMITHFIELD LLC	309 GALLIMORE DAIRY RD STE 102	GREENSBORO	NC	27409-9316
15077035C	168519-50-2545	GOURLEY, JOYCE MARTIN	309 HARDWOOD RIDGE	CLAYTON	NC	27520-0000
15078020A	168500-43-8117	JOHNSON, KIMBERLY G	516 S FOURTH ST	SMITHFIELD	NC	27577-0000
15077035	168519-51-2249	WILLIAMS, ZANE G	PO BOX 2590	SMITHFIELD	NC	27577-0000
15109029	168400-29-8230	BEACH, ROBERT H JR	620 OGBURN ROAD	SMITHFIELD	NC	27577-0000
15094008	168519-60-1015	OSORIO, PABLO JIMENEZ	102 S ROGERS DRIVE	SMITHFIELD	NC	27577-0000
15094026	168407-59-8772	HAMILTON, JEFFERY K	204 S ROGERS DRIVE	SMITHFIELD	NC	27577-0000
15109027	168400-38-3482	ESTATE	556 OGBURN RD	SMITHFIELD	NC	27577-0000
15077035H	168500-40-6654	FAY T BARNES REVOCABLE TRUST	PO BOX 1332	SMITHFIELD	NC	27577-1332
15094061	168407-59-4432	SMITH, RALPH L	PO BOX 1463	SMITHFIELD	NC	27577-1453
15094017	168407-69-0962	BAREFOOT, ROBERT JUNIUS	104 S ROGERS DR	SMITHFIELD	NC	27577-3047
15094018	168407-59-9897	POWELL, DONNIE R	200 S RODGERS DRIVE	SMITHFIELD	NC	27577-3049
15094027	168407-59-8636	HARDEE, RONALD ALLEN	206 S ROGERS DR	SMITHFIELD	NC	27577-3049
15094025	168407-59-9830	SCOTT, HERBERT A	202 S ROGERS DRIVE	SMITHFIELD	NC	27577-3049
15094062	168407-59-4330	GREEN, PATRICIA GENTRY	308 S. ROGERS DR	SMITHFIELD	NC	27577-3050
15094037	168407-59-7660	KEMP, JOYCE A	300 S ROGERS DR	SMITHFIELD	NC	27577-3050
15093001	168519-60-4401	HOWERTON, JOSEPH D.	1946 W MARKET ST	SMITHFIELD	NC	27577-3065
15093002	168519-60-4387	KING, DIANA ELIZABETH PARKER	1930 W MARKET ST	SMITHFIELD	NC	27577-3065
15094001	168519-60-1189	PARRISH, FRANK H	1943 W MARKET ST	SMITHFIELD	NC	27577-3066
15078020	168500-43-9522	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078019A	168500-34-9527	JOHNSON, KIMBERLY GOWER	516 S 4TH ST	SMITHFIELD	NC	27577-4454
15078019C	168500-43-7994	LEE, NELL WOOD	579 LEE FARM LN	SMITHFIELD	NC	27577-9318
15079001	168510-26-7218	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079017D	168500-12-1015	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
15079015	168500-22-7443	AUTH	3146 SWIFT CREEK RD	SMITHFIELD	NC	27577-9803
		BATTEN, ELIZABETH G	87 WATER ST	AURORA	NC	27806-9223
		Fay T Barnes	PO Box 1332	Smithfield	NC	27577



PLANNING DEPARTMENT
Mark E. Helmer, AICP, Senior Planner

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, S-22-02, were notified by First Class Mail on 4-11-22.




Signature


Johnston County, North Carolina

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

11th day of April, 2022

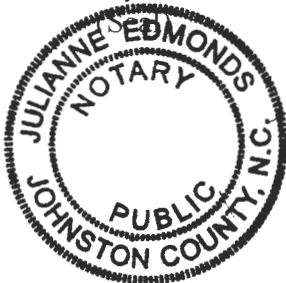


Notary Public Signature



Notary Public Name

My Commission expires on January 15th, 2023



2200 Block of US Highway 70 Business West

File Number:
S-22-02

Project Name:
Floyd's Landing

Location:
2200 US Hwy 70
Business West

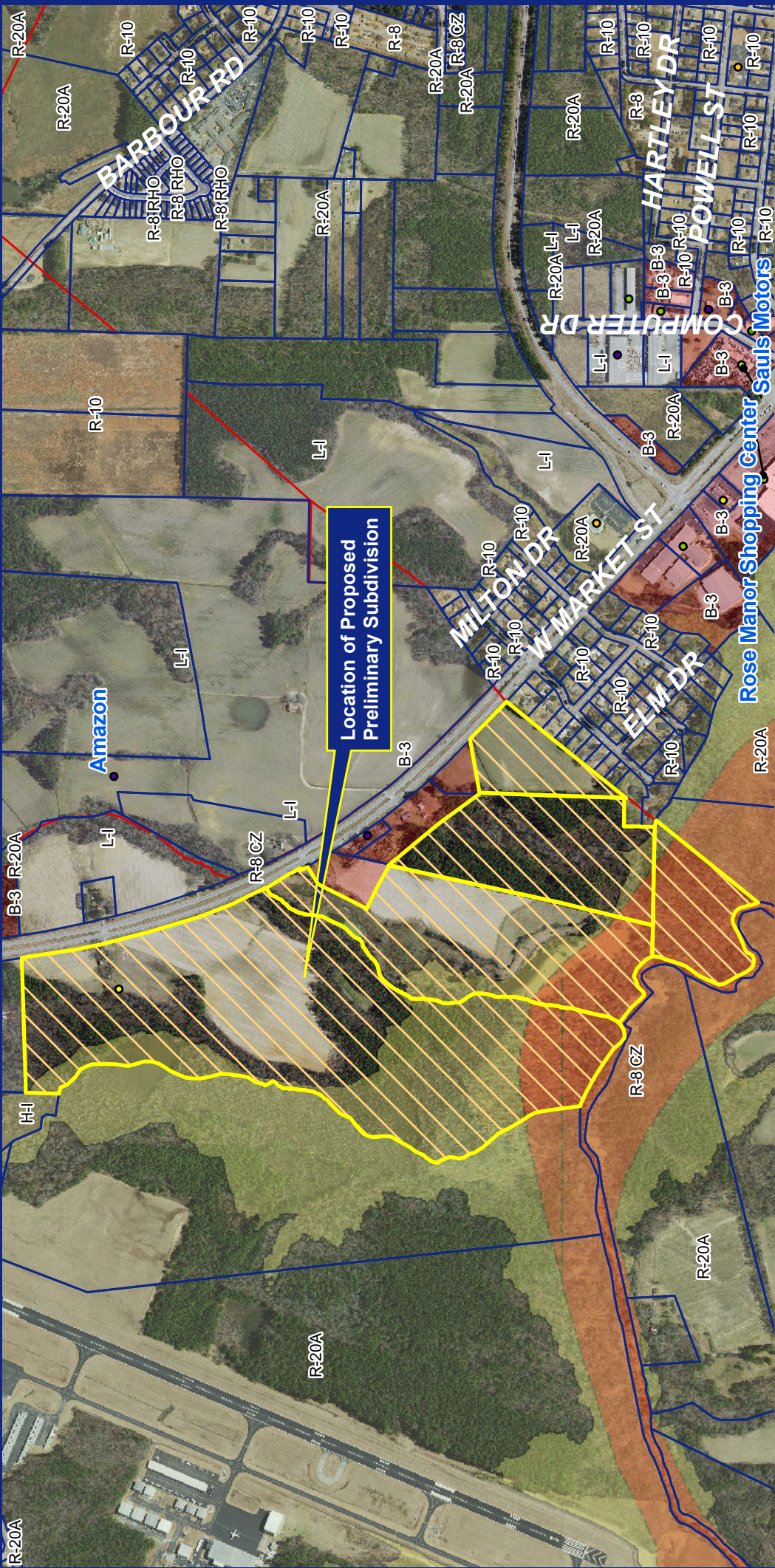
Tax ID#:
15079014, 15077035H,
15077035C, 1507801,
15078012C

Existing Zoning:
R-8 CZ
(Conditional Zoning)

Property Owner:
ASP, Gourley, Batten
Floyd Landing
Holdings, LLC

Applicant:
CE Group

Location of Proposed
Preliminary Subdivision

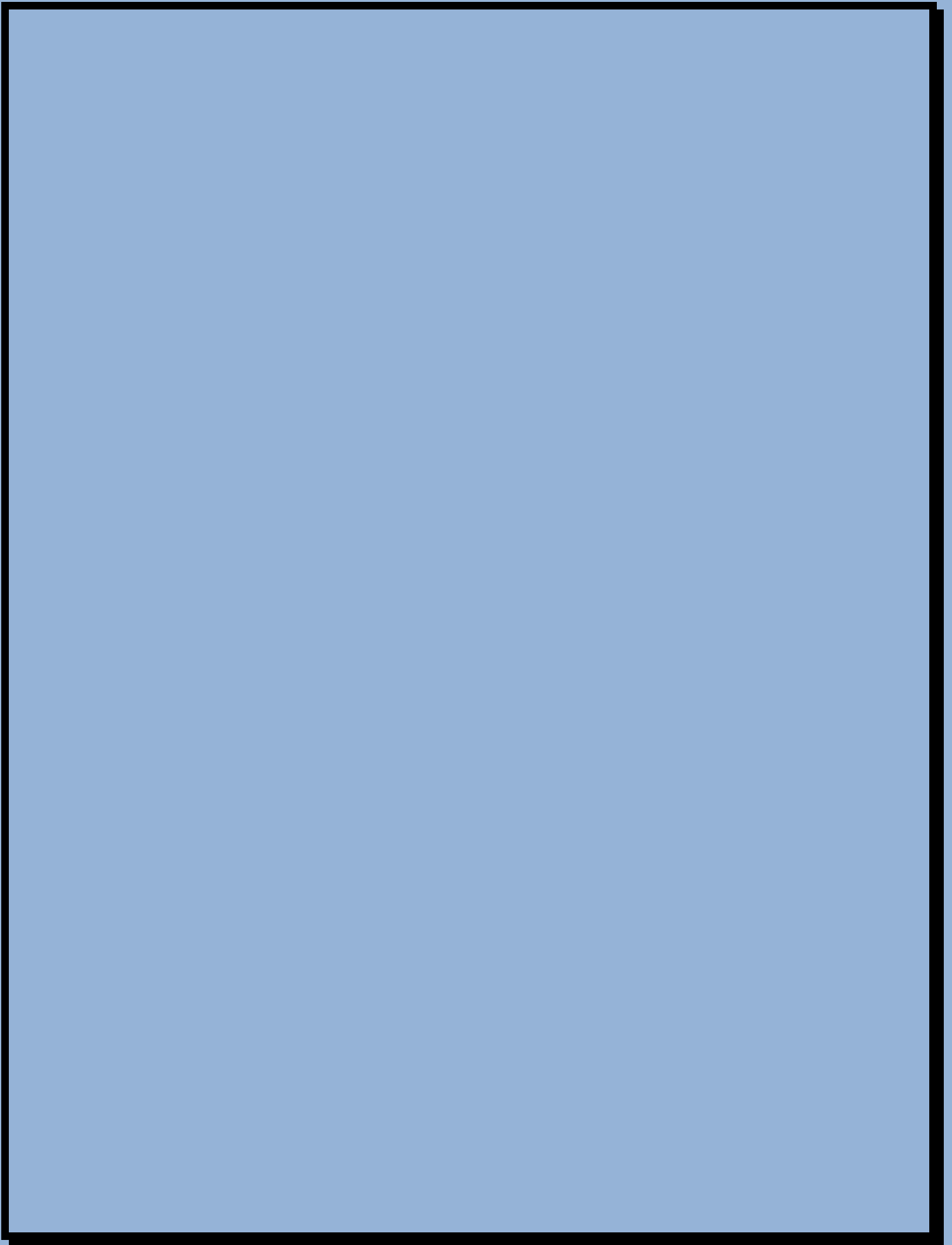


1 in = 1,000 ft

Map created by the Mark E. Helmer, AICP
Senior Planner, GIS Specialist on 3/29/2021

Consent

Agenda Items



The Smithfield Town Council met in regular session on Tuesday, April 5, 2022 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore, presided.

Councilmen Present:

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

Councilmen Absent

Administrative Staff Present

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

Also Present

Bob Spence, Town Attorney

Administrative Staff Absent

CALL TO ORDER

Mayor Moore called the meeting to order at 7:01 pm.

INVOCATION

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

APPROVAL OF AGENDA:

Councilman Barbour asked that Consent Agenda Items 5 and 6 be moved to the Business Items.

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

Move the following items from the Consent Agenda to the Business Items:

5. Consideration and request for approval to adopt Resolution 695 (04-2022) accepting public dedication of public lands or facilities for streets, parks, and public utility lines for the Twin Creeks Phase 2

6. Consideration and request for approval to adopt Resolution No. 696 (05-2022) accepting Town Maintenance of Croatan Court and Sunfish Street in East River Phase 1 & 2.

Unanimously approved.

PRESENTATIONS:

1. Proclamation – Designating April 18, 2022 as Electrical Lineman Appreciation Day in the Town of Smithfield

Mayor Moore presented the following proclamation to Electric Lineman Blake Faircloth

TOWN OF SMITHFIELD
PROCLAMATION
ELECTRICAL LINEMEN APPRECIATION DAY
APRIL 18, 2022

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

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

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

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

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

Now, Therefore, I, M. Andy Moore, Mayor of the Town of Smithfield along with the members of the Town Council, do hereby proclaim April 18, 2022 as Electrical Linemen Appreciation Day and we call upon the citizens of the Town of Smithfield to recognize and appreciate the hard work, innovation and dedication that these public servants make every day to our health, safety, comfort, and quality of life.

2. Acceptance of Acceptance of the 2021 American Public Power Association (APPA) Safety Award of Excellence

Public Utilities Director Ted Credle informed the Town Council that the Electric Department had received the 2021 American Public Power Association Safety of Excellence Award. He explained that for the past 61 years, the American Public Power Association (APPA) annually awarded Safety Awards to recognize public power utilities that exemplify the highest standards of safe operating practices. Safety programs ensure that electric utility employees are informed and trained on safe work procedures. The utilities receiving this award have proven that protecting the safety of their employees is a top priority.

334 utilities from across the country entered the annual Safety Awards. Entrants were placed in categories according to their number of worker-hours and ranked based on the most incident-free records during 2021. The incidence rate, used to judge entries, is based on the number of work-related reportable injuries or illnesses and the number of worker-hours during 2021, as defined by the Occupational Safety and Health Administration (OSHA).

The Town of Smithfield was awarded First Place in Group A (Group A is communities with less than 15,000 worker-hours of exposure).

Mayor Moore presented the award to Electric Lineman Blake Faircloth.

3. New Website Presentation

Communications and Marketing Specialist Brian Eaves presented the new Town website to the Council.

PUBLIC HEARING:

- 1. Conditional Zoning Approval – Foster Commons (CZ-22-01):** The applicant was requesting conditional zoning approval for the construction of a 50-unit apartment building on a 5.46-acre tract of land located within the B-3 (Business) zoning district. The property considered for approval is located on the south side of the intersection South Brightleaf

Boulevard and East Holt Street and further identified as Johnston County Tax ID# 15041020A

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

Planning Director Stephen Wensman explained that Woda Cooper Development Inc. was requesting a rezoning to B-3 Conditional Zone from the B-3 zoning district with a master plan for Foster Commons, a 50-unit senior (55+ restricted) multi-family apartment on 5.46 acres.

EXISTING CONDITIONS/ENVIRONMENTAL:

The property considered for approval is vacant with road frontage on S. Brightleaf Boulevard and the CSX Railroad to the rear of the property. There is a deep ditch along the southwest edge of the property. There are no wetlands or floodplain on the property.

MASTER PLAN/ANALYSIS:

Multi-family residential is a special use with supplemental standards in the B-3 Zoning District according to Article 9, Table 6.6 of the Unified Development Ordinance. The alternative is a conditional rezoning to B3-CZ with a master plan.

Multi-Family Building.

The 3-story, 50-unit, 55+ age restricted apartment building will be comprised of 18-660 sq. ft. 1-Bedroom units, and 32-900 sq. ft. 2- Bedroom units. There will be an elevator near the center of the building and stairways at the ends of the shared hallways.

The building materials will consist of brick, fiber cement lap and board and batten siding with decorative trim. The building will be in compliance with the appearance requirements of UDO Section 7.34.1.4.

Building amenities include a management/leasing office, multipurpose space, laundry facility, fitness center and computer room as well as some indoor sitting areas on each floor.

All units will have central, electric heat and air conditioning, washer/dryer closets with connections, LVT flooring, blinds, and will have a 16-sf dedicated storage closet (located on the floor). Each unit will have pre-wired connections for cable, telephone and internet. All the kitchens will have Energy Star appliances. Each unit will have an emergency pull chord in the bedroom and bathroom.

Storage per unit. The supplemental standards for multi-family requires a minimum of 24 sq. ft. of storage space per unit. The development proposes 16 sq. ft. of storage per unit. Given the project is for restricted to 55+ residents, the lesser amount of storage may be appropriate.

Setbacks. The building is located over 200 feet back from Brightleaf Boulevard and exceeds all setbacks of the B-3 zoning district.

Building Heights. A 3-story, 43 feet tall, building with a 5:12 roof slope is proposed This is 3 feet taller than allowed in the B-3 zoning district. Building heights are allowed to exceed 40 feet with a special use permit or as approved by conditional zoning.

Density. The project would have an overall density of 9.15 dwelling units per acre (d. u. a.). The UDO allows up to 9.68 d.u.a.

Site Access & Road. The primary access to the development will be off of East Holt Street. East Holt is currently a closed public right-of-way. The developer will construct approximately 300 lineal feet of road in the right-of-way that will match the street width found across S. Brightleaf Blvd with curb and gutter. The site will have two driveways off of Holt with no direct access onto Brightleaf Boulevard. The new street will require a cul-de-sac bulb at its terminus.

A driveway apron should be provided at the end of the E. Holt Street cul-de-sac for the driveway to the business at 711 E Rose Street.

Sidewalks. Sidewalks will be constructed along Brightleaf Boulevard and on the south side of East Holt Street that will connect to the front door of the apartment building.

Parking. 83 parking spaces are proposed as required. Eight spaces will be ADA accessible and van accessible. The parking lot will be set back over 100 feet from Brightleaf Boulevard right-of-way.

Site Amenities. Outside amenities will include a gazebo, a covered patio with seating and some additional outdoor sitting areas connected by sidewalks. Senior developments are exempt from the recreation requirements in Article 7.35.1.5, however there is a large open space area in the front and back of the building that could be further developed and used by residents to enjoy for walking, sitting or other passive or active recreation activities.

Landscaping and Buffering. No landscape or bufferyard plan has been submitted, however the master plan shows general compliance with streetyard and bufferyard and parking lot landscape requirements. Foundation plantings will also be required. A landscape plan meeting UDO requirements will be required with construction plans. Additional street and bufferyard plantings are recommended beyond the minimum requirements.

Utilities. The project will be served by Town utilities. Currently, there is no capacity in the sewerlines needed to serve this project. This situation will be remedied with the County's sewer projects expected to be completed by the first quarter of 2025. Construction plans for this project cannot be approved until the sewer is available.

Stormwater Management. The site drains toward the railroad tracks where the developer is proposing to locate the required Stormwater Control Measure (SCM). A stormwater management plan will be required with the construction plans. An operations and maintenance agreement will be required for the long-term operation and maintenance of the SCM.

Trash and Recycling. A dumpster pad and enclosure has been shown on the southwest corner of the building. This facility should be designed to accommodate trash and recycling as required in UDO Section 7.35.1.4.6.

Signage. A location for a monument site identification sign is shown near the corner of S. Brightleaf Blvd. and Holt St. All signs for the project require a separate sign permit from the Planning Department.

Property Management. Foster Commons we would have a local Property Manager and Service Technician.

Site Lighting and Security. The parking area will be well lit providing a secure access to the building, with attention given to prevent any light pollution to adjacent property owners. The building itself will be controlled via a locked door with a FOB remote control system and call in to each unit to allow residents remote access to their guests.

A lighting plan will be required with construction plans meeting UDO requirements.

CONDITIONAL ZONING:

The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant is seeking approval with the following deviation from the

UDO Requirements.

UDO Standard	Proposed	
Storage per unit	24 sq. ft.	16 sq. ft.
Building Height	40 feet	43 feet

CONSISTENCY STATEMENT (Staff 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 use is consistent with the comprehensive plan.
- Consistency with the Unified Development Code – the property will be developed in conformance with the UDO conditional zoning provisions.
- Compatibility with Surrounding Land Uses - The property considered for rezoning will be compatible with the surrounding land uses. Multi-family is a permitted use in the B-3 zoning district and the use will not detrimentally impact adjacent properties and will improve property values.

Planning Staff recommends approval of CZ-22-01 with the following conditions:

1. That the future preliminary plat and development plans for the subdivision be in accordance with the approved Master Plan, R-8 Zoning District, and UDO regulations with the exception that the Storage Per Unit no less than 16 sq. ft. and the building height not exceed 43 feet.
2. That the parking lot entrances be constructed in accordance with the town's standard driveway detail.
3. That a driveway apron be provided at the end of the public street to accommodate the gravel driveway for 711 E. Rose St.
4. That a landscaping and lighting plan be submitted with the construction plans in accordance with the UDO.
5. This facility should be designed to accommodate trash and recycling as required in UDO Section 7.35.1.4.6.
6. That a cul-de-sac bulb be constructed at the terminus to East Holt Street
7. That site plan approval be contingent upon their being adequate sewer capacity for the project.

Planning Director Stephen Wensman has incorporated his entire record and provided it to the Council in written form in the April 5, 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.

Brian Rabil, co-owner of Capital Auto, expressed his concerns about this proposal. He stated that as an adjacent property owner, he and his partner were concerned about a residential development being constructed next to commercial property. He was also concerned about the negative impact this would development would have on his property.

Danny Blackburn, senior Vice President of Woda Cooper Company, explained that his company provided affordable housing projects. He stated the company was a fully integrated company meaning the company does the development, the construction, and the management. They come into a community, and have the intention of staying for a very long time. The company has over 400 different properties that it has developed. Out of those 400 different properties, they have only ever sold one. Over the past six years, Woda Cooper has been awarded two tax credit developments each year by North Carolina Housing Finance Agency, and this application will be put in this year and this year. This particular site is the top scoring site in the eastern region of North Carolina as for North Carolina because of its walkability to amenities. This project would be a \$10 million project.

Councilman Rabil questioned how this project would have walkability to amenities when there were no sidewalks on Brightleaf Boulevard. Mr. Blackburn responded that sidewalks would be constructed in front of this facility and it would connect to any sidewalks the Town constructed.

Councilman Scott questioned how the company would manage the age of the residents being 55 or older. Mr. Blackburn responded the management team was experienced in the application process of its potential tenants.

Councilman Scott further questioned if the property would have on-site management. Mr. Blackburn responded there would be on-site management of the property.

Councilman Scott questioned why the developer would build a three-story complex for a 55 and older community. Mr. Blackburn responded this was a traditional 55 and older community development. There would be an elevator centrally located in the building. Councilman Scott stated that in the event of a fire, an elevator would not help the tenants get out of the building safely.

Councilman Scott further questioned how the company would maintain the development for the future. Mr. Blackburn responded that the company had a large capital reserve for improvements and maintenance.

Councilman Barbour questioned if all tenants had to be 55 or older to live at this complex. He further questioned if children would be residing in these apartments. Mr. Blackburn responded that the applicant must be 55 or older, but everyone residing in the apartment does not have to be 55 or older. He further explained if someone 55 or older has legal custody of a minor child, those children are able to live in the apartment. There will be no playgrounds for this development.

Councilman Barbour questioned why the Town waived the recreational fee for this type of community. Planning Director Stephen Wensman responded the UDO specifically addresses senior facilities not needing recreational facilities. He further stated the developer was not trying to attract young children and families with young children.

David Cooper of Woda Cooper explained that out of 6000 units, there are not more than 5 children. The buildings are not designed to attract families. He further explained that under the Fair Housing Act, you cannot discriminate against anyone. There are two exceptions: one is a 55 and older community whereby the head of the household must be 55 years old; and the second is one for a 63 and older community. The average tenant age is 70 years old.

Mayor Pro-Tem Dunn questioned the structure of the affordable housing. Mr. Blackburn responded the income levels were defined by HUD on an annual basis. Income levels were based on the area median income. Unit will be rented at 60% of the area median, 50% of area median and 30% of the area median. A couple at the 30% cannot earn more than \$22,900 and a couple at the 60% cannot earn more than \$45,000. That number changes based on the number of people living in the apartment. This brings a diversity of income levels to the complex.

Mayor Pro-Tem Dunn further questioned if the tenants would be eligible for other subsidies. Mr. Blackburn responded the company would do a criminal background and credit check. He further stated this was not Section-8 type housing.

Councilman Rabil questioned if the tenants had to do a recertification every year. Mr. Blackburn responded that a recertification is done every year. The leases also state the company has the right to inspect the apartment on a monthly basis.

Councilman Rabil further questioned if there were any other properties located near major thoroughfares. Mr. Blackburn responded there were developments in downtown Atlanta and Baltimore.

Mayor Pro-Tem Dunn questioned the cul-de-sac passed the second entrance Mr. Wensman responded the cul-de-sac would tie in with the access road. Mayor Pro-Tem Dunn further questioned the size of the cul-de-sac. Mr. Wensman responded it would be 45 feet in diameter which is a standard

size.

Councilman Scott questioned if the developer had considered any other sites. Mr. Blackburn responded other sites were considered, but this was the preferred location.

Mayor Moore questioned if the amount of proposed parking was adequate. Mr. Wensman responded that it does meet the parking requirement. Mayor Moore further questioned if there was direct access onto Brightleaf Boulevard. Mr. Wensman responded there was no direct access to Brightleaf Boulevard. All traffic would have to access Holt Street.

Councilman Scott questioned if there was any discussion about how this proposal could impact the adjacent business property's value. Mr. Wensman responded this was a \$10 million project. It would positively impact the adjacent property values. Councilman Scott further questioned if there were any potential issues with flooding concerns. Mr. Wensman responded that the Town Engineer found no issues with flooding. The proposed stormwater ponds will help with any potential flooding.

Councilman Barbour expressed his concerns about this project being located in commercial business district. He stated he did not feel this project was in the best interest of the Town. Mr. Wensman responded that while this property is guided for business, the UDO does allow for multifamily residential in a business district with a special use permit. Mr. Wensman requested the applicant go through the Conditional Rezoning process to give the Council greater freedom to discuss and understand the project. The Special Use process requires the Council to have real reasons to deny the project that are defensible in court.

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

Councilman Wood made a motion, seconded by Councilman Rabil, to deny the zoning map amendment, CZ-22-01. Councilman Wood, Councilman Rabil, Mayor Pro-Tem Dunn and Councilman Barbour voted in favor of the motion. Councilman Lee, Councilman Scott and Councilman Stevens voted against the motion. Motion passed 4 to 3.

CITIZEN'S COMMENTS:

- Lamont Howell acting Warden for Johnston Correctional Institution introduced himself to the Town Council. He informed the Council that since Johnston Correctional was a minimum custody facility, inmate services could be beneficial to the Town. He stated the facility offers work release program and contract labor; whereby, inmates can be used to do tasks throughout the Town. He stated the Town of Micro has been using these services for several years prior to the Covid-19 pandemic.

CONSENT AGENDA:

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

1. The following minutes were approved:
 - February 24, 2022 – Special Meeting
 - February 24, 2022 – Closed Session
 - March 1, 2022 – Regular Meeting
 - March 1, 2022 – Closed Session
2. Special Event: Wine Walk – Harbor, Inc. was granted approval to hold a Spring Wine Walk on April 29, 2022 from 5:00 pm until 9:00 pm in Downtown Smithfield. The use of amplified sound was approved. This was approved as an annual event.
3. Special Event: Cycle Fest 1911 – Smithfield Alumni Chapter of Kappa Alpha Psi was granted approval to hold a cycling event on April 30, 2022 from 8:30 am until 2:00 pm at 600 M. Durwood

Stephenson Parkway The use of a food truck was approved. This was approved as an annual event.

4. Special Event: Spring Carnival - Inners Shows, Inc was granted approval to hold a Spring Carnival at the Carolina Premium Outlets May 12th through the 29th. The use of amplified sound was approved.
5. Approval was granted to adopt a Capital Project Ordinance for three State Capital and Infrastructure Fund (SCIF) Grants

FUND 21
NORTH CAROLINA STATE CAPITAL AND INFRASTRUCTURE FUND DIRECTED GRANTS
(SCIF)
CAPITAL PROJECT ORDINANCE
TOWN OF SMITHFIELD

BE IT ORDAINED by the Governing Board of the Town of Smithfield, North Carolina, that, pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The projects authorized are the CSX Culvert Improvement, the Amphitheatre Restoration and the Splash Pad Improvements/Parking Expansion. These projects are financed by State Capital and Infrastructure Fund Directed Grants (SCIF) and General Fund appropriations if needed and approved by Town Council.

SECTION 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the grant documents, and the budget contained herein.

SECTION 3. The following amounts are appropriated for the project:

• CSX Culvert	21-40-5900-5700-7400	\$950,000
• Amphitheatre	21-60-6200-5700-7400	\$989,500
• Splash Pad/Parking	21-60-6200-5700-7401	<u>\$536,330</u>
		<u>\$2,475,830</u>

SECTION 4. The following revenues are anticipated to be available to complete this project:

• SCIF Grant - CSX Culvert	21-40-3300-3307-5900	\$950,000
• SCIF Grant – Amphitheatre	21-60-3300-3307-6200	\$989,500
• SCIF Grant - Splash Pad/Parking	21-60-3300-3307-6201	<u>\$536,330</u>
		<u>\$2,475,830</u>

SECTION 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient, specific detailed accounting records to satisfy the requirements of the state grants

SECTION 6. The Finance Officer is directed to report, on a monthly basis, on the financial status of each project element in Section 3 and on the total grant revenues received or claimed.

SECTION 7. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board

SECTION 8. Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project

6. Approval was granted to adopt the following budget amendments:

GENERAL FUND	BEFORE	ADJ.	AFTER
1. Expenditures			
10-00-9990-5300-0000 GF			
Contingency	\$ 273,524	\$ (20,000)	\$ 253,524
10-76-5800-5970-9100 Transfer to			
CPF	-	20,000	20,000
	<u>\$ 273,524</u>	<u>\$ -</u>	<u>\$ 273,524</u>

To fund increase cost of Sanitation 2nd Knuckle Boom Truck and Registration as approved at the January 4, 2022 Council meeting

2. Revenue			
10-10-3900-3900-0000 Fund			
Balance Appropriation	\$ -	\$ (80,000)	\$ (80,000)
Expenditures			
10-76-5800-5970-9110 Transfer to			
GF Capital Reserve	\$ 80,000	\$ (80,000)	\$ -

To correct Transfer To Capital Reserve for Knuckle Boom as it was purchased in FY21

3. Expenditures			
10-40-5900-5300-3310 Stormwater -			
Drainage	\$ 35,500	\$ 25,400	\$ 60,900
10-00-9990-5300-0000 GF			
Contingency	253,524	(25,400)	228,124
	<u>\$ 289,024</u>	<u>\$ -</u>	<u>\$ 289,024</u>

To fund storm drainage pipes at 5 Sherwood Court (Using 25K of Drainage funds plus 25.4K of contingency)

4. Expenditures			
10-40-5900-5300-4501 Stormwater -			
Contract Services	\$ -	\$ 8,700	\$ 8,700
10-00-9990-5300-0000 GF			
Contingency	228,124	(8,700)	219,424
	<u>\$ 228,124</u>	<u>\$ -</u>	<u>\$ 228,124</u>

To fund hiring of McCormick-Taylor to prepare two Land and Water Conservation Fund Grant applications

5. Revenue			
10-10-3300-3315-0100 Grant	\$ 160,550	\$ (160,550)	\$ -
10-20-3300-3315-0100 Grant -			
GHSP Traffic	-	160,550	160,550
	<u>\$ 160,550</u>	<u>\$ -</u>	<u>\$ 160,550</u>

To move GHSP Traffic Grant budget to proper line

6. Expenditures

10-20-5300-5300-4501 Fire - Contract Services	\$ 1,000	\$ 15,520	\$ 16,520
10-00-9990-5300-0000 General Fund Contingency	<u>219,424</u>	<u>(15,520)</u>	<u>203,904</u>
	<u>\$ 220,424</u>	<u>\$ -</u>	<u>\$ 220,424</u>

To fund the removal of gas tanks and pumps at Fire Station One as approved at the January 4, 2022 Council meeting

7. Expenditures

10-61-4110-5300-5711 Public Library	\$ 270,000	\$ 22,930	\$ 292,930
10-00-9990-5300-0000 General Fund Contingency	<u>203,862</u>	<u>(22,930)</u>	<u>180,932</u>
	<u>\$ 473,862</u>	<u>\$ -</u>	<u>\$ 473,862</u>

To fund Town's share of new HVAC Control System for the Library as approved at the December 7, 2021 Council meeting

ELECTRIC FUND**8. Expenditures**

31-76-7230-5970-9110 Electric - Transfer Cap. Reserve Fund	\$ 150,000	\$ (150,000)	\$ -
31-00-9990-5300-0000 Electric - Contingency	\$ 283,679	\$ (13,500)	
31-72-7230-5700-7400 Electric - Capital Outlay	<u>30,000</u>	<u>163,500</u>	<u>193,500</u>
	<u>463,679</u>	<u>-</u>	<u>193,500</u>

To transfer capital reserve for Bucket Truck to capital outlay and fund increased cost

9. Revenue

31-72-3550-3520-0000 Electric - Misc.	<u>\$ 4,000</u>	<u>\$ 12,060</u>	<u>\$ 16,060</u>
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Expenditures

31-72-7230-5700-7401 Electric - East River Electric Infrastructure	<u>\$ 231,820</u>	<u>\$ 12,060</u>	<u>\$ 243,880</u>
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To fund Phase 3 of East River Subdivision Street Lights Upgrade - funded by developer

ARPA FUND**10. Revenue**

20-76-0000-5970-9100 ARP - Transfer to Other Cap. Proj.	<u>\$ 4,138,286</u>	<u>\$ (169,952)</u>	<u>\$ 3,968,334</u>
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Expenditures

20-40-5900-5300-3310 Storm Drainage - Cedar Drive	\$ -	\$ 169,952	\$ 169,952
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To transfer ARP funds for storm drainage on Cedar Drive as approved at the September 7, 2021 Council Meeting

General Fund Capital Projects Fund

11. Revenue

46-75-3870-3870-0310 Transfer GF - Knuckle Boom Tk	\$ -	\$ 20,000	\$ 20,000
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Expenditures

46-40-5800-5700-7405 Knuckle Boom Truck	\$ 160,000	\$ 20,000	\$ 180,000
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To record transfer from GF for 2nd Sanitation Knuckle Boom Truck as approved at the January 4, 2022 Council Meeting. Truck total cost including registration is approx. \$177,598

7. Approval was granted to purchase pool grates in the amount of \$11,991.40 from Sport Edge and installation of the pool grates in the amount of \$4,315.50 from Thomas Pool Care for the perimeter of the competition and splash pools at the Aquatics Center. Since the Town shares the cost with Johnston County Public Schools, the Town's share would be \$7,903.45. Bids received are as follows:

Pool grates:

- Sport Edge \$11,991.40
- ACO, Inc. \$12,254.00
- Noland Company \$22,604.35

Installation:

- Thomas Pool Care \$4,315.50

8. Approval was granted to enter into a contract with Vision, NC in the amount not to exceed \$22,400 for cleaning and videoing services of sanitary sewer lines in West Smithfield. Bids received are as follows:

- Vision, NC \$22,400.00
- Hydrostructures \$23,900.00
- Hydromax, USA \$26,910.00

9. Approval was granted to enter into a contract with Grid One Solutions, LLC for meter reading services.

10. New Hire Report

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Customer Service Rep.	PU – Electric/CS	31-72-7230-5100-0200	\$16.25/hr. (\$33,800.00/yr.)
Firefighter I/II (2 positions)	Fire	10-60-6220-5100-0200	\$17.10/hr. (\$37,346.40/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$18.97/hr. (\$42,416.92/yr.)
P/T Athletics Staff (2 positions)	P&R – Recreation	10-60-6200-5300-0210	\$9.00/hr.
P/T Collections Assistant	PU – Electric/CS	31-72-7230-5100-0200	\$8.00/hr.
P/T Fitness Instructor	P&R – Aquatics	10-60-6220-5100-0230	\$15.00/hr.
P/T SRAC Staff - General	P&R – Aquatics	10-60-6220-5100-0220	\$8.00/hr.
P/T Lifeguard	P&R – Aquatics	10-60-6220-5100-0210	\$8.00/hr.
P/T Pool Instructor (2 positions)	P&R – Aquatics	10-60-6220-5100-0230	\$10.00/hr.
Equipment Operator (2 positions)	PW – Sanitation	10-40-5800-5100-0200	\$15.48/hr. (\$32,198.40/yr.)

Utility Line Mechanic PU – Water/Sewer 30-71-7220-5100-0200 \$16.25/hr. (\$33,800.00/yr.)

Current Vacancies

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-72-7230-5100-0200
IT Specialist	General Government	Shared
Police Officer I/II – Patrol (3 positions)	Police	10-20-5100-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

Business Items:

1. Consideration and request for approval to award a bid in the amount of \$31,349.00 to James Paul Edwards for repairs to the Fire Department’s parking lot

Fire Chief Mike Brown addressed the Council on a request to award a bid to JP Edwards for repairs to the parking lot at Fire Station One. He explained that on February 10th, two underground fuel tanks were removed from the back parking lot. For the fiscal year 2023, he was going to request this repair be placed in the budget, but with rising fuel cost, he believed now was a good time to move forward with the repairs. He further explained there were funds still remaining in his Capital line item, but approximately \$6,400 would be needed from the General Fund contingency line for this repair.

Councilman Scott stated he was concerned that the Police Department Expansion Project would change the dynamics of the parking behind the Police and Fire Departments. He questioned if there was any discussion about repairing the alleyway behind PNC back between 4th and 5th Streets. Town Manager Michael Scott responded that Public Works Director Lawrence Davis has had someone evaluate the area and provide staff with how it can be repaired.

Councilman Barbour made a motion, seconded by Councilman Wood, to award a bid in the amount of \$31,349.00 to James Paul Edwards for repairs to the Fire Department’s parking lot. Unanimously approved.

2. Consideration and request for approval to designate Mark III as Broker of Record for employee primary and optional insurance benefits

Human Resources Director Tim Kerigan addressed the Council on a request to designate Mark III as the broker of record for employee primary and optional insurance benefits. He stated that one of the ways Human Resources staff could better serve the Town employees was by having one broker for all insurance benefits offered the employees. Mr. Kerigan explained proposal were requested and three were received. One company could only provide elective insurances and the other two companies could provide all insurance services. Of the two companies that could provide all insurance services, one company could not commit to having someone present during the open enrollment meetings. In addition to the open enrollment meetings, staff feels it would be beneficial to also offer online insurance renewal services. Mr. Kerigan recommended that Mark III be designated as the Town’s broker of record for all employee insurance services.

Tracy McCarty from Mark III provided the Council with a presentation outlining information about the company, the services they provided and the local governments they serve.

Councilman Scott made a motion, seconded by Councilman Barbour, to designate Mark III as the Broker of Record for employee primary and optional insurance benefits. Unanimously approved.

3. FY 2022-2023 Budget Discussion

Town Manager Michael Scott informed the Council this item was placed at the end of the agenda so the Council could evaluate if it wanted to set up its first budget workshop so the current meeting could be recessed to a date time certain.

It was the consensus of the Council to discuss this item following the two items that were added to

the Business Items.

4. Consideration and request for approval to adopt Resolution 695 (04-2022) accepting public dedication of public lands or facilities for streets, parks, and public utility lines for the Twin Creeks Phase 2

Councilman Barbour stated he had concerns about both of the items. He explained he was concerned about the Town accepting roads/streets when construction was not complete for the entire proposed subdivision. He stated he talked with the Town Manager earlier and it was Councilman Barbour's understanding there was an agreement whereby the developer would repair any damages caused to the road. He stated this was not outlined in the resolution.

Planning Director Stephen Wensman responded that the two items are completely separate. He explained the resolution accepting public dedication for Twin Creeks should be approved at the time of preliminary plat, but Mr. Wensman typically sought approval when he became aware the developer was going to apply for final plat. This procedure was simply dedicating it with the plat to the Town's ownership. This has to be done before final plat. Mr. Wensman further explained that all infrastructure was in place at Twin Creeks.

As for the next item on the agenda, Mr. Wensman explained the Town was only taking over maintenance of previously dedicated right of way on two streets which are not going to be used for construction. He further explained there were two streets that are perpendicular to Buffalo Road. The Town is not taking over those roads because they are access streets to future development. The only two roads the Town would be taking over are the two that run parallel to Buffalo Road and a cul-de-sac. All the development on those two roads have been completed.

Councilman Barbour stated it was his understanding there was an agreement in place that would protect the Town from any damage caused by the developer to any road the Town took ownership of. Town Manager Michael Scott responded there was a one-year warranty on the road. The developer would assume responsibility for any damages in excess of normal wear and tear on the road.

Councilman Barbour stated he just wanted to make sure the Council and staff were doing due its diligence as it related to accepting streets/roads.

Councilman Stevens made a motion, seconded by Councilman Rabil, to adopt Resolution No.694 (03-2021). Unanimously approved.

TOWN OF SMITHFIELD
RESOLUTION NO. 694 (04-2022)
ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160D-806 authorizes the Town Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Smithfield Planning Department has acted to approve the preliminary plat named in this resolution on 5/18/20; and,

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

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

NOW, THEREFORE, BE IT RESOLVED by the Smithfield Town Council, North Carolina:
Section 1. The Town of Smithfield accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision preliminary plat:

Twin Creeks Phase 2

Map Book 05878

Page 0834

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

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

5. Consideration and request for approval to adopt Resolution No. 696 (05-2022) accepting Town Maintenance of Croatan Court and Sunfish Street in East River Phase 1 & 2.

Councilman Scott made a motion, seconded by Councilman Stevens, to adopt Resolution No. 696 (05-2022). Unanimously approved.

RESOLUTION NO. 696 (05-2022)
ACCEPTING EAST RIVER PHASES 1 AND 2
SUNFISH STREET AND CROATAN COURT PUBLIC IMPROVEMENTS

WHEREAS, it is a function of the Town of Smithfield to operate and maintain public roads, walks, trails and public water, sewer, and storm drain infrastructure; and

WHEREAS, the Developer has recorded the final plats of East River Phase 1 and East River Phase 2 the subdivisions with the Johnston County Register of Deeds on 3/29/2018 and 12/22/2020 respectively; and

WHEREAS, the developer offered the public roads and public water, sewer, and storm drain infrastructure for dedication with Preliminary Subdivision of East River; and

Whereas, the Town Council accepted the dedication of public roads, walks, trails and public water, sewer, and storm drain infrastructure with Resolution No. 652 (01-2020) and Resolution No. 668 (17- 2020) by; and

WHEREAS, the Developer posted a performance bond to be held by the Town until such time the construction was completed to Town standards; and

WHEREAS, said streets have been constructed and inspected by the Town staff and Engineer and have been found to meet current Town standards; and

WHEREAS, the Developer has requested the Town to accept the public roads, walks, trails and public water, sewer, and storm drain infrastructure for Croatan Court and Sunfish Street in East River Phases 1 and 2; and

WHEREAS, The Town Council finds that it is in the best interest of the public to accept said streets and public water, sewer, and storm drain infrastructure.

NOW, THEREFORE, BE IT RESOLVED by the TOWN OF SMITHFIELD TOWN

COUNCIL on this the 5th day of April, 2022, the Town of Smithfield accepts the public roads, walks, trails and public water, sewer, and storm drain infrastructure within Croatan Court and Sunfish Street as constructed and as shown in the East River Phase 1 and Phase 2 Final Plats recorded at the Johnston County Register of Deeds.

6. FY 2022-2023 Budget Discussion- Continued

Town Manager Michael Scott informed the Council they had been provided with a budget draft; as well as, a few additional items. This was strictly a draft and not a proposed budget by the Manager. The draft was a starting point for the Council to engage in discussions with staff and citizens in an effort to create a desirable budget for fiscal year 2023. In order for the Council to recess this meeting, this item was placed on the agenda. Staff requested the Council consider recessing this meeting to a date time certain to meet for the first budget work session to be held in the Council Chambers. The Town Manager informed the Council that a meeting had been scheduled for Tuesday, April 26th at 6:30 pm to hear funding requests from nonprofit organizations.

It was the consensus of the Council to hold its first budget meeting on Monday, April 25, 2022 at 6:30 pm in the Council Chambers.

Councilmembers Comments: None

Town Manager's Report:

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

- The Town Manager congratulated the Police Department for being reaccredited. He explained the Police Chief and staff went to Orlando, FL to defend its Accreditation to the CALEA Executive Board. Following the meeting the Executive Board voted unanimously to reaccredit the Smithfield Police Department.
- National Night Out this year is nationally scheduled for August 2, 2022. The event will be held outdoors at JCC. This is a regularly scheduled council meeting night. Previously the Council rescheduled their meeting so Council Members could attend and support the event.
- One of the grants received from the state is the upsizing or replacement of the drainage pipe under CSX Railway in the 1500 block of South Brightleaf Boulevard. Staff has advertised Request for Proposals which are due on April 21st. Staff will open the proposals and hopefully choose an engineering firm.

Closed Session: Pursuant to NCGS 143-318.11 (a) (3)

Councilman Barbour made a motion, seconded by Councilman Scott, to enter into Close Session pursuant to the aforementioned statute. Unanimously approved at 8:58 pm.

Reconvene in Open Session

Councilman Scott made a motion, seconded by Councilman Barbour, to reconvene in open session. Unanimously approved at 9:27 pm.

Recess

Being no further business, Councilman Barbour made a motion, seconded by Councilman Scott, to recess the meeting until April 25, 2022 at 6:30. Unanimously approved. The meeting recessed at approximately 9:27 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

**Consent
Agenda
Item:** Application
for
Temporary
Use Permit
Date: 05/03/2022

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

Issue Statement

The Council is being asked to allow Compass Community Church to hold a concert at 207 N. Brightleaf Blvd on May 28, 2022 from 10:00 am-3:00 pm.

Financial Impact

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**

Compass Community Church is requesting to hold a concert at 207 N. Brightleaf Blvd on May 28, 2022 from 10:00 am-3:00 pm. They will be using their own musicians from the church, and their equipment. It is a family friendly concert that is open to the public. No food or goods will be sold. Clean up will conclude by 4:00 pm.



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

Completed applications should be submitted at least 4 weeks prior to event by emailing Julie Edmonds at 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.

Temporary Use Permit Application

TYPES OF TEMP USE OR EVENT

- Special Event
- Town recognized event _____
 - Over 100 people in attendance
- Live Band or Amplified Sound Church Band
- 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) _____

Compass Community Church Community Outreach Name of Event	207 N Bright Leaf Blvd. Smithfield, NC 27577 Location of Event/Use (exact street address)
--	--

Name Crystal Givens, Administrative Assistant Address 115 North 7th Street, Smithfield NC

Phone number 919.567.3600 Email address compasscommunitychurch@yahoo.com

Event date May 28th, 2022 Will alcohol be sold or served? NO

Event start time 10:00am Event end time 3:00pm

Event set up time 10:00am Event cleanup time 4:00pm

Sound amplification hours 11:00am Will food or goods be sold? N/A

Food Trucks if applicable 0 (requires a valid permit from NC Department of Agriculture, 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: N/A

(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? _____ How many? _____

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

Payment received by: _____

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.

Crystal Givens, Administrative Assistant	<i>Crystal Givens</i>	4.21.2022
Applicant's Name (print)	Signature	Date
Planning Director signature:	<i>[Signature]</i>	Date: <i>4/22/22</i>

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.

Property owners name (print) _____

Address _____ *Zip* _____

Phone number _____ *Email* _____

Signature: _____ *Date:* _____

OWNER'S CONSENT FORM

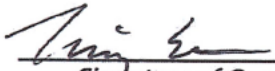
Name of Event: Compass Community Church Community Outreach

Submittal Date: 4/22/2022

OWNERS AUTHORIZATION

I hereby give CONSENT to Compass Community Church (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
Debbie Evans

Timothy EVANS

Print Name
Debbie EVANS

4-22-20

Date
4-22-20



Request for Town Council Action

Consent **Request to**
Agenda **sell real**
Item: **property**
Date: **05/03/2022**

Subject: Request to Sell Real Property

Department: General Government

Presented by: Town Manager – Michael Scott

Presentation: Consent Agenda Item

Issue Statement

During the December, 2021 Town Council Meeting the Town Council agreed by resolution to begin the process of selling the empty lot located at 801 Second Avenue, Smithfield NC in an upset bid process. This action form is intended to further this process.

Financial Impact

Revenue generated for the sale of the lot through an upset bid process. Final bid amount of \$8,500.

Action Needed

Approve the final bid of \$8,500 and authorize the Town Attorney to proceed with the sale.

Recommendation

Approve the final bid of \$8,500 and authorize the Town attorney to proceed with the sale.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Offer to Purchase Form



Staff Report

**Consent
Agenda
Item:** **Sale of Real
Property**

The Town is being asked to sell the empty lot at 801 Second Avenue. The Town acquired the lot several years ago following what appears to be a condemnation. The house that originally was located on the property has been removed and the lot is currently empty and requires normal maintenance from town staff such as mowing. Under NC G.S. 160A-268, 269, & 270, the Town can sell real property through the method of sealed bids, upset bids, or public auction. The lot currently provides no service to the Town of Smithfield and appears it would be better used if owned by a private citizen. A beginning bid of \$5,000 was approved by the Council during the December 7, 2021 meeting. Proper protocols were followed in regards to NC G.S. 160A-268, as approved by our Town Attorney. Bids have been received culminating in the final uncontested bid of \$8,500. Town staff is recommending the sale of the lot to the high bidder for \$8,500. Tax value for the lot is about \$11,200. The Council may, at its option, refuse all bids.

NORTH CAROLINA
TOWN OF SMITHFIELD

Offer To Purchase Form
(Upset Bid Procedure-Vacant Land Non-CD)

I, Angelyn Eldridge, hereby offer to purchase the property described below for \$ 8,500.00. I am paying the Town of Smithfield, a deposit of five percent (5%) of my offer with a cashiers check or certified check in the amount of \$ 425.00. Should the Town Council propose to accept my offer, the Town shall then publish a notice of the offer saying that any person may within ten days raise the bid by not less than ten percent (10%) of the first \$1,000.00 and five percent (5%) of the remainder. Further, I understand that the person who raises the bid shall also be required to deposit five percent (5%) of the increased bid with the Town of Smithfield and that this upset bid process shall be repeated until there is no increased bid. The Town Council may accept the last bid and sell the property to the highest bidder or reject all bids. I/We understand that the terms of sale are (1) upon Town Council acceptance of the offer, the Town will convey the property by a non-warranty deed; (2) the Town will not prorate property (ad valorem) taxes; (3) closing within 60 days of final Town Council acceptance of my offer; and (4) payment of balance of purchase price in cash funds at closing. I understand that the Town Council may, at any time, reject any and all offers, without explanation. In any event, if my bid is rejected, my bid deposit will be returned to me. Once a bid has been accepted by the Town Council, the bid deposit will not be refunded.

The property I am bidding on is: 801 Second Avenue, Smithfield NC 27577

OTHER CONDITIONS: Cash required at closing

My offer is made this date and will continue through the bidding process. I have read and understand the instructions printed on the reverse side of this Offer to Purchase.

Date: _____

Signature

Angelyn Eldridge

Mailing Address 141 Creechwood Circle Smithfield, NC 27577

Telephone No. (919) 801-8687 Home

() N/A Work

PLEASE SEE INSTRUCTIONS ON BACK



Local Government Property Disposal Procedures

Sale by Negotiated Offer and Upset Bid (G.S. 160A-269)

Listed below are the basic procedures required under state law for disposing of personal and real property by the negotiated offer and upset bid procedure.

- Step 1 Unit receives an offer to purchase property. The unit may solicit offers informally, and may negotiate with a prospective buyer prior to initiating the upset bid procedure.
- Step 2 Governing board adopts a resolution accepting the offer and authorizing the upset bid procedure. The offeror deposits 5% of bid amount with clerk while upset procedure takes place.
- Step 3 Publish advertisement for upset bids in a newspaper of general circulation within the jurisdiction (electronic advertisement is not authorized). The advertisement must describe the property to be sold, the terms and conditions of the sale, and the requirements for submitting a qualifying upset bid within 10 days after the date of publication: a qualifying upset bid must be an amount at least 10% of the first \$1000 of the original offer and 5% of the remainder. Bidders must submit qualifying upset bids within 10 days after date of advertisement and their bids must be accompanied by a 5% bid bond or deposit.
- Step 4 If a qualifying upset bid is received, repeat the advertisement and upset bid process until no additional qualifying upset bid is received.
- Step 5 After no additional qualifying upset bids have been received, governing board awards to the highest responsive, responsible bidder or rejects all bids.

Template resolutions and notices of sale are available on the School of Government's Local Government Procurement and Property Disposal microsite under "Sample Property Disposal Forms"

www.ncpurchasing.unc.edu



Request for Town Council Action

**Consent
Agenda
Item:** **Audit
Agreement**
Date: 05/03/2022

Subject: Contract Consideration with Thompson, Price, Scott, Adams & Co., P.A. to Perform the Town of Smithfield Audit for Fiscal Year Ending June 30, 2022.

Department: Finance Department
Presented by: Finance Director – Greg Siler
Presentation: Consent Agenda Item

Issue Statement: Approved Thompson, Price, Scott, Adams & Company, P.A. to perform Town’s annual audit for fiscal year 2022.

Financial Impact:

- 24,950 except for fees incurred in obtaining required audit evidence (i.e. bank confirmations). This is \$1,200 higher than last fiscal year.

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

Recommendation: Approve the contract and authorize the Town Manager to execute the contract on behalf of the Town.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Audit Contract
3. Engagement Letter



Staff Report

Consent
Agenda
Item: Audit
Agreement

An audit contract fee of \$24,950 is proposed by Thompson, Price, Scott, Adams & Company, P.A. to perform the Town's 2022 fiscal year audit. The fee is \$1200 more than last fiscal year and is for auditing the financial records of the governmental and business-type activities, a single audit of any federal and state awards over \$500,000, and the preparation of financial statements for each fund. The audit contract is an annual agreement which must be approved each year by Council and the Local Government Commission. Thompson, Price, Scott, Adams & Company, P.A. was approved by Council in March, 2017, to perform the Town's audits beginning Fiscal Year 2017.

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

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

(a) Each unit of local government and public authority shall have its accounts audited as soon as possible after the close of each fiscal year by a certified public accountant or by an accountant certified by the Commission as qualified to audit local government accounts. When specified by the secretary, the audit shall evaluate the performance of a unit of local government or public authority with regard to compliance with all applicable federal and State agency regulations. This audit, combined with the audit of financial accounts, shall be deemed to be the single audit described by the "Federal Single Audit Act of 1984". The auditor shall be selected by and shall report directly to the governing board. The audit contract or agreement shall (i) be in writing, (ii) include the entire entity in the scope of the audit, except that an audit for purposes other than the annual audit required by this section should include an accurate description of the scope of the audit, (iii) require that a typewritten or printed report on the audit be prepared as set forth herein, (iv) include all of its terms and conditions, and (v) be submitted to the secretary for his approval as to form, terms, conditions, and compliance with the rules of the Commission. As a minimum, the required report shall include the financial statements prepared in accordance with generally accepted accounting principles, all disclosures in the public interest required by law, and the auditor's opinion and comments relating to financial statements. The audit shall be performed in conformity with generally accepted auditing standards. The finance officer shall file a copy of the audit report with the secretary, and shall submit all bills or claims for audit fees and costs to the secretary for his approval. Before giving his approval, the secretary shall determine that the audit and audit report substantially conform to the requirements of this section. It shall be unlawful for any unit of local government or public authority to pay or permit the payment of such bills or claims without this approval. Each officer and employee of the local government or local public authority having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce all books and records requested by the auditor and shall

divulge such information relating to fiscal affairs as he may request. If any member of a governing board or any other public officer or employee shall conceal, falsify, or refuse to deliver or divulge any books, records, or information, with an attempt thereby to mislead the auditor or impede or interfere with the audit, he is guilty of a Class 1 misdemeanor.

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

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

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

Hereinafter referred to as Auditor

for	Fiscal Year Ending 06/30/22	Audit Report Due Date 10/31/22
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Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business- type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types). The basic financial statements shall include budgetary comparison information in a budgetary comparison statement, rather than as RSI, for the General Fund and any annually budgeted Special Revenue funds.
2. At a minimum, the Auditor shall conduct the audit and render the report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if the Governmental Unit expended \$100,000 or more in combined Federal and State financial assistance during the reporting period. The auditor shall perform a Single Audit if required by Title 2 US Code of Federal Regulations Part 200 *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) or the State Single Audit Implementation Act. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit in accordance with the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

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

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC Staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

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

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC Staff within four months of fiscal year end. If it becomes necessary to amend the audit fee or the date that the audit report will be submitted to the LGC, an amended contract along with a written explanation of the change shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.)[G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

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

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

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

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

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

CONTRACT TO AUDIT ACCOUNTS

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

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

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 30 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

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

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

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

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

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

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

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

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

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. **Applicable to audits with fiscal year ends of June 30, 2020 and later.** For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a “significant threat” requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. **Applicable to audits with fiscal year ends of June 30, 2021 and later.** The auditor shall present the audited financial statements including any compliance reports to the government unit’s governing body or audit committee in an official meeting in open session as soon as the audited financial statements are available but not later than 45 days after the submission of the audit report to the Secretary. The auditor’s presentation to the government unit’s governing body or audit committee shall include:

- a) the description of each finding, including all material weaknesses and significant deficiencies, as found by the auditor, and any other issues related to the internal controls or fiscal health of the government unit as disclosed in the management letter, the Single Audit or Yellow Book reports, or any other communications from the auditor regarding internal controls as required by current auditing standards set by the Accounting Standards Board or its successor;
- b) the status of the prior year audit findings;
- c) the values of Financial Performance Indicators based on information presented in the audited financial statements; and
- d) notification to the governing body that the governing body shall develop a “Response to the Auditor’s Findings, Recommendations, and Fiscal Matters,” if required under 20 NCAC 03 .0508.

29. Information based on the audited financial statements shall be submitted to the Secretary for the purpose of identifying Financial Performance Indicators and Financial Performance Indicators of Concern. See 20 NCAC 03 .0502(c)(6).

CONTRACT TO AUDIT ACCOUNTS

30. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 17 for clarification).

31. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/state-and-local-government-finance-division/local-government-commission/submitting-your-audit>

32. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

33. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

CONTRACT TO AUDIT ACCOUNTS

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will not be approved.

Financial statements were prepared by: Auditor Governmental Unit Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name: GREG SILER	Title and Unit / Company: Finance Officer / Town of Smithfield	Email Address: greg.siler@smithfield-nc.com
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OR Not Applicable (Identification of SKE Individual not applicable for GAAS-only audit or audits with FYEs prior to June 30, 2020.)

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to the submission of the completed audited financial report and applicable compliance reports subject to this contract, or to an amendment to this contract (if required) the Auditor may submit interim invoices for approval for services rendered under this contract to the Secretary of the LGC, not to exceed 75% of the billings for the unit's last annual audit that was submitted to the Secretary of the LGC. Should the 75% cap provided below conflict with the cap calculated by LGC Staff based on the billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

Primary Government Unit	TOWN OF SMITHFIELD
Audit Fee	\$ 22,700
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$ 2,250
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval (not applicable to hospital contracts)	18,712.50


DPCU FEES (if applicable)

Discretely Presented Component Unit	N/A
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval (not applicable to hospital contracts)	\$


CONTRACT TO AUDIT ACCOUNTS

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* THOMPSON, PRICE, SCOTT, ADAMS & CO., P.A.	
Authorized Firm Representative (typed or printed)* ALAN W. THOMPSON	Signature* 
Date* 04/25/22	Email Address* alanthompson@tpsacpas.com

GOVERNMENTAL UNIT


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

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

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

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

Primary Governmental Unit Finance Officer* (typed or printed) GREG SILER	Signature* 
Date of Pre-Audit Certificate* ✓	Email Address* greg.siler@smithfield-nc.com



April 25, 2022

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

To Management and Those Charged with Governance:

We are pleased to confirm our understanding of the services we are to provide the Town of Smithfield for the year ended June 30, 2022. We will audit the financial statements of the governmental activities, business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of Town of Smithfield as of and for the year ended June 30, 2022. Accounting standards generally accepted in the United States provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Town of Smithfield's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Town of Smithfield's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's discussion and analysis.
2. Schedule of the Proportionate Share of the Net Pension Liability and Schedule of Contributions – LGERS
3. Schedule of changes in Total Pension Liability and Schedule of Total Pension Liability as a Percentage of Covered Payroll – Law Enforcement Officers' Special Separation Allowance
4. Schedule of Changes in Total OPEB Liability and Related Ratios

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

1. Schedule of Expenditures of Federal and State Awards.
2. Combining and Individual Fund Financial Statements, Budgetary Schedules, and Other Schedules

Members

American Institute of CPAs - N.C. Association of CPAs - AICPA Division of Firms

Our responsibility for other information included in documents containing the entity's audited financial statements and auditors' report does not extend beyond the financial information identified in the report. We have no responsibility for determining whether such other information contained in these documents is properly stated.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on-

- Internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Commissioners and management of Town of Smithfield. Smithfield ABC is a component unit of the Town. We will make reference to the audit report prepared by another auditor. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

Audit Procedures-General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

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

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

Audit Procedures-Internal Controls

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

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

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

Audit Procedures-Compliance

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

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of Town of Smithfield's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on Town of Smithfield's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

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

Management Responsibilities

Management is responsible for (1) designing, implementing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal and State awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal and State awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including identifying all related parties and related-party relationships and transactions, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

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

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review by May 1, 2022.

You are responsible for identifying all federal and State awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal and State awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal and State awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal and State awards. You also agree to make the audited financial statements readily available to intended users of schedules of expenditures of federal and State

awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal and State awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal and State awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal and State awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information. With regard to using the auditors' report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents. With regard to electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

You agree to assume all management responsibilities relating to the financial statements, schedules of expenditures of federal and State awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal and State awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, (Greg Siler), who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing. We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If for whatever reason your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the

work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate. We will not undertake any accounting services (including but not limited to reconciliation of accounts and preparation of requested schedules) without obtaining approval through a written change order or additional engagement letter for such additional work.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' report or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

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

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

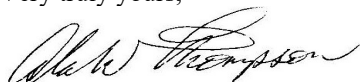
The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the federal cognizant agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding,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

We expect to begin our audit by approximately May 1, 2022 and to issue our reports no later than October 31, 2022. Alan Thompson is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, should not exceed \$24,950. Also, any excessive additional fees incurred in obtaining required audit evidence (i.e. bank confirmations) will be billed directly to the Board. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit.

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

Very truly yours,



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

RESPONSE:

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

Management signature: _____



Title: _____ ✓

Date: _____ ✓

Governance signature: _____



Title: _____ ✓

Date: _____ ✓

CC: Town Council



Request for Town Council Action

**Amending
the
Records
Retention
&
Disposition
Schedule**
Consent
Agenda
Item:
Date: 05/03/2022

Subject: Amending the Records Retention & Disposition Schedule

Department: General Government

Presented by: Town Clerk – Shannan Parrish

Presentation: Consent Agenda Item

Issue Statement

The North Carolina Department of Natural and Cultural Resources has revised the Records Retention Schedules for local governments. In order to properly dispose of records, the Town must adopt these amendments by resolution.

Financial Impact

N/A

Action Needed

Approval of Resolution No. 697 (06-2022) to amend the Records Retention and Disposition Schedule.

Recommendation

Staff recommends approval of Resolution No. 697 (06-2022)

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Resolution No. 697 (06-2022)
3. 2021 General Records Change Log: Local Government Agencies – Separate Attachment
4. 2021 Program Records Change Log: Local Government Agencies – Separate Attachment



Staff Report

**Consent
Agenda
Item:** **Amending
the
Records
Retention
&
Disposition
Schedule**

The North Carolina Department of Natural and Cultural Resources has revised the Records Retention Schedules for local governments. The 2021 General Schedule, which was last updated in 2019 now includes items that any kind of local agency may create, such as budgets, personnel files, correspondence, etc.

The 2021 Program Records Schedule is a new retention schedule created from the former Municipal Retention Schedule that was last updated in 2012. This new schedule contains specific functions of government at the municipal level and two additional standards, law enforcement records, and tax records. G. S. § 121- 5 and G. S. § 132- 3 require a municipality to approve the current schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the Division of Archives and Records.

TOWN OF SMITHFIELD
RESOLUTION No. 697 (06-2022)
TO ADOPT THE 2021 RECORDS RETENTION AND DISPOSITION SCHEDULES FOR LOCAL
GOVERNMENT INCLUDING THE GENERAL RECORDS SCHEDULE AND PROGRAM
RECORDS SCHEDULE FOR MUNICIPAL GOVERNMENT

WHEREAS, “Public Record” means any document, paper, letter, map, book, photograph, film, sound recording, magnetic or other tape, electronic data-processing record, artifact, or other documentary material, despite physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions; and

WHEREAS, without a records retention program, public records can accumulate, causing the need for additional storage space, and without a schedule for disposal, valuable documents can be mistakenly discarded; and

WHEREAS, the Town of Smithfield currently uses the Municipal Records Retention and Disposition Schedule for General Records released March 1, 2019 and all other Municipal Records as released on September 10, 2012 for record retention and disposal; and

WHEREAS, G. S. § 121- 5 and G. S. § 132- 3 require a municipality to approve the current schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the Division of Archives and Records; and

WHEREAS, the Town elects to utilize the Agency Policy option for specified items recorded within the North Carolina Department of Cultural Resources Record Retention and Disposition Schedule.

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

1. To reduce the burden and costs of record retention and maintain efficient City records management, the City Council finds and determines that this Resolution should be approved.
2. The Town of Smithfield hereby adopts the adopts the October 1, 2021 Municipal General Records Retention and Disposition General Records and Program Record Schedules, and the Agency Policy options for specified items within the Schedules as presented in accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, copies of which are on file in the office of the Town Clerk.
3. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

Adopted by the Town Council of the Town of Smithfield, North Carolina on this the 3rd day of May, 2022.

M. Andy Moore, Mayor

Attest:

Shannan L. Parrish, Town Clerk



Request for Town Council Action

Consent **Advisory**
Agenda **Board**
Item: **Appointment**

Date: 05/03/2022

Subject: Advisory Board Appointments
Department: General Government
Presented by: Town Clerk – Shannan Parrish
Presentation: Consent Agenda

Issue Statement

The Town Council is asked to consider a reappointment to the Appearance Commission.

Financial Impact

N/A

Action Needed

The Town Council is asked to consider and approve the reappointment of Robin Cook to serve on the Appearance Commission.

Recommendation

Staff recommends approval of this appointment

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Robin Cook – Board Application



Staff Report

Consent
Agenda
Item

Advisory
Board
Appointments

Board Reappointment

Robin Cook has submitted an application for consideration to be reappointed to a second term on the Appearance Commission.

Current Board vacancies are as follows:

- Appearance Commission – 1 position
- Historic Properties Commission – 5 positions
- Parks and Recreation Advisory Commission – 2 positions and 2 High School representative positions



Town of Smithfield
Board, Commission, or Committee
Application

Name: Cook Robin M.
(Last) (First) (MI)

Home Address: 507 S. Fourth St. Smithfield NC 27577

Business Name & Address:

Telephone Numbers: (Home) 919 338 6993 (Mobile) cm49936@yahoo.com (Email)

Please check the Board(s) that you wish to serve on:

Form with checkboxes for: Appearance Commission, Board of Adjustment In Town Resident, Board of Adjustment ETJ Member, Historic Properties Commission, Library Board of Directors, Parks/Recreation Advisory Commission, Planning Board In-Town Resident, Planning Board ETJ Resident, Other.

Interests & Skills:

Circle highest level of education completed: (High School) 10 11 12 GED College 1 2 3 4 5 6

Recent Job Experiences: Project Manager Clinical Research

Civic or Service Organization Experience:

Town Boards previously served on and year(s) served: Appearance Commission - since 2019

Please list any other Boards/Commissions/Committees on which you currently serve:

Why are you interested in serving on this Board/Commission/Committee? I am very interested in Smithfield having a positive environment for residents & guests.

Affirmation of Eligibility:

Has any formal charge of professional misconduct, criminal misdemeanor or felony ever been filed against you in any jurisdiction?

Yes No If yes, please explain disposition: _____

Is there any conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Smithfield Town Council? Yes No If yes, please explain: _____

I understand this application is public record and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein as deemed appropriate and if necessary. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation. I understand and agree that any misstatement may be cause for my removal from any Board/Commission/Committee. I understand regular attendance to any Council Board/Commission/Committee is important and, accordingly, I further understand that if my attendance is less than the standards established for any such body that this is cause for removal. Lacking any written standards for attendance by any Board/Commission/Committee, it is expected that I will attend at least 75% of all meetings during any one calendar year to maintain my seat on any Board/Commission/Committee to which I may be appointed. This form will remain on file in the Office of the Town Clerk and requests for updates will be sought prior to any consideration for reappointment (or future appointment) to any Board/Commission/Committee.

Printed Name: Robin M. Cook
Signature: Robin M. Cook Date: 4/20/2022

Return completed for to:
Shannan Parrish
Town Clerk
P. O. Box 761
Smithfield, North Carolina 27577
Phone: (919) 934-2116 Fax: (919) 989-8937 E-Mail: shannan.parrish@smithfield-nc.com

Applicants are required to be a resident of the Town of Smithfield for In-Town positions and within the Town's ETJ for ETJ positions



Staff Report

Consent Agenda Item: New Hire / Vacancy Report
Date: 05/03/2022

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:

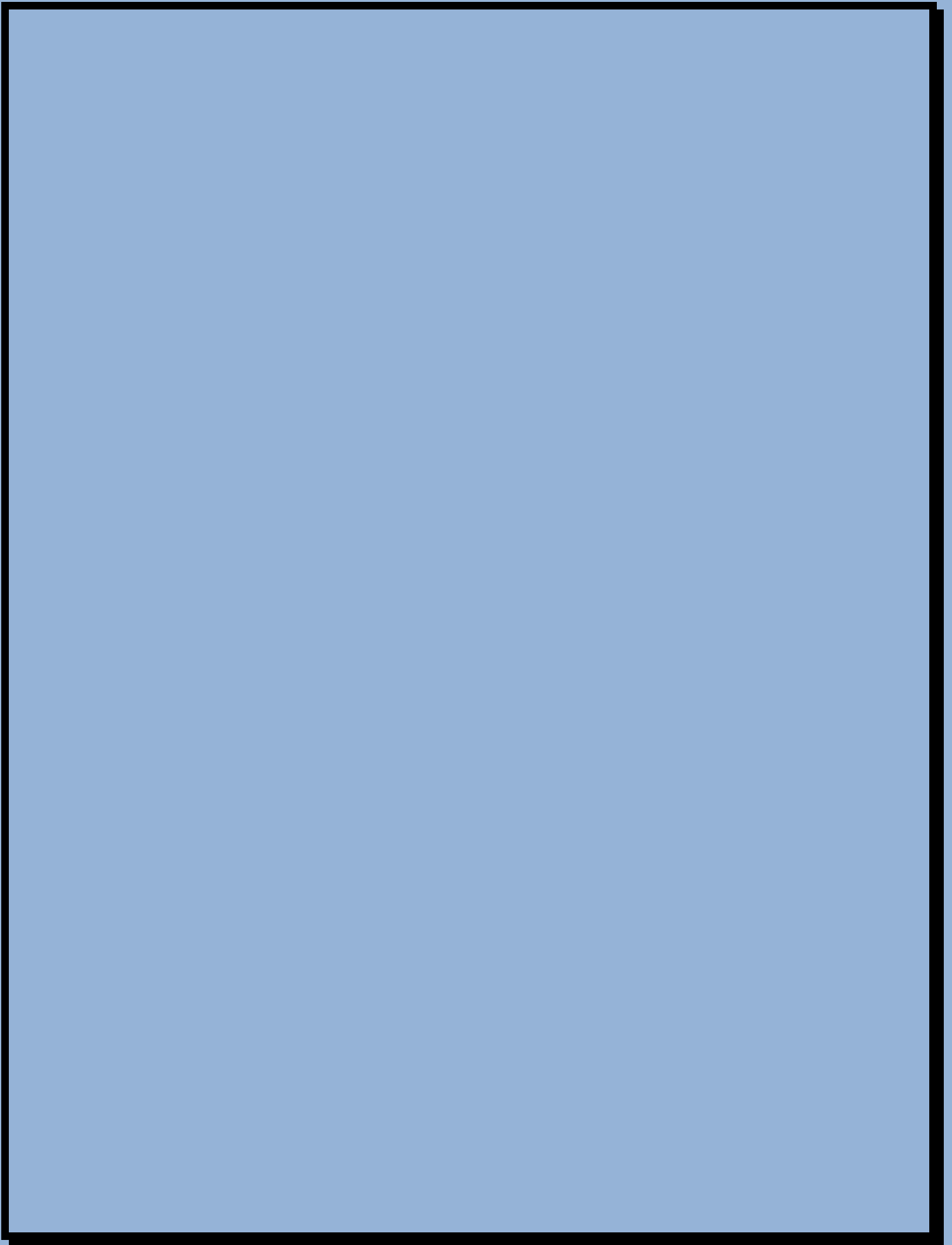
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Electric Line Technician	PU – Electric	31-72-7230-5100-0200
IT Specialist	General Government	Shared
P/T Collections Assistant	PU – Electric	31-72-7230-5100-0200
P/T Equipment Mechanic	PW – Garage	10-30-5650-5100-0200
Police Officer I/II – Patrol (5 positions)	Police	10-20-5100-5100-0200
Police Records Specialist	Police	10-20-5100-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2021-2022 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Police Officer II	Police	10-20-5100-5100-0200	\$19.01/hr. (\$44,518.76/yr.)
P/T SRAC Staff-Instructor	P&R- Aquatics	10-60-6220-5100-0230	\$9.00/hr.
P/T SYCC Staff	P&R – SYCC	10-60-6240-5100-0210	\$9.00/hr.
P/T SYCC Staff	P&R – SYCC	10-60-6240-5100-0210	\$10.00/hr.
P/T Zoning Compliance Asst.	Planning	10-10-4900-5100-0200	\$12.00/hr.

Business Items





Request for Town Council Action

**Consent
Agenda
Item:** Neuse
Amphitheater
Design-Build
Contract
Date: 05/03/2022

Subject: Approval for Design–Construction of the Neuse Amphitheater

Department: Parks and Recreation

Presented by: Parks and Recreation Director - Gary Johnson

Presentation: Consent Agenda Item

Issue Statement: The Parks and Recreation Department is requesting approval to enter into contract with Balfour Beatty Construction, Inc for the design and renovation/construction of the Neuse Amphitheater.

Financial Impact

Approved Budgeted Amount for FY 2021-2022: \$ 989,500.00

Amount of Purchase/Bid/Contract: NTE \$ 989,500.00

Action Needed: Approval to enter into contract with Balfour Beatty Construction, LLC for design services and the renovation/construction of the Neuse Amphitheater.

Recommendation: Approval to enter into contract with Balfour Beatty Construction, LLC for design services and the renovation/construction of the Neuse Amphitheater

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Request For Qualifications
3. Contractor Scoring
4. Balfour Beatty Construction, LLC Statement of Qualifications & Contract - Separate Attachment



STAFF REPORT

**Consent
Agenda
Item:** Neuse
Amphitheater
Design-Build
Contract
Date: 05/03/2022

The Town of Smithfield was awarded a SCIF Grant from the State of North Carolina in the state adopted budget for the redesign and renovation/construction of the Neuse Amphitheater. The grant award amount was \$ 989,000.00.

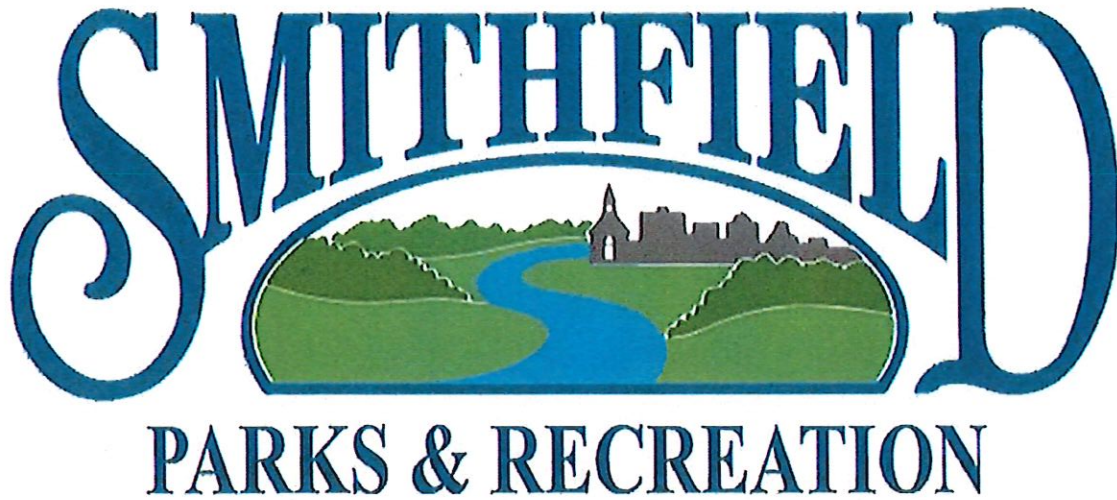
Town Staff including the Parks and Recreation Department, along with Planning and the Town Engineer, felt that the design-build process was the best option for this project. In the design-build process, the project budget is set early and the project is designed to fit within the allocated amount set. Designers and contractors are selected as a team and work jointly to produce the project. Costs and overruns are generally reduced, the timeline of construction is more expedient.

For the design-build process, Requests for Qualifications are issued and statements of qualifications are submitted by design-build teams. The Parks and Recreation Department developed an RFQ for the project and invited design-build teams to submit statements of qualifications. The RFQ was also posted and advertised to the public for anyone wishing to submit. During the first round of advertising, only two statements were received. After additional posting and advertising, no additional statements were received. Town Staff along with the outside stake holders evaluated the submitted statements of qualifications. Statements were submitted by Balfour-Beatty Construction, LLC and J.M. Thompson Construction, Inc.

Using a scoring system as prescribed in the RFQ, Balfour Beatty Construction, LLC was unanimously selected as the design-build team to begin negotiations for the design and renovation/construction project. Scores were based on Design Team Experience and Qualifications, Project Understanding and Approach, RFQ Quality and Responsiveness and Reference Projects. Balfour Beatty Construction, LLC repeatedly scored high across all categories.

Staff met with the design-build team including their engineer, architect and contractor staff to discuss and negotiate the project costs. A cost-plus fee with a guaranteed maximum price was decided upon with at NTE of the grant amount of \$ 898,500.00. Staff and the design-build team are confident that a top tier product can be designed and built within the allocated budget. The process allows for options during the design process to allow for options to get the greatest value within the project budget.

Staff is requesting approval to enter into a contractual agreement with Balfour-Beatty Construction, LLC for the design and renovation/construction of the Neuse Amphitheater in the amount not to exceed \$ 989,500.00.



REQUEST FOR QUALIFICATIONS

NEUSE RIVER AMPHITHEATER RENOVATIONS

SMITHFIELD, NC

REQUESTED BY:

TOWN OF SMITHFIELD PARKS AND RECREATION

600 M. DURWOOD STEPHENSON PKWY

SMITHFIELD, NC 27577

DATE OF ISSUE: JANUARY 11, 2022

STATEMENTS OF QUALIFICATIONS DUE: FEBRUARY 10, 2022



Request for Qualifications

NEUSE RIVER AMPHITHEATER RENOVATIONS

PURPOSE OF RFQ

- Pursuant to N.C. Statute Sec. 143-64.31, the Town of Smithfield (the "Town" or "Owner") is soliciting proposals from qualified design-build firms / teams interested in providing professional design-build services for the renovation / construction of an amphitheater to include stage renovations, band shell, outdoor seating, walkways, steps, driveway, and lighting.
- The Town will follow a Qualifications Based Selection process as required by the N.C. General Statutes and select the most qualified team to negotiate a contract for services. This RFQ provides complete information of the services being sought, the submittal requirements, and timeline. Copies of the RFQ and any addenda may be acquired from the Town of Smithfield web-site: www.smithfield-nc.com. Interested firms may submit a Statement of Qualifications, meeting the requirements in the RFQ.

SMALL PROFESSIONAL SERVICE FIRM (SPSF) PARTICIPATION

- The Town of Smithfield encourages the use of Small Professional Services Firms (SPSF). Small businesses determined to be eligible for participation in the SPSF program are those meeting size standards defined by Small Business Administration (SBA) regulations, 13 CFR Part 121 in Sector 54 under the North American Industrial Classification System (NAICS). The SPSF program is a race, ethnicity, and gender-neutral program designed to increase the availability of contracting opportunities for small businesses on federal, state or locally funded contracts. SPSF participation is not contingent upon the funding source.
- The Firm, at the time the Letter of Interest is submitted, shall submit a listing of all known SPSF firms that will participate in the performance of the identified work.

SITE DESCRIPTION

- The Neuse River Amphitheater located on the Town Commons in Smithfield was constructed by the Kiwanis Club in 1978. Built along the banks of the Neuse River, the facility was served the community well for 43 years and is in need of updating / renovation to include accessibility.
- The address of the facility is 200 S. Front Street, Smithfield, NC 27577

SCOPE OF WORK

- The Town of Smithfield is pursuing qualification statements from experienced design-build teams to secure services for the planning, design, and renovation/construction of the Neuse River Amphitheater. Services may include among other things, site and civil engineering design and construction; stage and band shell engineering/renovation and construction; paver mezzanine design and construction; amphitheater seating engineering, design and construction; accessible walkways/drives engineering design and construction; stairways and step design and construction; and lighting design and construction.
- A project schedule will be developed with the selected design-build team and incorporated into the contract.

PROJECT FUNDING

- Funding for the project will be provided by the Town of Smithfield. Currently the budget for the project is \$ 989,500.00.

PROPOSAL REQUIREMENTS

To evaluate responses efficiently and equitably, responses must be submitted as identified below. Failure to submit this information may render your proposal non-responsive. Each respondent shall provide the following company information:

Section 1: Introduction: Company Profile

- Company name and business address, including telephone, email address, website address.
- The type of company (individual, partnership, corporation, etc.) and the names of all partners, principals, etc.
- Year established. Include former company name(s) and year(s) established, if applicable.
- The name, title, address, and telephone number of the company's authorized negotiator. The person identified must be empowered to make binding commitments for the company.

Section 2: Experience

- Describe firm's experience with similar projects.

Section 3: Description of Design-Team

- Include a list of key personnel who may be assigned to this project, their project roles, and relevant qualifications and experience.

Section 4: Project Approach

- Provide a description of the proposed approach to the project. Include a response to the preliminary scope but do not simply restate the scope. Identify key risks / challenges / concerns you anticipate and any mitigation steps to achieve successful delivery. Describe the team's approach to design document quality assurance and quality control. Describe the team's track record delivering projects with minimal change orders. Describe the team's level of experience with major regulatory bodies likely to review the project whether local, state or federal. Provide an outline project schedule, showing major tasks, milestones and deliverables including review meetings with the Town project team.
- Provide an outline of the strategy that the firm plans to use for open contractor and subcontractor selection based upon the provisions of Article 8 of Chapter 143 of the N.C. General Statutes.

Section 5: Current Workload

- Provide a listing of ongoing projects (workload of the firm) and your commitment to provide adequate personnel resources to our project.

Section 6: References

- Provide at least three references for similar projects; include summary of the project, the date completed, if completed on time, original proposed cost, final cost, and entity name, point of contact, address, and verified telephone number of each to contact.

Section 7: Exceptions

- **Exceptions to the Scope of Services.** All exceptions/deviations to the required Scope of Services shall be documented on a separate page and submitted in this Section. In addition, please note any parts of the scope of services that are beyond the expertise of the consultant or would be better handled by Town of Smithfield's Parks and Recreation staff.
- **Litigation.** Provide pending, ongoing, or prior litigation within the last 10 years.

CONTRACT TERMS AND CONDITIONS

- Town of Smithfield reserves the right to award this contract in whole or in part, in the best interest of the Town and further reserves the right to accept or reject any or all proposals.
- Town of Smithfield reserves the right to request clarification or supplemental material it feels necessary to make a qualified judgment to the firm's ability to perform the work.
- Town of Smithfield reserves the right to amend the RFQ at any time; to modify or incorporate additional steps in the evaluation process in the interest of having a thorough and comprehensive body of information in order to make a selection.
- Town of Smithfield also reserves the right to cancel or reissue the RFQ, to reject any or all submissions, to waive any irregularities or informalities in the selection process, and to accept or reject any item or combination of items.
- The awarded firm shall not commence work under this contract until all insurance required under this paragraph has been approved by the Town. The firm must maintain insurance coverage for the duration of the contract period.
- This RFQ does not obligate the Town of Smithfield to accept or contract for any expressed or implied services.
- Town will not reimburse the firm for any of the cost involved in the preparation and submission of responses to this RFQ or in the preparation for an attendance at subsequent interviews.

SUBMISSION OF PROPOSALS

If submittal does not meet all requirements, it will be disqualified. Qualifications should be submitted by 3:00 pm on February 10, 2022 and should be submitted to:

Town of Smithfield

Attn: Parks & Recreation Department

600 M. Durwood Stephenson Pkwy.

P.O. Box 2344

Smithfield, NC 27577

Questions should be directed to Gary Johnson, Parks and Recreation Director by email at gary.johnson@smithfield-nc.com

SELECTION CRITERIA

- The Town staff will review proposals based on the criteria below and make a recommendation to negotiate a tentative contract. Each RFQ response will be evaluated on their Statement of Qualifications score (100 points maximum) as determined by a qualification review process and the scoring criteria noted below:

1. Design Team Experience and Qualifications (40 points)
2. Project Understanding and Approach (40 points)
3. RFQ Quality and Responsiveness (10 points)

Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications.

4. Reference Projects (10 points)

SEQUENCE OF ACTIVITY

- Issue RFQ January 11, 2022
- Deadline for written questions or clarifications on RFQ January 27, 2022
- Town of Smithfield issues any addenda February 3, 2022
- Deadline for Statement of Qualifications February 10 2022 (3:00 PM)
- Notify shortlisted for interviews (not required) February 22, 2022
- Interviews (not required) March 1-11, 2022
- Negotiations / Contract March 15-28, 2022
- Town Council Approval / Award April 5, 2022



NEUSE RIVER AMPHITHEATRE

AMPHITHEATER MASTER PLAN

THIS PLAN IS BASED ON PRELIMINARY GIS BOUNDARY, TOPOGRAPHIC, AND STREAM LOCATION INFORMATION.



NEUSE RIVER AMPHITHEATRE

OVERALL MASTER PLAN

THIS PLAN IS BASED ON PRELIMINARY GIS BOUNDARY, TOPOGRAPHIC AND STREAM LOCATION INFORMATION.

NEUSE AMPHITHEATER PROJECT RFQ EVALUATION

DESIGN/BUILD TEAM Balfour Beatty

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	40	40
Project Understanding and Approach	40	40
RFQ Quality and Responsiveness	10	10
Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications		
Reference Projects	10	10
TOTAL	100	100

Comments:

1. Good mention of the need to deal with the volatile construction market.
2. Good discussion on drainage as an issue.
3. Like the discussion on a design that can limit vandalism.
4. Reference: Know Paula Stewart very well and have much respect for her opinion.

INITIAL



NEUSE AMPHITHEATER PROJECT RFQ EVALUATION

DESIGN/BUILD TEAM JM Thompson

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	35	40
Project Understanding and Approach	32	40
RFQ Quality and Responsiveness	7	10
<p>Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications</p>		
Reference Projects	10	10
TOTAL	84	100

Comments:

1. Not familiar with Allison Blanks, the project architect.
2. Project Understanding seemed a bit "canned".
1. Reference Projects were ok.

INITIAL


NEUSE AMPHITHEATER PROJECT RFQ EVALUATION

DESIGN/BUILD TEAM

Balfour

CRITERIA

Design Team Experience and Qualifications

40

OUT OF

40

Project Understanding and Approach

40

40

RFQ Quality and Responsiveness

10

10

Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications

Reference Projects

8

10

TOTAL

98

100

Comments: clearly understood project and scope as shown on the Project Site and Project Familiarity Section and detailed Timeline

INITIAL

SW

NEUSE AMPHITHEATER PROJECT RFQ EVALUATION

DESIGN/BUILD TEAM

JMt

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	35	40
Project Understanding and Approach	35	40
RFQ Quality and Responsiveness Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications	7	10
Reference Projects	7	10
TOTAL	84	100

Comments:

INITIAL

JMt

DESIGN/BUILD TEAM BALFOUR BEATTY

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	40	40
Project Understanding and Approach	38	40
RFQ Quality and Responsiveness Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications	10	10
Reference Projects	9	10
TOTAL	97	100

Comments:

Had a clear understanding of the specific project and a good approach for a successful product
Very good reference projects.

INITIAL 


DESIGN/BUILD TEAM

J.M. THOMPSON

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	40	40
Project Understanding and Approach	35	40
RFQ Quality and Responsiveness Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications	8	10
Reference Projects	8	10
TOTAL	91	100

Comments:

The response and project understanding was more generic and standard response as opposed to specifically responding to this specific project.

INITIAL 

NEUSE AMPHITHEATER SUBJECT RFQ EVALUATION

DESIGN/BUILD TEAM

BACBul Beatty

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	40	40
Project Understanding and Approach	38	40
RFQ Quality and Responsiveness	35	10
Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications		
Reference Projects	10	10
TOTAL	123	100

Comments:

INITIAL


NEUSE AMPHITHEATER PROJECT RFQ EVALUATION

DESIGN/BUILD TEAM

JMT

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	30	40
Project Understanding and Approach	30	40
RFQ Quality and Responsiveness	5	10
Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications		
Reference Projects	5	10
TOTAL	70	100

Comments:

INITIAL

JMT

DESIGN/BUILD TEAM

Balfour Beatty

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	36	40
Project Understanding and Approach	35	40
RFQ Quality and Responsiveness	10	10
<p>Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications</p>		
Reference Projects	7	10
TOTAL	88	100

Comments:

Balfour Beatty provided a variety of past projects. I believe that Balfour Beatty has a better understanding of the challenges working along the Neuse Riverbank.

INITIAL

LNC

DESIGN/BUILD TEAM

JMT (J. M. Thompson)

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	36	40
Project Understanding and Approach	30	40
RFQ Quality and Responsiveness	10	10
Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications		
Reference Projects	8	10
TOTAL	84	100

Comments:

JM Thompson provided several past projects including amphitheatres. However, it concerns me that they have approximately a billion dollars worth of projects expected to completed with in 2022. I am concern that they have not fully thought out the challenges that they will face with this specific project.

INITIAL **LNC**

NEUSE AMPHITHEATER PROJECT RFQ EVALUATION

DESIGN/BUILD TEAM

Balfour Beatty (#1)

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	35	40
Project Understanding and Approach	37	40
RFQ Quality and Responsiveness Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications	9.5	10
Reference Projects	8.5	10
TOTAL	90	100

Comments:

This extensive project approach along with the realistic expected/actual total project expenses steered me into favor of this team to be selected.

Brendan Boyd

INITIAL



DESIGN/BUILD TEAM

JMT (#2)

CRITERIA	SCORE	OUT OF
Design Team Experience and Qualifications	34	40
Project Understanding and Approach	32	40
RFQ Quality and Responsiveness Based on the extent to which the RFQ instructions were followed and qualities including accuracy, responsiveness, organization, clarity and completeness of the submitted Statement of Qualifications	9.8	10
Reference Projects	9.2	10
TOTAL	86	100

Comments:

The project approach was solid, but it lacked depth in description and detail.

Brendan Boyd

INITIAL





Request for Town Council Action

Business	22/23
Agenda	Janitorial
Item:	Agreement
Date:	05/03/2022

Subject: FY 22/23 Janitorial Agreement
Department: Public Works Department
Presented by: Public Works Director – Lawrence Davis
Presentation: Business Item

Issue Statement

The Public Works Department is requesting to enter an Agreement between the Town of Smithfield and Barnes Cleaning Co. for the FY 2022-2023, this agreement is renewable for one year on an annual basis.

Financial Impact

Amount of contract Bid: \$42,261.48

Action Needed

Approve the agreement with Barnes Cleaning Co. for Janitorial Services and authorize the Town Manager to execute the agreement on behalf of the Town.

Recommendation

Staff recommends awarding the FY 22-23 Janitorial Service to the Second lowest bidder

Approved: Town Manager Town Attorney Attached:

Attachments:

1. Staff Report
2. Received Bids
3. Barnes Cleaning Company Agreement



Staff Report

**Consent
Agenda
Item:** **22/23
Janitorial
Agreement**

This Janitorial agreement is renewable for 1 year on an annual basis. Our contract consists of four (4) facilities; Town Hall, Operation Center, Public Works and Police Department. The Operation Center portion of the contract is paid out of the utility fund. Bid packets were sent out to area contractors as well as everyone on our bidders list. We received proposal from four (4) companies as follows:

1. Coverall	\$58,907.00
2. Barnes Cleaning Co.	\$42,261.48
3. Commercial Building Associates	\$82,884.00
4. No Looking Back Cleaning Services	\$42,000.00

Funds for all the above services were budgeted in the FY 2022-2023 Adopted budget.

Public Works Department recommends Barnes Cleaning Co. for Janitorial Services, although the company was \$21.79 higher a month than "No Looking Back Cleaning Services". Barnes Cleaning Co. was the only bid applicant to show up both times to bid in person after a resend, due to 3 bids needed to award this contract. The company also has a 4-man cleaning operation out of the two lowest bids.



Town of Smithfield
 Janitorial Service
 FY 2022 - 2023
 5-Apr-22

Vendor Name	Contact Person	Public Works Per month	Operations Ctr. Per month	Police Dept. Per month	Town Hall Per month	Monthly Total	Annual Contract
Aces Cleaning Service	Stanley Emanuels & Jenna Emanuels Wooten	649.03	775.36	998.25	1,096.55	No Bid	
Barnes Cleaning Co.	Terrance Barnes	1,175.50	1,045.50	1,710.50	1,675.50	3,521.71	
Commerical Building Associates	Bobby Jones	791.00	992.00	1,673.00	1,383.00	4,839.00	
Coverall Cleaning	Christopher L. Jones Burcham					No Bid	
Parrish Cleaning Services	Joe Parrish						
No Looking Back Cleaning Service	Latasha Davis Williams	500.00	500.00	1,000.00	1,200.00	3,500.00	

Prices quoted on the BID FORM will be in effect for the complete term of the contract. The contract will be in effect for a period of 12 months following the date of award. The Town reserves the right to extend this contract for an additional one (1) year period, with an option to renew year to year pending successful completion of the contract and with the agreement of both Parties. This contract may be canceled at any time by either party for any reason upon submission of a sixty (60) day written notice advising intent to cancel contract.

In compliance with the enclosed request for proposal, the undersigned offers and agrees, if this proposal be accepted to furnish the services as described herein at the prices quoted for a period of twelve (12) months beginning July 1, 2022.

Name of Company BARNES CLEANING COMPANY
Address 293 LOCKWOOD DRIVE
CLAYTON NC 27527

Phone 919-320-3366
Signature of Authorized Official Terrence Barnes
Name Printed or Typed Terrence Barnes
Title OWNER
Date 4/5/22

Bidder shall sign and return one copy of this form and all other required documents in a sealed envelope marked as shown in the following page:

Lawrence Davis, Public Works Director
The Town of Smithfield Public Works Building
231 Hospital Road, P.O. Box 761
Smithfield, North Carolina 27577

"Request for Proposal: Janitorial Services. To be opened 4/5/22

(SEAL)

See attached specifications for work required at each facility. The Owner reserves the right to reject and waive any and all BIDS.

Janitorial Services Required at Municipal Bldg. - Town Hall, 350 E. Market St.

\$ 1098⁵⁵ per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Police Department, 110 S 5th Street

\$ 998²⁵ per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at the Public Works Facility, 231 Hospital Road.

\$ 649⁶³ ~~649⁶³~~ 649⁶³ (TB)
per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Public Utilities - Operation Center, 230 Hospital Road

\$ 775³⁶ ~~649⁶³~~ 775³⁶ (TB)
per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

\$ 3521.79

Prices quoted on the BID FORM will be in effect for the complete term of the contract. The contract will be in effect for a period of 12 months following the date of award. The Town reserves the right to extend this contract for an additional one (1) year period, with an option to renew year to year pending successful completion of the contract and with the agreement of both Parties. This contract may be canceled at any time by either party for any reason upon submission of a sixty (60) day written notice advising intent to cancel contract.

In compliance with the enclosed request for proposal, the undersigned offers and agrees, if this proposal be accepted to furnish the services as described herein at the prices quoted for a period of twelve (12) months beginning July 1, 2022.

Name of Company Coverall
Address 991 Aviation Pkwy
Suite 100
Morrisville, NC 27560
Phone 919-677-9999
Signature of Authorized Official Jacqui Young-Heck
Name Printed or Typed Jacqui Young-Heck
Title Research Development Consultant
Date 4/1/2022

Bidder shall sign and return one copy of this form and all other required documents in a sealed envelope marked as shown in the following page:

Lawrence Davis, Public Works Director
The Town of Smithfield Public Works Building
231 Hospital Road, P.O. Box 761
Smithfield, North Carolina 27577

“Request for Proposal: Janitorial Services. To be opened _____”

(SEAL)

See attached specifications for work required at each facility. The Owner reserves the right to reject and waive any and all BIDS.

Janitorial Services Required at Municipal Bldg. - Town Hall, 350 E. Market St.

\$ 1,383⁰⁰ per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Police Department, 110 S 5th Street

\$ 1,673⁰⁰ per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at the Public Works Facility, 231 Hospital Road.

\$ 791⁰⁰ per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Public Utilities - Operation Center, 230 Hospital Road

\$ 990⁰⁰ per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Prices quoted on the BID FORM will be in effect for the complete term of the contract. The contract will be in effect for a period of 12 months following the date of award. The Town reserves the right to extend this contract for an additional one (1) year period pending successful completion of the contract and with the agreement of the successful vendor. This contract may also be canceled at any time by either party for any reason upon submission of a sixty (60) day written notice advising intent to cancel contract.

In compliance with the enclosed request for proposal, the undersigned offers and agrees, if this proposal be accepted to furnish the services as described herein at the prices quoted for a period of twelve (12) months beginning July 1, 2022.

Name of Company Commercial Building Services
Address 60 Great OAK Dr
Garner, NC 27529

Phone 919-796-9092
Signature of Authorized Official Bobby L Jones
Name Printed or Typed Bobby L Jones
Title Owner
Date 4/4/2022

Bidder shall sign and return one copy of this form and all other required documents in a sealed envelope marked as shown in the following page:

Lawrence Davis, Public Works Director
The Town of Smithfield Public Works Building
231 Hospital Road, P.O. Box 761
Smithfield, North Carolina 27577

“Request for Proposal: Janitorial Services. To be opened _____
_____”

(SEAL)

See attached specifications for work required at each facility. The Owner reserves the right to reject and waive any and all BIDS.

Janitorial Services Required at Town Hall, 350 E. Market St.

\$1,675.50 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Police Department, 110 S 5th Street

\$1,710.50 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at the Public Works Facility, 231 Hospital Road.

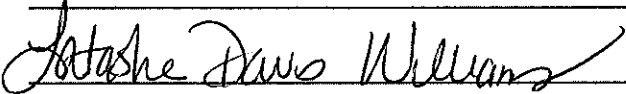
\$1,675.50 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Operation Center, 230 Hospital Road

\$1,845.50 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps. *Stripping, Waxing / Buffing*

Prices quoted on the BID FORM will be in effect for the complete term of the contract. The contract will be in effect for a period of 12 months following the date of award. The Town reserves the right to extend this contract for an additional one (1) year period, with an option to renew year to year pending successful completion of the contract and with the agreement of both Parties. This contract may be canceled at any time by either party for any reason upon submission of a sixty (60) day written notice advising intent to cancel contract.

In compliance with the enclosed request for proposal, the undersigned offers and agrees, if this proposal be accepted to furnish the services as described herein at the prices quoted for a period of twelve (12) months beginning July 1, 2022.

Name of Company	<u>No Looking Back Cleaning Services, LLC</u>
Address	<u>68 E. Copenhaver Drive</u> <u>Clayton, NC 27577</u>
Phone	<u>919-390-9765</u>
Signature of Authorized Official	<u></u>
Name Printed or Typed	<u>Latasha Davis Williams</u>
Title	<u>Owner</u>
Date	<u>4/4/2022</u>

Bidder shall sign and return one copy of this form and all other required documents in a sealed envelope marked as shown in the following page:

Lawrence Davis, Public Works Director
The Town of Smithfield Public Works Building
231 Hospital Road, P.O. Box 761
Smithfield, North Carolina 27577

“Request for Proposal: Janitorial Services. To be opened _____”

(SEAL)

See attached specifications for work required at each facility. The Owner reserves the right to reject and waive any and all BIDS.

Janitorial Services Required at Municipal Bldg. - Town Hall, 350 E. Market St.

\$ 1,200.00 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Police Department, 110 S 5th Street

\$ 1,000.00 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at the Public Works Facility, 231 Hospital Road.

\$ 500.00 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.

Janitorial Services Required at Public Utilities - Operation Center, 230 Hospital Road

\$ 800.00 per month
Including all paper products, cleaning supplies, trash liners
and hand soaps.



State of North Carolina

County of Johnston County

This agreement made and entered into this _____ day of _____, 2022, by and between the Town of Smithfield (hereinafter “Smithfield” or “Town”) and Barnes Cleaning Company”.

I. DUTIES

For and in consideration of the covenants and agreements of Barnes Cleaning Company as contained herein, SMITHFIELD hereby covenants and agrees with Barnes Cleaning Company as follows:

SMITHFIELD agrees to pay Barnes Cleaning Company for Janitorial Services in Town Hall, Police Dept, Public Works building and Public Utilities Operation Center \$3,521.79 per month for a one-year term, beginning the 1st day of July, 2022. Each Facility will be cleaned and serviced Monday, Wednesday and Friday within the hours of 8:00 am – 5:00 pm, with the exception of Town Hall which is required to be cleaned (same times) Monday through Friday. Barnes Cleaning Company is required to supply all paper products, cleaning supplies trash liners and hand soaps in above mentioned facilities.

All facilities shall be cleaned in a reasonable manner and to a high commercial standard of cleanliness as reasonably determined by Town.

The obligation is to keep facilities clean and presentable at all times. In the event of an emergency, Barnes Cleaning Company is required to have a representative address the said emergency within the same day of the call between the hours of 8:00 am – 5:00 pm. Barnes Cleaning Company will be required to complete specifications for services at each facility according to the included specifications that are outlined in this agreement.

Payment for services by the Town to Barnes Cleaning Company will be made following at least monthly billing within 30 days unless a charge or bill disputed in which case the non-disputed portion will be paid within 30 days.

II. SPECIFICATIONS

The specifications as set forth below shall be followed for each facility:

A. **Specifications for Services at Municipal Building- 350 E. Market St Police Dept. – 110 S. 5th St.**

The following services are to be completed between 8:00 am - 5:00 pm, Mon. - Fri. unless set forth by a separate schedule below.

Services required daily:

1. Empty all waste receptacles and remove trash to dumpster located on site.
2. Sweep front and back porches including steps. Blow off sidewalks in area immediately surrounding building. Remove all cigarette butts, litter, etc. from this area.
3. Sweep lobby, steps and hallway.
4. Clean and sanitize rest rooms and disinfect toilets and urinals. Clean all wash basins and wet mop bathroom floors daily or as needed.
5. Clean and sanitize drinking fountains.
6. Refill all paper towels, toilet paper, and soap supplies as necessary.
7. Clean all glass entrance doors.
8. Kitchen area wipe down counters, tables and appliances.
9. Meeting rooms – Conference Room and Council Chambers check and dust furniture as needed, empty trash daily.

Services required twice each week

1. Dust office furniture and equipment; collection office counter, ledges, sills, pictures, clocks, partition tops, departmental signs, etc..
2. Spot clean and remove stains on carpeted areas as necessary; spot clean walls and doors as necessary.
3. Vacuum floors and mats.

Services required once every work week

1. Apply furniture polish to all tables and desks that have been cleaned off and counter tops in collection office and offices.
2. Clean and sanitize all light switches and all telephones, door knobs, handles, and push plates.
3. Sweep and damp mop all tiled floor areas. Do not leave slick and dangerous coating on floor in order to prevent falling.

Services required once a month

1. Wash all restroom ceramic wall tiles and wipe down hall walls.
2. Vacuum/dust all chair seats and spot clean as require or necessary.
3. Wipe down vents and returns.
4. Wipe down door jams and baseboards in the buildings.
5. Wipe overhead light covers and clean bugs from inside the light cover.

Services required one a year

1. Wax floors.

Note: Buffing floors out as needed to maintain shine.

B. Specifications for Services at: Public Works Bldg. – 231 Hospital Rd. and Public Utilities Operations Center – 230 Hospital Rd.

The following services are to be completed between 8:00 am - 5:00 pm, Mon., Wed., and Fri. unless set forth by a separate schedule below.

Services required three times a week:

1. Empty all waste receptacles and remove trash to dumpster located on site.
2. Sweep front and back porches including steps. Blow off sidewalks in area immediately surrounding building. Remove all cigarette butts, litter, etc. from this area.
3. Sweep lobby, steps and hallway.
4. Clean and sanitize rest rooms and disinfect toilets and urinals. Clean all wash basins and wet mop bathroom floors daily or as needed.
5. Clean and sanitize drinking fountains.
6. Refill all paper towels, toilet paper, and soap supplies as necessary.
7. Clean all glass entrance doors.
8. Kitchen area wipe down counters, tables and appliances.
9. Meeting rooms – Conference Room check and dust furniture as needed, empty trash daily.

Services required twice each week

1. Dust office furniture and equipment; collection office counter, ledges, sills, pictures, clocks, partition tops, departmental signs, etc..
2. Spot clean and remove stains on carpeted areas as necessary; spot clean walls and doors as necessary.
3. Vacuum floors and mats.

Services required once every work week

1. Apply furniture polish to all tables and desks that have been cleaned off and

- counter tops in collection office and offices.
2. Clean and sanitize all light switches and all telephones, door knobs, handles, and push plates.
3. Sweep and damp mop all tiled floor areas. Do not leave slick and dangerous coating on floor in order to prevent falling.

Services required once a month

1. Wash all restroom ceramic wall tiles and wipe down hall walls.
2. Vacuum/dust all chair seats and spot clean as require or necessary.
3. Wipe down vents and returns.
4. Wipe down door jams and baseboards in the buildings.
5. Wipe overhead light covers and clean bugs from inside the light cover.

Services required one a year

1. Wax floors.

Note: Buffing floors out as needed to maintain shine.

III. TERM

SMITHFIELD and Barnes Cleaning Company further covenant and agree that this agreement will be in effect from July 1, 2022 through June 30, 2023. The Town of Smithfield reserves the right to extend this agreement for an additional one (1) year period pending successful completion of the said agreement. This agreement may also be canceled at any time by either party for any reason upon submission of a sixty (60) day written notice advising intent to cancel agreement.

IV. OTHER REQUIREMENTS

Barnes Cleaning Company agrees to maintain comprehensive liability and insurance in an amount no less than \$500,000 for all activities it conducts on the premises of for the Town under this agreement or as otherwise performed by its employees while on Town property or while servicing the Town. Evidence of such coverage shall be provided to the Town upon request. Barnes Cleaning Company further warrants that it meets all workers compensation requirements set forth by the laws of North Carolina and agrees to hold harmless the Town in the case of any claim made against the Town by one of its employees while working under this agreement while at a town facility in in any capacity.

Barnes Cleaning Company fully acknowledges that it is an independent contractor hired for specific services by the Town and Barnes Cleaning Company is responsible for its own hired employees for all payment, wages, salary, income taxes and related charges and that the Town is not responsible for any of these costs or charges in any manner whatsoever. Barnes Cleaning Company will hold the Town harmless for any such charges or claims made against it by employees or other parties related to Barnes Cleaning Company employees or services.

Barnes Cleaning Company is required to comply with, and agrees to comply with, the current E-Verify requirements for contractors and its sub-contractors working with local governments as set forth in NCGS Chapter 64 Article 2.

V. MISCELLANEOUS

A. Merger and Modification. This instrument constitutes the entire agreement between the parties and supersedes any and all prior agreements, arrangements and understandings, whether oral or written, between the parties. All negotiations, correspondence and memorandums passed between the parties hereto are merged herein and this agreement cancels and supersedes all prior agreements between the parties with reference thereto. No modification of this instrument shall be binding unless in writing, attached hereto, and signed by the party against whom or which it is sought to be enforced.

B. Waiver. No waiver of any right or remedy shall be effective unless in writing and nevertheless shall not operate as a waiver of any other right or remedy or of the same right or remedy on a future occasion.

C. Caption and Words. The captions and headings contained herein are solely for convenience and reference and do not constitute a part of this instrument. All words and phrases in this instrument shall be construed to include the singular and plural number, and the masculine, feminine or neuter gender, as the context requires.

D. Binding Effect. This instrument shall be binding upon and shall insure to the benefit of the parties and their heirs, successors and permitted assigns.

E. North Carolina Law. This instrument shall be construed in accordance with the laws of North Carolina without giving effect to its conflict of laws principles.

F. Forum Selection. In any action arising from or to enforce this agreement, the parties agree (a) to the jurisdiction and venue exclusively of the state courts in Johnston County, North Carolina.

G. Limitation of Liability. No party will be liable to another party, or to the extent this agreement may limit the same to any third party, for any special, indirect, incidental, exemplary, consequential or punitive damages arising out of or relating to this agreement, whether the claims allege tortious conduct (including negligence) or any other legal theory.

F. Two Originals. This instrument may be executed in two (2) or more counterparts as the parties may desire, and each counterpart shall constitute an original.

H. Follow Through. Each party will execute and deliver all additional documents and do all such other acts as may be reasonably necessary to carry out the provisions and intent of this instrument.

I. Authority. Any corporate party or business entities and its designated partners, venturers, or officers have full and complete authority to sell, assign and convey the contracts and assume the obligations referred to herein; said corporations or entities are in good standing under North Carolina law.

J. Severability. If any one or more of the terms, provisions, covenants or restrictions of this agreement shall be determined by a Court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, provisions, covenants and restrictions of this Contract shall remain in full force and effect and shall in no way be affected, impaired or invalidated. If, moreover, any one or more of the provisions contained in this Contract shall for any reason be determined by a Court of competent jurisdiction to be excessively broad as to duration, geographical scope, activity or subject,

it shall be construed, by limiting or reducing it, so as to be enforceable to the extent compatible with the then applicable law.

K. Notice. All notices, demands or writings in this Contract provided to be given or made or sent that may be given or made or sent by either party hereto to the other, shall be deemed to have been fully given or made or sent when made in writing and deposited in the United States Mail, registered and postage prepaid, and addressed as follows:

To Town of Smithfield: Town of Smithfield
Attn: Town Manager
350 East Market Street
PO Box 761
Smithfield, NC 27577

To Barnes Cleaning Company:

The address to which any notice, demand or writing may be given or made or sent to any party as above provided may be changed by written notice given by such party as above provided.

In Witness Whereof, the parties hereto have executed this agreement in duplicate originals, one of which is retained by each of the parties, the day and year above written.

By: Town of Smithfield, NC

By: Barnes Cleaning Company

Title: _____

Title: _____

Name: _____
(Print)

Name: _____
(Print)

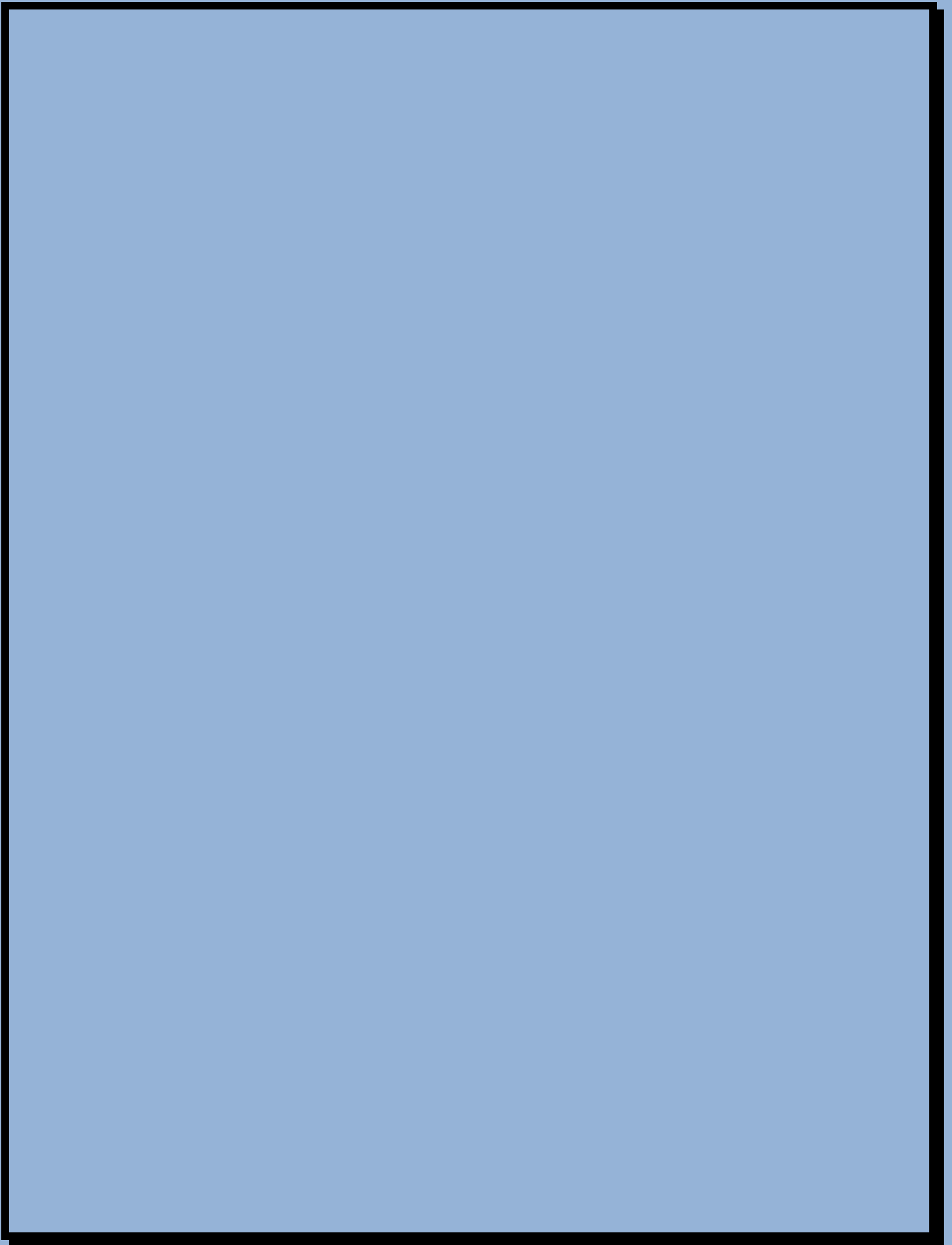
Sign: _____

Sign: _____

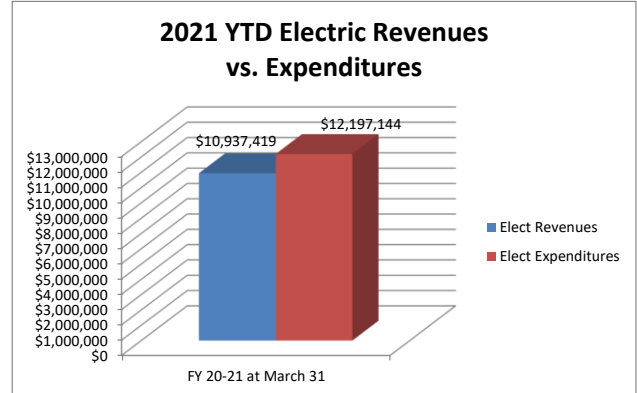
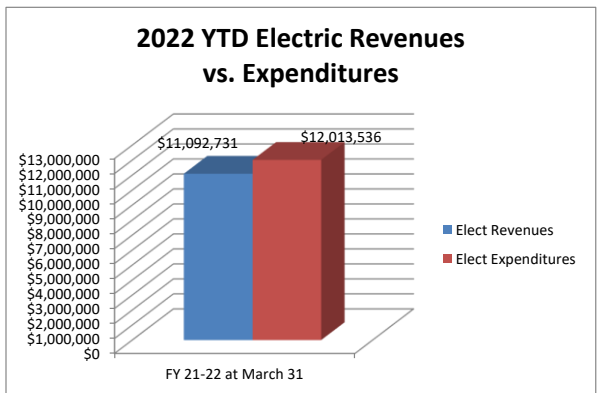
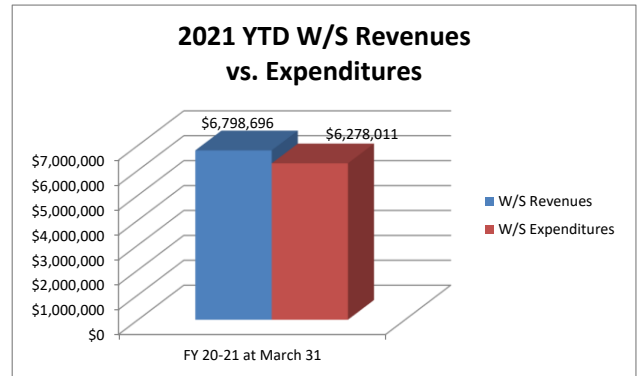
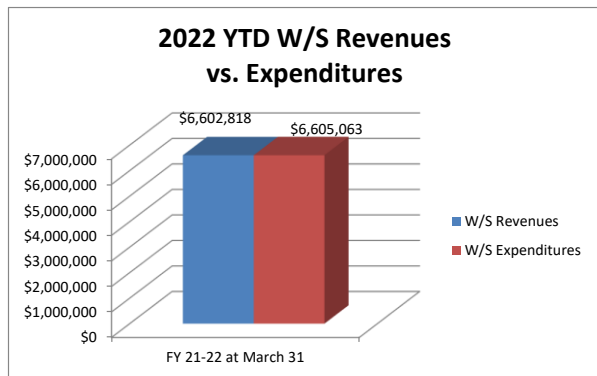
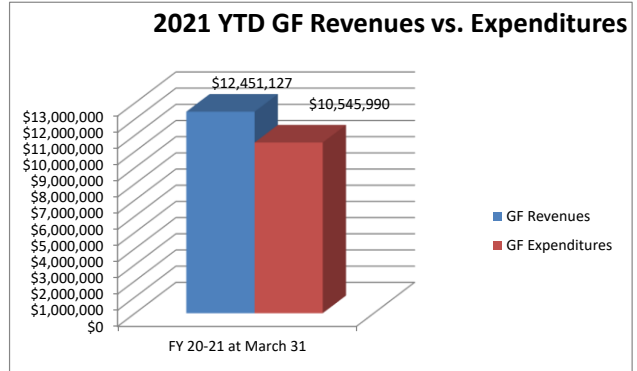
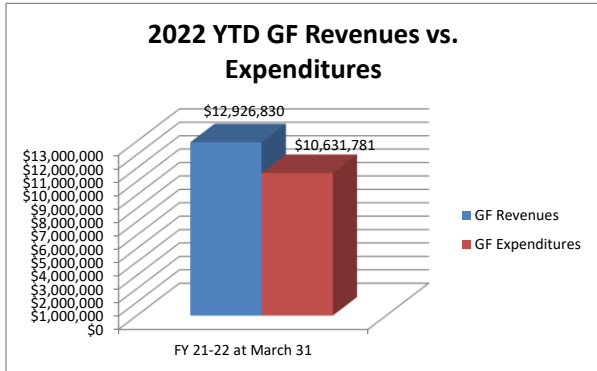
This instrument has been preaudited in the manner required by the NC Local Government Budget and Fiscal Control Act.

Greg Siler, Finance Director
Town of Smithfield, NC

Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
March 31, 2022
Gauge: 9/12 or 75 Percent

75.00%

GENERAL FUND

Revenues	Frequency	Actual to Date	Budget	Actual to Date	YTD %
		FY '20-21	FY '21-22	FY '21-22	Collected
Current & Prior Year Property Taxes	Monthly	\$ 6,489,678	\$ 6,468,800	\$ 6,765,729	104.59%
Motor Vehicle Taxes	Monthly	520,743	590,000	587,275	99.54%
Utility Franchise Taxes	Quarterly	702,688	975,000	707,446	72.56%
Local Option Sales Taxes	Monthly	1,734,414	2,710,000	2,020,196	74.55%
Aquatic and Other Recreation	Monthly	152,564	396,500	483,757	122.01%
Sanitation (Includes Penalties)	Monthly	929,070	1,467,264	1,026,840	69.98%
Grants		466,905	239,050	146,518	61.29%
All Other Revenues		1,455,065	1,350,549	1,189,068	88.04%
Loan Proceeds		-	-	-	#DIV/0!
Transfers (Electric and Fire Dist.)		-	388,190	-	0.00%
Fund Balance Appropriated		-	1,363,772	-	0.00%
Total		\$ 12,451,127	\$ 15,949,125	\$ 12,926,830	81.05%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
General Gov.-Governing Body	\$ 324,163	\$ 540,555	\$ 397,666	73.57%
Non Departmental	693,008	939,175	658,697	70.14%
Debt Service	828,743	884,114	853,357	96.52%
Finance	70,549	153,973	98,254	63.81%
Planning	232,938	370,810	220,057	59.35%
Police	2,517,824	4,534,747	2,869,894	63.29%
Fire	1,570,215	2,294,105	1,622,075	70.71%
EMS	-	-	-	#DIV/0!
General Services/Public Works	416,237	666,613	435,250	65.29%
Streets	1,145,826	849,242	425,187	50.07%
Motor Pool/Garage	73,531	153,738	102,349	66.57%
Powell Bill	36,518	547,312	309,831	56.61%
Sanitation	835,646	1,447,540	1,178,437	81.41%
Stormwater	-	141,011	67,998	48.22%
Parks and Rec	1,093,962	1,136,905	645,202	56.75%
SRAC	687,480	1,049,437	709,062	67.57%
Sarah Yard Center	19,350	58,874	38,466	65.34%
Contingency	-	180,974	-	0.00%
Appropriations/Contributions	-	-	-	0.00%
Total	\$ 10,545,990	\$ 15,949,125	\$ 10,631,781	66.66%

YTD Fund Balance Increase (Decrease)

- (0)

75.00%

WATER AND SEWER FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Water Charges	\$ 1,893,205	\$ 2,872,930	\$ 1,906,647	66.37%
Water Sales (Wholesale)	1,229,858	\$ 1,720,000	1,376,469	80.03%
Sewer Charges	3,053,137	4,600,000	3,182,978	69.20%
Penalties	-	52,000	38,912	74.83%
Tap Fees	7,240	23,000	14,965	65.07%
Other Revenues	115,256	123,000	82,273	66.89%
Grants	500,000	-	-	#DIV/0!
Loan Proceeds	-	-	-	#DIV/0!
Fund Balance Appropriated	-	257,730	-	0.00%
Total	\$ 6,798,696	\$ 9,648,660	\$ 6,602,243	68.43%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Water Plant (Less Transfers)	\$ 1,307,844	\$ 1,933,175	\$ 1,674,466	86.62%
Water Distribution/Sewer Coll (Less Transfers)	3,132,124	5,382,963	4,505,675	83.70%
Transfer to General Fund	-	-	-	#DIV/0!
Transfer to W/S Capital Proj. Fund	1,250,000	1,472,500	-	0.00%
Debt Service	588,043	611,163	424,923	69.53%
Contingency	-	248,859	-	0.00%
Total	\$ 6,278,011	\$ 9,648,660	\$ 6,605,063	68.46%

ELECTRIC FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Electric Sales	\$ 10,680,908	\$16,300,000	\$ 10,877,577	66.73%
Penalties	91,939	100,000	57,723	57.72%
All Other Revenues	164,572	192,059	157,099	81.80%
Grants	-	-	-	
Loan Proceeds	-	-	-	
Fund Balance Appropriated	-	489,174	-	
Total	\$ 10,937,419	\$17,081,233	\$ 11,092,398	64.94%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '20-21	FY '21-22	FY '21-22	Collected
Administration/Operations	\$ 1,618,614	\$ 3,159,968	\$ 2,090,789	66.16%
Purchased Power - Non Demand	3,520,517	12,565,000	3,219,198	25.62%
Purchased Power - Demand	4,776,748	-	4,943,832	#DIV/0!
Purchased Power - Debt	867,132	-	867,132	#DIV/0!
Debt Service	351,307	342,586	342,585	100.00%
Capital Outlay	112,826	193,500	-	0.00%
Contingency	-	270,179	-	0.00%
Transfers to Electric Capital Proj Fund	950,000	550,000	550,000	100.00%
Transfer to Electric Capital Reserve	-	-	-	
Transfers to General Fund	-	-	-	#DIV/0!
Total	\$ 12,197,144	\$17,081,233	\$ 12,013,536	70.33%

CASH AND INVESTMENTS FOR FEBRUARY

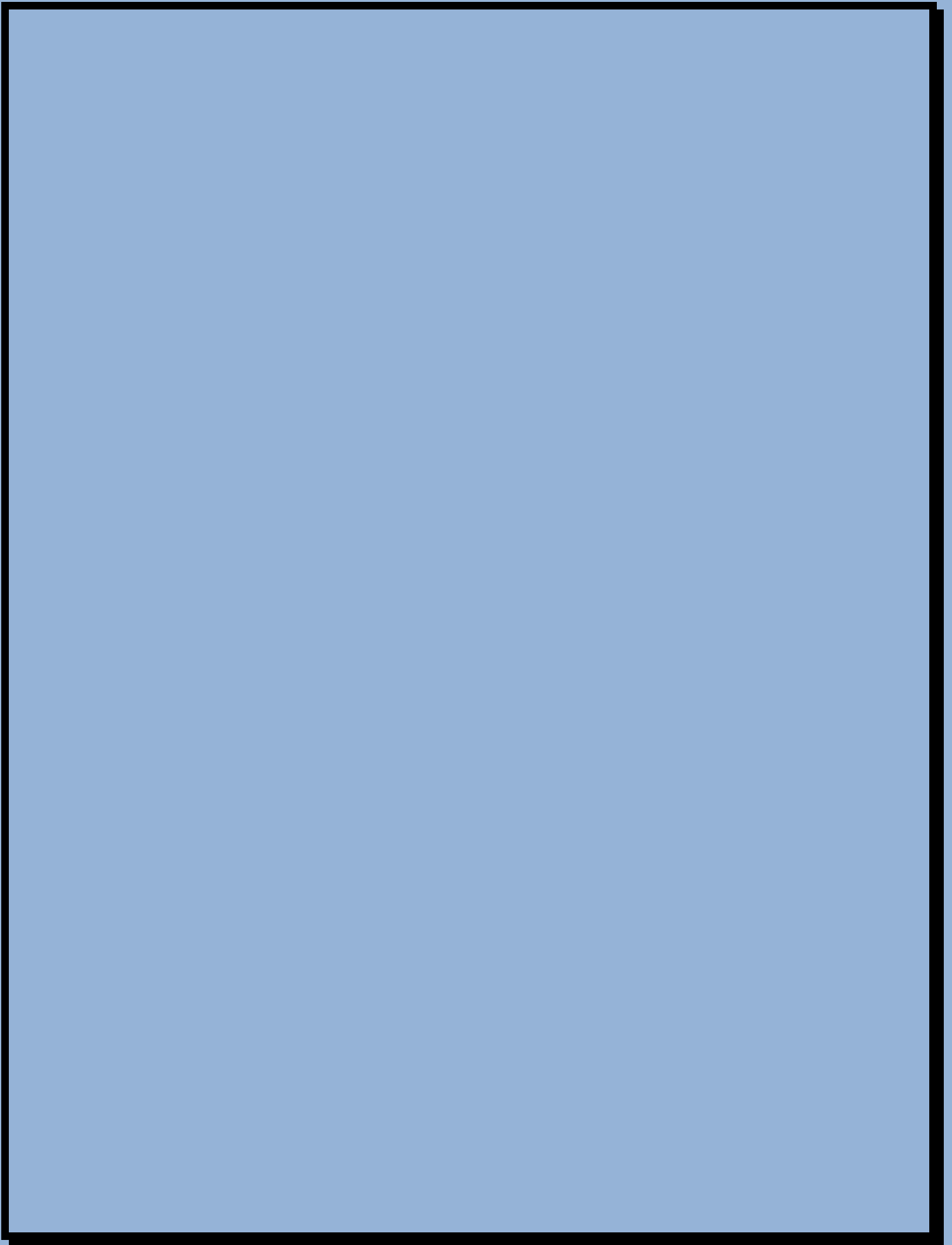
General Fund (Includes P. Bill)	16,749,055			
Water and Sewer Fund	7,975,826			
Electric Fund*	10,838,915			
ARP Fund (20)	1,899,878			
State Capital & Infrastructure Fund (21)	1,525,893			
JB George Endowment (40)	132,142			
Water Plant Expansion (43)	4,126,038			
Booker Dairy Road Fund (44)	457,896			
Capital Project Fund: Wtr/Sewer (45)	2,361,447			
Capital Project Fund: General (46)	597,163			
Capital Project Fund: Electric (47)	1,085,432			
FEMA Acquisitions and Elevations (48)	550			
CDBG Neighborhood Revitalization (49)	(10,227)	1st CITIZENS	40,835,338	0.2% (Earni
Firemen Relief Fund (50)	84,716	NCCMT	2,383,474	0.010%
Fire District Fund (51)	371,932	KS BANK	3,693,717	0.25%
General Capital Reserve Fund (72)	6,010	UNITED COM	1,290,135	0.20%
Total	48,202,664		\$ 48,202,664	

*Plug

Account Balances Confirmed By Finance Director on:

4/25/2022

Department Reports





Staff Report

**Monthly
Staff Economic
Report: Development
Update**

Smithfield Economic Development Activities MAR/APR22

1. Product Development/New Company Recruitment

- Due to scheduling conflicts, the monthly meeting with Chris Johnson had to be rescheduled.
- Tim and Stephen attended the groundbreaking ceremony for AdvanceTek. The project is in the town's ETJ, and Stephen's office performed the site plan review. The company will create a minimum of 25 jobs paying an average wage of \$125,000. Capital investment of the facility will be a minimum of \$10,000,000.
- The Amazon project continues to progress. In addition, development of other sites in the West Smithfield Industrial Park is still being planned.
- Communications continue with Wylie Capital, the industrial development company contemplating developing and building shell buildings on the Howell-Wellons site. The company's stated plans include construction of large, 400,000-500,000 square foot shells. Buildings of this size are rare in the area and would give Smithfield a tremendous competitive advantage in recruitment of new companies.

2. Business Retention and Expansion (BRE)

- Tim and Rocky discussed BRE visits and targeted several for visits in the next few months.

3. Internal/External Marketing

- Tim attended the Triangle East Chamber Board meeting to welcome the new President/CEO Maureen McGuiness.

- Tim attended Business After Hours at SSS High School. The school's Culinary Arts program provided food and refreshments. Other programs displayed their work and projects, such as woodworking, robotics, to name just a couple. The event was designed to applaud the students of SSS and network with the students to potentially provide internships and even recruitment for vacancies

4. Funding/Grant Opportunities

- Tim and Rocky attended an online seminar presented by ElectriCities focused on Federal services and grants.

5. Economic Development Program Development

- Tim and Stephen completed the 2022 Community Development Academy sponsored by the UNC School of Government. Classes were every Wednesday from 1-4:30 pm since February 2nd. Topics included; Planning/Visioning for Your Community, Land Use Issues, Role of Affordable Housing, Land Trusts and Long-term Affordability, Low-Income Housing Tax Credits, Addressing Blight and Vacancy Through Code Enforcement, Community Revitalization, Development Process and Development Finance, Approaches with Nonprofit Development Partners, Infrastructure and Environmental Finance, Economic Development, Equity Issues in Community Development, Evaluating Your Success, Cultivating Community Participation, Local Government Transparency, Purchasing and Contracting, Conflicts of Interest and Ethics, and Grant Identification and Management. We believe the knowledge gained through the program will be of great benefit to us in our respective duties, and to the services we provide to the citizens of Smithfield.



FINANCE DEPARTMENTAL REPORT FOR MARCH, 2022

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

Daily Collections/Property Taxes/Other.....	\$2,565,805
Franchise Tax.....	230,846
Sales & Use Tax.....	324,186
Powel Bill.....	0
Total Revenue	\$3,120,837

Expenditures: General, Water, and Electric.....\$5,360,370

FINANCE:

- Compiled and submitted monthly retirement report on 3/31/2022
- Issued 71 purchase orders
- Processed 776 vendor invoices for payment and issued 387 accounts payable checks
- Prepared and processed 2 regular payrolls and remitted federal and state payroll taxes on 03/04 and 03/18/2022
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected \$840 in grass cutting invoices. Total collected to date is \$9,496
- Processed 9 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$670.50 (EMS: \$0; SRAC: \$0; Utility: \$607.50; and Other: \$0)
- Penn Credit - Bad Debt Collections received in March: \$2,180.71; Total Collections to Date \$17,348
- Invoiced 1 grave opening for a total of \$700.
- Invoiced Johnston Community College for Police Security
- Earned \$1,693.75 in interest from FCB and paid 0 in fees on the central depository account
- Paid \$9,049.19 in credit/debit card fees, but received \$7,462 (31-72-3550-3520-0002) in convenience fees (Reporting month billed, not month paid)

FINANCE DIRECTOR

- Attended Department Head Meetings on March 1 and 22, 2022
- Attended Council meeting on March 01, 2022
- Attended DebtBook lease reporting meeting on March 1, 2022
- Attended NCGFOA Spring Conference in RTP March 14-16, 2022
- Reconciled February's bank statement for Central Depository Account week of March 17, 2022
- Prepared various budget amendments for April's Council meeting throughout month
- Prepared Budget Ordinance to account for State Grants (SCIF)
- Attended NCDOR sessions on grant reporting on March 10 and 24, 2022
- Closed two PNC merchant accounts not in use to prevent future charges
- Assistant Finance Director attended General Accounting and Financial Reporting Class on March 23 and 30, 2022



Planning Department Development Report

Friday, April 22, 2022

Project Name: **Foster Commons**
 Request: 50 Unit Apartment Building
 Location South Brightleaf Boulevard
 Tax ID#: 15041020A PIN#: 169306-47-6832
 Project Status In First Review
 Notes:

Special Use 2022-01	
Submittal Date:	4/1/2022
Planning Board Review:	3/3/2022
Board of Adjustment Review:	
Town Council Hearing Date:	4/5/2022
Approval Date:	

Project Name: **Woodleaf**
 Request: 491.2 -acres of land from R-20A to R-8 CZ zoning
 Location Mallard Road
 Tax ID#: 15K11019F PIN#: 169202-79-9657
 Project Status In First Review
 Notes: Johnston County Tax ID# 15K11019D, 15K11019F, 15L11043, 15K11017, 15K11047C, 15K11047F, 15K11047, 15L11042B

Conditional Zoning 2022-02	
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: **Wood & Warrick**
 Request: B-3 and R-20A to LI
 Location West US 70 Business Highway
 Tax ID#: 15079006 PIN#: 168511-46-9039
 Project Status First Review Complete
 Notes:

Map Amendment 2022-03	
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: **Whitley Townes**
 Request: 70 lot Townhouse Subdivision
 Location West Market Street
 Tax ID#: 15084001 PIN#: 169409-06-6525
 Project Status First Review Complete
 Notes:

Subdivision 2022-03	
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: **TLC Estates LLC**
 Request: rezone .48 acres of land from the R-20A to the R-8
 Location Buffalo Road
 Tax ID#: 14A03004 PIN#: 169411-76-4262
 Project Status In First Review
 Notes:

Map Amendment 2022-04	
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

Site Plan 2022-03	
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 First Review Complete
 Notes: Satff review of retail oil change service center

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

Project Name: **Roger Stanley Property**
 Request: B-3 to R-8
 Location East Edgerton Street
 Tax ID#: 15099030 PIN#: 260413-02-1588
 Project Status In First Review
 Notes: Rezone 15006008, 15099030 and a portion of 15006006 and 15006004.

Map Amendment 2022-01	
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: **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 **In First Review**
 Notes: Preliminary subdivision approval requested

Subdivision 2022-02	
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: **Foster Commons**
 Request: 50 Unit Apartment Building
 Location South Brightleaf Boulevard
 Tax ID#: 15041020A PIN#: 169306-47-6832
 Project Status **In First Review**
 Notes:

Conditional Zoning 2022-01	
Submittal Date:	2/4/2022
Planning Board Review:	3/3/2022
Board of Adjustment Review:	
Town Council Hearing Date:	4/5/2022
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: construction plans in staff review

Subdivision 2022-01	
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 **Second Review Complete**
 Notes: submitted for staff review and approval

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

Project Name: **Twin Creeks Phase 2A**
 Request: Revised Preliminary Subdivision
 Location Black Creek Road
 Tax ID#: 15I09037B PIN#: 167300-47-6254
 Project Status **Second Review Complete**
 Notes: Under Construction

Subdivision 2021-06	
Submittal Date:	10/1/2021
Planning Board Review:	12/2/2021
Board of Adjustment Review:	
Town Council Hearing Date:	1/4/2022
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 **First Review Complete**
 Notes: revised plan never submitted

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

Conditional Zoning 2021-05	
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: **Smithfield's Chichen N Bar-B-Q**
 Request: New Restaurant at the Applebees location
 Location 1240 North Brightleaf Boulevard
 Tax ID#: 14074013H PIN#: 260414-44-4401
 Project Status **Approved**
 Notes: Under Construction / staff approved

Site Plan 2021-14	
Submittal Date:	5/26/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	7/20/2021

Project Name: **Project XD**
 Request: 629,215 square foot warehouse
 Location 2110 US70 East Highway
 Tax ID#: 15078011 PIN#: 168500-63-4559
 Project Status **In third Review**
 Notes: Under Construction / Not yet permitted

Site Plan 2021-07	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **WSBP Infrastructure**
 Request: Utility Extension
 Location 2110 US70 East Highway
 Tax ID#: 15078011 PIN#: 168500-63-4559
 Project Status **In third Review**
 Notes: Under Construction / Not yet permitted

Site Plan 2021-08	
Submittal Date:	4/21/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **JNX Fuel Farm**
 Request: All new fueling station with above ground tanks
 Location 3149 Swift Creek Road
 Tax ID#: 15079017D PIN#: 168500-12-1015
 Project Status **Approved**
 Notes: construction not yet begun / staff approved

Site Plan 2021-12	
Submittal Date:	4/14/2021
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/11/2021

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

Site Plan 2020-07	
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

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

Project Name: **Tru Hotel**
 Request: 4 Story Hotel
 Location 167 South Equity Drive
 Tax ID#: 15008046c PIN#: 260417-10-4438
 Project Status **Approved**
 Notes: Under Construction

Site Plan 2020-04	
Submittal Date:	4/29/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/1/2020

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

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

Project Name: **Johnston Animal Hospital**
Request: Free Standing Facility
Location 826 North Brightleaf Boulevard
Tax ID#: 15005038 PIN#: 260413-02-5950
Project Status **Approved**
Notes: Final Site Approval Imminent

Site Plan 2020-01	
Submittal Date:	1/7/2020
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/24/2020

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

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



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

Permit Issued for March 2022

			Permit Fees	Permits Issued
Zoning	Land Use		\$700.00	7
Site Plan	Minor Site Plan		\$900.00	33
Zoning	Sign		\$300.00	6
	Report Period		\$1,900.00	46
Fiscal YTD Total:			\$12,530.00	207

SP22-000013	Site Plan	Minor Site Plan	Single Family Dwelling	825 Martin Street
SP22-000014	Site Plan	Minor Site Plan	Single Family Dwelling	923 Blount Street
SP22-000018	Site Plan	Minor Site Plan	Single Family Dwelling	122 Hill Street
SP22-000019	Site Plan	Minor Site Plan	21' x 40' Accessory Structure	10 Waddell Drive
SP22-000020	Site Plan	Minor Site Plan	Single Family Dwelling	180 Hill Road
SP22-000027	Site Plan	Minor Site Plan	Single Family Dwelling	129 Shore Court
SP22-000028	Site Plan	Minor Site Plan	Single Family Dwelling	119 Shore Court
SP22-000029	Site Plan	Minor Site Plan	Single Family Dwelling	111 Shore Court
SP22-000030	Site Plan	Minor Site Plan	Single Family Dwelling	253 Sturgeon Street
SP22-000031	Site Plan	Minor Site Plan	Single Family Dwelling	243 Sturgeon Street
SP22-000032	Site Plan	Minor Site Plan	Single Family Dwelling	229 Sturgeon Street
SP22-000033	Site Plan	Minor Site Plan	Single Family Dwelling	227 Sturgeon Street
SP22-000034	Site Plan	Minor Site Plan	Single Family Dwelling	221 Sturgeon Street
SP22-000035	Site Plan	Minor Site Plan	Single Family Dwelling	213 Sturgeon Street
SP22-000036	Site Plan	Minor Site Plan	Single Family Dwelling	207 Sturgeon Street
SP22-000037	Site Plan	Minor Site Plan	Single Family Dwelling	102 Lakeridge Drive
SP22-000038	Site Plan	Minor Site Plan	Single Family Dwelling	222 Sturgeon Street
SP22-000039	Site Plan	Minor Site Plan	Single Family Dwelling	236 Sturgeon Street
SP22-000040	Site Plan	Minor Site Plan	Single Family Dwelling	258 Sturgeon Street
SP22-000041	Site Plan	Minor Site Plan	Single Family Dwelling	286 Sturgeon Street

SP22-000042	Site Plan	Minor Site Plan	Single Family Dwelling	296 Sturgeon Street
SP22-000043	Site Plan	Minor Site Plan	Single Family Dwelling	304 Sturgeon Street
SP22-000044	Site Plan	Minor Site Plan	Single Family Dwelling	110 Shore Court
SP22-000045	Site Plan	Minor Site Plan	Single Family Dwelling	120 Shore Court
SP22-000046	Site Plan	Minor Site Plan	Single Family Dwelling	128 Shore Court
SP22-000047	Site Plan	Minor Site Plan	Single Family Dwelling	136 Shore Court
SP22-000048	Site Plan	Minor Site Plan	Warehouse Expansion	1209 W Market Street
SP22-000021	Site Plan	Minor Site Plan	Single Family Dwelling	2064 Galilee Road
SP22-000022	Site Plan	Minor Site Plan	Single Family Dwelling	2088 Galilee Road
SP22-000023	Site Plan	Minor Site Plan	Single Family Dwelling	2116 Galilee Road
SP22-000024	Site Plan	Minor Site Plan	Class B manufactured home	5470 Swift Creek Road
SP22-000025	Site Plan	Minor Site Plan	Single Family Dwelling	142 Shore Court
SP22-000026	Site Plan	Minor Site Plan	Single Family Dwelling	131 Shore Court
Z22-000035	Zoning	Land Use	Bulldog Harley-Davidson	1043 Outlet Center Drive
Z22-000037	Zoning	Sign	Exon Mobile	836 W Market Street
Z22-000032	Zoning	Land Use	Papa Johns Restaurant	1104 N Brightleaf Blvd
Z22-000033	Zoning	Land Use	BC Designs, Inc.	204 N Brightleaf Blvd
Z22-000028	Zoning	Sign	Walgreens	424 N Brightleaf Blvd
Z22-000029	Zoning	Land Use	Posh Selfie Studio	1025 Outlet Center Drive
Z22-000030	Zoning	Sign	Posh Selfie Studio	1025 Outlet Center Drive
Z22-000026	Zoning	Land Use	JM Latinos Services	320 Stancil Street
Z22-000027	Zoning	Sign	JM Latinos Services	320 Stancil Street
Z22-000036	Zoning	Land Use	Cottle Farms, Inc.	724 N Brightleaf Blvd
Z22-000031	Zoning	Sign	Jewelry Outlet	1025 Outlet Center Drive Drive
Z22-000034	Zoning	Sign	Walgreens	424 N Brightleaf Blvd
Z22-000017	Zoning	Land Use	Golden Malted	36 E Edgerton St Ste 1D



**TOWN OF SMITHFIELD
POLICE DEPARTMENT
MONTHLY REPORT
MONTH ENDING March 31, 2022**

I. STATISTICAL SECTION

Month Ending March 31, 2022	March 2022	March 2021	Total 2022	Total 2021	YTD Difference
Calls for Service	2130	1864	6115	4890	1225
Incident Reports Completed	155	124	399	361	38
Cases Closed	124	100	299	270	29
Accident Reports	71	86	215	203	12
Arrest Reports	112	92	279	245	34
Burglaries Reported	5	11	13	26	-13
Drug Charges	37	28	78	67	11
DWI Charges	9	8	21	18	3
Citations Issued	300	260	885	738	147
Speeding	115	80	357	225	132
No Operator License	76	68	196	168	28
Registration Violations	33	40	109	108	1

II. PERSONNEL UPDATE

The police department is currently short 3 sworn officer positions. One Administrative Supervisor is out on medical leave. Have one officer out on medical leave due to surgery. Two employees are currently in Basic Law enforcement training and will graduate in May 2022.

III. MISCELLANEOUS

Mandatory in-service training was continued in March. The agency's training is being done online thru the NC Justice Academy. The Police Department has seen an increase in community events and interaction since the Covid 19 restrictions have been relaxed.

REPORTED UCR OFFENSES FOR THE MONTH OF MARCH 2022

PART I CRIMES	March 2021	March 2022	+/-	Percent Changed	Year-To-Date 2021	Year-To-Date 2022	+/-	Percent Changed
MURDER	0	0	0	N.C.	0	0	0	N.C.
RAPE	0	2	2	N.C.	0	3	3	N.C.
ROBBERY	0	0	0	N.C.	0	0	0	N.C.
Commercial	0	0	0	N.C.	0	0	0	N.C.
Individual	0	0	0	N.C.	0	0	0	N.C.
ASSAULT	0	3	3	N.C.	3	19	16	533%
* VIOLENT *	0	5	5	N.C.	3	22	19	633%
BURGLARY	10	5	-5	-50%	23	12	-11	-48%
Residential	1	3	2	200%	12	8	-4	-33%
Non-Resident.	9	2	-7	-78%	11	4	-7	-64%
LARCENY	38	29	-9	-24%	90	100	10	11%
AUTO THEFT	2	0	-2	-100%	7	7	0	0%
ARSON	0	0	0	N.C.	2	1	-1	-50%
* PROPERTY *	50	34	-16	-32%	122	120	-2	-2%
PART I TOTAL:	50	39	-11	-22%	125	142	17	14%
PART II CRIMES								
Drug	26	36	10	38%	62	84	22	35%
Assault Simple	9	6	-3	-33%	30	23	-7	-23%
Forgery/Counterfeit	1	0	-1	-100%	6	3	-3	-50%
Fraud	1	10	9	900%	13	28	15	115%
Embezzlement	0	1	1	N.C.	0	1	1	N.C.
Stolen Property	0	2	2	N.C.	1	3	2	200%
Vandalism	3	6	3	100%	15	19	4	27%
Weapons	0	1	1	N.C.	2	2	0	0%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	0	0	0	N.C.	2	1	-1	-50%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	0	0	N.C.	0	0	0	N.C.
D. W. I.	9	9	0	0%	18	19	1	6%
Liquor Law Violation	0	9	9	N.C.	7	9	2	29%
Disorderly Conduct	0	1	1	N.C.	0	4	4	N.C.
Obscenity	0	0	0	N.C.	0	0	0	N.C.
Kidnap	0	0	0	N.C.	0	0	0	N.C.
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	10	25	15	150%	45	57	12	27%
PART II TOTAL:	59	106	47	80%	201	253	52	26%
GRAND TOTAL:	109	145	36	33%	326	395	69	21%

N.C. = Not Calculable



**Town of Smithfield
Fire Department
March 2022**

I. Statistical Section

March

Confirmed Structure Fires	7
EMS Responses	131
Misc./Other Calls	43
Mutual Aid Calls	19
TOTAL EMERGENCY RESPONSES	200

	March	YTD
Fire Inspections	36	80
Public Fire Education Programs	0	4
# Of Children Educated	0	51
# Of Adults Educated	0	20
Plans Review Construction/Renovation Projects	16	35
Fire Department Permits reviewed	10	36
Business Preplans	20	31
Fire Related Injuries & Deaths	0	0
# Of Civilian Deaths	0	0
# Of Civilian Injuries	0	0

II. Major Revenues

	March	YTD
Inspections	\$150.00	\$400.00
Fire Recovery USA	\$792.00	\$1188.00

Major Expenses for the Month:

III. Personnel Update:

- New hires go on shift next week

IV. Narrative of monthly departmental activities:

- Squad was in-service 17 of 21 days due to staffing
- Agility Test
- LEPC Meeting
- Smoke Alarms installed in 3 homes. Not including Canvas (Next Month Report will have Data)
- Budget preparations

V. Upcoming Plans

- Fire Mashal Holloman is finishing AED training for internal departments.
- Leadership class are being held each month for all officers.
- Evaluations going out in May. In-service training scheduled.
- Still waiting on the NC Fire Code Administrator to review our proposed draft for adopting the NC Fire Code.
- Second round of Smoke Alarms to be distributed on June 5th. We should be getting 54 alarms from OSFM.
- Hydrant testing to start, will notify Ted and also send out notifications of areas being test to be aware of discolored water.
- Preparing for the Volunteer Recruitment Program, looking like May.
- Parking lot renovation started.



Smithfield Fire Department
OFFICE OF THE FIRE MARSHAL
 111 South Fourth Street
 Smithfield, North Carolina 27577
 919-934-2468

Monthly Inspections Report

Inspection Data: March 2022

Inspection Type	Completed
Routine	34
Certificate of Occupancy	5
Certificate of Compliance	4
Consultation	3
Complaint	0
Commercial Hood Test	1
Fire Alarm Test	1
Fire Sprinkler Test	5
Tank Install/Removal	0
Follow-up	2
Re-Inspections	3
Citations Issued	0
Special Inspections	1
Tent Inspection	0
Post Response Follow-up	2
Inspection Permits Issued	38
Inspection Permits Paid	3 (\$150)
Plans Review	22

Tasks Completed/Accomplishments:

- Meeting with Downtown Smithfield Office (Independence Day Celebration Fireworks Safety Meeting)
- Fire Prevention Program for Smithfield Senior Dining Center (12 senior adults)
- Fire Prevention Ordinance Updates: NC Fire Code adoption section
- Fee Schedule Revisions/Adjustments

Next Month Projections/Goals:

- Smoke Alarm Canvas Program
- Map and District Zones development
- Digital Inspection History files continue
- Continue to modify new business road map for customers obtaining permits
- Staff meeting for incorporate and begin Engine Company Inspections & Preplans
- False Alarm Citation Program

**Town of Smithfield
Public Works Department
March 31, 2022**



- 213 Total Work Orders completed by the Public Works Department
- 8 Burials, at \$700.00 each = \$5,600.00
- 0 Cremation Burial, \$400.00 each = \$0
- \$5,000 Sunset Cemetery Lot Sales
- \$2,500 Riverside Extension Cemetery Lot Sales
- 458.39 tons of household waste collected
- 166.00 tons of yard waste collected
- 5.10 tons of recycling collected
 - 0 gallons of used motor oil were recycled
 - 0 scrap tires were recycled

Appearance Commission March. 2022 Monthly Report:

- Talked about murals on buildings.
- How to beautify downtown Smithfield.
- Retooling (brain storming ideas)

Next Appearance Commission meeting will be on April. 18, 2022 at 5:00 pm in Town Hall.

Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
March 31, 2022



I. Statistical Section

- 8 Burials
- 6 Works Orders – Buildings & Facilities Division
- 15 Work Orders – Grounds Division
- 11 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$ 5000.00
Riverside Ext Cemetery Lot Sales:	\$ 2,500.00
Grave Opening Fees:	\$ 5,600.00
Total Revenue:	\$13,100.00

III. Major Expenses for the Month:

The Appearance Division paid \$903.72 to Hanson Aggregates for 29.63 tons of 57 stones to backfill low area behind the Convenience Center shop. Paid Deacon Jones \$1,116.56 for labor and parts equipment to repair directors Truck. Paid Mosca Designs \$12,624.00 for C-7 LED lights to Change out Christmas lights bulbs. Paid Sohn Construction \$850.00 for repairs to damaged ceiling in the main entrance of the Public Works Office

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings and facilities. The Public Works Department safety meeting was for "CDL and Class C Drivers Training" led by Trooper Bridges. The Janitorial Contract was put out to bids twice because we only received one bid initially.

Town of Smithfield
Public Works Drainage/Street Division
Monthly Report
March 31, 2022



I. Statistical Section

- a. All catch basins in problem areas were cleaned on a weekly basis
- b. 0 Work Orders – 0 Tons of Asphalt was placed in 0 utility cuts, 0 gator areas and 0 overlay.
- c. 0 Work Order – 0 Linear Feet Drainage Pipe installed.
- d. 0 Work Orders - 0 Linear Feet of ditches were cleaned
- e. 52 Work Orders – 1,575 lbs. of Cold Patch was used for 52 Potholes.

II. Major Revenues

None

III. Major Expenses for the Month:

None

IV. Personnel Update:

No new hires for the month of April.

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting was for "CDL and Class C Drivers Training" led by Trooper Bridges.

**Town of Smithfield
Public Works Department
March 2022 Drainage Report**

Location: 10 Landsdown Pl.
 Starting Date: 3/1/2022
 Completion Date: 3/1/2022
 Description: Sink hole at drain pipe in the backyard.
 Man-hours: 7
 Equipment: 412
 Materials: (3) 80-lb bags of Quikrete

Location: South Smithfield (Gravel Streets)
 Starting Date: 3/2/2022
 Completion Date: 3/3/2022
 Description: Reworked gravel streets.
 Man-hours: 8
 Equipment: 412, and Trailer and Bob Cat Tractor
 Materials: n/a

Location: 239 Hartley Dr., Coats St. & Powell St., Blount St. & Martin St., Wellons St. & Bright Leaf Blvd., North St. & Buffalo Rd., Powell St. & Computer Dr., Bingham St. & Chestnut Dr., Hood St. & Vermont St., Wilson St. & S. Bright Leaf Blvd., First St. & Stevens St., East St. & West St., 700 East St., 701 East St., 703 East St., 705 East St., East St. & Dr. CJ Allen Ave., 100 W. Stevens St., 1025 Outlet Ctr. Dr., 1109 Outlet Ctr. Dr. (In front of Cracker Barrel), Fifth St. & Glenn St., North St. & 8th St. near 713 North St., 8th St. & Wilkins St., Berkshire Rd. & Hospital Rd., 11 Berkshire Rd., 830 Berkshire Rd., Blount St. & Lee St., Ward St. & Second Ave., 3rd Ave. & Midway St., 902 Berkshire Rd. (Entrance into Smithfield Manor), 409 Bridge St. at St. Mark Church., 5 Sherwood Court., Castle Dr. & Wilson Mills Rd., Old Goldsboro Rd.,
 Starting Date: 3/3/2022
 Completion Date: 3/29/2022
 Description: Repair potholes
 Man-hours: 7.34
 Equipment: 401 & 412
 Materials: 1,575 lbs. of perma patch

Location: Bridge St. from 3rd St. to 4th St.
 Starting Date: 3/18/2022
 Completion Date: 3/18/2022
 Description: Painted parking spaces.
 Man-hours: 2
 Equipment: 412
 Materials: Paint Stripper

Location: College Rd. & Martin Luther King Jr. Dr., 2nd Ave. lot beside of 721 2nd Ave., 5th St. & Church St., Woodall St. & Bright Leaf Blvd.
 Starting Date: 3/21/2022
 Completion Date: 3/21/2022
 Description: Cut FEMA Lots (Various Locations)
 Man-hours: 4.5
 Equipment: 412 & Trailer, 2 scags, 1 push mower, and 1 weed eater
 Materials: n/a

Location: 5 Sherwood Court
Starting Date: 3/22/2022
Completion Date: 3/22/2022
Description: Add topsoil and grade and sow grass seeds.
Man-hours: 6
Equipment: Backhoe
Materials: (2) buckets of topsoil

Location: Pitchi St., 1104 S. Second St., First St. & Riverside Dr.
Starting Date: 3/28/2022
Completion Date: 3/28/2022
Description: Saw cut bad areas in various locations
Man-hours: 3
Equipment: 401
Materials: Concrete saw

**Barbour Beaver Control
Quarterly Report FY 2019-2020
March 2021**

36 Total number of beavers removed within the quarter.

List the problem areas/locations the beavers were removed from:
(GPS coordinates or identify location)

- adjacent to Spring Branch
- Buffalo Creek and adjacent to Buffalo Creek
-
-
-

Inspect the following tributaries and creeks and list the dates each were inspected:

Buffalo Creek and its tributaries:

Inspection Dates: Weekly

Town of Smithfield Retention Pond on Johnston Tech Road (College Rd.):

Inspection Dates: Weekly

Spring Branch Wetland Facility on S Second Street:

Inspection Dates: Weekly

Drainage ditch at Caterpillar Logistics Warehouse #4

Inspection Dates: Weekly

Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Date of Repair:
		7x11 and 3x7 -		
01/20/22	Old Goldsboro Rd. & Pine St.	both asphalt	02/25/22	3/1/2022
02/01/22	510 S. 4th St.	5x6	02/25/22	3/1/2022
02/02/22	S. 6th St. & Church St.	5x5	02/25/22	3/1/2022
02/12/22	Hospital Rd. & Buffalo Rd.	6x10	02/25/22	3/1/2022
02/14/22	111 N. 2nd St.	12x10	02/25/22	3/1/2022
02/17/22	Bridge & 9th St.	7x14	02/25/22	3/1/2022
02/18/22	710 Sunset Dr.	6x8	02/25/22	3/1/2022

Denton Contracting Repaired Cuts

Water/Sewer Street Cut List

Date:	Address:	Size:	Emailed to PW on:	Date of Repair:
02/22/22	409 Hancock St., #A	7x18 - asphalt	03/23/22	03/25/22
02/22/22	15 Nottingham Place	11x7	03/23/22	03/25/22
03/08/22	Intersection of S. 9th & Massey St.	9x8	03/23/22	03/25/22
03/10/22	Near 110 S. Brightleaf Blvd. / Hills of Sno	6x12	03/23/22	03/25/22

Repairs made by Denton Contracting

**Town of Smithfield
Public Works Storm Water Division
Monthly Report
March 31, 2022**



I. Statistical Section

II. Major Revenues

III. Major Expenses for the Month:

Paid Southern Vac \$1,911.21 repairs to sweeper, replaced fan Borium,
Paid Southern Vac \$3,390.05 for one pallet of fifteen brooms metal & 2 brush metal
steel cable brooms for street sweeper.

IV. Personnel Update:

Robert Seth Walls Street new Sweeper Operator.

VI. Narrative of monthly departmental activities:

The Public Works Department safety meeting was for "CDL and Class C Drivers Training"
led by Trooper Bridges.

Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
March 31, 2022



I. Statistical Section

 6 Preventive Maintenances

 0 North Carolina Inspections

 95 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

Paid Carolina Phone & Alarms \$861.83 to replace the damaged camera in front of the shop bay door.

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenances on all Town owned generators. The Public Works Department safety meeting was for "CDL and Class C Drivers Training" led by Trooper Bridges.

**Town of Smithfield
Public Works Sanitation Division
Monthly Report
March 31, 2022**



I. Statistical Section

The Division collected from approximately 4,043 homes, 4 times during the month

- a. Sanitation forces completed 41 work orders
- b. Sanitation forces collected tons 458.39 of household waste
- c. Sanitation forces disposed of 83 loads of yard waste and debris at Spain Farms Nursery
- d. Recycled 0 tons of clean wood waste (pallets) at Convenient Site Center
- e. Town's forces collected 0 tons of construction debris (C&D)
- f. Town disposed of 0 scrap tires that was collected at Convenient Site Center
- g. Recycling forces collected 5.10 tons of recyclable plastic
- h. Recycled 1260 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gals of cooking oil was collected at the Convenient Site Center
- j. Recycled 0 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$ 0 from Sonoco Products for cardboard material
- b. Sold 0 lbs. of aluminum cans for \$ 0
- c. Sold 2740 lbs. of shredder steel for \$198.65 to Omni Source

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$2,574 for disposal of yard waste and debris. Amick Equipment Co. Inc was paid \$797.14 for 2 blades for TK# 301 and 2 blades for TK# 319. Black's Tire Service Inc was paid \$ 1,384.37 for 1 tire on TK# 301 and 2 tires and rims on TK# 319. Cummins Sales and Service was paid \$ 650.87 for noc sensor on KB TK# 304. Mid Atlantic Power Equipment Co. was paid \$ 5,299.27 for repairs to the PTO on KB TK# 311. Gregory Poole Equipment Co. was paid \$ 5,042.41 for trouble shoot system on HHW TK# 303. Gregory Poole Equipment Co. was paid \$ 2,437.41 for labor to check timing Spacing on HHW TK# 303. Velocity Truck Center was paid \$ 529.99 for replacement driver seat for KB TK# 304. Velocity Truck Center was paid \$ 4,684.46 for misc. truck parts. Walker Auto Parts was paid \$ 704.99 for coolant for sanitation trucks. White's tractor & Truck Co. was paid \$ 806.50 for replacement gauge cluster. White's Tractor & Truck \$ 642.01 for replacement starter. Quality Equipment was paid \$ 11,183.39 for repairs to yellow leaf box.

IV. Personnel Update:

Curtis O'Neal, Jr. and Gregory Giauque were hired as Sanitation Equipment Operators.

V. Narrative of monthly departmental activities:

The Public Works Department safety meeting was for "CDL and Class C Drivers Training" led by Trooper Bridges.

Community Service Workers worked 0 hrs.



MONTHLY REPORT FOR MARCH, 2022

PROGRAMS STATISTICS	MARCH, 2022		MARCH, 2021	
NUMBER OF PROGRAMS	19		9	
TOTAL ATHLETICS PARTICIPANTS	593		205	
TOTAL NON/ATHLETIC PARTICIPANTS	52		67	
SARAH YARD CENTER	123		121	
NUMBER OF GAMES PLAYED	56		1	
TOTAL NUMBER OF PLAYERS (GAMES)	1252		36	
NUMBER OF PRACTICES	95		44	
TOTAL NUMBER OF PLAYER(S) PRACTICES	1184		572	
	MARCH, 2022	21/22 FY YTD	MARCH, 2021	20/21 FY YTD
PARKS RENTALS	123	418	121	438
USERS (PARKS RENTALS)	3651	12295	2326	5477
TOTAL UNIQUE CONTACTS	6,732		3,206	
	MARCH, 2022	21/22 FY YTD	MARCH, 2021	20/21 FY YTD
PARKS AND RECREATION REVENUES	\$ 9,548.00	\$ 45,980.00	\$ 5,908.00	\$ 14,293.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 81,662.00	\$ 561,103.00	\$ 57,767.00	\$ 471,030.00
PARKS AND RECREATION EXPENDITURE (CAPITAL OUTLAY EQUIP)	\$ 9,132.00	\$ 84,098.00	\$ 20,486.00	\$ 20,486.00
SARAH YARD CENTER EXPENSES (OPERATIONS)	\$ 3,482.00	\$ 29,965.00	\$ 2,625.00	\$ 15,996.00
SARAH YARD CENTER EXPENSES (CAPITAL OUTLAY EQUIP)	\$ -	\$ 8,500.00		

HIGHLIGHTS

Youth Basketball, Adult Basketball, Youth Baseball/Softball/T-Ball, Adult Softball
Shamrock Search



MONTHLY REPORT FOR MARCH, 2022

PROGRAMS SATISTICS	MARCH, 2022		MARCH, 2021	
NUMBER OF PROGRAMS	20		13	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	4427		5258	
	MARCH, 2022	21/22 FY YTD	MARCH, 2021	20/21 FY YTD
SRAC MEMBER VISITS	3357	26328	2547	15123
DAY PASSES	883	8280	0	6
RENTALS (SRAC)	51	356	14	57
USERS (SRAC RENTALS)	1272	17505	222	2694
TOTAL UNIQUE CONTACTS	9,939		8,027	
FINANCIAL STATISTICS	MARCH, 2022		MARCH, 2021	
	MARCH, 2022	21/22 FY YTD	MARCH, 2021	20/21 FY YTD
SRAC REVENUES	\$ 64,399.00	\$ 431,623.00	\$ 28,095.00	\$ 144,008.00
SRAC EXPENDITURES	\$ 99,042.00	\$ 701,049.00	\$ 62,490.00	\$ 492,577.00
CAPITAL OUTLAY EXPENDITURES	\$ 3,383.00	\$ 8,014.00	\$ 11,369.00	\$ 107,575.00
SRAC MEMBERSHIPS	2460		1883	

**Aligator Swim Lessons conducted over 2900 lessons in March
Spring Sharks Swim Program**



- **Statistical Section**

- Electric CP Demand 19,319 Kw relative to February's demand of 23,018 Kw.
- Electric System Reliability was 99.9997%, with two (2) recorded main line outages; relative to February's 99.9995%.
- Raw water treated on a daily average was 4.627 MG relative to 4.048 MG for February; with maximum demand of 5.264 MG relative to February's 4.537 MG.
- Total finished water to the system was 119.139 MG relative to February's 95.752 MG. Average daily for the month was 3.843 MG relative to February's 3.121 MG. Daily maximum was 4.396 MG (March 15th) relative to February's 3.922 MG. Daily minimum was 3.224 MG (March 3rd), relative to February's 2.895 MG.

- **Miscellaneous Revenues**

- Water sales were \$207,583 relative to February's \$206,466
- Sewer sales were \$355,674 relative to February's \$342,381
- Electrical sales were \$1,195,567 relative to February's sales of \$1,405,371
- Johnston County Water purchases were \$200,843 for 85.465 MG relative to February's \$155,248 for 66.063 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$868,903 relative to February's \$951,962.
- Johnston County sewer charge was \$232,605 for 61.620 MG relative to February's \$199,675 for 52.916 MG.

- **Personnel Changes –**

- No changes occurred in March.



**Town of Smithfield
Electric Department
Monthly Report
March, 2022**

I. Statistical Section

- Street Lights repaired -19
- Area Lights repaired -10
- Service calls - 29
- Underground Electric Locates -430
- Poles changed out/removed or installed -3
- Underground Services Installed -1

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety meeting on Ergonomics.
- The Electrical Dept. also had a Blood Screening done.

V. Miscellaneous Activities:

- The Electrical Dept. has starting installing the infrastructure for East River.
- The Electrical Dept. is continuing to work on Conversion work.
- The Electrical Dept. is continuing to work on circuit audit lists.



WATER & SEWER

March 2022 Monthly Report

● DISCONNECT WATER	5
● RECONNECT WATER	2
● TEST METER	2
● TEMPORARY METER SET	1
● DISCOLORED WATER CALLS	4
● LOW PRESSURE CALLS	2
● NEW/RENEW SERVICE INSTALLS	6
● LEAK DETECTION	14
● METER CHECKS	15
● METER REPAIRS	9
● WATER MAIN/SERVICE REPAIRS	5
● STREET CUTS	2
● REPLACE EXISTING METERS	5
● INSTALL NEW METERS	3
● FIRE HYDRANTS REPAIRED	3
● FIRE HYDRANTS REPLACED	2
● SEWER REPAIRS	8

- CLEANOUTS INSTALLED 7
- INSPECTIONS 5
- CAMERA SEWER 4
- SEWER MAIN CLEANED 1790 LF
- SERVICE LATERALS CLEANED 22041 LF
- SERVICE CALLS 152
- LOCATES 281

- SERVICE AND MAINTAINED ALL 18 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELPING PUBLIC WORKS CLEANING STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

MAJOR EXPENSES FOR THE MONTH OF MARCH

PERSONNEL UPDATES

- Joey Pierce resigned

UPCOMING PROJECTS FOR THE MONTH OF APRIL



MONTHLY WATER LOSS REPORT

March 2022

(4) - Meters with slow washer leaks

(4) 3/4" Line, 1/8" hole – 1 Day

(1) 2" Line, 1/8" hole – 1 Day

(2) Fire Hydrant slow drip

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	03/29/22	3.21.2	15	7965	10	North Street	03/31/22	0.5	15	17820	40
Computer Drive	03/29/22	1.6	15	31860	10	West Street	03/31/22	1.5	15	78030	50
Castle Drive	03/29/22	1.8	15	7965	10	Regency Drive	03/31/22	0.8	15	63720	60
Parkway Drive	03/29/22	1.4	15	63720	40	Randers Court	03/29/22	0.9	15	15930	40
Garner Drive	03/29/22	1	15	63723	40	Noble Street	03/29/22	1.6	15	15930	40
Hwy 210 LIFT ST.	03/29/22	0.4	15	15930	40	Fieldale Dr#1(L)	03/29/22	1.4	15	63720	40
Skyland Drive	03/29/22	1.4	15	7965	10	Fieldale Dr#2(R)	03/29/22	2	15	63720	40
Bradford Street	03/29/22	1.2	15	15930	10	Heather Court	03/29/22	1.1	15	15930	40
Kellie Drive	03/30/22	1	15	7965	10	Reeding Place	03/29/22	1	15	15930	40
Edgewater	03/30/22	0.8	15	7965	10	East Street	03/29/22	2	15	63720	40
Edgecombe	03/30/22	0.8	15	15930	40	Smith Street	03/29/22	0.9	15	63720	40
Valley Wood	03/30/22	1.2	15	63720	40	Wellons Street	03/31/22	0.9	15	63720	40
Creek Wood	03/30/22	1.2	15	63720	40	Kay Drive	03/31/22	1	15	38985	15
White Oak Drive	03/30/22	1.4	15	7965	10	Huntington Place	03/31/22	1	15	38985	15
Brookwood Drive	03/30/22	1	15	22515	5	N. Lakeside Drive	03/31/22	0.5	15	9750	15
Runnymede Place	03/30/22	1	15	31860	10	Cypress Point	03/31/22	1	15	34890	12
Nottingham Place	03/30/22	1.4	15	38985	10	Quail Run	03/31/22	0.5	15	8715	12
Heritage Drive	03/30/22	1	15	38985	10	British Court	03/31/22	0.5	15	8715	12
Noble Plaza #1	03/30/22	0.8	15	9750	10	Tyler Street	03/31/22	0.5	15	78030	60
Noble Plaza #2	03/30/22	0.6	15	9750	10	Yelverton Road	03/31/22	1	15	63720	40
Pinecrest Street	03/30/22	1	15	19500	10	Ava Gardner	03/31/22	0.5	15	63720	40
S. Sussex Drive	03/30/22	1.4	15	31860	10	Waddell Drive	03/30/22	0.25	15	7965	10
Elm Drive	03/30/22	0.8	15	9750	10	Henly Place	03/30/22	1	15	8715	12
						Birch Street	03/30/22	1	15	34890	12
						Pine Street	03/30/22	1	15	38985	15
Coor Farm Supply	03/31/22	1.4	15	7965	10	Oak Drive	03/30/22	0.5	15	37695	14
Old Goldsboro Rd.	03/31/22	0.4	15	7965	10	Cedar Drive	03/30/22	1	15	31860	10
Hillicrest Drive	03/31/22	1.5	15	31860	10	Aspen Drive	03/30/22	1	15	34890	12
Eason Street	03/31/22	1.5	15	38985	40	Furlonge Street	03/30/22	1	15	34890	12
Magnolia circle	03/31/22	1	15	78030	40	Golden Corral	03/30/22	1.5	15	40290	16
Rainbow Drive	03/31/22	1.5	15	19500	60	Holland Drive	03/30/22	1.5	15	9750	15
Rainbow Circle	03/31/22	1.2	15	19500	60	Davis Street	03/30/22	1	15	34890	12
Moonbeam Circle	03/31/22	1.6	15	19500	60	Caroline Ave.	03/30/22	1	15	31860	10
Ray Drive	03/31/22	1	15	15930	60	Johnston Street	03/30/22	1	15	38985	15
Will Drive	03/31/22	1.2	15	63720	40	Ryans	03/30/22	1	90	9750	15
Michael Lane	03/31/22	2	15	63720	40						
Ward Street	03/31/22	1.5	15	15930	40						

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