



Mayor

M. Andy Moore

Mayor Pro-Tem

Roger A. Wood

Council Members

Marlon Lee

Sloan Stevens

Travis Scott

David Barbour

John Dunn

Stephen Rabil

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, January 9, 2024

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 JANUARY 9, 2024
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page

Presentations:

- 1. Proclamation – Recognizing Steven (Tony) McLeod’s 20+ Years of Service to the Town of Smithfield**
(Mayor – M. Andy Moore) See attached information.....1
- 2. Recognition of Police Detective David Johnson’s Advanced Law Enforcement Certificate**
(Chief of Police – Pete Hedrick) See attached information.....3
- 3. Recognition Of Police Officer Julie Carroll’s Intermediate Law Enforcement Certificate**
(Chief of Police – Pete Hedrick) See attached information.....5
- 4. Administering the Oath of Office to New Police Officer Miguel Renteria**
(Mayor – M. Andy Moore) See attached information.....7
- 5. Administering the Oath of Office to New Police Officer Conner Capshaw**
(Mayor – M. Andy Moore) See attached information.....9
- 6. FY 2022-2023 Audit Presentation**
(Finance Director – Greg Siler) See attached information.....11

Public Hearings:

- 1. Community Development Block Grant (CDBG) Close Out Public Hearing -**
The purpose of this hearing to enable citizens to submit comments of all aspects of CDBG performance and the performance of the Citizen Participation Plan.
(Town Manager – Michael Scott) See attached information.....25

- 2. **CZ-23-01 Buffalo Road:** The applicant is requesting to rezone a 138.63-acre tract of land from the R-20A (Residential-Agricultural) zoning district to the R-8 CZ zoning district with a master plan consisting of 222 single-family residential lots. The property considered for rezoning is located on the east side of Buffalo Road, approximately 300 feet south of its intersection with Holland Drive and further identified as Johnston County Tax ID# 14A03005.
(Planning Director – Stephen Wensman) See attached information.....29

- 3. **ZA-23-09 Watershed Ordinance:** The Town of Smithfield is proposing an amendment to the Unified Development Code, Section 10.92, and associated definitions in Appendix A as an update to the Water Supply Watershed Protection Overlay District regulations in accordance with changes in the general statutes, NCGS 143-214.5.
(Planning Director – Stephen Wensman) See attached information.....51

Citizens Comments

Consent Agenda Items:

- 1. **Approval of Minutes:**
 - a. November 14, 2023 – Regular Meeting
 - b. November 14, 2023 – Closed Session (Under Separate Cover)
 - c. December 5, 2023 – Regular Meeting(Town Clerk – Shannan Parrish) See attached information.....75

- 2. **Consideration and request for approval to promote a Fire Lieutenant to the rank of Fire Captain**
(Fire Chief – Jeremy Daughtry) See attached information.....89

- 3. **Consideration and request for approval to promote a Fire Engineer to the rank of Fire Lieutenant**
(Fire Chief – Jeremy Daughtry) See attached information.....91

- 4. **Consideration and request for approval to promote a Fire Fighter I to the rank of Fire Fighter II**
(Fire Chief – Jeremy Daughtry) See attached information.....93

- 5. **Consideration and request for approval to promote a Water Plant Trainee to a Water Plant Operator I**
(Public Utilities Director – Ted Credle) See attached information.....95

- 6. **Consideration and request for approval to hire an Electric Line Technician above the minimum rate of pay due to experience**
(Public Utilities Director – Ted Credle) See attached information.....99

- 7. **Consideration and request for approval to award a bid in the amount of \$44,549.78 to Performance Automotive for the purchase of a 2023 Dodge Durango for the Police Department**
(Chief of Police – Pete Hedrick) See attached information.....101

- 8. **Consideration and request for approval to award a bid in the amount of \$35,113.00 to Ilderton Dodge for the purchase of a 2023 Dodge Charger for the Police Department**
(Chief of Police – Pete Hedrick) See attached information.....107

9. Consideration and request for approval to award a bid in the amount of \$28,853.14 to Performance Automotive for the purchase of a 2023 Ford Escape for the Water/Sewer Department
(Public Utilities Director – Ted Credle) See attached information.....113

10. New Hire Report
(HR Director – Tim Kerigan) See attached information.....119

Business Items:

1. Consideration and request for approval to install stop signs at North Avenue and West Street
(Chief of Police – Pete Hedrick) See attached information.....121

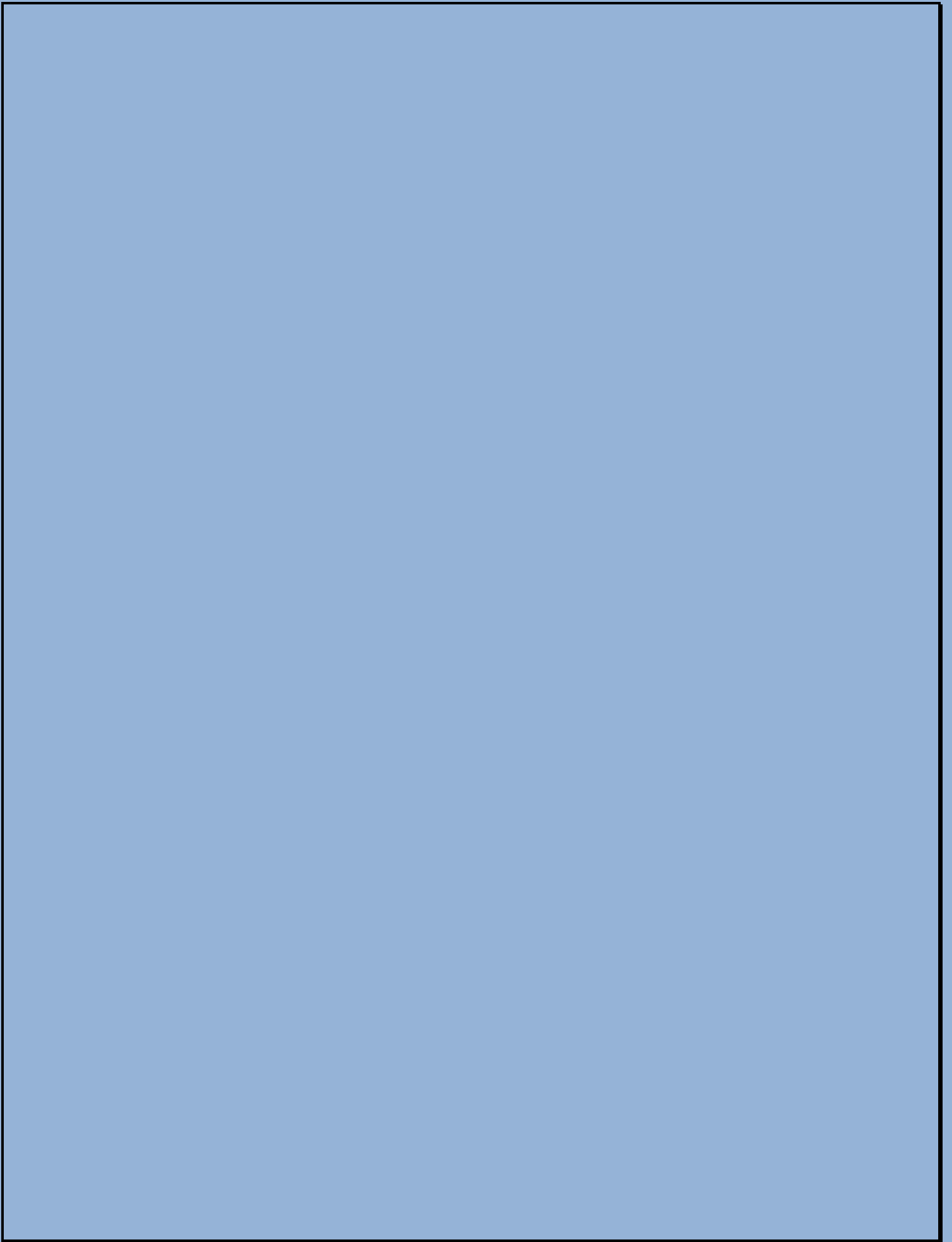
Councilmember’s Comments

Town Manager’s Report

- Financial Report (See attached information).....127
- Department Reports (See attached information).....131
- Manager’s Report (Will be provided at the Meeting)

Adjourn

Presentations



PROCLAMATION
In Honor of Fire Captain Steven Anthony
(Tony) McLeod's
20+ Years of Dedicated Service
to the Town of Smithfield

WHEREAS, Steven Anthony McLeod has been a dedicated employee of the Town of Smithfield for more than 20 years; and

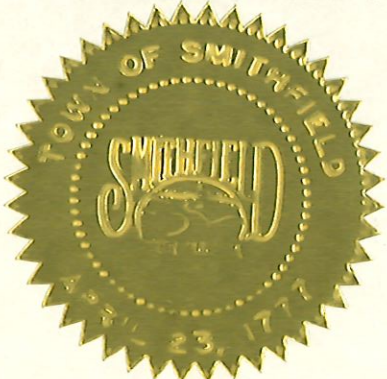
WHEREAS, Steven Anthony McLeod retired on December 31, 2023 and is being honored for his years of service as a member of the Smithfield Fire Department; and

WHEREAS, throughout his professional career, Steven Anthony McLeod helped advance the Smithfield Fire Department by serving in a variety of roles including Firefighter, Engineer and ultimately as a Captain; and

WHEREAS, through his dedication and service to the residents of the Town of Smithfield and Johnston County, Steven Anthony McLeod directly contributed to creating a safer and more resilient community; and

WHEREAS, Steven Anthony McLeod has earned and deserves this public recognition for his many years of service and commitment to the Town of Smithfield.

NOW, THEREFORE, I, M. Andy Moore Mayor of the Town of Smithfield along with the members of the Town Council, express our sincere appreciation to Steven Anthony McLeod for his distinguished service to the Town of Smithfield and wish him well in his future endeavors.



M. Andy Moore, Mayor



Request for Town Council Action

Presentation: Advanced
Law
Enforcement
Certificate
Date: 01/09/2024

Subject: Presentation to Detective Johnson Advanced Law
Enforcement Certificate

Department: Police Department

Presented by: Chief of Police – Pete Hedrick

Presentation: Presentations

Issue Statement

The Police Chief is requesting to present Detective David Johnson with his Advanced Law Enforcement Certificate

Financial Impact

N/A

Action Needed

N/A

Recommendation

Recognition of Detective Johnson's achievement

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Presentations: **Advanced
Law
Enforcement
Certificate**

The Police Chief is recommending:

To acknowledge his dedication to professional police work, I would like to present Detective David Johnson with his Advanced Law Enforcement Certificate. Detective Johnson started with the department in 2003 and is now a Detective and a vital member of our investigation division.



Request for Town Council Action

Presentation: Intermediate
Law
Enforcement
Certificate
Date: 01/09/2024

Subject: Presentation to Julie Carroll Intermediate Law Enforcement Certificate

Department: Police Department

Presented by: Chief of Police – Pete Hedrick

Presentation: Presentations

Issue Statement

The Police Chief is requesting to present Officer Julie Carroll with her Intermediate Law Enforcement Certificate

Financial Impact

N/A

Action Needed

N/A

Recommendation

Recognition of Officer Carroll's achievement

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

Presentation: **Intermediate
Law
Enforcement
Certificate**

The Police Chief is recommending:

To acknowledge her dedication to professional police work, I would like to present Officer Julie Carroll her Intermediate Law Enforcement Certificate. Officer Carroll started with the department in 2019 and now heads our COPS program. Officer Carroll is a great representative for our department and dedicated to building and maintaining relationships with our community.



Request for Town Council Action

Presentation: Police
**Oath of
Office**
Date: 01/09/2024

Subject: Oath of Office

Department: Police Department

Presented by: Chief of Police – Pete Hedrick

Presentation: Presentation

Issue Statement

The Smithfield Police Department has hired a new officer to fill existing vacancies within the Police Department. Miguel Renteria has been hired to fill one of these positions.

Financial Impact

Approved Budgeted Amount for FY 2023-2024: Covered by the Current Budget

Action Needed

Administer the Oath of Office to Officer Miguel Renteria and welcome him into the Smithfield Community.

Recommendation

Administer the Oath of Office to Officer Miguel Renteria and welcome him into the Smithfield Community.

Approved: Town Manager Town Attorney

Attachments:

1. Oath of Office



Staff Report

**Presentation: Oath
of
Office**

OATH OF OFFICE SMITHFIELD POLICE DEPARTMENT

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

Signature

Date

Sworn to and subscribed before me this the ____ day of _____, 2024

M. Andy Moore, Mayor



Request for Town Council Action

Presentation: Police
**Oath of
Office**
Date: 01/09/2024

Subject: Oath of Office

Department: Police Department

Presented by: Chief of Police – Pete Hedrick

Presentation: Presentation

Issue Statement

The Smithfield Police Department has hired a new officer to fill existing vacancies within the Police Department. Connor Capshaw has been hired to fill one of these positions.

Financial Impact

Approved Budgeted Amount for FY 2023-2024: Covered by the Current Budget

Action Needed

Administer the Oath of Office to Officer Connor Capshaw and welcome him into the Smithfield Community.

Recommendation

Administer the Oath of Office to Officer Connor Capshaw and welcome him into the Smithfield Community.

Approved: Town Manager Town Attorney

Attachments:

1. Oath of Office



Staff Report

**Presentation: Oath
of
Office**

OATH OF OFFICE SMITHFIELD POLICE DEPARTMENT

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

Signature

Date

Sworn to and subscribed before me this the ____ day of _____, 2024

M. Andy Moore, Mayor



Presentation for Town Council

Presentation **FY 22-23**
Audit
Date: 01/09/2024

Subject: Presentation of the 2022-2023 Annual Financial Report
Department: Finance Department
Presented by: Finance Director – Greg Siler
Presentation: Presentations

Issue Statement – Thompson, Price, Scott, Adams & Co., P.A. (TPSA) will present Fiscal Year 2023 audit results. The Annual Financial Report provides readers (board/council members, citizens, bondholders, lenders, rating agencies, etc.) with information useful in assessing the financial condition of the town and for making decisions.

Financial Impact – N/A

Action Needed – N/A

Recommendation – N/A

Approved: Town Manager Town Attorney

Attachments

1. Audit Summary
2. Audit Results - Will be provided at the meeting



Presentation of Audit Results

Fiscal Year Ended
June 30, 2023



Alan W. Thompson, CPA
1626 S Madison Street
PO Box 398
Whiteville, NC 28472
910.642.2109 phone
910.642.5958 fax
www.tpsacpas.com

TOWN OF SMITHFIELD

Presentation Agenda

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V. CLOSE	



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

P.O. Box 398
1626 S Madison Street
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Telephone (910) 642-2109
Fax (910) 642-5958

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

November 27, 2023

To the Town of Smithfield
Smithfield, North Carolina

We have audited the financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the Town of Smithfield for the year ended June 30, 2023. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards*, and Uniform Guidance (if applicable), as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated May 12, 2023. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Town of Smithfield are described in Note 1 to the financial statements. The Town adopted GASB Statement 96 "Subscription Based Information Technology Arrangements," effective for the fiscal year ended June 30, 2023. We noted no transactions entered into by the Town of Smithfield during the year that were both significant and unusual, and of which, under professional standards, we are required to inform you, or transactions for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There were no significant estimate(s) or assumptions noted during the audit.

Certain financial statement disclosures are particularly sensitive because of their significance to the financial statement users. There are no such disclosures identified.

The financial statement disclosures are neutral, consistent, and clear.

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

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. Some of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 27, 2023.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Auditing Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Town of Smithfield's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

The Local Government Commission (LGC) will no longer initiate communications about concerns or findings (formerly considered unit letters). They have created a spreadsheet that has to be completed and submitted with the audit report. If that worksheet identifies what they consider a "Financial Performance Indicators of Concern" (FPICs), we are required to communicate those items to the Board. The Town is required to submit a response within 60 days of the Board meeting in which the financial statements are presented. The detailed audit response should be presented to the entire Board, and signed by the entire Board, Finance Officer, and Manager. We are pleased to disclose that there are no indicators that the Town must respond about this year.

Other Matters

We applied certain limited procedures to the Schedule of Town's Proportionate Share of Net Pension Liability (LGERS), Schedule of Town Contributions (LGERS), Schedule of Changes in Total Pension Liability - Law Enforcement Officer's Special Separation Allowance, and Schedule of Changes in Total OPEB Liability and Related Ratios, which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted 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 did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individual non-major fund statement schedules, budgetary schedules, and other schedules, and the schedule of expenditures of federal and State awards, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Restriction on Use

This information is intended solely for the use of the Town Commissioners and management of the Town of Smithfield and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

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

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

TOWN OF SMITHFIELD

FINANCIAL INFORMATION FOR 5 YEARS

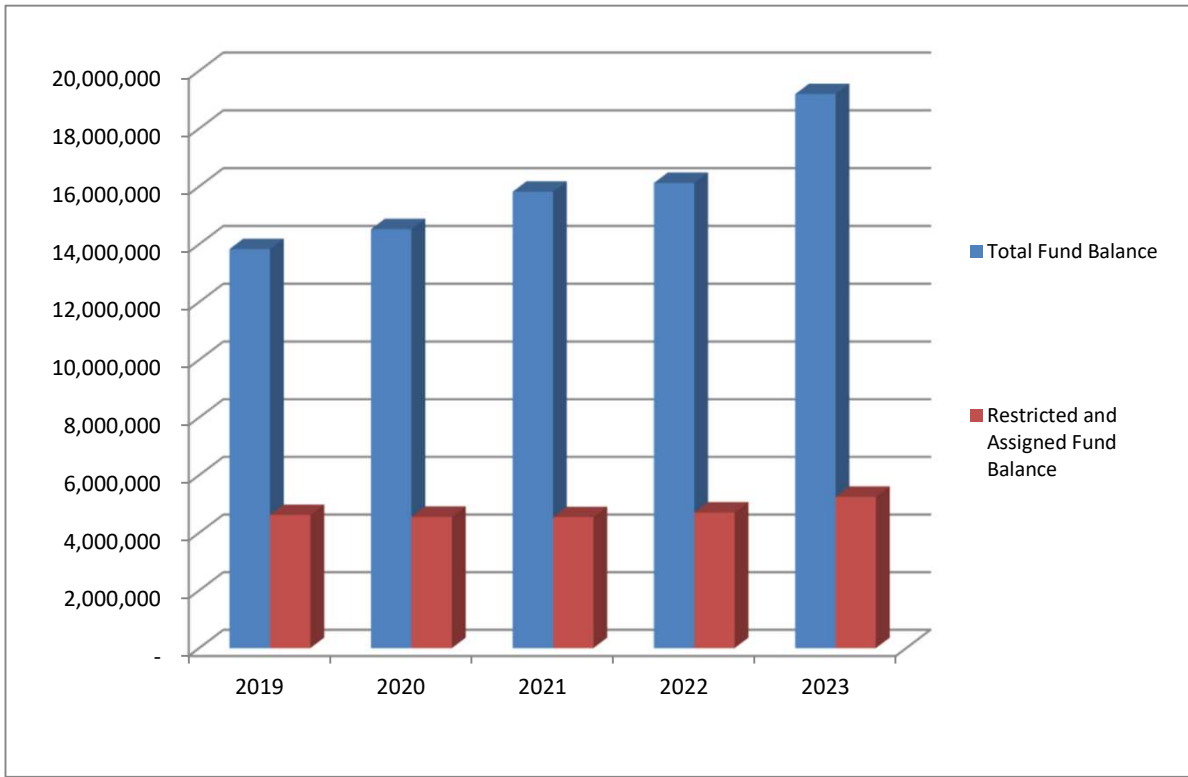
	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Total Fund Balance - General Fund	19,195,668	16,120,101	15,814,504	14,521,940
Unavailable Fund Balance (Reserve for State Statute, Nonspendable)	3,643,095	3,565,822	2,784,834	2,720,900
Restricted, Committed, and Assigned Fund Balance	5,246,357	4,703,969	4,545,182	4,553,192
General Fund Expenditures (including transfers out)	14,329,028	16,143,324	13,862,800	13,735,288
Fund Balance Available as % of General Fund				
Expenditures	108.54%	77.77%	93.99%	85.92%
Unassigned Fund Balance	13,899,006	11,389,754	11,248,279	9,968,748
Unassigned Fund Balance as % of General Fund				
Expenditures	97.00%	70.55%	81.14%	72.58%
Revenues over (under) expenditures before contributions and transfers				
General Fund	2,577,641	(130,605)	1,884,036	1,443,604
Electric Fund	444,425	822,190	517,897	255,556
Water & Sewer Fund	3,512,825	2,998,733	2,391,504	2,745,878
Cash vs. Accumulated Depreciation - Water & Sewer Fund				
Total Fixed Assets	44,970,900	39,559,989	27,384,425	24,855,644
Accumulated Depreciation	14,369,538	13,566,944	12,912,721	12,284,763
Cash	14,657,500	14,396,946	13,060,839	12,152,789
Cash vs. Fund Balance				
Cash - General	16,844,812	14,075,574	14,253,350	13,072,113
Cash - Electric Fund	12,011,526	11,997,946	11,767,185	11,020,194
Cash - Water & Sewer Fund	14,657,500	14,396,946	13,060,839	12,152,789
Cash - Other Governmental Funds	3,655,814	5,053,761	922,575	1,074,088
Fund Balance - General	19,195,668	16,120,101	15,814,504	14,521,940
Fund Balance - Electric Fund	20,374,567	19,930,142	19,107,952	18,553,584
Fund Balance - Water & Sewer Fund	31,998,244	28,103,059	23,584,921	21,092,753
Fund Balance - Other Governmental Funds	(643,723)	60,224	279,321	176,243
Property Tax Rates	0.57	0.57	0.57	0.57
Collection Percentages	99.93%	99.88%	99.77%	99.61%
Collection Percentages (excluding Motor Vehicle)	99.92%	99.87%	99.74%	99.57%
Total Property Valuation	1,416,069,030	1,341,879,123	1,279,219,986	1,233,663,158
Total Levy Amount	8,071,593	7,648,711	7,291,554	7,031,880
Debt (excluding OPEB, compensated absences, LGERS)				
Governmental Activities	4,548,432	4,686,704	7,588,150	7,587,735
Business-Type Activities	13,377,699	12,639,394	3,721,993	4,557,159

TOWN OF SMITHFIELD

FINANCIAL INFORMATION FOR 5 YEARS

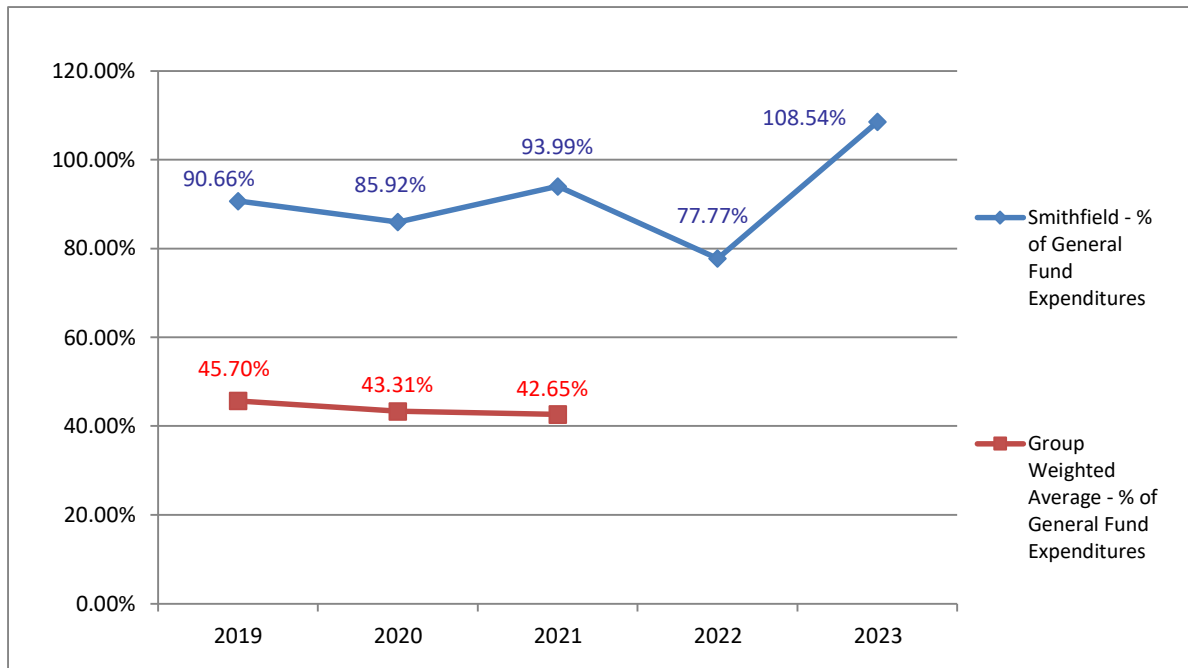
	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Breakdown of General Fund Revenues				
Ad Valorem Taxes	8,098,886	7,715,148	7,393,534	7,046,889
Other Taxes, License & Permits	52,157	75,067	59,366	65,867
Intergovernment Revenue	5,514,319	5,257,824	5,164,269	4,580,621
Sales and Services	2,791,805	2,654,020	2,131,661	2,346,267
Investment Earnings	202,844	10,665	13,552	47,221
Miscellaneous	236,248	147,995	150,454	140,027
Total	<u>16,896,259</u>	<u>15,860,719</u>	<u>14,912,836</u>	<u>13,775,292</u>
Breakdown of General Fund Expenditures				
General Government	1,708,013	1,516,181	1,473,207	1,413,158
Public Safety	6,587,724	6,266,652	6,061,161	5,826,869
Street and Public Works	1,698,199	1,558,292	1,286,129	1,413,752
Sanitation	1,525,443	1,552,107	1,418,510	1,172,948
Cultural & Recreational	2,349,942	1,929,283	1,766,155	2,113,219
Debt Service	449,297	3,168,809	1,023,638	843,342
Total	<u>14,318,618</u>	<u>15,991,324</u>	<u>13,028,800</u>	<u>12,219,573</u>

TOWN OF SMITHFIELD Analysis of Fund Balance



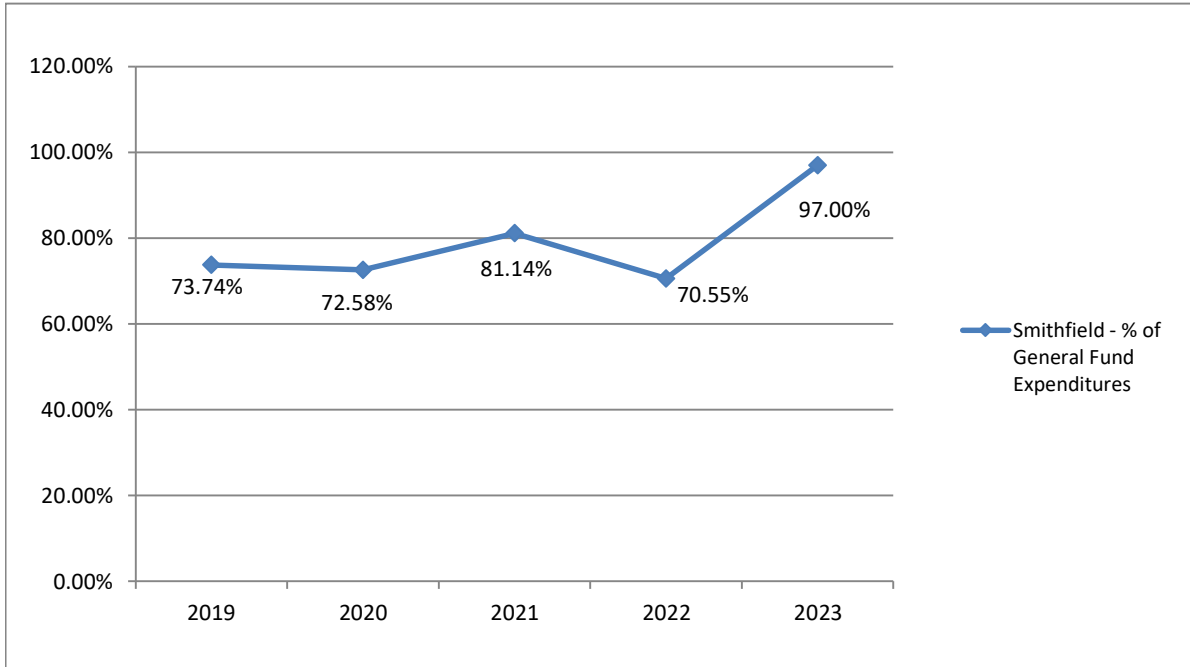
TOWN OF SMITHFIELD Analysis of Fund Balance Available

(Note - 2022 & 2023 Group Weighted Average Not Available at Date of Presentation)



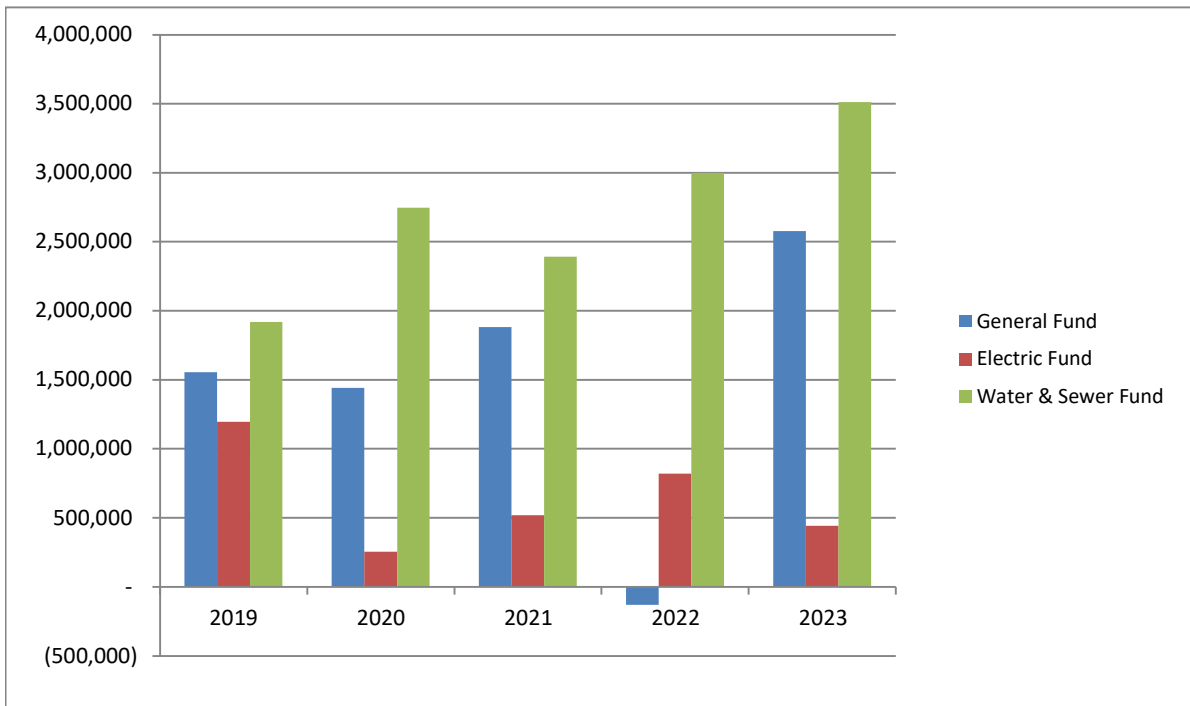
TOWN OF SMITHFIELD

Analysis of Unassigned Fund Balance as a % of General Fund Expenditures



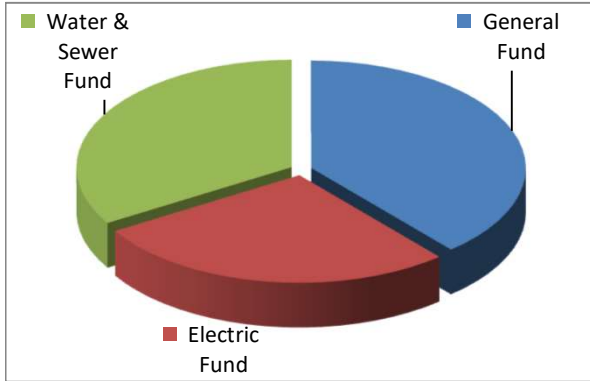
TOWN OF SMITHFIELD

Analysis of Revenues Over (Under) Expenditures before Transfers and Contributions

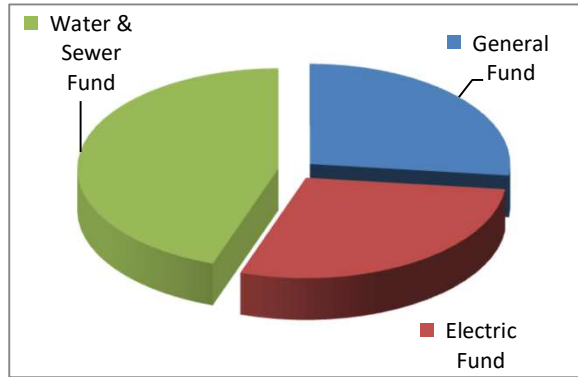


TOWN OF SMITHFIELD
Analysis of Cash and Fund Balances
at June 30, 2023

CASH BALANCES



FUND BALANCES

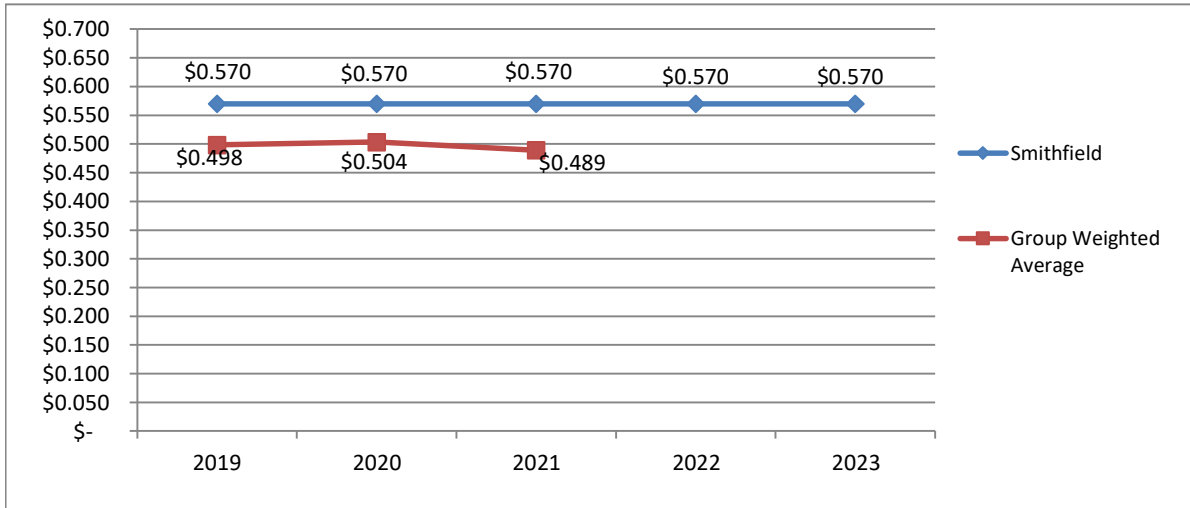


	2023	
	Cash Balances	Fund Balances
General Fund	\$ 16,844,812	\$ 19,195,668
Electric Fund	12,011,526	20,374,567
Water and Sewer Fund	14,657,500	31,998,244
Total	\$ 43,513,838	\$ 71,568,479

TOWN OF SMITHFIELD

Property Tax Rates

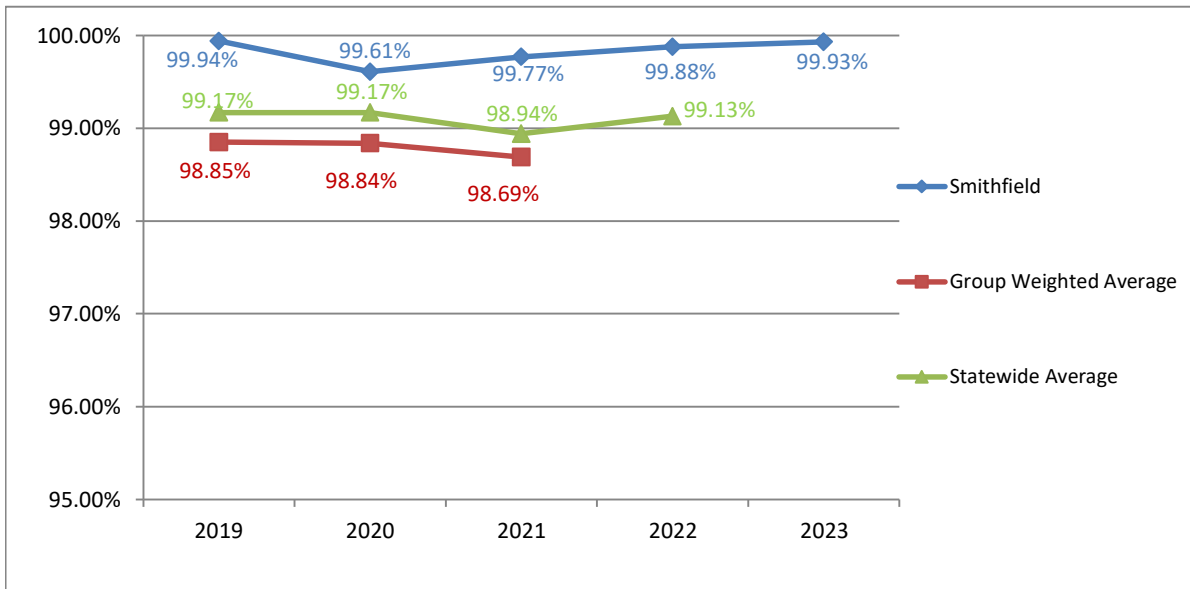
(Note - 2022 & 2023 Group Weighted Average Not Available at Date of Presentation)



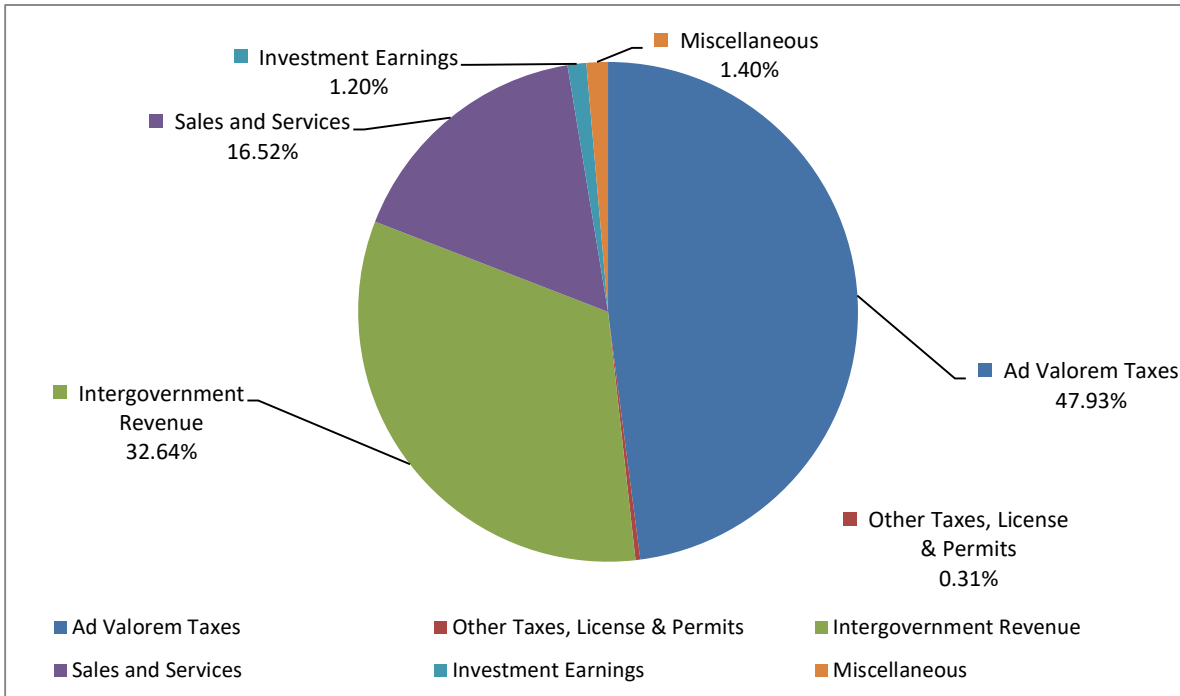
TOWN OF SMITHFIELD

Collection Percentages

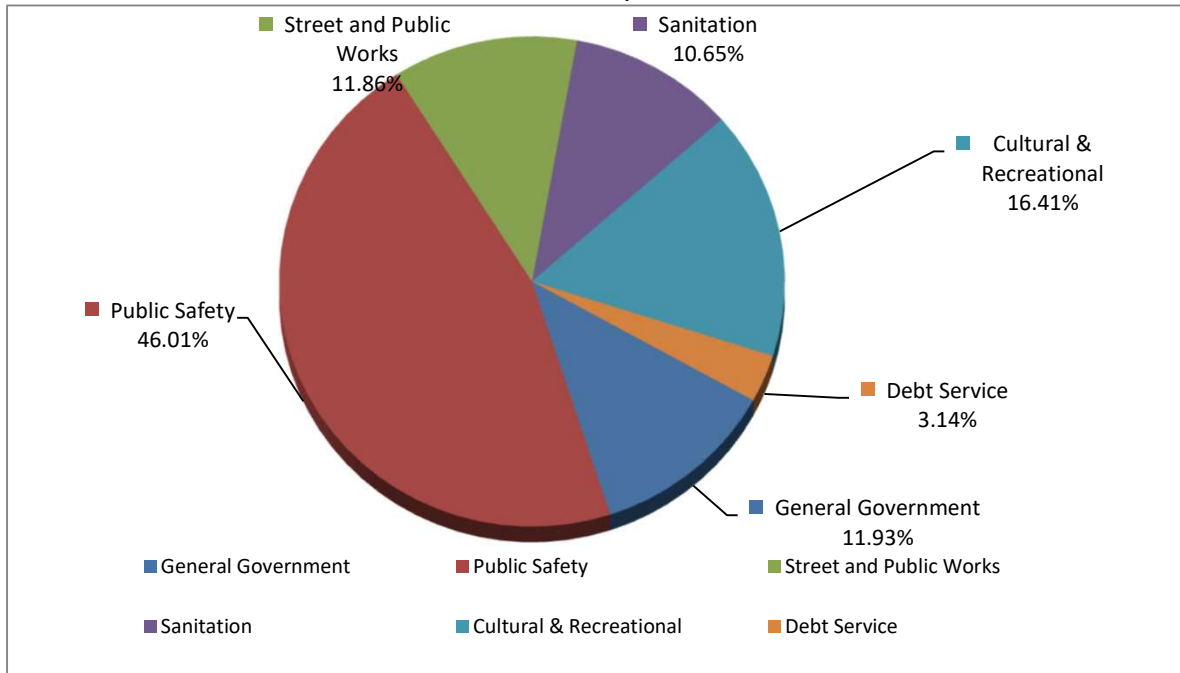
(Note - 2022 & 2023 Group/Statewide Weighted Average Not Available at Date of Presentation)



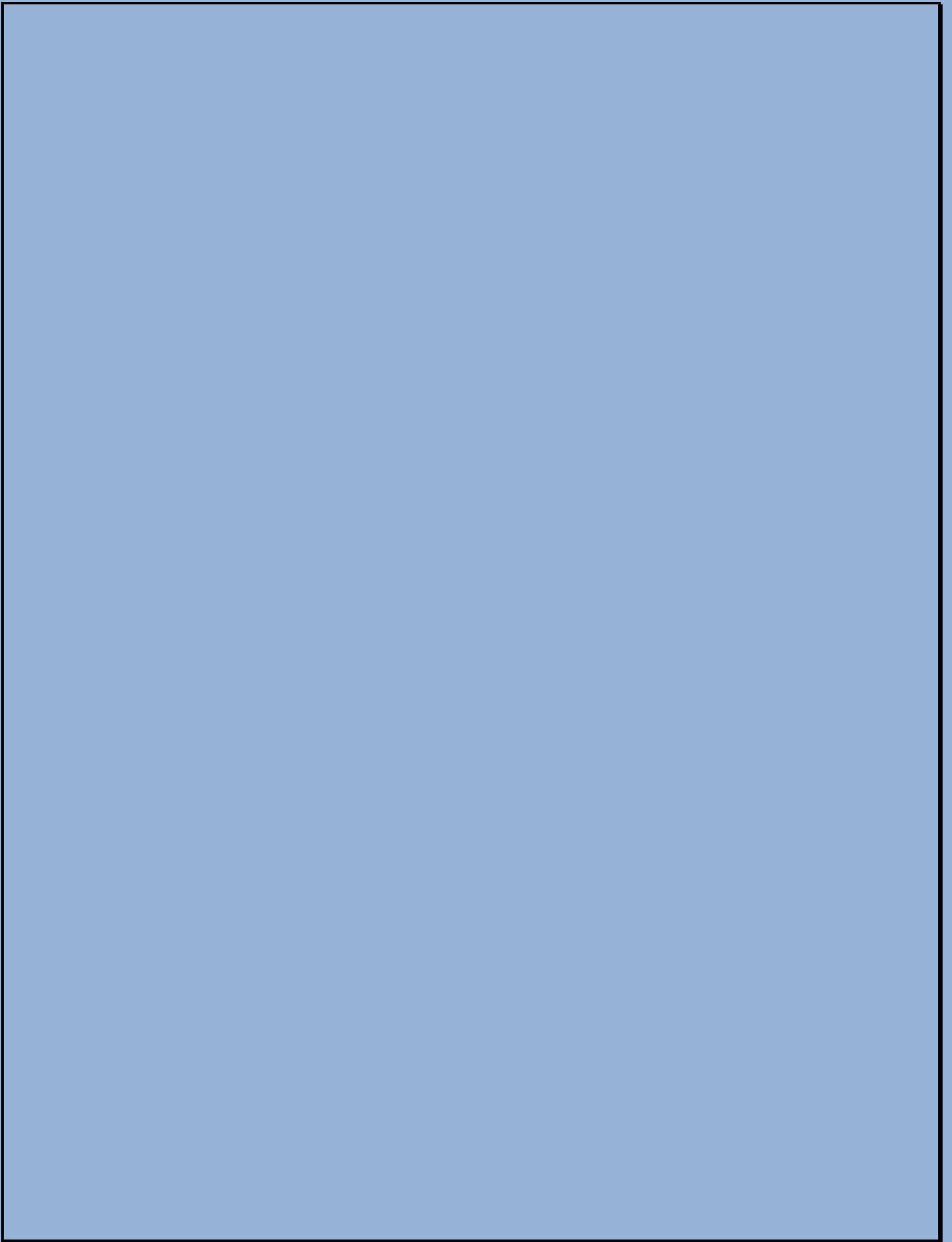
TOWN OF SMITHFIELD
Break Down of General Fund Revenue
FYE June 30, 2023



TOWN OF SMITHFIELD
Break Down of General Fund Expenditures
FYE June 30, 2023



Public Hearings





Request for Town Council Action

**CDBG
Public
Hearing**
Agenda Item:
Date: 01/09/2024

Subject: CDBG Public Hearing
Department: General Government
Presented by: Town Manager – Michael Scott
Presentation: Public Hearing

Issue Statement

A Public Hearing will be held to close out the completed \$750,000 Community Development Block Grant (CDBG) for housing rehabilitation in District 1.

Financial Impact

No Financial Impact; The \$750,000 Community Development Block Grant has been fully administered.

Action Needed

Hold the Public Hearing

Recommendation

N/A

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Public Notice



Staff Report

**Public
Hearing:** **CBDG
Public
Hearing
01/09/2024**

In December, 2019 the Town accepted a \$750,000 grant for Housing Rehabilitation in District 1. The grant is now closed and a public hearing will be held to complete the close-out of this grant.

Ten homes were rehabilitated to meet State Codes with two of those homes being total tear downs and reconstructions.

An in-depth review of the work completed throughout the grant was presented to the Town Council during the November, 2023 regular meeting. The presentation will not be repeated, as this is a time to hear from the public regarding the use of the \$750,000 grant received in December of 2019.

AFFIDAVIT OF PUBLICATION

State of Pennsylvania, County of Lancaster, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Johnstonian News, a newspaper printed and published in the City of Smithfield, County of Johnston, State of North Carolina, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Dec. 27, 2023

NOTICE ID: kK40BBkELc3bdBR2P0hD

NOTICE NAME: CDBG - Final Public Hearing

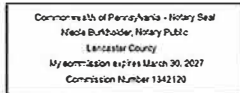
Publication Fee: 104.00

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct.

(Signed) Yuade Moore

VERIFICATION

State of Pennsylvania
County of Lancaster



Subscribed in my presence and sworn to before me on this: 12/28/2023

Nicole Burkholder

Notary Public
This notarial act involved the use of communication technology

TOWN OF SMITHFIELD NOTICE OF PUBLIC HEARING

The Town of Smithfield has received a \$750,000 Small Cities Community Development Block Grant – Neighborhood Revitalization (CDBG-NR) (Project Number). During 2023 the following activities occurred.

- Demolition and Clearance Houses as a part of reconstruction activities were demolished and cleared at: 714 East Street and 907 Second Avenue.
- Substantial Rehabilitation 908 Rand Street was substantially rehabilitated.
- Rehabilitation 915 East Street rehabilitation was completed.
- Reconstruction Two reconstructions were completed at 714 East Street and 907 Second Avenue.

The Town of Smithfield will conduct a Public Hearing on January 9, 2024 at 7:00 PM in the Town Council Chambers located at 350 East Market Street, Smithfield, North Carolina 27577. The purpose of this Hearing is to enable citizens to submit comments of all aspects of CDBG performance and the performance of the Citizen Participation Plan. Written comments received prior to the opening of the Public Hearing will be considered. Written comments may be sent to Michael Scott, Manager, 350 East Market Street, P.O. Box 761, Smithfield, NC 27577.

This information is available in Spanish or any other language upon request. Please contact, Michael Scott, Town Manager, (919) 934-2116, Town Manager's Office, 350 East Market Street, P.O. Box 761, Smithfield, NC 27577 for accommodations for this request.

Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, Michael Scott, Town Manager, (919) 934-2116, Town Manager's Office, 350 East Market Street, P.O. Box 761, Smithfield, NC 27577 póngase en contacto con de alojamiento para esta solicitud.

The Johnstonian
December 27, 2023



Request for Planning Board Action

**Public
Hearing: CZ-23-01**
Date: 01/09/2024

Subject: Buffalo Road Subdivision- Conditional Zoning Map
Amendment

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Public Hearing

Issue Statement

Adams and Hodge Engineering, PC, is requesting a conditional rezoning of 138.63 - acres of land from R-8 and R-20A to R8-CZ with a master plan for a planned development consisting of 222 single-family lots.

Financial Impact

If constructed, the development will add to the town's tax base.

Action Needed

The Town Council is respectfully requested to hold a public hearing on the conditional zoning request and decide whether to approve, approve with conditions, or deny it.

Recommendation

The Planning Board recommends approval of the conditional zoning request, CZ-23-01, with 10 conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans 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 Revised 12/7 - Separate Attachment
5. Adjacent Property Owners Listing
6. Public Hearing Affidavit
7. Zoning Map



Staff Report

Public Hearing: CZ-23-01

REQUEST:

Adams and Hodge Engineering, PC, is requesting a conditional rezoning of 138.63 -acres of land from R-8 (Single, Two and Multi-family), R-10 (Single Family) and R-20A (Residential-Agriculture) to R8-Conditional Zone with a master plan for a planned development consisting of 222 single-family lots.

PROPERTY LOCATION:

1200 and 1176 Buffalo Road (East side of Buffalo Road approximately 2000 feet north of its intersection with Hospital Road).

APPLICATION DATA:

Applicant:	Adams and Hodge Engineering, PC.
Project Name:	Buffalo Road Subdivision
Parcel ID	14A03005
Property Owners	Guy and Ross Lampe
Acreage	+/- 138.63
Present Zoning:	R-20A/R-8
Proposed Zoning:	R8-CZ
Town/ETJ:	Town
Existing Use:	Mostly woods, wetlands and some former home sites.
Proposed Use:	Single-family residential
Fire District:	Smithfield
School Impacts:	Additional students
Parks and Recreation:	Parkland dedication of +/- 58 Acres and trail connection to Buffalo Creek Greenway
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield
New roads:	+/- 7,421 linear feet
Proposed Sidewalk:	+/- 15,116 linear feet
Proposed Trail:	+/- 3,324 lineal feet
Proposed Density:	1.57 d.u.a.
Minimum Proposed Lot Size:	4200 sq. ft. (42' x 100')

ADJACENT ZONING AND LAND USES:

(see attached map)

	Zoning	Existing Land Uses
North	R-10 and O/I	Radio Station and Single-family residential
South	R-20A	Vacant woodland
East	R-10/R-20A	Single family residential
West	R-20A	Residential/Agricultural.

NEIGHBORHOOD MEETING:

The developer held a neighborhood meeting prior to making formal application. The meeting was well attended. The neighbors:

- Were nearly unanimously opposed to the road connection to Parkway Drive.
- Have concerns about the small lots especially up against Bradford Park.
- Wanted more buffer between Bradford Park and the new development.
- Had concerns about drainage and that the development might worsen the already poor drainage in their back yards.
- Had concerns about potential cut through to Buffalo Road through Bradford Park and speeding (in previous proposal with a direct road connection to Bradford Park).
- Have concerns about increased traffic congestion on Buffalo Road and adjacent roadways because of new development.

EXISTING CONDITIONS/ENVIRONMENTAL:

The property consists of woodland and wetland areas, 500-yr and 100-yr floodplain, and a buffered blueline stream.

MASTER PLAN/ANALYSIS:

- **Comprehensive Land Use Plan.** The comprehensive plan guides this property for medium density residential, therefore the R-8 CZ zoning is appropriate.
- **Development Phasing.** No phasing has been proposed at this time, but would be required with a subdivision plat.
- **Site Access and Traffic.**
 - The development plans show access to Buffalo Road at two locations with approximately 620 feet between them. The nearest intersection is Holland Drive, approximately 415 feet to the north. Buffalo Road is state maintained roadway and all proposed access points will require NCDOT approval and compliance with state design criteria to include spacing requirements, turn lanes or other traffic controls.
 - With the future subdivision application, a Traffic Impact Study will be required.
 - The development provides a 20' emergency service trail between Parkway Drive and the Street A cul-de-sac that will meet Fire Code. The trail will be constructed to handle heavy fire trucks and will have locking barriers to prevent unwanted vehicle access at both ends of the trail. The UDO Section 10.111 requires a road connection to Parkview Drive.
 - The development plans show a stub road to the 75-acre parcel to the south, owned by MAC 2008 LLC (Tax ID 14A03007) where there is roughly 30-acre of developable area.

- The development plans show Street F that will provide future access to the 4-acre Johnson Broadcast Ventures LTD (Tax ID 14075035) if this land were to be redeveloped. Street F terminates with a hammerhead meeting fire code apparatus turn-around requirements that also provides access to a 1-acre (triangular shaped) land-locked parcel (Tax ID 14K09007).
- **Streets and Right-of-Way Design.**
 - All of the roads will have 60' wide public rights-of-ways.
 - Streets A & B are proposed to be 31' wide B/B with sidewalks on both sides of the road. The recommended minimum street standard in the draft Standard Details and Specifications Manual is 27' wide B/B with a sidewalk on one side, so these streets exceed the Town's standards.
 - The remaining streets are proposed to be 27' wide B/B with sidewalks on both sides. This follows the draft Standard Details and Specifications Manual but with sidewalks on both sides rather than just one.
 - The cul-de-sac on Street A will have a 48' radius meeting fire code.
 - Buffalo Road is currently a rural road design with ditches. Staff recommends the frontage along Buffalo Road have an urban design with curb and gutter and underground drainage if acceptable to NCDOT.
 - Streets A and B will have additional right-of-way width at the intersection with Buffalo Road.
 - The developer is proposing valley curbs rather than standard curb and gutter. This is a deviation from standards.
 - The developer is proposing stop signs at intersections for traffic calming.
- **Lots and Setbacks.**
 - The R-8 minimum lot size is 8,000 sq. ft. (70' wide street frontage). The proposed R8-CZ minimum lot size is 4,200 sq. ft (42' wide street frontage). This represents nearly a 53% reduction in lot area and 60% reduction in lot frontage.
 - The R-8 minimum setbacks are: 30' front, 10' side, and 25' rear. The proposed R-8 CZ setbacks are: 18' front (garages 25'), 5' side, and 12' rear and corner side 18'.
 - The proposed 12' rear setback limits space for patios or sheds.
 - 25' setback is large enough for most large pickups to fit in the driveway.
 - The development plans show slightly larger lots on the back of the cul-de-sac. The 5 larger lots are 0.15 acres in size, or 6,534 sq. ft. in area.
- **Utilities.** Water, Sewer and Electric will be Town of Smithfield. Utilities will not likely be available for the project until spring of 2025.

- **Landscaping and Buffering.**
 - A Standard Street yard, berm with 6' fence is proposed along Buffalo Road in the common open space. The lots are setback 70 feet from the right-of-way. There is ample room to provide a large berm in this area to screen the backs of the future homes and yards. The developer has provided details of each in the plan set. This is consistent with what has been approved for other developments with conditional zoning.
 - Street trees are shown in accordance with the landscape ordinance.
 - Existing trees will provide the buffer adjacent to existing development where applicable. Where additional buffer is needed, a Standard Type A buffer is proposed.
 - The developer proposes additional landscape enhancements at the entrances from Buffalo Road.
- **Homeowner's Association (HOA) /Amenities.**
 - A HOA will own and maintain the open space and amenities which include: stormwater ponds, internal trails, parking, pickleball court, mail kiosk and street yard buffers.
 - A proposed trail will connect Buffalo Road to the Buffalo Creek Greenway through the development.
 - The mail kiosk is located adjacent to a parking lot that also serves the pickleball courts.
- **Parking.**
 - The master plan note indicates there will be 3 parking spaces per dwelling and 94 overflow spaces. This exceeds the UDO required 2 spaces per dwelling unit.
 - Each lot will provide parking for 3 vehicles, 2 in the driveway with one or two stall garages that will be a minimum of 12' x 20' or 20' x 20', large enough to fit one or two standard sized vehicles.
 - Overflow parking is located within 2 parking lots and in street bump-outs dispersed at various locations in the development.
- **Stormwater Management.** The developer has shown 2 stormwater ponds in the open space that will be maintained by the HOA.
 - The plans call for a maximum impervious of 50% per lot.
 - The developer plans on aerating the ponds to help with mosquito control.
- **Subdivision Signs.** The Masterplan shows locations for 2 ground mounted subdivision signs at the entrances from Buffalo Road.
- **Architectural Standards.** The developer has provided example elevations of homes and a standard lot detail. The homes will have vinyl siding, shingles, shutters and architectural trim details. Corner lots will incorporate the same details as fronts.
 - Written architectural standards should be provided and included in the HOA documents.

- **Deviations from UDO.** With conditional zoning, there is an opportunity for the developer and the Town to agree to deviations from the R8 Zoning and Subdivision Requirements. The developer is requesting the following deviations:

Standard	R-8 Zoning/Subdivision Requirements.	Proposed
Setbacks	<ul style="list-style-type: none"> • Front=30' • Corner side = 15' • Side=10' • Rear = 25' • Cornerside = 30' 	<ul style="list-style-type: none"> • Front Home=18' • Front Garage = 25' • Side = 5' • Rear = 12' • Cornerside = 18'
Min. Lot Size	• 8,000 sq. ft.	• 4,200 sq. ft.
Lot Frontage	• 70 feet	• 42 feet
Curbing	• 6" Standard curb & gutter	• Valley curb
Lateral Connection	• Required connection to Parkview Drive	• 20' wide trail meeting Fire Code

- **Proposed Standards Exceeding UDO Requirements.**

Standard	R-8 Zoning/Subdivision Requirements	Proposed
Parkland Dedication	• Fee in Lieu	• +/- 58 acre of park land dedication.
Sidewalks	• One side of subdivision streets	• On both sides of subdivision streets
Streetyard Buffer	• Standard 15' Streetyard on Buffalo Road	• Standard 15' Streetyard, berm and fence and +/- 50 feet open space
Site Amenities	• None required	<ul style="list-style-type: none"> • +/- 4728 lin. ft. of trail • Pickleball court
Parking	• 2 spaces per lot	• + 2 spaces per lot and overflow parking.
Greenway trail	• Connection to trail	• Providing 8' multi-purposed trail across the development to Buffalo Road.
Lighting and Street Signs	• No specification	• Providing decorative lighting
Entrance landscaping	• Streetyard	• Enhanced landscaping at entrances.
Pond Aeration	• None required	• Aeration to help mosquito control
Looped watermain & extra fire hydrant	• Per Code	• Adding hydrant by Greenway, looping water

		main with Bradford Park and oversizing if feasible.
Street Width	27' B/B	• 31' B/B (Streets A & B)

ANALYSIS SUMMARY:

- The UDO requires a street connection to Parkway Drive; however, the developer is proposing an emergency service access trail meeting fire code.
- The proposed lot minimums are nearly 53% smaller than the R-8 zone (4,200 sq/ ft. vs. 8,000 sq ft.) and nearly a 60% reduction in lot frontage (42 LF vs. 70 LF). The the Bradford Park development has a minimum of 10,000 sq. ft. lots and 75 lineal feet of road frontage by comparison.
- The developer is offering +/- 58 acres of parkland dedication, a greenway connection and other amenities. The 58-acres would be a nice addition to Community Park but believes it would have remained undeveloped into the future without park dedication due to the many small wetlands and buffered stream crossings that would have been required.
- Other amenities or conditions that could be considered with this rezoning include:
 - A greater number of lots that are larger than 4200 sq. ft.
 - HOA maintenance of the trail connection from the Buffalo Creek Greenway to Buffalo Road.
 - Greater side yard setbacks on corner lots.
 - Have the greenway connector trail be separated from the sidewalk alignment.
 - Provide traffic calming for Street A in the form of a round-about at Street B.
 - Additional architectural enhancements.
 - Require standard 6" curb and gutter.

PLANNING BOARD MEETING SUMMARY:

Staff recommended denial due to the small lot sizes, and lack of UDO required connection to Bradford Park. The Planning Board deliberated about the parkland dedication, lot sizes, the road connection to Bradford Park, traffic calming among other topics and recommended approval with the 10 conditions.

CONSISTENCY STATEMENT:

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 inconsistent and not reasonable because of the lot sizes and lack of road connection to Bradford Park. The Planning Board recommended approval with the following:

- **Consistency with the Comprehensive Growth Management Plan** – *the development is consistent with the comprehensive plan.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO and its conditional zoning requirements.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible.*

RECOMMENDATION:

The Planning Board recommends the Town Council approve the conditional rezoning, CZ-23-01, with the following 10 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 with the following deviations (this is a standard condition added):

Standard	R-8 Zoning/Subdivision Requirements.	Proposed
Setbacks	<ul style="list-style-type: none"> • Front=30' • Corner side = 15' • Side=10' • Rear = 25' • Cornerside = 30' 	<ul style="list-style-type: none"> • Front Home=18' • Front Garage = 25' • Side = 5' • Rear = 12' • Cornerside = 18'
Min. Lot Size	• 8,000 sq. ft.	• 4,200 sq. ft.
Lot Frontage	• 70 feet	• 42 feet
Curbing	• 6" Standard curb & gutter	• Valley curb
Lateral Connection	• Required connection to Parkview Drive	• 20' wide trail meeting Fire Code

2. The driveway aprons to the parking lot and residential lots should conform to the town's standard details.
3. Provide written architectural standards should be provided to match the example elevations provided on the master plan.
4. Provide concrete curb and gutter along Buffalo Road (underground drainage) with NCDOT approval.
5. Provide 3-way and 4-way stop signs at intersections along Street A for traffic calming.
6. Provide decorative street lighting and street signs throughout the development.
7. Enhance the landscaping at the development entrances onto Buffalo Road
8. Propose to dedicate the land east of the Buffalo Creek Greenway for parkland.
9. Provide aeration of the wet (stormwater) ponds to assist with mosquito control.
10. Loop the watermains with the Bradford Park neighborhood (upside to an 8" line if feasible) and provide a fire hydrant beyond the cul-de-sac on the greenway for fire protection.

Additional Staff recommended conditions:

11. Provide traffic calming for Street A in the form of a round-a-bout at Street B.
12. Provide standard 6" curb and gutter throughout the development.

TOWN COUNCIL RECOMMENDED MOTION:

“Move to recommend approval of the zoning map amendment, CZ-23-01, with the 12 conditions of approval, finding the rezoning 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.”

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-23-01**

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 RECOMMEND THE ORDINANCE IS ADOPTED,

That the Town Council recommendation regarding text amendment CZ-23-01 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 hearing; 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 hearing. Therefore, the amendment is reasonable and in the public interest.

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

That the final recommendation regarding zoning map amendment CZ-23-01 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: Buffalo Road Acreage of Property: 138.63c
Parcel ID Number: 260412-06-3802 Tax ID: 14A03005
Deed Book: 6360 Deed Page(s): 474
Address: 1176 Buffalo Road, Smithfield, NC 27577
Location: On the right side of Buffalo Road, about 1/3 miles north of Hospital Road

Existing Use: Mostly vacant with a few single-family dwellings Proposed Use: Single-family
Existing Zoning District: R-20A
Requested Zoning District R-8 CZ

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: Guy and Ross Lampe
Mailing Address: PO Box 608, Smithfield, NC 27577
Phone Number: _____ Fax: _____
Email Address: _____

APPLICANT INFORMATION:

Applicant: Adams and Hodge Engineering, PC
Mailing Address: 314 E. Main Street, Clayton, NC 27520
Phone Number: 919-243-1332 Fax: N/A
Contact Person: Amy Stancil
Email Address: info@adamsandhodge.com / amy@adamsandhodge.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: _____

STATEMENT OF JUSTIFICATION

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

The Buffalo Road Subdivision is a +/- 138.63 acre site proposing 217 single-family lots. The roads are designed with collector streets and residential streets. There is overflow parking in locations scattered along most of the subdivision streets with 2 parking areas located within the proposed site. There are three (3) proposed entrances, two (2) main entrances off Buffalo Road and the third entrance is an extension of Parkway Drive from Bradford Park Subdivision. The proposed subdivision will include extensive open space areas incorporating a pickleball court, a tot lot, open play areas and extensive walking trails designed to connect to the Town of Smithfield's Green way trail system. The proposal of public sewer is connecting to the Town's existing sewer system that is located on site, adjacent to the Town of Smithfield's greenway trail. Public water is available via an extending 12" water main along Buffalo Road.

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.

Amy Stancil

Print Name



Signature of Applicant

6/30/2023

Date



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

OWNER'S CONSENT FORM

Name of Project: Buffalo Road Submittal Date: 6/30/2023

OWNERS AUTHORIZATION

I hereby give CONSENT to Adams & Hodge Engineering, P.C. (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.

Sagan Lampe 6/27/2023
 Signature of Owner Print Name Date

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

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

AMY STANICIC 6/30/2023
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number:	Date Received:	Parcel ID Number:
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PROJECT NARRATIVE

The plan for Buffalo Road Subdivision promotes a neighborhood form established by a relaxed grid defined largely by the existing wetlands and road connection. This pattern establishes a hierarchy of neighborhood streets and sidewalks which support a pedestrian friendly environment adapted to the landform. This is a +/- 138.63 acre parcel consisting of +/- 217 single family lots.

Throughout the development are large open space areas incorporating active areas such as a pickleball court, a tot lot, open play areas, and extensive walking trails with a connection to the Town of Smithfield Greenway Trail.

Contacts

Engineering Firm: Adams & Hodge Engineering, P.C.

Address: 314 E Main Street
Clayton, NC 27520

Phone Number: 919-243-1332

Email address: info@adamsandhodge.com

Owner: Guy & Ross Lampe

Address: PO Box 608
Smithfield, NC 27577

Phone Number: Sagan Lampe 919-631-9524

Email address: sagan@vestaenterprises.com

Surveyor: Stokes Surveying & Mapping, PLLC

Address: 1425-105 B Rock Quarry Road
Raleigh, NC 27610

Phone Number: Mike Stokes, 919-971-7897

Email address: mike@stokes-surveying.com

Site Data

NC Pin: 260412-06-3802

Tax ID: 14A03005

Parcel Size: 138.63 acres/6,038,914 sf

Parcel Zoning: R-20A

General Information

Name: Buffalo Road

Parcel Size: 138.63 acres/6,038,914 sf

Proposed Lots: 217 Lots (Single-Family)

Proposed Density: 217 lots/138.63 acres = 1.57 units/acre

Proposed Impervious Area of Total Site: 31.87 acres/ 1,388,274 sf/23%

Required Open Space (7% of an acre per dwelling): 15.19 acres/661,674 sf

Proposed Open Space: 102.93 acres/4,483,520 sf

Proposed Rights of Way: 9.85 acres/428,847 sf

Proposed Infrastructure

No phasing is proposed at this time.

Proposed Roadways: There are three (3) proposed entrances to the proposed subdivision. This includes two (2) main entrances off Buffalo Road and a third, secondary entrance, through the existing Bradford Park subdivision which will be an extension of Parkway Drive.

The proposed Typical Collector Street has 60' Proposed Public Rights of Way, 31' back of curb to back of curb, and sidewalks on both sides of all collector streets.

The proposed Typical Residential Street has 50' Proposed Public Rights of Way, 27' back of curb to back of curb, and 5' sidewalks on both sides of all residential streets.

The proposed pedestrian system will include approximately 15,101 linear feet of sidewalks and 4,728 linear feet of walking trails. The walking trails are to be 10' wide with connections to the Town of Smithfield Greenway Trail.

Parking: Per the Town's UDO, the required parking for a single-family residential subdivision is 2 spaces per dwelling. 217 dwellings equal 434 parking spaces. There are at least 759 proposed parking spaces within this subdivision, which is at least 325 spaces more than required per Town's ordinance. Each dwelling will have a minimum of a 1 car garage with a 2-car parking pad, providing at least 3 spaces per dwelling. There is overflow parking in the amount of +/- 108 spaces located and scattered along most of the subdivision streets with 2 parking areas located within the site.

Mail Kiosks: The mail kiosks are located close to the second entrance, adjacent to a proposed parking area with at least one ADA space. The parking lot will also accommodate parking for use of active open space areas as well as the access walking trails.

Public Sewer: The estimated wastewater flow is 78, 120 gallons per day. Proposing +/- 7,439 linear feet of sewer main extensions, connecting to the Town's existing sewer system that is located on site, adjacent to the Town of Smithfield's greenway trail to the east of the proposed project. Prior to construction, the system shall be approved by the Town's Engineering Department in accordance with the general guidelines and regulations of the Town and permitted by the State.

Public Water: Public water is available via an existing 12" water main along Buffalo Road. There are +/- 6,742 linear feet of proposed waterline. Connections to the existing 12" main shall be made and extended throughout the development. The level of inner connectivity shall provide for adequate domestic water as well as appropriate fire protection flow. Prior to construction, the system shall be approved by the Town's Engineering Department in accordance with the general guidelines and regulations of the Town and permitted by the State.

CONCERNS

There may be concern with adjacent property owners for the location of the proposed subdivision. However, this concern is mitigated by the 10' Class 'A' landscape buffer proposed internally along the boundary of all adjacent properties. There is also passive open space along with the 10' Class 'A' landscape buffer behind the property owners in the Bradford Park subdivision, giving more separation from the lots within the proposed subdivision.

OPEN SPACE

The required open space for the proposed subdivision is 7 percent of an acre per dwelling. This equates to 15.19 acres. +/- 102.93 acres of open space are proposed for this subdivision. Within the +/- of 102.93 acres, there will be +/- 1.13 acres of active open space including a pickleball court, a tot lot, and open play areas as well as extensive walking trails which will connect to the Town of Smithfield's Greenway trail. Maintenance of the open space areas will be the responsibility of the HOA.

CONDITIONS FOR APPROVAL

Deviation from Town's minimum UDO requirements

Lot Setbacks: Front 18 ft

Sides 5 ft

Side Streets 18 ft

Rear 12 ft

Minimum Lot Area: 4,200 sf

Minimum Lot Frontage: 42 ft

All garages are a minimum of 25' from the back of sidewalk.

Collector Street with 60' Right of Way to have 31' back of curb to back of curb.

Street yard (Interior Streets): 1 deciduous or evergreen tree and 3 shrubs planted no more than 15' away from the street rights of way. (Due to length of street frontage.)

Improvement that exceeds Town's minimum UDO requirements

Sidewalks on both sides of all streets.

Arterial Street Frontage +/- 50 Perimeter Buffer, including the 15' planting strip.

+/- 87.73 acres of open space

+/- 4,728 lf of walking trails with connection to existing Town of Smithfield's Greenway Trail

Minimum parking (3) spaces for each dwelling.

Specified locations for overflow parking.

JUSTIFICATION THAT PROPOSAL WILL NOT PLACE BURDEN ON SURROUNDINGS

The distribution of traffic has been given much consideration when laying out the site's access point to serve the subdivision. Considerations were given to simplifying the traffic pattern in order to focus on safety by adding two (2) entrances in the vicinity of Buffalo Road and a third entrance by extending Parkway Drive. Care has been exercised in the subdivision to protect the environment by prudent use of buffers and landscaping. The public's safety and health have been addressed by providing public water and sewer that meet the Town and State requirements. The road system is so designed as to be safe for pedestrians and vehicles alike by providing adequate separation, traffic control and lighting. The public's health and welfare are further addressed by the proposed subdivision providing passive and active recreation opportunities offsite utilizing municipal recreation facilities via recreation assessment fees.

DEVELOPMENT SCHEDULING

If the project is approved, the construction drawings will begin as soon as we have planning approval. After construction drawing approval and all other permits have been successfully acquired, the subdivision construction will begin immediately.

Adjacent Property Owners of
CZ-23-01

TAG	PIN	NAME	ADDRESS	CITY	STATE	ZIP CODE
14A03007	169412-95-4286	MAC 2008 LLC	2790 MARRIOTTSVILLE RD	MARRIOTTSVL	MD	21104-1626
14001021	169411-65-0647	SMITHFIELD LAND GROUP, LLC	2075 JUNIPER LAKE RD	WEST END	NC	27376-8919
14075037	169412-86-0705	BRYAN, MICHAEL D	188 W ALEX DR	CLAYTON	NC	27520-0000
14075038B	169412-76-8749	BRYAN, KATHY M.	188 W ALEX DR	CLAYTON	NC	27520-4444
14075040	169412-76-7724	BRYAN, KATHY M.	188 W ALEX DR	CLAYTON	NC	27520-4444
14A03004A	169412-76-5373	TLC ESTATE, LLC	237 SWANN TRL	CLAYTON	NC	27527-6502
14057154T	260409-17-4141	STELZNER, DAVID R.	1305 LYNNWOOD RD	KNIGHTDALE	NC	27545-9705
14A03001	169412-76-7623	KLEIN, CRYSTAL GAIL CORBETT	55 BATTEN POND RD	SELMA	NC	27576-8597
14A01020	169411-76-4765	ULLOA, ROBERTO	1247 BUFFALO RD	SMITHFIELD	NC	27577
14A03004	169411-76-4262	DIAZ, CESARIO	1136 BUFFALO RD	SMITHFIELD	NC	27577
15004009	260409-16-4183	BRENNAN, THOMAS	11 RUNNEYMEDE PL	SMITHFIELD	NC	27577
14075038N	169412-87-7396	GODWIN, DEBRA WINDHAM	201 PARKWAY DR	SMITHFIELD	NC	27577-0000
14057010R	260409-16-4630	AUBER, SYLVESTER FREDRICK	83 BROOKWOOD DRIVE	SMITHFIELD	NC	27577-0000
14057009I	260409-16-4358	AUBER, SYLVESTER F	83 BROOKWOOD DRIVE	SMITHFIELD	NC	27577-0000
14057010M	260409-16-4915	LOYE, TONY M	84 BROOKWOOD DR	SMITHFIELD	NC	27577-0000
14075038K	169412-87-0114	HART, STEPHEN J	1374 BUFFALO RD	SMITHFIELD	NC	27577-0000
14075033	260405-08-9280	JOHNSTON COUNTY BOARD OF	PO BOX 1336	SMITHFIELD	NC	27577-0000
14057154N	260409-17-3433	BEGEAL, JEFFREY PAUL	62 WHITE OAK DR	SMITHFIELD	NC	27577-0000
14075038R	169412-86-7867	HONEYCUTT, LARRY D	109 COBBLESTONE COURT	SMITHFIELD	NC	27577-0000
14075030E	169408-98-6016	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC	27577-0000
14075038F	169412-87-6397	GANDOLPH, SCOTT S	111 PARKWAY DR	SMITHFIELD	NC	27577-0000
14K09007	169412-86-4751	WORLEY, RONALD GLENN	108 QUAIL RUN	SMITHFIELD	NC	27577-0000
14075030A	169408-87-7853	TOWN OF SMITHFIELD	PO BOX 761	SMITHFIELD	NC	27577-0000
14075029B	169412-87-3457	HINNANT, WILLARD B JR	105 PARKWAY DRIVE	SMITHFIELD	NC	27577-0000
15004020A	260409-05-5629	TOWN OF SMITHFIELD	P O BOX 761	SMITHFIELD	NC	27577-0000
15004018V	260409-15-0822	FAIRFIELD DEVELOPMENT CO	PO BOX 150	SMITHFIELD	NC	27577-0000
14075035	169412-86-3947	VENTURES, LTD.	PO BOX 305	SMITHFIELD	NC	27577-0305
14A03011A	169412-76-9815	LAMPE, GUY L.	PO BOX 305	SMITHFIELD	NC	27577-0608
14A03005	260412-06-3802	LAMPE, GUY L.	PO BOX 608	SMITHFIELD	NC	27577-0608
14057013B	260409-16-2481	VESTA ENTERPRISES, INC.	PO BOX 1457	SMITHFIELD	NC	27577-1457
14075038A	169412-86-0946	L M R RENTALS	201 S BRIGHTLEAF BLVD #1	SMITHFIELD	NC	27577-4077
14057154S	260409-17-3143	PETRY, MAHLEN D	63 WHITE OAK DR	SMITHFIELD	NC	27577-4806

Adjacent Property Owners of
CZ-23-01

14057154R	260409-17-2178	BOARDMAN, KELSEY P.	65 WHITE OAK DR	SMITHFIELD	NC	27577-4806
14057154U	260409-17-5119	TENANTS (WROS)	59 WHITE OAK DR	SMITHFIELD	NC	27577-4806
14057154Q	260409-17-2298	DOWNS, FAYE D.	66 WHITE OAK DR	SMITHFIELD	NC	27577-4807
14057154P	260409-17-2396	DOWNS, FAYE D.	66 WHITE OAK DR	SMITHFIELD	NC	27577-4807
140570100	260409-16-2778	DIMSDALE, B KEITH	92 BROOKWOOD DRIVE	SMITHFIELD	NC	27577-4863
14057010N	260409-16-2973	SAIDI, MOHAMED NAIT	88 BROOKWOOD DR	SMITHFIELD	NC	27577-4863
14057010Y	260409-16-5817	HOLLOMAN, ZEBBIE SCOTT	82 BROOKWOOD DR	SMITHFIELD	NC	27577-4863
14057010P	260409-16-2677	MORGAN, GARNELL A.	91 BROOKWOOD DR	SMITHFIELD	NC	27577-4864
14057010Q	260409-16-3650	GRANADOS, RICARDO	87 BROOKWOOD DR	SMITHFIELD	NC	27577-4864
14057010S	260409-16-5626	WASHINGTON, BRIAN	79 BROOKWOOD DR	SMITHFIELD	NC	27577-4864
14075031C	169412-87-8156	GRUBBS, JAMES FRANKLIN	101 COBBLESTONE CT	SMITHFIELD	NC	27577-7102
14075031F	169412-86-5887	LUPO, VINCENT ANGELO	108 COBBLESTONE CT	SMITHFIELD	NC	27577-7102
140750380	169412-86-8925	BRUTON, EUGENE	105 COBBLESTONE CT	SMITHFIELD	NC	27577-7102
14075038P	169412-86-8824	FRAYRE, MARIBEL	107 COBBLESTONE CT	SMITHFIELD	NC	27577-7102
14075038I	169412-87-8034	BRYANT, WANDA B.	103 COBBLESTONE CT	SMITHFIELD	NC	27577-7102
14075038M	169412-87-6037	SAPP, BERNARD	104 COBBLESTONE CT	SMITHFIELD	NC	27577-7102
14075038S	169412-86-6918	BUCKNER, RICHARD	106 COBBLESTONE CT	SMITHFIELD	NC	27577-7102
14A03002	169412-76-6582	BARBOUR, B LINCOLN	1222 BUFFALO RD	SMITHFIELD	NC	27577-7443
14A03006	169411-75-2562	FRANCO, PASCUAL	1020 BUFFALO ROAD	SMITHFIELD	NC	27577-7447
14075031D	169412-87-6159	RICHBURG	104 PARKWAY DR	SMITHFIELD	NC	27577-8331
14075038G	169412-87-8396	LAUDIE, RICHARD L.	203 PARKWAY DR	SMITHFIELD	NC	27577-8334
14N99001A	169411-76-3795	COUNTY, LLC	300 CITATION LN	SMITHFIELD	NC	27577-8738
14057154M	260409-17-4413	HAGINS, HARRIETT DIANE	11 BRADFORD ST	SMITHFIELD	NC	27577-9412
15004009D	260409-16-1059	DAVIDSON, SAMANTHA	901 MERLIN CT	JACKSONVILLE	NC	28546-6409
15004009E	260409-16-3128	DAVIDSON, SAMANTHA	901 MERLIN CT	JACKSONVILLE	NC	28546-6409
15004021J	260409-16-2053	DAVIDSON, SAMANTHA	901 MERLIN CT	JACKSONVILLE	NC	28546-6409
14057154L	260409-17-4399	ARMIM ASSET COMPANY 1 LLC	5001 PLAZA ON THE LK	AUSTIN	TX	78746-1053

AFFIDAVIT OF PUBLICATION

State of Pennsylvania, County of Lancaster, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Johnstonian News, a newspaper printed and published in the City of Smithfield, County of Johnston, State of North Carolina, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Dec. 20, 2023

Dec. 27, 2023

NOTICE ID: dLZd9DZ00O1cIkKYkFY

NOTICE NAME: TOS - Council Public Hearings 1-9

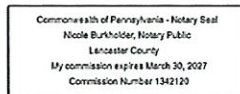
Publication Fee: 156.80

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct.

(Signed) Yuade Moore

VERIFICATION

State of Pennsylvania
County of Lancaster



Subscribed in my presence and sworn to before me on this: 12/28/2023

Nicole Burkholder

Notary Public
This notarial act involved the use of communication technology

Town of Smithfield Notice of Public Hearing

Notice is hereby given that the Town Council of the Town of Smithfield will conduct a public hearing during the course of their open meeting which starts at 7:00 P.M. on Tuesday, January 9, 2024, in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

CZ-23-01 Buffalo Road: The applicant is requesting to rezone a 138.63-acre tract of land from the R-20A (Residential-Agricultural) zoning district to the R-8 CZ zoning district with a master plan consisting of 222 single-family residential lots. The property considered for rezoning is located on the east side of Buffalo Road, approximately 300 feet south of its intersection with Holland Drive and further identified as Johnston County Tax ID# 14A03005.

ZA-23-09 Watershed Ordinance: The Town of Smithfield is proposing an amendment to the Unified Development Code, Section 10.92, and associated definitions in Appendix A as an update to the Water Supply Watershed Protection Overlay District regulations in accordance with changes in the general statutes, NCGS 143-214.5.

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.

The Johnstonian
December 20, 27, 2023

1100 Block of Buffalo Road

File Number:
CZ-23-01

Project Name:
Buffalo Road
Subdivision

Existing Zoning:
R-20A, R-10
& R-8 Residential

Proposed Zoning:
R-8 CZ Residential
Conditional Zoning

Existing Land Use:
Woodland

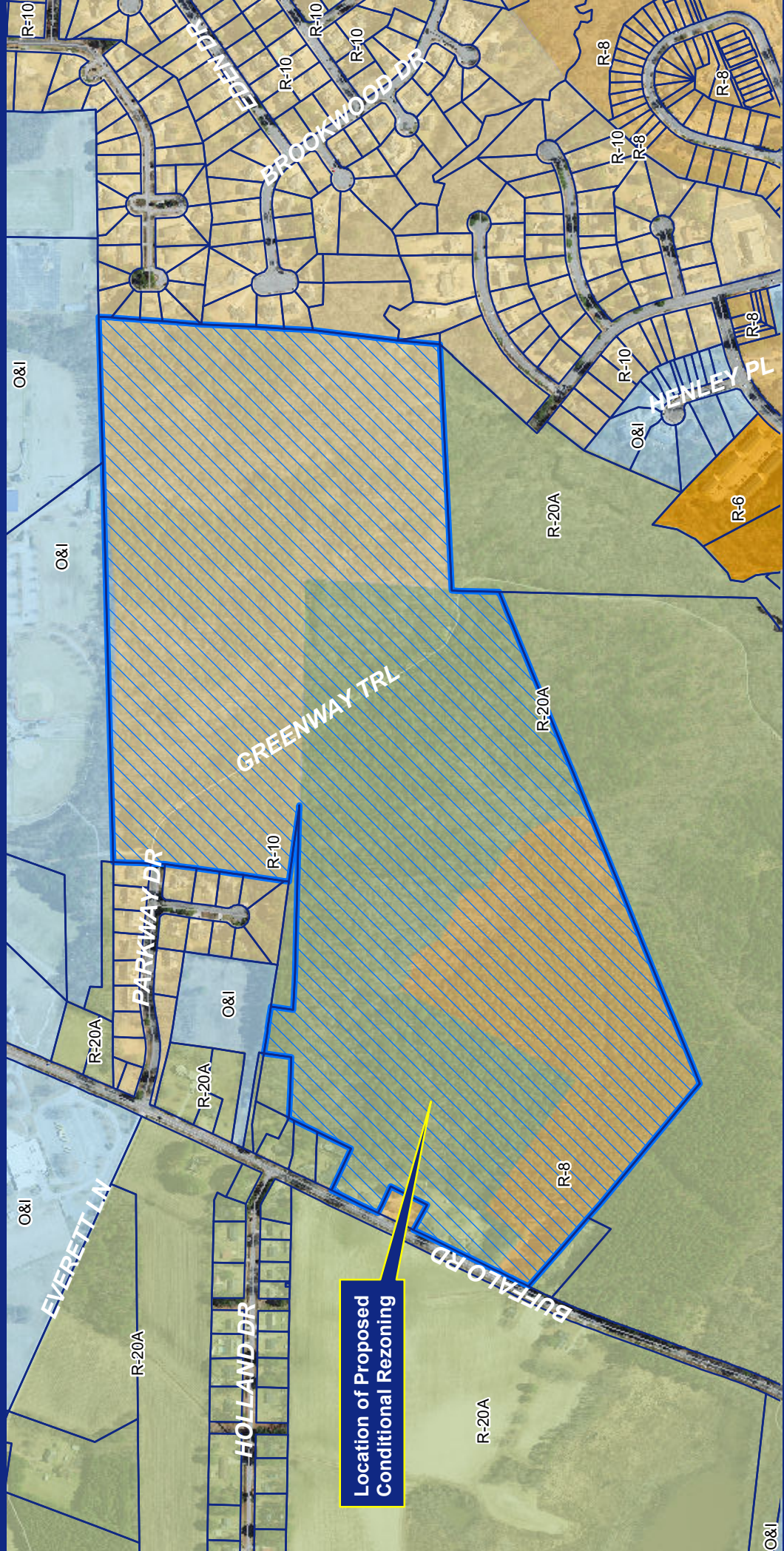
Tax ID#:
14A03005

Owner:
Guy & Ross Lampe

Applicant:
Guy & Ross Lampe



1 in = 600 ft
Map created by the Mark E. Heimer, AICP
Senior Planner, GIS Specialist on 7/26/2023





Request for Town Council Action

**Public
Hearing:** ZA-23-09
Date: 01/09/2024

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

Issue Statement

Request to amend the Unified Development Ordinance (UDO), Article 10, Section 10.92, Water Supply Watershed Protection Overlay District ordinance and associated definitions in the UDO Appendix A.

Financial Impact

None.

Action Needed

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

Recommendation

Planning Staff and the Planning Board recommend approval of the zoning text amendment ZA-23-09, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Draft Zoning Text Amendment
2. Consistency Statement
3. Application



Staff Report

Public Hearing: ZA-23-09

OVERVIEW:

The update to the Water Supply Watershed Protection Overlay District ordinance and associated definitions are in response to changes in the general statutes, NCGS 143-214.5. The Town is required to adopt watershed protection ordinances in accordance with the general statutes. The Town has updated its ordinance based on the model ordinance provided by the North Carolina Department of Environmental Quality (NCDEQ). This draft ordinance has been reviewed by NCDEQ and when adopted by the Town, the adopted ordinance will be forwarded to NCDEQ as proof of compliance.

ANALYSIS:

The updated ordinance follows the same general format as the old with the following key changes:

- Added Section 10.92.4 Exceptions to Applicability.
- Added Section 10.92.5 Violations of Water Supply Watershed Protection Overlay District Ordinance which outlines civil penalties by the N.C. Environmental Management Commission if a violation occurs.
- Added Section 10.92.6 Effective Date, which will be the date of adoption.
- Updated Section 10.92.9 Development Regulations – WS-IV-CA with:
 - Updated Allowed Uses language.
 - Updated density and built-upon limits for low-and high-density projects.
 - Updated stormwater control requirements.
 - Updated method to calculate density.
- Updated Section 10.92.10. Development Regulations—WS-IV-PA District with:
 - Updated Allowed Uses language.
 - Updated density and built-upon limits for low-and high-density projects.
 - Updated stormwater control requirements.
 - Updated method to calculate density.
- Updated Section 10.92.8 Density Averaging, to replace Impervious Surface Transfer Credit.
- Updated Section 10.81.11 Buffer Areas Required.
- Updated Variance procedure (Section 10.92.12) that is unique to this ordinance.
- Updated associated definitions in the UDO, Appendix A.

CONSISTENCY STATEMENT (STAFF OPINION):

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

RECOMMENDATION:

Planning Staff and the Planning Board recommend approval of the zoning text amendment ZA-23-09, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommends the following motion:

“move to approve zoning text amendment, ZA-23-09, amending Article 10, Section 10.92, Water Supply Watershed Protection Overlay District ordinance and associated definitions in the UDO Appendix A., finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.”

DRAFT ORDINANCE # ZA-23-09
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 10, SECTION 10.92 WATER SUPPLY WATERSHED PROTECTION
OVERLAY DISTRICTS, SECTION 10.119 FINAL PLAT CERTIFICATIONS AND
OTHER DOCUMENTATION AND APPENDIX A, DEFINITIONS.

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 10, Section 10.92, Water Supply Watershed Protection Overlay Districts, Article 10, Section 10.119 Final plat certifications and other documentation, and Appendix A Definitions to be in compliance with general statutes, NCGS 143-214.5.

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

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

[Amend Article 10, Section 10.92]

PART 1

Sec. 10.92. Water Supply Watershed Protection Overlay Districts.

10.92.1. Purpose.

The purpose of this section is to regulate development and land use activities in a manner which will limit exposure of water supply watersheds to pollution. Sources of pollution include leachate from septic tank nitrification fields, storm water runoff, accidental spillage from residential, commercial, and industrial activities, and discharge of process and cooling water, among others.

As required by the Water Supply Watershed Protection Act of 1989, the State of North Carolina has reclassified each of the state's drinking water supply watersheds to its most appropriate classification. The Neuse River watershed is classified as WS-IV which are protected water supply watersheds which are generally moderate to highly developed. Water supply watershed protection is a proactive approach to the preservation and treatment of drinking water supplies rather than a reactive approach of treatment prior to consumption.

10.92.2. Authority.

Statutory authority for this section is derived from G.S. § 160D-702, ~~and~~ G.S. § 160D-703, and G.S. § 160D-926.

10.92.3. Jurisdiction.

The regulations established shall apply within areas designated as a Public Water Supply Watershed by the North Carolina Environmental Management Commission and the boundaries of the watershed areas shall be as noted on the Town of Smithfield Zoning Map and is hereby made a part of this Ordinance, a map adopted in conjunction with these regulations.

10.92.4 Exceptions to Applicability.

10.92.4.1. Existing development, as defined in this ordinance, is not subject to the requirements of this ordinance.

10.92.4.2. Expansions to existing development must meet the requirements of this ordinance, except single family residential development or unless expansion is part of common plan of development. In an expansion, the built-upon area of the existing development is not required to be included in the density calculations. Where there is a net increase of built upon area, only the area of net increase is subject to this ordinance. Where existing development is being replaced with new built upon area, and there is net increase of built upon area, only areas of net increase shall be subject to this ordinance.

10.92.4.3. Any lot or parcel created as part of a Family Subdivision after the effective date of these rules shall be exempt from these rules if it is developed for one single-family detached residence and if it is exempt from subdivision regulation.

10.92.4.4. Any lot or parcel created as part of any other type of subdivision that is exempt from a local subdivision ordinance shall be subject to the land use requirements (including impervious surface requirements) of these rules, except that such a lot or parcel must meet the minimum buffer requirements to the maximum extent practicable.

10.92.4.5. An applicant may exceed the density limits in Sections 10.92.6 and 10.927 if all of the following circumstances apply:

10.92.4.5.1. The property was developed prior to the effective date of the local water supply watershed program.

10.92.4.5.2. The property has not been combined with additional lots after January 1, 2021.

10.92.4.5.3. The property has not been a participant in a density averaging transaction under G.S. 143214.5(d2).

10.92.4.5.4. The current use of the property is nonresidential.

10.92.4.5.5. In the sole discretion, and at the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area on the property is treated in accordance with all applicable local government, state, and federal laws and regulations.

10.92.4.5.6. The remaining vegetated buffers on the property are preserved in accordance with the requirements of this Ordinance.

10.92.5. Violations of Water Supply Watershed Protection Overlay District Ordinance.

In addition to the enforcement provisions in Section 1.8, the N.C. Environmental Management Commission may assess civil penalties in accordance with G.S. 143-215.6(a). Each day that the violation continues shall constitute a separate offense.

10.92.6. Effective Date.

This Ordinance shall take effect and be in force on January 9, 2024.

10.92.7. Standards.

The standards of both the Water Supply Watershed Protection Overlay Districts and the underlying zoning district shall apply. Where these standards differ, the standards of the Overlay Districts shall govern.

10.92.8. Establishment of Watershed Areas.

For the purposes of this section, the Town of Smithfield and its extraterritorial jurisdiction are divided into the following Water Supply Watershed Protection Overlay Districts:

10.92.8.1. WS-IV-CA Critical Area Overlay District.

10.92.8.2. WS-IV-PA Protected Area Overlay District.

10.92.9. Development Regulations—WS-IV-CA District.

Only new development activities that require an erosion/sedimentation control plan under State law or approved local program are required to meet the provisions of this ordinance when located in a WS-IV watershed. In order to address a moderate to high land use intensity pattern, single family residential uses are allowed at a maximum of two (2) dwelling units per acre. All other residential and non-residential development shall be allowed at a maximum of twenty-four percent (24%) built-upon area.

The following regulations shall apply within the WS-IV-CA:

10.92.9.1. Allowed Uses.

~~10.92.9.1.1. Agricultural uses are not subject to the stormwater requirements of this ordinance. (Amended 10/3/2017)~~ Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission.

10.92.9.1.2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.0101-.0209).

10.92.9.1.3. Residential uses.

~~10.92.6.1.4. Non-residential development, excluding: 1) landfills and 2) sites for land application of residuals or petroleum contaminated soils. Expansions to existing nonresidential development in accordance with Section 10.92.9.~~

10.92.9.2. Density and Built-Upon Limits. (Amended 10/3/2017)

~~10.92.9.2.1. Single-Family Residential--Minimum Lot Size. Where neither public water nor sewer are available, the minimum lot size shall be forty thousand (40,000) square feet, or as determined by the Johnston County Division of Environmental Health. Where either public water or sewer, or both, are available, the minimum lot size shall be one half (1/2) acre or twenty one thousand seven hundred eighty (21,780) square feet. Development shall not exceed two dwelling units per acre on a project-by-project basis. No residential lot shall be less than one-half (1/2) acre (or 20,000 square feet excluding roadway right-of-way), except within an approved cluster development.~~

~~10.92.9.2.2. All Other Residential and Non-Residential--development shall not exceed twenty-four percent (24%) built-upon area on a project-by-project basis. For the purpose of calculating the built-upon area, total project area shall include total acreage in the tract on which the project is to be developed. Impervious Surface Limitations. Development shall not exceed twenty-four (24) percent built upon area on a project by project basis unless the high density option is utilized. For the purpose of calculating the built upon area, total project area shall include the gross acreage in the tract on which the project is to be developed.~~

~~10.92.9.2.3. High Density Option. High Density Option. Impervious surfaces may be increased up to a maximum of seventy (70) percent subject to the following requirements: In addition to the development allowed under sections 10.92.9.2.1 and 10.92.9.2.2 above, the Town Council may approve new development and expansions to existing development utilizing the high-density option with up to fifty percent (50%) built-upon area on a project-by-project basis. Projects must, to the maximum extent~~

practicable, minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices to minimize water quality impacts. For the purpose of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed:

10.92.9.3. Stormwater Control Requirements. ~~Where development proposes intensity greater than twenty-four (24) percent engineered stormwater controls shall be used to control stormwater runoff from the first inch of rainfall in order to meet water quality concerns.~~

~~10.92.6.2.3.2. Ownership, Design, and Maintenance of Engineered Stormwater Controls.~~

~~**10.92.6.2.3.2.1.** Unless otherwise approved, ownership of the engineered stormwater controls shall remain with the property owner or a property owners' association, which shall be responsible for the continued care and maintenance of such controls.~~

~~**10.92.6.2.3.2.2.** Engineer stormwater controls shall be designed and constructed in accordance with standards and specifications established by the Town of Smithfield and to the state's minimum standards. The BMP design criteria shall require eighty five (85) percent average annual removal of total suspended solids and the discharge rate must meet one (1) of the following criteria:~~

~~**10.92.6.2.3.2.2.1.** The discharge rate following the one inch design storm shall be such that the runoff draws down to the pre-storm design within five (5) days, but not less than two (2) days; or~~

~~**10.92.6.2.3.2.2.2.** The post development peak discharge rate shall equal the predevelopment rate for the one year, twenty four hour storm.~~

~~**10.92.6.2.3.2.3.** Except as allowed in paragraph 10.92.6.2.3.2.3.3 below, no building permit shall be issued for a site proposed for development, until:~~

~~**10.92.6.2.3.2.3.1.** UDO Administrator has approved plans and specifications for the proposed engineered stormwater controls and the property owner has entered into an agreement and covenants or operation and maintenance agreement with the town in accordance with the terms established by the town including being referenced on a final plat which must be recorded along with the agreement in the Johnston County Register of Deeds; and~~

~~**10.92.6.2.3.2.3.2.** The property owner has posted a performance bond, other surety instrument, or other payment in acceptable form to the town in an amount determined by the UDO Administrator as appropriate to assure construction, maintenance, repair, and/or reconstruction necessary for adequate performance of the engineered stormwater controls.~~

~~**10.92.6.2.3.2.3.3.** For multi-family projects, building permits may be issued; but construction drawing approval, or water and sewer permit approval, shall be withheld until compliance with paragraphs 10.92.6.2.3.2.3.1 and 10.92.6.2.3.2.3.2 above.~~

~~**10.92.6.2.3.2.3.4.** The agreement and covenants or operation and maintenance agreement required under paragraph 10.92.6.2.3.2.3.1 above, may be required prior to site plan or preliminary plat approval.~~

~~**10.92.6.2.3.2.4.** No certificate of compliance/occupancy shall be issued for any structure constructed within a site proposed for development, other than as allowed below, until the UDO Administrator has approved construction of the engineered stormwater controls and after review and approval of "as-built" drawings. Notwithstanding this requirement, the UDO Administrator may allow for delay in approval of construction of stormwater controls and submission and approval of as-built drawings for single-family housing and other developments requiring multiple certificates of occupancy.~~

10.92.9.3.1. Low Density Projects. In addition to complying with the project density requirements, low density projects shall comply with the following:

10.92.9.3.1.1. Vegetative Conveyances. Stormwater runoff from the project shall be released to vegetated areas as dispersed flow or transported by vegetated conveyances to the maximum extent practicable. Vegetated conveyances shall be maintained in perpetuity to ensure that they function as designed. Vegetated conveyances shall meet the following:

10.92.9.3.1.1.1. Side slopes shall be no steeper than 3:1 (horizontal to vertical) unless it is demonstrated to the local government that the soils and vegetation will remain stable in perpetuity based on engineering calculations and on-site soil investigation.

10.92.9.3.1.1.2. The conveyance shall be designed so that it does not erode during the peak flow from the 10-year storm event as demonstrated by engineering calculations.

10.92.9.3.1.2. Curb Outlet Systems. In lieu of vegetated conveyances, low density projects shall have the option to use curb and gutter with outlets to convey stormwater to grassed swales or vegetated areas. Requirements for these curb outlet systems shall be as follows:

10.92.9.3.1.2.1. The curb outlets shall be located such that the swale or vegetated area can carry the peak flow from the 10-year storm and at a non-erosive velocity.

10.92.9.3.1.2.2. The longitudinal slope of the swale or vegetated area shall not exceed five percent except where not practical due to physical constraints. In these cases, devices to slow the rate of runoff and encourage infiltration to reduce pollutant delivery shall be provided.

10.92.9.3.1.2.3. The swale's cross section shall be trapezoidal with a minimum bottom width of two feet.

10.92.9.3.1.2.4. The side slopes of the swale or vegetated area shall be no steeper than 3:1 (horizontal to vertical).

10.92.9.3.1.2.5. The minimum length of the swale or vegetated area shall be 100 feet;

10.92.9.3.1.2.6. Low density projects may use treatment swales designed in accordance with 15A NCAC 02H .1061 in lieu of the requirements specified in 10.92.9.3.1.2.1 through 10.92.9.3.1.2.5.

10.92.9.3.2. High Density Projects.

10.92.9.3.2.1. Stormwater Control Measures (SCMs) shall be designed, constructed, and maintained so that the project achieves either "runoff treatment" or "runoff volume match" as those terms are defined in 15A NCAC 02B .0621;

10.92.9.3.2.2. For high density projects designed to achieve runoff treatment, the required storm depth shall be one inch. Applicants shall have the option to design projects to achieve runoff volume match in lieu of runoff treatment;

10.92.9.3.2.3. Stormwater runoff from off-site areas and Existing Development, shall not be required to be treated in the SCM. Runoff from off-site areas or existing development that is not bypassed shall be included in sizing of on-site SCMs;

10.92.9.3.2.4. SCMs shall meet the relevant Minimum Design Criteria set forth in 15A NCAC 02H .1050 through .1062

10.92.9.3.2.5. Stormwater outlets shall be designed so that they do not cause erosion downslope of the discharge point during the peak flow from the 10-year storm event as shown by engineering calculations.

10.92.9.4. Posting of Financial Security Required. All new stormwater control structures shall be conditioned on the posting of adequate financial assurance for the purpose of maintenance, repairs, or reconstruction necessary for adequate performance of the stormwater control structures in accordance with Article 5, Section 5.7.8.10

10.92.9.5. Stormwater SCM Operation and Maintenance Agreement. The permit applicant shall enter into the binding Operation and Maintenance Agreement between the Town of Smithfield and all interests in the development. Said Agreement shall require the owning entity to maintain, repair, and if necessary, reconstruct the stormwater control structure in accordance with the operation management plan or manual provided by the developer. The Operation and Maintenance Agreement shall be filed with the Johnston County Register of Deeds.

10.92.9.6. Calculation of Density.

10.92.9.6.1. Project density shall be calculated as the total built-upon area divided by the total project area.

10.92.9.6.2. A project with "Existing Development," as defined in this ordinance, may use the calculation method in 10.92.9.2.1. or may calculate project density as the difference of total built-upon area minus existing built-upon area divided by the difference of total project area minus existing built-upon area.

10.92.9.6.3 Expansions to Existing Development shall be subject to 15A NCAC 02B .0624 except as excluded in Rule 15A NCAC 02B .0622 (1)(d).

10.92.9.6.4. Where there is a net increase of built-upon area, only the area of net increase shall be subject to density and built upon area limits.

10.92.9.6.5. Where Existing Development is being replaced with new built-upon area, and there is a net increase of built-upon area, only the area of net increase shall be subject to density and built upon area limits

10.92.9.6.6. Total project area shall exclude the following:

10.92.9.6.6.1. Areas below the Normal High Water Line (NHWL).

10.92.9.6.6.2. Areas defined as "coastal wetlands" pursuant to 15A NCAC 07H .0205, herein incorporated by reference, including subsequent amendments and editions, and available at no cost at <http://reports.oah.state.nc.us/ncac.asp>, as measured landward from the NHWL.

10.92.9.6.7. Projects under a common plan of development shall be considered as a single project for purposes of density calculation except that on a case-by-case basis, local governments may allow projects to be considered to have both high and low density areas based on one or more of the following criteria:

10.92.9.6.7.1 Natural drainage area boundaries.

10.92.9.6.7.2. Variations in land use throughout the project.

10.92.9.6.7.3. Construction phasing.

10.92.10. Development Regulations—WS-IV-PA District.

Only new development activities that require an erosion/sedimentation control plan under State law or approved local program are required to meet the provisions of this ordinance when located in a WS-IV watershed. In order to address a moderate to high land use intensity pattern, single family residential uses are allowed at a maximum of two (2) dwelling units per acre. All other residential and non-residential development shall be allowed at a

maximum of twenty-four percent (24%) built-upon area. New residuals application sites and landfills are specifically prohibited.

The following regulations shall apply within the WS-IV-PA:

10.92.10.1. Allowed Uses.

~~10.92.10.1.1. Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation and Trade Act of 1990. Agricultural uses are not subject to the stormwater requirements of this ordinance. (Amended 10/3/2017)~~

~~10.92.10.1.2. Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.0101-.0209).~~

~~10.92.10.1.3. Residential development.~~

~~10.92.10.1.4. Nonresidential development, excluding storage of toxic and hazardous materials unless a spill containment plan is implemented.~~

10.92.10.2. Density and Built-Upon Limits. (Amended 10/3/2017)

~~10.92.10.2.1. Single Family Residential--development shall not exceed two (2) dwelling units per acre, as defined on a project-by-project basis. No residential lot shall be less than one-half (1/2) acre (or 20,000 square feet excluding roadway right-of-way), or one-third (1/3) acre for projects without a curb and gutter street system, except within an approved cluster development. Single-Family Residential Minimum Lot Size. Where neither public water nor sewer are available, the minimum lot size shall be forty thousand (40,000) square feet, or as determined by the Johnston County Division of Environmental Health. Where either public water or sewer, or both, are available, the minimum lot size shall be one half (1/2) acre or twenty one thousand seven hundred eighty (21,780) square feet.~~

~~10.92.10.2.2 All Other Residential and Non-Residential--development shall not exceed twenty-four percent (24%) built-upon area on a project-by-project basis. For projects without a curb and gutter street system, development shall not exceed thirty-six percent (36%) built-upon area on a project-by-project basis. For the purpose of calculating built-upon area, total project area shall include acreage in the tract on which the project is to be developed. Impervious Surfaces. Development shall not exceed twenty-four (24) percent built upon area on a project by project basis unless the high density option is utilized.~~

~~For the purpose of calculating the built upon area, total project area shall include the gross acreage in the tract on which the project is to be developed.~~

~~10.92.10.2.3. High Density Option. In addition to the development allowed under paragraphs 10.92.10.2.1 and 10.92.10.2.2 above, the Town Council may approve new development and expansions to existing development utilizing the high-density option with up to seventy percent (70%) built-upon area on a project-by-project basis. Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices to minimize water quality impacts. For the purpose of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed. Impervious surfaces may be increased up to a maximum of seventy (70) percent subject to the following requirements:~~

~~10.92.10.3. Stormwater Control Requirements. Where development proposes intensity greater than twenty-four (24) percent engineered stormwater controls shall be used to control stormwater runoff from the first inch of rainfall in order to meet water quality concerns.~~

~~10.92.7.2.3.2. Ownership, Design, and Maintenance of Engineered Stormwater Controls.~~

~~10.92.7.2.3.2.1. Unless otherwise approved, ownership of the engineered stormwater controls shall remain with the property owner or a property owners' association, which shall be responsible for the continued care and maintenance of such controls.~~

~~10.92.7.2.3.2.2.~~ Engineer stormwater controls shall be designed and constructed in accordance with standards and specifications established by the Town of Smithfield and to the state's minimum standards. The BMP design criteria shall require eighty five (85) percent average annual removal of total suspended solids and the discharge rate must meet one (1) of the following criteria:

~~10.92.7.2.3.2.2.1.~~ The discharge rate following the one-inch design storm shall be such that the runoff draws down to the pre-storm design within five (5) days, but not less than two (2) days; or

~~10.92.7.2.3.2.2.2.~~ The post-development peak discharge rate shall equal the predevelopment rate for the one-year, twenty-four-hour storm.

~~10.92.7.2.3.2.3.~~ Except as allowed in paragraph 10.92.7.2.3.2.3.3 below, no building permit shall be issued for a site proposed for development, until:

~~10.92.7.2.3.2.3.1.~~ UDO Administrator has approved plans and specifications for the proposed engineered stormwater controls and the property owner has entered into an agreement and covenants or operation and maintenance agreement with the town in accordance with the terms established by the town including being referenced on a final plat which must be recorded along with the agreement in the Johnston County Register of Deeds; and

~~10.92.7.2.3.2.3.2.~~ The property owner has posted a performance bond, other surety instrument, or other payment in acceptable form to the town in an amount determined by the UDO Administrator as appropriate to assure construction, maintenance, repair, and/or reconstruction necessary for adequate performance of the engineered stormwater controls.

~~10.92.7.2.3.2.3.3.~~ For office, institutional, commercial, industrial, and multi-family projects, building permits may be issued; but construction drawing approval, or water and sewer permit approval, shall be withheld until compliance with paragraphs 10.92.7.2.3.2.3.1 and 10.92.7.2.3.2.3.2 above.

~~10.92.7.2.3.2.3.4.~~ The agreement and covenants or operation and maintenance agreement required under paragraph 10.92.7.2.3.2.3.1 above, may be required prior to site plan or preliminary plat approval.

~~10.92.7.2.3.2.4.~~ No certificate of compliance/occupancy shall be issued for any structure constructed within a site proposed for development, other than as allowed below, until the UDO Administrator has approved construction of the engineered stormwater controls and after review and approval of "as-built" drawings. Notwithstanding this requirement, the UDO Administrator may allow for delay in approval of construction of stormwater controls and submission and approval of as-built drawings for single-family housing and other developments requiring multiple certificates of occupancy.

10.92.10.3.1. Low Density Projects. In addition to complying with the project density requirements, low density projects shall comply with the following:

10.92.10.3.1.1. Vegetative Conveyances. Stormwater runoff from the project shall be released to vegetated areas as dispersed flow or transported by vegetated conveyances to the maximum extent practicable. Vegetated conveyances shall be maintained in perpetuity to ensure that they function as designed. Vegetated conveyances shall meet the following:

10.92.10.3.1.1.1. Side slopes shall be no steeper than 3:1 (horizontal to vertical) unless it is demonstrated to the local government that the soils and vegetation will remain stable in perpetuity based on engineering calculations and on-site soil investigation.

10.92.10.3.1.1.2. The conveyance shall be designed so that it does not erode during the peak flow from the 10-year storm event as demonstrated by engineering calculations.

10.92.10.3.1.2. Curb Outlet Systems. In lieu of vegetated conveyances, low density projects shall have the option to use curb and gutter with outlets to convey stormwater to grassed swales or vegetated areas. Requirements for these curb outlet systems shall be as follows:

10.92.10.3.1.2.1. The curb outlets shall be located such that the swale or vegetated area can carry the peak flow from the 10-year storm and at a non-erosive velocity;

10.92.10.3.1.2.2. The longitudinal slope of the swale or vegetated area shall not exceed five percent except where not practical due to physical constraints. In these cases, devices to slow the rate of runoff and encourage infiltration to reduce pollutant delivery shall be provided;

10.92.10.3.1.2.3. The swale's cross section shall be trapezoidal with a minimum bottom width of two feet;

10.92.10.3.1.2.4. The side slopes of the swale or vegetated area shall be no steeper than 3:1 (horizontal to vertical);

10.92.10.3.1.2.5. The minimum length of the swale or vegetated area shall be 100 feet

10.92.10.3.1.2.6. Low density projects may use treatment swales designed in accordance with 15A NCAC 02H .1061 in lieu of the requirements specified in 10.92.9.3.1.2.1 through 10.92.9.3.1.2.5.

10.92.10.3.2. High Density Projects.

10.92.10.3.2.1. Stormwater Control Measures (SCMs) shall be designed, constructed, and maintained so that the project achieves either "runoff treatment" or "runoff volume match" as those terms are defined in 15A NCAC 02B .0621; (

10.92.10.3.2.2. For high density projects designed to achieve runoff treatment, the required storm depth shall be one inch. Applicants shall have the option to design projects to achieve runoff volume match in lieu of runoff treatment;

10.92.10.3.2.3. Stormwater runoff from off-site areas and Existing Development, shall not be required to be treated in the SCM. Runoff from off-site areas or existing development that is not bypassed shall be included in sizing of on-site SCMs;

10.92.10.3.2.4. SCMs shall meet the relevant Minimum Design Criteria set forth in 15A NCAC 02H .1050 through .1062

10.92.10.3.2.5. Stormwater outlets shall be designed so that they do not cause erosion downslope of the discharge point during the peak flow from the 10-year storm event as shown by engineering calculations.

10.92.10.4. Posting of Financial Security Required. All new stormwater control structures shall be conditioned on the posting of adequate financial assurance for the purpose of maintenance, repairs, or reconstruction necessary for adequate performance of the stormwater control structures in accordance with Article 5, Section 5.7.8.10

10.92.10.5. Stormwater SCM Operation and Maintenance Agreement. The permit applicant shall enter into the binding Operation and Maintenance Agreement between the Town of Smithfield and all interests in the development. Said Agreement shall require the owning entity to maintain, repair, and if necessary, reconstruct the stormwater control structure in accordance with the operation management plan or manual provided by the developer. The Operation and Maintenance Agreement shall be filed with the Johnston County Register of Deeds.

10.92.10.6. Calculation of Density.

10.92.10.6.1. Project density shall be calculated as the total built-upon area divided by the total project area.

10.92.10.6.2. A project with "Existing Development," as defined in this ordinance, may use the calculation method in 10.92.9.2.1. or may calculate project density as the difference of total built-upon area minus existing built-upon area divided by the difference of total project area minus existing built-upon area.

10.92.10.6.3 Expansions to Existing Development shall be subject to 15A NCAC 02B .0624 except as excluded in Rule15A NCAC 02B .0622 (1)(d).

10.92.10.6.4. Where there is a net increase of built-upon area, only the area of net increase shall be subject to density and built upon area limits.

10.92.10.6.5. Where Existing Development is being replaced with new built-upon area, and there is a net increase of built-upon area, only the area of net increase shall be subject to density and built upon area limits

10.92.10.6.6. Total project area shall exclude the following:

10.92.10.6.6.1. Areas below the Normal High Water Line (NHWL).

10.92.10.6.6.2. Areas defined as "coastal wetlands" pursuant to 15A NCAC 07H .0205, herein incorporated by reference, including subsequent amendments and editions, and available at no cost at <http://reports.oah.state.nc.us/ncac.asp>, as measured landward from the NHWL.

10.92.10.6.7. Projects under a common plan of development shall be considered as a single project for purposes of density calculation except that on a case-by-case basis, local governments may allow projects to be considered to have both high and low density areas based on one or more of the following criteria:

10.92.10.6.7.1 Natural drainage area boundaries.

10.92.10.6.7.2. Variations in land use throughout the project.

10.92.10.6.7.3. Construction _____ phasing.

10.92.11. Impervious Surface Transfer Credit. (Amended 10/3/2017) Density Averaging.

Two non-contiguous parcels can shall be treated as one single parcel to meet the built-upon area/density requirements of the WSWP rules and this ordinance. These parcels can be under the same or separate ownership. Density averaging of non-contiguous parcels for purposes of complying with local Water Supply programs is permitted with the following minimum requirements.

The impervious surface limit provisions of this section can be exceeded through an impervious surface credit transfer. Credit for the impervious surfaces allowed on one (1) or more parcels ("donor parcels") can be transferred to non-contiguous parcels ("receiving parcels"), such that the amount of impervious surface available for a development project would be the total of what is normally allowed on the receiving parcel plus what is transferred from the donor parcel(s). Impervious surface credit transfer is subject to the following provisions:

10.92.11.1. The donor parcel and receiving parcel shall be located within the same water supply watershed. If one of the properties is located in the critical area of the watershed, the critical area property shall not be developed beyond the applicable density requirements for its classification.

10.92.11.2. The impervious surface credit transfer shall not be from a donor parcel in protected area to a receiving parcel in critical area.

10.92.11.3. Overall project density meets applicable density or stormwater control requirements under 15A NCAC 2B .0200.

10.92.11.4. Vegetated buffers on both properties meet the minimum buffer requirements in accordance with Sections 10.55d and 10.92.11.of this ordinance.

10.92.11.5. Built upon areas are designed and located to minimize stormwater runoff impact to the receiving waters, minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.

10.92.11.6. Areas of concentrated density development are located in upland areas and, to the maximum extent practicable, away from surface waters and drainageways.

10.92.11.7. The property or portions of the properties that are not being developed will remain in a vegetated or natural state and will be managed by a homeowners' association as common area, conveyed to the Town as a park or greenway with Town Council approval, or placed under a permanent conservation or farmland preservation easement, or with deed restrictions. A metes and bounds description of the areas to remain vegetated and limits on use shall be recorded on the subdivision plat, in homeowners' covenants, and on individual deed and shall be irrevocable. .The portion of the donor parcel which is restricted from development as part of the impervious surface credit transfer shall remain in a vegetated or natural. The portion of the donor site restricted from development shall be protected from all future development through use of a permanent conservation easement in favor of either:

~~10.92.8.3.1. Town of Smithfield; or~~

~~10.92.8.3.2. A land trust or similar conservation oriented non profit organization with legal authority to accept such easements (the organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer to the town in the event the organization becomes unable to carry out its functions). If the entity accepting the easement is not the town then a third right of enforcement favoring the town shall be included in the easement.~~

10.92.11.8. Development permitted under density averaging and meeting applicable low density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable

10.92.11.9. The impervious surface credit transfer density averaging shall be reviewed and approved through use of the site plan process.

~~10.92.8.5. The donor parcel shall be deemed appropriate for acceptance by the town under the Town of Smithfield Review Criteria for Acceptance of Conservation Easements for Impervious Surface Transfer.~~

10.92.12. Buffer Areas Required. (Amended 10/3/2017)

10.92.12.1 A minimum one hundred (100) foot vegetative buffer is required for all new development activities that exceed the low-density option; otherwise, a minimum fifty (50) foot vegetative buffer for development activities is required along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Desirable artificial streambank or shoreline stabilization is permitted. For all new development activities proposed within the WS-IV-CA or WS-IV-PA Districts, a minimum fifty feet vegetative buffer is required, unless the high density option is utilized in which case the minimum buffer will be one hundred (100) feet, adjacent to all perennial waters as indicated on the most recent versions of USGS 1:24,000 (7.5 minute) scale topographic maps or as determined by other reliable sources. Vegetation within such buffers shall remain undisturbed except as permitted by state rules and as may be necessary to accommodate any of the following uses:

10.92.12.2 No new development is allowed in the buffer except for water dependent structures, other structures such as flag poles, signs and security lights which result in only diminutive increases in impervious area and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters and maximize the utilization of stormwater Best Management Practices.

~~10.92.9.1. Boat docks, ramps, piers, or similar structures.~~

~~10.92.9.2. Reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places.~~

~~10.92.9.3. Roads, provided they cross the buffer at a horizontal angle of at least sixty (60) degrees.~~

~~10.92.9.4. Other public projects, where no practical alternative exists.~~

10.92.10. Existing Single Family Development Exempt.

Existing single family dwelling units or proposed additions or expansions to existing single family dwelling units shall be exempt from these regulations.

10.92.13. Other Existing Development.

Existing development as defined in this ordinance, may be continued and maintained subject to the provisions provided herein. Expansions to structures classified as existing development must meet the requirements of this ordinance, however, the built-upon area of the existing development is not required to be included in the built-upon area calculations. Existing development as defined herein (other than single family residential development) which does not currently comply with these provisions, may be continued and maintained without penalty. Proposed expansions to structures classified as existing development, including nonresidential development within the critical area, which would qualify as permitted uses within the underlying zoning district may be allowed but shall be required to comply fully with these requirements. The existing built-upon area shall not be required to be included when calculating permissible density.

10.92.13.1. Uses of Land. This category consists of uses existing at the time of adoption of this ordinance where such use of the land is not permitted to be established hereafter in the watershed area in which it is located. Such uses may be continued except as follows:

10.92.13.1.1 When such use of land has been changed to an allowed use, it shall not thereafter revert to any prohibited use.

10.92.13.1.2. Such use of land shall be changed only to an allowed use.

10.92.13.1.3. When such use ceases for a period of at least one year, it shall not be reestablished.

10.92.12. Existing Vacant Lots.

Existing vacant lots, for which plats or deeds have been recorded in the Johnston County Register of Deeds office prior to the adoption of these regulations, may be used for any of the permissible uses allowed in the watershed area in which it is located, provided that whenever two (2) or more contiguous residential lots of record are in single ownership at any time after the adoption of this ordinance and such lots individually have less area than the minimum requirements for residential purposes for the watershed area in which such lots are located, then such lots shall be considered as a single property for the purpose of compliance with these requirements.

10.92.13. Occupied Lots.

Lots occupied for residential purposes at the effective date of these regulations may continue to be used, provided that whenever two (2) or more contiguous lots of record, one (1) of which is occupied, are in single ownership on the effective date of these regulations, and such lots individually or together have less area than required by the minimum standards, then such lots shall be considered as a single property for the purpose of compliance with these requirements.

10.92.14. Swale Street Systems.

Within the WS IV-CA and WS IV-PA Districts, the Town Council may authorize development which would utilize a swale rather than a curb and gutter street system provided such streets are designed and constructed in accordance with the NCDOT Division of Highways manual entitled "Minimum Construction Standards for Subdivision Roads," as amended, or its successor document, for the classification of street proposed. Additionally, best management practices (BMPs) as prescribed in the NCDOT manual "Water Supply Watershed Best Management Practices" shall be utilized for all new roadway construction within watershed areas.

10.92.15. Planned Unit Development within Watershed Areas.

For planned unit developments proposed within water supply watershed areas, development densities shall comply with the regulations established under this section.

10.92.14. Variances.

The Board of Adjustment shall have the power to authorize, in specific cases, minor variances from the terms of this Ordinance as will not be contrary to the public interests where, owing to special conditions, a literal enforcement of this Ordinance will result in practical difficulties or unnecessary hardship, so that the spirit of this Ordinance shall be observed, public safety and welfare secured, and substantial justice done. In addition, the town shall notify and allow a reasonable comment period for all other local governments having jurisdiction in the designated watershed where the variance is being considered.

10.92.14.1. Applications. Applications for a variance shall be made on the proper form obtainable from the Watershed Administrator and shall include the following information: _____

10.92.14.1.1. A site plan, drawn to a scale of at least one (1) inch to forty (40) feet, indicating the property lines of the parcel upon which the use is proposed; any existing or proposed structures; parking areas and other built-upon areas; surface water drainage. The site plan shall be neatly drawn and indicate north point, name and address of person who prepared the plan, date of the original drawing, and an accurate record of any later revisions.

10.92.14.1.2. A complete and detailed description of the proposed variance, together with any other pertinent information which the applicant feels would be helpful to the Watershed Review Board in considering the application.

10.92.14.1.3. The Watershed Administrator shall notify in writing each local government having jurisdiction in the watershed and the entity using the water supply for consumption. Such notice shall include a description of the variance being requested. Comments received by each local government shall become a part of the record of proceedings of the Watershed Review Board.

10.92.14.2. Required Findings. Before the Board of Adjustment may grant a variance, it shall make the following three findings, which shall be recorded in the permanent record of the case, and shall include the factual reasons on which they are based:

10.92.14.2.1. There are practical difficulties or unnecessary hardships in the way of carrying out the strict

letter of the Ordinance. In order to determine that there are practical difficulties or unnecessary hardships, the Board must find that the five following conditions exist:

10.92.14.2.1.1. If the applicant complies with the provisions of the Ordinance, the applicant can secure no reasonable return from, nor make reasonable use of, his property. Merely proving that the variance would permit a greater profit to be made from the property will not be considered adequate to justify the Board in granting an variance. Moreover, the Board shall consider whether the variance is the minimum possible deviation from the terms of the Ordinance that will make possible the reasonable use of his property.

10.92.14.2.1.2. The hardship results from the application of the Ordinance to the property rather than from other factors such as deed restrictions or other hardship.

10.92.14.2.1.3. The hardship is due to the physical nature of the applicant's property, such as its size, shape, or topography, which is different from that of neighboring property.

10.92.14.2.1.4. The hardship is not the result of the actions of an applicant who knowingly or unknowingly violates the Ordinance, or who purchases the property after the effective date of the Ordinance, and then comes to the Board for relief.

10.92.14.2.1.5. The hardship is peculiar to the applicant's property, rather than the result of conditions that are widespread. If other properties are equally subject to the hardship created in the restriction, then granting a variance would be a special privilege denied to others and would not promote equal justice.

10.92.14.2.2. The variance is in harmony with the general purpose and intent of the Ordinance and preserves its spirit.

10.92.14.2.3. In the granting of the variance, the public safety and welfare have been assured and substantial justice has been done. The Board shall not grant a variance if it finds that doing so would in any respect impair the public health, safety, or general welfare.

10.92.14.3. In granting the variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in furtherance of the purpose of this ordinance. If a variance for the construction, alteration or use of property is granted, such construction, alteration or use shall be in accordance with the approved site plan.

10.92.14.4. The Board shall refuse to hear an appeal or an application for a variance previously denied if it finds that there have been no substantial changes in conditions or circumstances bearing on the appeal or application.

10.92.14.5. A variance issued in accordance with this Section shall be issued a zoning permit and such permit shall expire if a Building Permit or a Certificate of Occupancy for such use is not obtained by the applicant within six (6) months from the date of the decision.

10.92.14.6. If the application calls for the granting of a major variance, and if the Board of Adjustments decides in favor of granting the variance, the Board shall prepare a preliminary record of the hearing with all deliberate speed. The preliminary record of the hearing shall include:

~~10.92.12.1. Whenever an application is filed for a variance to the provisions contained in this section the town shall notify the other local governments having jurisdiction within the watershed and any entity using the water supply for consumption purposes to allow these parties an opportunity to comment on the application.~~

~~10.92.12.2. The Board of Adjustment shall conduct a hearing on the application in accordance with Section 4.10. the procedures established under this ordinance. The Board of Adjustment shall have the power to authorize, in specific cases, minor variances, as defined herein, from the terms of this section as will not be contrary to the public interest.~~

~~10.92.12.3.~~ If the application for a variance calls for the granting of a major variance, as defined herein, and if the Board of Adjustment decides in favor of granting the variance, a preliminary record of the hearing shall be prepared within thirty (30) days. The preliminary record shall include:

~~10.92.12.3.1.~~ The variance application;

~~10.92.12.3.2.~~ The hearing notices;

~~10.92.12.3.3.~~ The evidence presented;

~~10.92.12.3.4.~~ Motions, offers of proof, objections to evidence, and rulings on them;

~~10.92.12.3.5.~~ Proposed findings and exceptions;

~~10.92.12.3.2.~~ The proposed decision, including any conditions proposed to be added to the permit.

~~10.92.14.7.~~ The preliminary record shall be sent to the Environmental Management Commission (EMC) for review as follows:

~~10.92.14.7.1.~~ If the EMC concludes from the preliminary record that the variance qualifies as a major variance and that (a) the property owner can secure no reasonable return from nor make any proposed variance is granted, and (b) the variance, if granted, will not result in a threat to the water supply, then the EMC shall approve the variance as proposed or approve the proposed variance with conditions and stipulations. The Commission shall prepare a Commission decision and send it to the Town Board of Adjustments. If the Commission approves the variance as proposed, the Board of Adjustments shall prepare a final decision granting the proposed variance. If the Commission approves the variance with conditions and stipulations, the Board of Adjustments shall prepare a final decision, including such conditions and stipulations, granting the proposed variance.

~~10.92.14.7.2.~~ If the EMC concludes from the preliminary record that the variance qualifies as a major variance and that (a) the property owner can secure a reasonable return from or make a practical use of the property without the variance or, (b) the variance, if granted, will result in a serious threat to the water supply, then the EMC shall deny approval of the variance as proposed. The Commission shall prepare a Commission decision and send it to the Town Board of Adjustment. The Board of Adjustment shall prepare a final decision denying the variance as proposed.

~~10.92.16.5.~~ The EMC shall prepare a final Commission decision relative to the proposed variance and transmit it to the Board of Adjustment. The Board shall advise the applicant for the proposed variance of the EMC's final decision.

~~10.92.16.6.~~ A record of all variances granted during a calendar shall be transmitted to the Division of Environmental Management on or before January 1st of the following year.

10.92.15. Cluster Subdivisions. (Amended 10/3/2017)

Cluster development is allowed in all watershed areas under the following conditions:

10.92.15.1. Minimum lot sizes are not applicable to single family cluster development projects; however, the total number of lots shall not exceed the number of lots allowed for single family detached developments in Sections 10.92.6 and 10.92.7. Density or built-upon area for the project shall not exceed that allowed for the critical area, balance of watershed or protected area, whichever applies.

10.92.15.2. All built-upon area shall be designed and located to minimize stormwater runoff impact to the receiving waters and minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.

10.92.15.3. Areas concentrated density development shall be located in upland area and away, to the maximum extent practicable, from surface waters and drainage ways.

10.92.15.4. The remainder of the tract shall remain in a vegetated or natural state. The title to the open space area shall be conveyed to an incorporated homeowners association for management; to the Town of Smithfield for preservation as a park or open space; or to a conservation organization for preservation in a permanent easement. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds.

10.92.15.5. Cluster developments that meet the applicable low-density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

10.92.16. Rules Governing the Interpretation of Watershed Area Boundaries.

Where uncertainty exists as to the boundaries of the watershed areas, as shown on the Watershed Map, the following rules shall apply:

10.92.16.1. Where area boundaries are indicated as approximately following either street, alley, railroad or highway lines or centerlines thereof, such lines shall be construed to be said boundaries.

10.92.16.2. Where area boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a surveyed plat prepared by a registered land surveyor may be submitted to the town as evidence that one or more properties along these boundaries do not lie within the watershed area.

10.92.16.3. Where the watershed area boundaries lie at a scaled distance more than twenty-five (25) feet from any parallel lot line, the location of watershed area boundaries shall be determined by use of the scale appearing on the watershed map.

10.92.16.4. Where the watershed area boundaries lie at a scaled distance of twenty-five (25) feet or less from any parallel lot line, the location of watershed area boundaries shall be construed to be the lot line.

10.92.16.5. Where other uncertainty exists, the Watershed Administrator shall interpret the Watershed Map as to location of such boundaries. This decision may be appealed to the Board of Adjustment.

10.92.17. Changes and Amendments to Water Supply Watershed Protection Ordinance Regulations.

The Town Council may, on its own motion or upon a properly filed petition, amend, supplement, or modify the watershed regulations set forth under this section in accordance with the procedures established under Article 4 of this ordinance, provided that no amendments shall be adopted which shall cause these regulations to violate the minimum watershed protection rules adopted by the North Carolina Environmental Management Commission. All amendments shall subsequently be filed with the North Carolina Division of Environmental Management, the North Carolina Division of Environmental Health, and the North Carolina Division of Community Assistance.

10.92.17.1. The Town Council may, on its own motion or on petition, after public notice and hearing, amend, supplement, change or modify the watershed regulations and restrictions as described herein.

10.92.17.2. No action shall be taken until the proposal has been submitted to the Planning Board for review and recommendations. If no recommendation has been received from the Planning Board within forty-five (45) days after submission of the proposal to the Chairman of the Planning Board, the Town Council may proceed as though a favorable report had been received.

10.92.17.3. Under no circumstances shall the Town Council adopt such amendments, supplements or changes that would cause this ordinance to violate the watershed protection rules as adopted by the N.C. Environmental Management Commission. All amendments must be filed with the N.C. Division of Water Quality, N.C. Division of Environmental Health, and the N.C. Division of Community Assistance.

10.92.19. Summary of Water Supply Watershed Protection Rules.

The following table summarizes the water supply watershed protection regulations contained herein, which were adopted by the Smithfield Town Council on August 2, 2017; to become effective and in force from that day forward.

Classifications	Dischargers	Residential Density Density Option	Nonresidential LowDevelopment	Sludge Application	Landfills	Hazardous Materials	Sewer Lines
WS-IV	None	2du/1ac**	No new development	None	None	None	Allow
Critical Area	Domestic and Industrial	Same	Allow maximum built upon	None	None	Inventory spill/failure	Allow

NOTES:

** Minimum lot size where public water or sewer is not available shall be forty thousand (40,000) square feet.

- (1) Critical area is one (1) mile draining to river intake or to the ridgeline, whichever is greater.
- (2) Protected area is ten (10) miles upstream draining to river intake or to the ridgeline, whichever is greatest.
- (3) For residential and nonresidential development, a minimum buffer width of fifty (50) feet shall be provided adjacent to all perennial waters.
- (4) Spill containment structures are required for new industry where hazardous materials are used, stored, or manufactured.
- (5) Storm water control structures shall not be employed within the critical or protected portion of the watershed as a means to exceed the minimum criteria established herein.
- (6) Agricultural activities are subject to provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation, and Trade Act of 1990. In critical area agricultural activities must maintain a ten-foot vegetated buffer or equivalent control. Animal operations with greater than one hundred (100) animals must use BMPs as determined by the Soil and Water Conservation Commission.
- (7) Forestry activities are subject to the provisions of the forest practices guidelines related to water quality (15A NCAC 11.0101 -0209).
- (8) The Department of Transportation must use BMPs as described in their document, "Water Supply Watershed Best Management Practices."
- (9) Swale street systems constructed in accordance with NCDOT standards may be permissible within the critical and protected areas.

[Amend Article 10, Section 10.119 adding a Watershed Protection Approval Certification]

PART 2

10.119.1.6. Watershed Protection Approval Certification. I certify that the plat shown hereon complies with the Watershed Protection Ordinance and is approved by the Town Council for recording in the Johnston County Register of Deeds office.

Date

Watershed Administrator

NOTICE: This property is located within a Public Water Supply Watershed - development restrictions may apply.

[Amend Appendix A, as it pertains to Wastershed definitions]

PART 3

Development (watershed). Any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Family Subdivision. Family subdivision means a division of a tract of land: (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives as a gift or for nominal consideration, but only if no more than one parcel is conveyed by the grantor from the tract to any one relative; or (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will.

Major variance (watershed). A variance that is not a Minor Variance as defined in this ordinance.

Minor variance (watershed). ~~Minor variance (watershed). (Amended 10/3/2017) A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to five (5) percent of any buffer, density or built-upon area requirement under the high density option; or that results in a relaxation, by a factor of up to ten (10) percent, of any management requirement under the low density option.~~ **A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to five (5) percent of any buffer, density or built-upon area requirement under the high density option; or that results in a relaxation, by a factor of up to ten (10) percent, of any management requirement under the low density option. For variances to a vegetated setback requirement, the percent variation shall be calculated using the foot print of built-upon area proposed to encroach with the vegetated setback divided by the total area of vegetated setback within the project.**

Variance (watershed). A permission to develop or use property granted by the Board of Adjustments relaxing or waiving a water supply watershed management requirement adopted by the Environmental Management Commission that is incorporated into this ordinance.

PART

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

PART 5

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

Duly adopted this the 9th day of January 2024.

M. Andy Moore, Mayor

ATTEST

Shannan L. Parrish, Town Clerk

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-23-09**

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

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

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

That the final action regarding zoning ordinance amendment ZA-23-09 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the regularly scheduled meeting of Town Council; and

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

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

That the final action regarding zoning ordinance amendment ZA-23-09 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

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



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

Petition for Amendment to the Unified Development Ordinance

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

APPLICANT INFORMATION:

<u>Stephen Wensman</u>	<u>350 E Market Street</u>
Petitioner's Name	Address or PO Box
<u>Smithfield, NC 27529</u>	<u>919-934-2116, ext 1114</u>
City, State, Zip Code	Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:
**Amend the Watershed Overlay Ordinance in accordance
 with updated State rules.**

(Attach additional sheets as necessary)

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

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

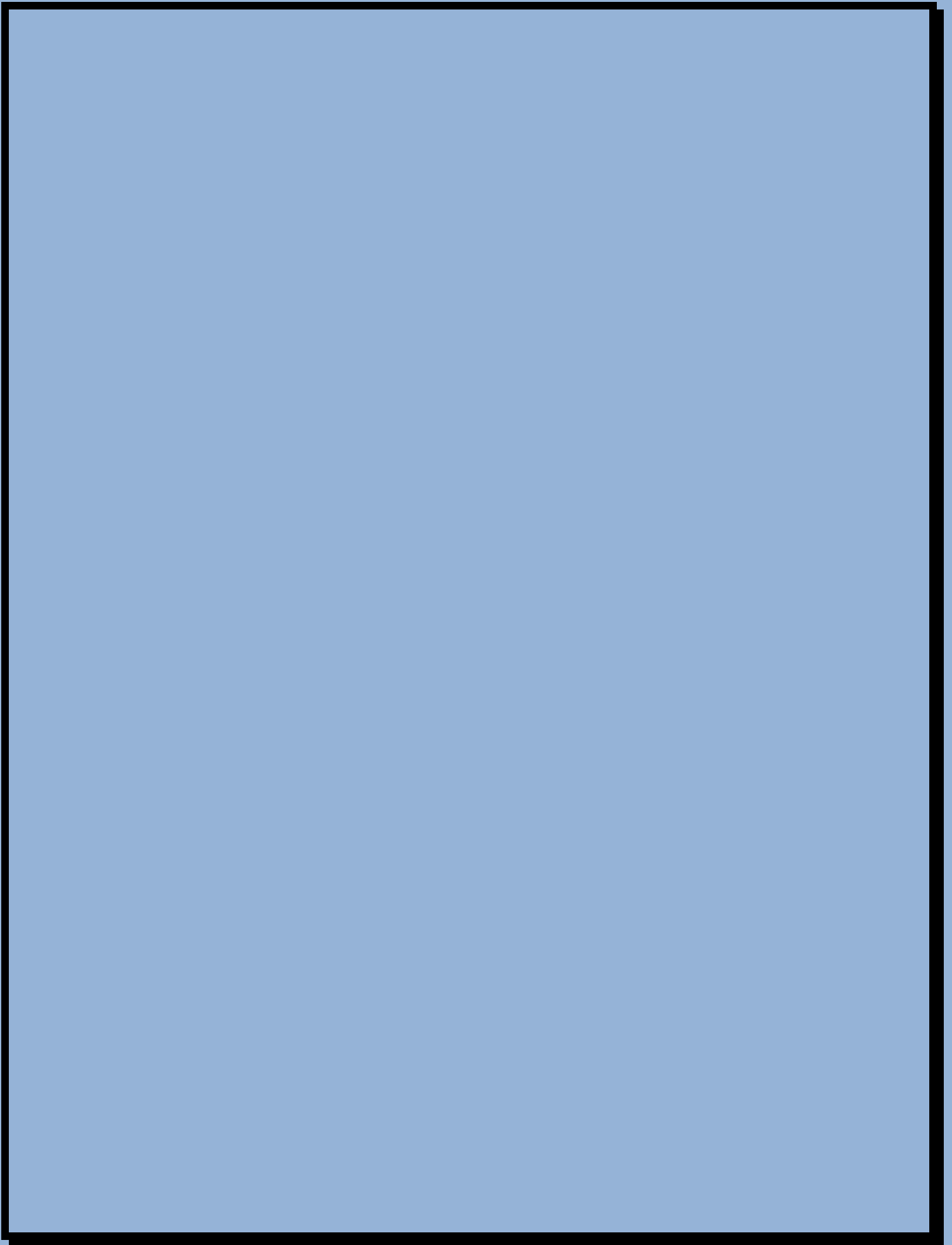
The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

	<u>12/20/23</u>
Signature of Petitioner	Date

FOR OFFICE USE ONLY

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

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, November 14, 2023 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
Sloan Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Roger Wood, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Lawrence Davis, Public Works Director
Andrew Harris, Asst. Finance Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources
Eric McDowell, IT Director
Greg Siler, Finance Director
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

Shannan Parrish, Town Clerk

CALL TO ORDER

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

INVOCATION

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

APPROVAL OF AGENDA:

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

Remove from the Consent agenda:

- 17 b. *Board Appointments - Tyree Minor has submitted an application for consideration to be appointed to Recreation Advisory Commission for a first term*

Move from the Consent Agenda to the Business Items:

7. *Consideration and request for approval to allow the Town Attorney to record deeds restricting development of Town lots associated with the Spring Branch Community Restoration Project. This item will become Business Item 1.*
9. *Consideration and request for approval to adopt Resolution No. 738 (21-2023) authorizing the disposition of certain surplus property and the auctioning of that property by the electronic service of GovDeals.com. This item will become Business Item 2.*
10. *Consideration and request for approval to award a contract to Survey and Mapping, LLC. In the amount of \$296,284.50 for Stormwater Infrastructure Mapping. This item will become business item 3.*

Unanimously approved.

PRESENTATIONS:

1. Acceptance of the 2023 NC One Water award for the Water Distribution System of the Year (small utility)

Utility Line Mechanic Jerry McDonald accepted the award from Public Utilities Director Ted Credle.

2. Acceptance of the 2023 NC One Water award for Wastewater Distribution System of the Year (small utility)

Utility Line Mechanic Jerry McDonald accepted the award from Public Utilities Director Ted Credle.

PUBLIC HEARINGS: None

CITIZEN'S COMMENTS:

- Alice Vick lodged a complaint about the Police Department regarding an incident in which she was involved.
- Betty Greene expressed concerns about the lack of water pressure in the Bella Square subdivision. She requested the Town further investigate this matter and develop a plan to increase the water pressure in West Smithfield and the subdivision in which she resided.
- Ed Hoy also expressed concerns about the lack of water pressure in the Bella Square subdivision. He stated this wasn't just a Bella Square issue, but an issue for all of West Smithfield.

Councilman Scott asked Public Utilities Director to speak about the issue. Mr. Credle stated he would further investigate if water pressure could be increased.

CONSENT AGENDA:

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

Councilman Barbour, Councilman Wood, Mayor Pro-Tem Dunn, Councilman Lee, Councilman Stevens and Councilman Rabil voted in favor of the motion. Councilman Scott voted against the motion. Motion passed 6 to 1.

1. The following minutes were approved:
 - October 3, 2023 – Regular Meeting
2. Special Event – JugsGiving: Approval was granted to allow the owners of the Little Brown Jug to hold a Thanksgiving Party at 101 West Market Street on November 22, 2023 from 8:00 pm until 2:00 am. Amplified sound from 8:00 pm to 11:00 pm was also approved. This event was approved as an annual event.
3. Approval was granted to promote a Customer Service Representative to the position of Senior Customer Service Representative.
4. Approval was granted to promote a Fire Lieutenant to the rank of Fire Captain.
5. Approval was granted to promote a Fire Engineer to the rank of Fire Lieutenant.
6. Approval was granted to promote a Firefighter II to the rank of Fire Engineer.
7. Approval was granted to approve the Amended NCEMPA agreement and adopt Ordinance No. 520-2023

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD, NORTH CAROLINA, DETERMINING THAT IT IS IN THE BEST INTERESTS OF THE TOWN OF SMITHFIELD TO APPROVE AND AUTHORIZE THE EXECUTION AND DELIVERY OF THE AMENDED AND RESTATED FULL REQUIREMENTS POWER SALES AGREEMENT BETWEEN THE TOWN OF SMITHFIELD AND NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY

WHEREAS, the Town of Smithfield (the "Municipality") and North Carolina Eastern Municipal Power Agency ("Power Agency") entered into a Full Requirements Power Sales Agreement (the "FRPSA"), dated as of the twenty-fourth day of September, 2015, pursuant to which Power Agency sells and each Member purchases its Full Requirements Bulk Power Supply requirements (as that term is defined in the FRPSA); and

WHEREAS, the Board of Directors of Power Agency, by motion properly made and approved at its meeting on May 25, 2023, approved and authorized the execution and delivery of Tenth Amended and Restated Full Requirements Power Purchase Agreement (the "FRPPA") between the Power Agency and Duke Energy Progress, LLC (including successors and permitted assigns, "DEP"), pursuant to which Power Agency has agreed to purchase from DEP and DEP has agreed to sell to Power Agency Power Agency's full requirements capacity and energy to serve the load of the electric power customers of Power Agency's members, the electric needs of which the members have undertaken the obligation to meet, and contingent upon a recommendation by the Rate Committee and approval by the Board of Commissioners of Power Agency; and

WHEREAS, by motions properly made and approved at meetings on June 7, 2023 and June 8, 2023, the Rate Committee and the Board of Commissioners, respectively, recommended that staff execute and approve the FRPPA in the name and on behalf of the Power Agency; and

WHEREAS, on September 22, 2023, the Board of Directors of Power Agency adopted Resolution BRR-10-23, which, among other things, (i) ratified the approval and execution of the FRPPA by the Chief Executive Officer in the name and on behalf of Power Agency and (ii) authorized Power Agency to execute and deliver to each Member an Amended and Restated Full Requirements Power Sales Agreement (the "Amended and Restated FRPSA") to give effect to the transactions contemplated by the FRPPA; and

WHEREAS, Power Agency has caused to be furnished to the Municipality each of the following: (i) the FRPPA, (ii) Resolution BDR-10-23, and (iii) an executed Amended and Restated FRPSA, dated as of September 22, 2023; and

WHEREAS, the Town Council of the Municipality (the "Governing Body") has taken into consideration the benefits which might be achieved by approving, executing and delivering the Amended and Restated FRPSA.

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

1. After due consideration to the contents of each of the preambles set forth above and to each of the documents referred to in such preambles, the Governing Body hereby finds and determines that it is in the best interests of the Municipality to enter into the Amended and Restated FRPSA.
2. The Governing Body hereby authorizes and directs that the Amended and Restated FRPSA be executed for and on behalf of the Municipality by the Mayor and Clerk, sealed with the seal of the Municipality and delivered to the Power Agency in the forms and substance of the Amended and Restated FRPSA presented at this meeting.
3. The Governing Body hereby directs the Clerk to furnish or cause to be furnished to Power Agency a certified copy of this ordinance together with the executed Amended and Restated FRPSA.

4. The Governing Body hereby directs the Clerk to file with the minutes of this meeting (i) the FRPPA, (ii) Resolution BDR-10-23, and (iii) the proposed Amended and Restated FRPSA as presented and available at this meeting.
5. This Ordinance shall become effective upon its adoption. ADOPTED this 14th day of November, 2023
8. Approval was granted to amend the contract with Garris Grading and Paving for the annual street resurfacing project.
9. Bid was awarded to Wayne Roofing & Sheet Metal Company in the amount of \$20,500.00 for an elastomeric roof coating & roof repairs to the American Legion Hut (Neuse Little Theater).
10. Bid was awarded to Blueprint Construction in the amount of \$36,429.06 for structural repairs to American Legion Hut (Neuse Little Theater).
11. Bid was awarded to Vision NC in the amount of \$27,607.00 to continue assessing the Town's sanitary sewer infrastructure.
12. Approval was granted to amend the Downtown Smithfield Development Corporation Bylaws.
13. Board Appointments
 - a. Sonny Howard was reappointed to serve a second term on the Recreation Advisory Commission.

14. New Hire Report

Recently Hired	Department	Budget Line	Rate of Pay
Assistant Finance Director	Finance	10-10-4200-5100-0200	\$33.65/hr. (\$69,992.00/yr.)
	PU – Electric	31-72-7230-5100-0200	(1/3)
	PU – Water/Sewer	30-71-7220-5100-0200	(1/3)
Equipment Operator	PW – Streets (Transfer)	10-30-5600-5100-0200	\$21.99/hr. (\$45,739.20/yr.)
Equipment Operator	PW – Streets (Transfer)	10-30-5600-5100-0200	\$17.46/hr. (\$36,316.80/yr.)
Equipment Operator	PW – Streets	10-30-5600-5100-0200	\$18.07/hr. (\$37,585.60/yr.)
Equipment Operator	PW – Streets	10-30-5600-5100-0200	\$18.07/hr. (\$37,585.60/yr.)
Facility Maintenance Specialist	P&R – Recreation	10-60-6200-5100-0200	\$17.21/hr. (\$35,796.80/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$22.26/hr. (\$49,773.36/yr.)
Police Officer I	Police	10-20-5100-5100-0200	\$22.26/hr. (\$49,773.36/yr.)
Police Records Specialist	Police (was Admin Asst)	10-20-5100-5100-0200	\$18.58/hr. (\$38,646.40/yr.)
P/T SRAC Staff - General	P&R – Aquatics	10-60-6220-5100-0210	\$10.00/hr.
Public Safety Aide	Police	10-20-5100-5100-0200	\$18.08/hr. (\$37,606.40/yr.)
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200	\$17.37/hr. (\$36,129.60/yr.)

Current Vacancies	Department	Budget Line
Firefighter (Part-time)	Fire	10-20-5300-5100-0200
Police Officer	Police	10-20-5100-5100-0200
Sanitation Equipment Operator	PW – Sanitation	10-40-5800-5100-0200

BUSINESS ITEMS:

1. **Consideration and request for approval to allow the Town Attorney to record deeds restricting development of Town lots associated with the Spring Branch Community Restoration Project**

Planning Director Stephen Wensman addressed the Council on a request to allow the Town Attorney to record deeds restricting development of Town lots associated with the Spring Branch Community Restoration Project.

He explained the Town accepted grants from the NC Land and Water Fund (NCLWF) in October 2023 for the Spring Branch Restoration Project and Spring Branch Resiliency Project. A requirement of the NCLWF grants was that the subject properties be deed restricted from future development. The deed restrictions also included a 50-foot buffer that could not be maintained. The State will not allow the Town to claim the grant funding until the deed restrictions were approved and recorded.

Mayor Moore expressed concerns about the area being unmaintained since it was in a residential area. He suggested contacting the State to determine if there was any way that stipulation could be negotiated.

No action was taken by the Council.

2. Consideration and request for approval to adopt Resolution No. 738 (21-2023) authorizing the disposition of certain surplus property and the auctioning of that property by the electronic service of GovDeals.com

Mayor Moore had requested this item be moved from the consent agenda to the business items because there were concerns about the conditions of some of the property that were proposed to be declared surplus.

No action was taken by the Council.

3. Consideration and request for approval to award a contract to Survey and Mapping, LLC. In the amount of \$296,284.50 for Stormwater Infrastructure Mapping

Planning Director Stephen Wensman explained this item was a result of the stormwater grant received by the Town earlier in the year. The stormwater program required the Town to map 15% of its infrastructure each year until all mapping was complete. Staff proposed entering into a contract with Survey and Mapping, LLC to for this project.

Councilman Scott questioned if the Town would receive a copy of the mapped infrastructure from the contractor. Mr. Wensman responded there would be a database for all the infrastructure.

Councilman Scott further questioned who would be responsible for overseeing the contract. Mr. Wensman responded that he and the Town Engineer would oversee the contract.

Councilman Scott made a motion, seconded by Councilman Wood, to award a contract to Survey and Mapping, LLC. in the amount of \$296,284.50 for Stormwater Infrastructure Mapping. Unanimously approved.

4. Consideration and request for approval to adopt amendments to the Amazon incentive grant

Town Manager Michael Scott addressed the Council on a request by Amazon to extend their incentive agreement with the Town for tax grants. On September 24, 2021, the Town Council entered into an agreement with Amazon to create a tax grant process for a seven-year period beginning in calendar year 2023 which included a minimum of a \$100,000,000 investment by Amazon and the creation of a minimum of 500 new permanent full-time jobs. The requested amendments include a change in timeline beginning in calendar year 2025 instead of 2023. Johnston County recently approved these amendments to their contract with Amazon.

Johnston County Economic Development Director Chris Johnson explained that Amazon was requesting to back push its time line. In order to receive the tax incentives, they must meet their obligations of the \$100,000,000 in financial contributions and the employment of 500 people. Mr. Johnson stated the County recently approved these amendments and it was his recommendation that the Town Council mirror the actions of the County.

Councilman Wood stated that Amazon had not received any funding from the Town or the County because they have not met their obligations. Mr. Johnson responded in the affirmative. He further stated that the incentives received by Amazon would be a percentage of the taxes paid by Amazon only.

Amazon Economic Development Policy Manager Mike Limburg explained the initial jobs requirement was to

be completed by December 31, 2023. As a result of macro-economic conditions and supply chain issues, it caused Amazon to rebalance its facility network and was now ready to move forward with this facility. He stated the company did not anticipate needing the full length of the extension.

Councilman Scott questioned if the building was complete. Mr. Limburg responded the building was complete and all of the material handling equipment inside had been installed. They were going through a final punch-list and final testing phase.

Councilman Stevens stated the Town entered into this contract in 2021 and questioned why Smithfield should be penalized for the economic downturn. Mayor Moore responded that prior to Amazon's investment, that piece of property was outside the Town limits and the Town collected \$39.46 in Fire District Tax only. Last year, the Town collected \$336,528 in tax revenue all of which it kept because Amazon had not met its jobs obligation. The Town further stands to collect \$501,893 in tax revenue before any tax incentives are paid to Amazon.

Councilman Scott questioned if the tax incentives would be transferred to another company if Amazon chose to sell the property. Mayor Moore responded that under the contract, these tax incentives would only be granted to Amazon.

Councilman Barbour stated that because of the delayed operations, the Town had actually benefited.

Councilman Scott made a motion, seconded by Councilman Barbour, to approve the amendments to the contract with Amazon. Councilman Scott, Councilman Barbour, Mayor Pro-Tem Dunn, Councilman Lee, Councilman Rabil and Councilman Wood voted in favor of the motion. Councilman Stevens voted against the motion. Motion carried 6 to 1.

5. Discussion concerning uses for additional funding received from Johnston County for the Fire Department

Fire Chief Jeremey Daughtry addressed the Council on request to hire three additional firefighter with funding received from Johnston County. Chief Daughtry explained the Johnston County Commissioners approved the Fire Funding Supplement to create a positive impact on fire protection services in Johnston County. The Town will receive \$214,000 annually and will be received in twelve equal payments which began in July of this year.

Chief Daughtry stated careful consideration was placed on the use of these funds to provide a positive impact to the customers of Smithfield while ensuring this supplement would be recurring for years to come and could be used as such. With the additional funding, three additional firefighters could be hired. The reoccurring annual cost to hire three firefighters would be \$185,267.61 and an additional cost of \$16,500 for gear and uniforms. If approved by the Council, these firefighters would begin by January of 2024.

Mayor Pro-Tem Dunn clarified that as long as the tax base continued to grow in the rural districts, the contributions from the County would only increase. It was unlikely it would ever decrease. Chief Daughtry responded in the affirmative.

Councilman Barbour stated the Town was fortunate to still have some volunteer firefighters. He questioned the number of firefighters on any given shift. Chief Daughtry responded the fire department was comprised of full-time employees, part-time employee and volunteers. It was dependent on the time of day how many fire personnel would be on a scene as most volunteers had full-time jobs. The average number of personnel on scene was nine to ten depending on the incident.

Councilman Barbour inquired about the number of volunteers. Chief Daughtry responded there were approximately ten volunteer firefighters. Chief Daughtry stated he and his staff had identified ways in which to engage middle and high school students about careers in the fire service.

Councilman Scott expressed his appreciation to the Funding Committee for all their efforts.

Councilman Scott made a motion, seconded by Councilman Rabil, to approve the hiring of three additional fire service personnel utilizing the funds from the Fire Funding Supplement. Unanimously approved.

6. Consideration and request for approval to offer retention incentives for Police Department personnel and hiring incentives to recruit new Police Officers

Chief of Police Pete Hedrick addressed the Council on a request to offer retention incentives for Police Department personnel and for hiring incentives to recruit new Police Officers. He explained there was a major shortage in new law enforcement personnel each year. Because of that shortage, competition for police officers was at an all-time high. He stated he needed stability in the department and this could be achieved with incentives. Chief Hendrick's proposal included a \$5,000 hiring incentive for anyone with BLET training, \$7,500 retention incentive for law enforcement over a year of employment, \$5,000 retention incentive for law enforcement less than a year of employment and not off Field Training (FTO), \$2,000 retention incentive for part-time officer, animal control officer, civilian positions and currently enrolled in BLET, and \$5,000 retention incentive for the supervisory civilian position. The total cost to implement the incentives could be funded through lapsed salaries.

Mayor Pro-Tem Dunn asked how much under budget was the current salary line. Chief Hedrick responded it was approximately \$254,000 a few months ago.

Councilman Wood questioned how the incentives would be implemented. Chief Hedrick indicated that incentive would not be made in a lump sum payment.

Councilman Stevens questioned how many officers had the department lost over the past few years. Chief Hedrick responded that in the past fifteen months, they have lost 12 officers; some to retirement, but most to other agencies.

Councilman Stevens further inquired about the unused funds in the Police Department's salary line. Town Manager Michael Scott responded that any surplus funds would go into the general fund's fund balance.

Mayor Moore asked Chief Hedrick to explain how the incentives would be paid to the employees. Chief Hedrick responded the design was to pay half as soon as the funds were available and the other half at the end of the year.

Mayor Moore further inquired as to what would happen if an employee received half the incentive and then decided to resign. Chief Hedrick responded the department could implement a contract similar to what the state uses and also pay the employee monthly instead of half now and half at the end of the year.

Mayor Moore asked if this would be a reoccurring expense. Chief Hedrick replied that it would not be a reoccurring expense.

Councilman Barbour stated this was a great idea for this year, but next year something would also have to be done. He stated this felt a lot like putting a band aid on the problem. He further stated that while this seemed to be an effective short-term solution, it was not a long-term solution. Chief Hedrick responded that with new leadership and competitive salaries, he felt it would reenergize the department and officers would want to have a long-term career in Smithfield.

Councilman Wood stated leadership played an important role in employee retention. Employees often left for an increased salary, but others left because of leadership. Chief Hedrick responded the officers needed to feel supported and these incentives would do just that.

Councilman Scott questioned the timeline for implementing the program. Chief Hedrick responded that after speaking with the Town Manager there are adequate funds to implement the program. He intended to work with the Finance Director to develop a plan to ensure that safeguards were in place and that we're being good stewards of town funds. He would like to see it implemented by the New Year.

Councilman Stevens suggested the funds be paid to the employees bi-weekly over the pay periods instead of in a lump sum check.

Councilman Scott stated there was some previous discussion on retiree health insurance benefits for employees that were hired after June 30, 2007. He suggested further discussing that option in a workshop.

Councilman Scott made a motion, seconded by Mayor Pro-Tem Dunn to approve the Police Department incentive program and authorize the Town Manager, the Chief of Police and the Chief's administration to figure out the details.

Before the vote, Mayor Moore asked if the Council was in agreement that the funds would not be paid to the employee in two lump sums. The Council was in agreement that the funds should be issued bi-weekly or quarterly.

Also, there was discussion concerning if the funds would be paid to the employees in the calendar year or the fiscal year. The Town Manager explained that it was the intent to pay the funds to the employees during the remaining 7 months of the fiscal year, but if the Council chose to pay the funds over the course of the calendar year, then remaining funds from this fiscal year could be budgeted for next fiscal year.

Councilman Scott Councilman Scott made a motion, seconded by Mayor Pro-Tem Dunn to approve the Police Department incentive program and authorize the Town Manager, the Chief of Police and the Chief's administration to figure out the details. Unanimously approved.

7. Consideration and request for approval to accept the System Development Fees Analysis

Public Utilities Director Ted Credle addressed the Council on acceptance of the System Development Fees Analysis. He explained the purpose of the presentation was to present the findings of Envirolink as they have reviewed and updated the economic analysis, which was the basis for the town system development phase. In 2018, the Town instituted the current system development fees in response to House Bill 436. House Bill 436, effectively eliminated so called impact fees, but allowed municipalities to create the system development fee. The purpose of that fee was to pay for system upgrades, improvements and expansions that utilities make to accommodate growth and development. These one-time fees are paid by the developer so that new growth pays for such improvements and not the existing customer. House Bill 436 section 209 C stipulated that the analysis of those the economic analysis used as the basis for those fees be reviewed. The fees are updated at least every five years. The process of review is to initially present the report findings to the Council. Then we will post the report and the analysis on the Town website for a period of no less than 45 days to invite public comment. After that period, the Town will hold a public meeting to discuss any input of the public may have. Staff recommends this occur during the January Council meeting. At the January meeting. The Council may set the fees at any level up to the maximum level as recommended by the analysis. He noted that the total increase of the fee was roughly double the existing fee. Also, we will include the statement "to include the county sewer capacity fee if adopted". Regardless of where the council decides to set this fee in 45 days or more. Staff strongly encourages the statement concerning the county charge be added to cover the costs of that capacity purchase. Mr. Credle stated he did not need any action by the Town Council, he simply needed to present the results of the analysis.

Councilman Scott questioned if the 5/8" water meter size could be eliminated because he was concerned that developers would use that size because it was less expensive. He also worried that size would cause pressure issues.

Mayor Pro-Tem Dunn questioned how these proposed fees related to similar County fees. Mr. Credle responded the County charges more because their capital improvement plan is larger than the Town's.

No action was taken by the Council.

8. Community Development Block Grant Update

Note: From 9:13 pm to 9:26 pm, Councilman Lee was not present at the meeting, and his absence was unexcused.

Town Manger Michael Scott provided the Council with an update on the Community Development Block Grant Program. He explained the program began in 2019 and \$750,000 was awarded to the Town for housing rehabilitation for owner occupied homes. People who participated in the program did not have to pay for any rehab work, but a mortgage was added for a period of 7-to-10-years dependent on the value of repairs. These mortgages would be forgiven in entirety after 7 or 10 years as long as they lived in the home. A target area was identified and home owners were contacted about the program. Initially, 22 applications were received

and 11 homeowners chose to participate in the program. Ultimately, 9 houses were rehabbed or reconstructed. Seven of those houses have been completed and the remaining two are in the process of being completely rebuilt. The Town Manager outlined the constructions projects for each of the nine homes.

The Town Manager explained the adversities the administrator of the grant (hired by the Town) faced: supply chain issues, contractor issues, and lack of contractors. Also, the Town partnered with Johnston, Harnett, Lee Community Action to inspect the homes and complete the list of items that needed to be fixed in every home. Unfortunately, the employee assigned to assisting the Town resigned and the administrator was forced to take on additional responsibilities to get everything approved and completed. All files have been reviewed by CDBG and the Rural Economic Development Division multiple times. Staff was now seeing new homes being built on empty lots near these rehabilitated homes. This program helped improve the neighborhoods.

No action was taken by the Council.

9. Consideration and request for approval to enter into an agreement with NCDOT for the CMAQ/CRP funding of the West Market Street trail project

Planning Director Stephen Wensman addressed the Council on a request to enter into an agreement with NCDOT for funding of the West Market Street trail project. Mr. Wensman explained staff worked with James Salmons of the Upper Coastal Plain Rural Planning Organization to apply for Congestion Mitigation & Air Quality (CMAQ) and Carbon Reduction Program (CRP) funds to construct a multi-purposed trail along West Market Street from the Neuse River Bridge to Wilson's Mills Road. The Town was awarded the funding for the project in the amount of \$1,875,520 with a local match of \$468,880, totaling \$2,344,400 for the project. The Agreement with NCDOT stipulated the terms for acceptance of the funds.

Town Manager Michael Scott explained this was a large grant and would require an outside firm to manage it and the project especially as it related to negotiating the purchase price for rights-of-way and acquiring those rights-of-way.

Councilman Scott inquired as to what funds the Town would use for the grant match. Mayor Moore responded that staff was requesting to use the restricted Parks and Recreation Funds from the sale of Bingham Park. The Town Manager stated that restricted Park-in-Lieu fees would also be used for the grant match.

Councilman Barbour advocated for pedestrian friendly paths that connected West Smithfield to the rest of Smithfield. With this grant, the Town was making progress towards this connectivity.

Councilman Barbour made a motion, seconded by Councilman Rabil, to approve the agreement with NCDOT for the CMAQ/CRP funding of the West Market Street trail project. Councilman Barbour, Councilman Rabil, Mayor Pro-Tem Dunn, Councilman Stevens and Councilman Wood voted in favor of the motion. Councilman Lee and Councilman Scott voted against the motion. Motion passed 5 to 2.

Councilmembers Comments: None

Town Manager's Report:

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

- The Grinch Run is scheduled for December 2nd
- Downtown Tree Lighting is scheduled for December 7th from 6:00 to 7:00
- The Christmas Parade is scheduled for December 14th at 7:00 pm.
- The Town Hall sign has malfunctioned. Electricians have evaluated the situation and staff would be working with another sign company to determine how to fix the sign.

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

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Wood, to enter into Closed Session pursuant to the aforementioned statute. Unanimously approved at approximately 9:47 pm.

Reconvene in Open Session

Councilman Barbour made a motion, seconded by Councilman Rabil to reconvene in Open Session. Unanimously approved at approximately 10:15

Adjourn

Councilman Wood made a motion, seconded by Councilman Rabil, to adjourn the meeting. The meeting adjourned at approximately 10:16 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

The Smithfield Town Council met in regular session on Tuesday, December 5, 2023 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
Sloan Stevens, District 2
Dr. David Barbour, District 4
Roger Wood, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Marlon Lee, District 1
Travis Scott, District 3

Administrative Staff Present

Michael Scott, Town Manager
Ted Credle, Public Utilities Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources
Eric McDowell, IT Director
Shannan Parrish, Town Clerk
Greg Siler, Finance Director
Michael Sliger, Public Works Superintendent
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

Lawrence Davis, Public Works Director

CALL TO ORDER

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

INVOCATION

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

APPROVAL OF AGENDA:

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

Add to the Consent Agenda:

4. Consideration and request for approval to allow employees to donate accumulated sick leave hours to an employee in the Finance/ Public Utilities Department.
5. Consideration and request for approval to award a bid in the amount of \$6,433.18 to Heat Transfer Solutions, Inc. for the replacement of the HVAC system at Fire Station No. 2.

Unanimously approved.

OLD BUSINESS:

CONSENT AGENDA:

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

1. Approval was granted to promote a Water Plant Trainee to the position of Water Plant Operator I.
2. Approval was granted to allow the Town Attorney to record deeds restricting development of Town lots associated with the Spring Branch Community Restoration Project

3. New Hire Report

<u>Recently Hired</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Firefighter (Part-time)	Fire	10-20-5300-5100-0210	\$17.60/hr.
Master Police Officer	Police	10-20-5100-5100-0200	\$24.77/hr. (\$55,385.72/yr.)
Master Police Officer	Police	10-20-5100-5100-0200	\$25.27/hr. (\$57,559.36/yr.)
Planner I	Planning	10-10-4900-5100-0200	\$24.29/hr. (\$50,523.20/yr.)
Sanitation Worker	PW – Sanitation	10-40-5800-5100-0200	\$15.79/hr. (\$32,843.20/yr.)

<u>Current Vacancies</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Fire Chief	Fire	10-20-5300-5100-0200
Electric Lineman	PU – Electric	31-72-7230-5100-0200
Firefighter (Part-time)	Fire	10-20-5300-5100-0200
Firefighter (Part-time)	Fire	10-20-5300-5100-0210
Police Officer	Police	10-20-5100-5100-0200
Equipment Operator	PW – Sanitation	10-40-5800-5100-0200

4. Approval was granted to allow employees donate accumulated sick hours to an employee in the Finance/ Public Utilities Department
5. Bid was awarded to Heat Transfer Solutions in the amount of \$6,433.18 for the replacement of the HVAC system at Fire Station No. 2

ORGANIZATIONAL MEETING:

1. Oaths of Office

- a. The Honorable Senior Resident Superior Court Judge Thomas H. Lock administered the Oath of Office to returning Mayor, M. Andy Moore.
- b. The Honorable Senior Resident Superior Court Judge Thomas H. Lock administered the Oath of Office to returning Councilman At-Large John A. Dunn.
- c. The Honorable Senior Resident Superior Court Judge Thomas H. Lock administered the Oath of Office to returning Councilman At-Large Stephen Rabil.
- d. The Honorable Senior Resident Superior Court Judge Thomas H. Lock administered the Oath of Office to returning Councilman At-Large Roger A. Wood.

2. Election of Mayor Pro-Tempore

Pursuant to North Carolina General Statute 160A-70 the new Town Council was to elect a Mayor Pro-Tem amongst its members.

Mayor Pro-Tem Dunn made a motion, seconded by Councilman Stevens, to elected Councilman Wood to serve a two-year term (2024-2025) as Mayor Pro-Tem. Unanimously approved.

3. Consideration and request for approval to adopt the 2024 Town Council Meeting Schedule

Town Manager Michael Scott presented the Council with the 2024 Town Council Meeting schedule. He explained that staff was requesting the Council consider changing the January, July, August and November meetings due to holidays and events. Also, a pre-budget meeting On January 23, 2024 was included in the meeting schedule.

Councilman Barbour stated the Council should consider holding two meetings a month.

Councilman Stevens agreed with Councilman Barbour stating that there were UDO items that had been tabled that needed to be discussed.

Councilman Barbour made a motion, seconded by Councilman Stevens, to adopt the 2024 Town Council Meeting Schedule as follows. Unanimously approved

2024 Town Council Meeting Schedule

January 9th
Pre-Budget Work Session January 23rd at 6:30 pm
February 6th
March 5th
April 2nd
May 7th
June 4th
July 9th
August 13th
September 3rd
October 1st
November 12th
December 3rd

Public Hearings: None

Citizens Comments

- Alice Vick explained that she submitted a complaint in writing to the Chief of Police and expected a written response to her complaint instead of the verbal response she received.

Business Items: None

Councilmembers Comments:

- Councilman Stevens congratulated the reelected Mayor and Councilmembers and looked forward to continuing our work together.
- Councilman Barbour congratulated the reelected Mayor and Councilmembers.
- Mayor Pro-Tem Wood conveyed his gratitude to all those who supported him during the election. He congratulated the other members of the Council who were reelected. He expressed his appreciation to his family.
- Councilman Dunn expressed his appreciation to all those who supported him during the election. He congratulated the other members of the Council who were reelected. He congratulated Mayor Pro-Tem Wood for being elected to serve as the Mayor Pro-Tem for the next two years. While he enjoyed being Mayor Pro-Tem for the past four years, he felt it was time for someone else to serve in that role.
- Mayor Moore conveyed his gratitude to Councilman Dunn for serving as the Mayor Pro-Tem for the past four years. Mayor Moore stated he was excited for the residential growth that was coming to Smithfield. He stated the best way to improve the area schools was through residential growth. He explained the Council had done a lot to improve the Town's infrastructure and facilities. He praised the Town Departments for their dedication. He expressed his appreciation to his family for all their support.

Town Manager's Report:

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

He congratulated the reelected Mayor and Council.

- Downtown Tree Lighting is scheduled for December 7th from 6:00 to 7:00
- The Christmas Parade is scheduled for December 14th at 7:00 pm.
- Parks and Recreation & the Police Department will be in various neighborhoods on December 21st and December 22nd serving cookies and hot chocolate.

The Town Manager announced that for anyone interested in careers in the Fire Department or the Police Department, the Town had vacancies and there were opportunities in Smithfield to pursue those career paths.

Adjourn

Councilman Barbour made a motion, seconded by Councilman Stevens, to adjourn the meeting. The meeting adjourned at approximately 7:41 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk

DRAFT



Request for Town Council Action

**Consent
Agenda
Item:** Personnel
Promotion
Date: 01/09/2024

Subject: Personnel Promotion
Department: Fire Department
Presented by: Fire Chief – Jeremy Daughtry
Presentation: Consent Agenda Item

Issue Statement

This is a request to promote a Fire Lieutenant to the position of Fire Captain. Under the Town’s Employee Handbook, promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum, or to an increase of up to 10% at the Manager’s discretion. Recommendation is to increase the salary by 10%.

Financial Impact

This salary increase will be covered by the Fire Departments current budget and will not require a budget amendment to the current salary line item. In this case, the required salary increase for the 2023/2024 Budget will be \$6,961.70

The proposed promotion will result in an increase of \$25.80/hr. to \$28.38/hr. based on an average of 84 hours bi-weekly.

This promotion would be effective 01/15/2024.

Action Needed

Approval of the requested promotion.

Recommendation

Upon consultation with HR, staff recommends approval of this promotion.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

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

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has completed an assessment of a prospective employee for the position of Fire Captain for the Fire Department. The Department has this vacancy in accordance with approved staffing levels in the current year's budget. The prospective Fire Captain is an in-house candidate. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



Request for Town Council Action

**Consent
Agenda
Item:** Personnel
Promotion
Date: 01/09/2024

Subject: Personnel Promotion
Department: Fire Department
Presented by: Fire Chief – Jeremy Daughtry
Presentation: Consent Agenda Item

Issue Statement

This is a request to promote a Fire Engineer to the position of Fire Lieutenant. Under the Town’s Employee Handbook, promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum, or to an increase of up to 10% at the Manager’s discretion. Recommendation is to increase the salary by 10%.

Financial Impact

This salary increase will be covered by the Fire Departments current budget and will not require a budget amendment to the current salary line item. In this case, the required salary increase for the 2023/2024 Budget will be \$6,637.90

The proposed promotion will result in an increase of \$24.58/hr. to \$27.04/hr. based on an average of 84 hours bi-weekly.

This promotion would be effective 01/15/2024.

Action Needed

Approval of the requested promotion.

Recommendation

Upon consultation with HR, staff recommends approval of this promotion.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

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

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has completed an assessment of a prospective employee for the position of Fire Lieutenant for the Fire Department. The Department has this vacancy in accordance with approved staffing levels in the current year's budget. The prospective Fire Lieutenant is an in-house candidate. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



Request for Town Council Action

**Consent
Agenda
Item:** Personnel
Promotion
Date: 01/09/2024

Subject: Personnel Promotion

Department: Fire Department

Presented by: Jeremey Daughtry – Fire Chief

Presentation: Consent Agenda

Issue Statement

This is a request to promote a Firefighter I to the position of Firefighter II. Under the Town's Employee Handbook, promotions to a higher pay grade will be accompanied by an increase to the next pay grade minimum, or to an increase of up to 10% at the Manager's discretion. This promotion would be to the next pay grade minimum.

Financial Impact

This salary increase will be covered by the Fire Departments current budget and will not require a budget amendment to the current salary line item. In this case, the required salary increase for the 2023/2024 Budget will be \$2,590.40

The proposed promotion will result in an increase of \$19.19/hr. to \$20.15/hr. based on an average of 84 hours bi-weekly.

This promotion would be effective 01/15/2024.

Action Needed

Approval of the requested promotion.

Recommendation

Upon consultation with HR, staff recommends approval of this promotion.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

**Consent
Agenda
Item: Personnel
Promotion**

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has interviewed a prospective employee for the position of Firefighter II for the Fire Department. The Department has this vacancy in accordance with approved staffing levels in the current year's budget. The prospective Firefighter II is an in-house candidate. The candidate is well-qualified for this position and is a highly regarded member of Town staff. Council is asked to approve this promotion.



Request for Town Council Action

Consent **Career**
Agenda **Ladder**
Item: **Promotion**
Date: 01/09/2024

Subject: Career Ladder Promotion

Department: Public Utilities

Presented by: Public Utilities Director – Ted Credle

Presentation: Consent Agenda Item

Issue Statement

Approval of a career ladder promotion for an employee at the Water plant. This promotion will advance this employee from a Water Plant Trainee to a Water Plant Operator I.

Financial Impact

The funds for this career ladder advancement were included into the approved and adopted FY 2023 - FY 2024 budget.

Action Needed

Approve the career ladder promotion for the employee at the water treatment plant

Recommendation

Staff recommends approval of the promotion

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Copy of the Employee Certification
3. Copy of the Approved Career Ladder



Staff Report

**Consent Career
Agenda Ladder
Item: Promotion**

In keeping with stated Town goals of retaining highly qualified employees, in 2016 the Town Council approved a career ladder within the Water Plant for employees to advance their career and become a more highly valued employee.

The employee attended training in September of 2023. By State law, he took his certification test at least 30 days after the training school was completed. This employee obtained his certification in October 2023. This career ladder increase will promote the employee from Water Plant Trainee to Water Plant Operator I.

**

*The North Carolina Water Treatment Facility Operators
Board of Certification*

hereby certifies that

Having given satisfactory evidence of the necessary qualifications required by Chapter 90A of the General Statutes of North Carolina, is hereby authorized to practice for a maximum of 5 years as a grade "C Apprentice Surface"
Water Operator

in the State of North Carolina

IN TESTIMONY WHEREOF: THE BOARD OF CERTIFICATION ISSUES THIS CERTIFICATE UNDER THE SEAL OF THE BOARD AND SIGNATURE OF THE CHAIRMAN EFFECTIVE THE 26TH DAY OF OCTOBER, 2023. THIS CERTIFICATION IS SUBJECT TO ANNUAL RENEWAL PROCEDURES FOR 5 YEARS. THIS APPRENTICE CERTIFICATION SHALL EXPIRE OCTOBER 26, 2028.



Samuel K. Call

SAMUEL K. CALL, CHAIRMAN

CERTIFICATE NO. 230441



WATER TREATMENT PLANT CAREER LADDER

TITLE	PAY GRADE	EXPERIENCE/QUALIFICATION
Water Plant Trainee	Pay Grade 11	Beginner
Water Plant Operator I	Pay Grade 12	"C" Certification & 6 months
Water Plant Operator II	Pay Grade 13	"B" Certification & 18 months
Water Plant Operator III	Pay Grade 14	"A" Certification & 30 months
Water Plant Mechanic/Operator	Pay Grade 13	(As Vacancies arise)
Chief Water Plant Operator	Pay Grade 20	(As Vacancies arise)
Water Plant Chemist	Pay Grade 20	(As Vacancies arise)
Water Plant Supervisor	Pay Grade 22	(As Vacancies arise)

EXPLANATION OF ELIGIBILITY FOR CAREER LADDER POSITIONS:

Water Plant Trainee: is the title given to a worker who is coming on board with little, or no, experience. This is granted to someone looking to begin their career in the Water Plant Division. This individual will have no certification and 0-12 months experience. This title has been given the pay grade of 11.

Water Plant Operator I: is the title given to a worker who has obtained the first level of certification, the completion of "Operator C" licensure. This certification will only be granted by the State of North Carolina after the candidate has a minimum of 6 months of work experience, has attended the appropriate training class, and has successfully passed the required, written exam. This title has been given the pay grade of 12.

Water Plant Operator II: is the title given to a worker who has obtained the second level of certification, the completion of "Operator B" licensure. This certification will only be granted by the State of North Carolina after the candidate has obtained the "Operator C" licensure, has a minimum of 18 months of work experience, has attended the appropriate training class, and has successfully passed the written exam. This title has been given the pay grade of 13.

Water Plant Operator III: is the title given to a worker who has obtained the third level of certification, the completion of "Operator A" licensure. This certification will only be granted by the State of North Carolina after the candidate has obtained the "Operator B" licensure, has a minimum of 30 months of work experience, has attended the appropriate training class, and has successfully passed the written exam. This title has been given the pay grade of 14.



Request for Town Council Action

**Consent
Agenda
Item:** Hiring of
Personnel
Date: 01/09/2024

Subject: Request for Approval to Hire an Electric Line Technician
Above Minimum Rate of Pay

Department: Public Utilities – Electric

Presented by: Ted Credle

Presentation: Consent Agenda

Issue Statement

Staff is requesting the approval to hire a highly qualified Electric Line Technician approximately 8% greater than the minimum starting salary. Council approval is required for any starting pay greater than 5% above minimum.

Financial Impact

No negative impact. The anticipated salary will be covered by the Electric Department's current FY 2023-20234 budget and will not require a budget amendment. In this case, the proposed salary would result in a \$1,870.11 increase above the minimum pay for the position for the remainder of the FY budget cycle but is covered by the overall departmental approved salary budget.

Action Needed

Consideration and approval of the request.

Recommendation

Staff recommends Council approval of the request.

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report



Staff Report

**Consent
Agenda
Item:** **Hiring of
Personnel**

In keeping with stated Town goals of attracting and retaining highly qualified employees, the Town has interviewed a prospective employee for the position of Electric Line Technician (Lineman) for the Electric Division of the Public Utilities Department. The Department has this vacancy in accordance with approved staffing levels in the current year's budget.

The candidate is highly qualified for this position, possessing much greater skill, experience, and ability than a typical entry employee. The proposed rate of pay is the same as that of a current employee in the same position, with similar skill, experience, and ability. Hiring this prospective employee at the proposed rate of pay (\$25.46/hour vs \$23.42/hour) creates no adverse budget impact and no adverse pay issues amongst other employees within the department.

Approval of this request will bring the Electric Department to full staff.

For all of the reasons stated above, Council is asked to approve this new hire request.



Request for Town Council Action

**Consent
Agenda
Item:** **Vehicle
Purchase**
Date: 01/09/2024

Subject: Vehicle Purchase
Department: Police Department
Presented by: Chief of Police Pete Hedrick
Presentation: Consent Agenda Item

Issue Statement

The Police Department is requesting to purchase a new Dodge Durango as a patrol vehicle for its department.

Financial Impact

\$35,113.00 from approved capital outlay budget for vehicles. (\$110,500) budgeted)

Action Needed

Approve vehicle purchase from existing inventory.

Recommendation

N/A

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Propose Bid



Staff Report

Consent Agenda Item:	Vehicle Purchase 01/09/2024
-------------------------------------	--

The Police Chief is recommending:

Town Council has approved \$110,500 for new vehicles in this budget year. The plan was to purchase two Ford Explorers. At this time those vehicles are not available and there is not a projected time frame when they would be available. Based on that and the need for new vehicles for the police department the police department is requesting to purchase a 2023 Dodge Durango Patrol Vehicle from Performance Ford for \$44,549.78 The vehicle is priced by the statewide bidding contract.

PERFORMANCE

AUTOMOTIVE



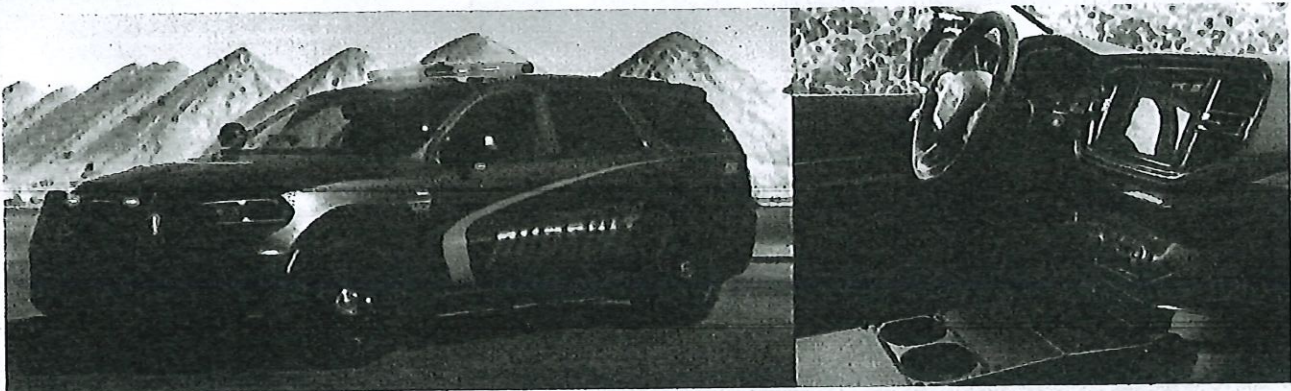
2023 Dodge Durango Pursuit

North Carolina Statewide Vehicle Contract #202100002

Category H - Law Enforcement Vehicles

Contract Term Dates: May 10, 2021 - May 9, 2023

Smithfield PD



Drivetrain Configurations

5.7L Hemi V-8	<input checked="" type="checkbox"/>	WDEE75-22Z	2023 Dodge Durango Pursuit, 5.7L Hemi V-8 AWD	\$ 40,988.38
3.6L V-6	<input type="checkbox"/>	WDEE75-2BZ	2023 Dodge Durango Pursuit, 3.6L V-6 AWD	\$ 38,326.88

NC70A Base Vehicle Configuration

Base Powertrain Configuration

WDEE75	5.7L Hemi V-8 MDS VVT Engine, 8 Speed Automatic Transmission, 22Z	Base
WDEE75	3.6L V-6 24 Valve VVT Engine, 8 Speed Automatic Transmission, 2BZ	Base

Base Interior Configuration

Vinyl	Vinyl Floor Covering	Base
Front	Cloth Front Seat Covering	Base
C5/X9	Cloth Rear Seat Covering	Base

Base Package / Options

Black Steel Wheels w/ Chrome Center Caps	8.4" Touchscreen Radio Display
255/60R18 BSW On/Off Road Tires	Blind Spot & Cross Path Detection
Power Windows, Door Locks, Mirrors	Class IV 2" Receiver Hitch
Parksense Rear View Camera	7/4 Way Trailer Light Wiring Connectors
130 MPH Limited Top Speed	Power 8 Way Driver seat
Full Size Bridgestone Spare Tire	2 Row Seating - No 3rd Row Seating Option
4 Key Fobs Standard	Secure Park - Secures Transmission w/o FOB

Option Availability and Compatibility Vary
USE THIS FORM AS A GUIDE
Please Return to your Performance Representative For Confirmation

Seat/Trim Options		MSRP	6% Disc
<input checked="" type="checkbox"/>	C5/X9 HD Cloth Bucket Front Seat / Cloth Rear Seat	STD	STD
<input type="checkbox"/>	A7/X9 HD Cloth Bucket Front Seat / Vinyl Rear Seat	\$ 135	\$ 126.90
Functional Packages		MSRP	6% Disc
<input type="checkbox"/>	ADG Technology Group	\$ 2,680	\$ 2,519.20
<input type="checkbox"/>	ADL Skid Plate Group	\$ 330	\$ 310.20
Wheel Options		MSRP	6% Disc
<input type="checkbox"/>	CAPS Black Steel Wheels with Chrome Center Caps	STD	STD
<input type="checkbox"/>	WP1 18"X8.0 Painted Aluminum Wheels	\$ 390	\$ 366.60
Interior Options		MSRP	6% Disc
<input type="checkbox"/>	CKD Carpet Floor Covering	\$ 140	\$ 131.60
<input type="checkbox"/>	CUF Full Length Floor Console	\$ 330	\$ 310.20
<input type="checkbox"/>	JRC Power Liftgate	\$ 440	\$ 413.60
<input checked="" type="checkbox"/>	UBN Uconnect 5 Navigation with 10.1" Display Screen	\$ 1,095	\$ 1,029.30
<input checked="" type="checkbox"/>	XCS 4 Additional Key FOBS (8 Total)	\$ 115	\$ 108.10
<input type="checkbox"/>	GXF Fleet Key Alike (Specify Frequency 1-4)	\$ 160	\$ 150.40
Spotlight Options		MSRP	6% Disc
<input type="checkbox"/>	LNF Black Driver Side LED Spotlight	\$ 580	\$ 545.20
<input type="checkbox"/>	LNA Matching Passenger Side LED Spotlight	\$ 580	\$ 545.20
Law Enforcement Options		MSRP	6% Disc
<input type="checkbox"/>	CUG Police Style Floor Console	\$ 950	\$ 893.00
<input type="checkbox"/>	CW6 Deactivate Rear Doors & Windows	\$ 85	\$ 79.90
<input type="checkbox"/>	LSA Security Alarm	\$ 170	\$ 159.80
<input type="checkbox"/>	MT8 Delete Rear Liftgate Badging	N/C	N/C
<input checked="" type="checkbox"/>	XDG Passenger Side Ballistic Door Panel	\$ 2,600	\$ 2,444.00
<input type="checkbox"/>	XDV Driver Side Ballistic Door Panel	\$ 2,720	\$ 2,556.80
<input type="checkbox"/>	XPW Front & Rear Wiring Harness	\$ 1,600	\$ 1,504.00
Additional Options			
<input type="checkbox"/>			\$ -
<input type="checkbox"/>			\$ -
<input type="checkbox"/>	Tier 1 Tier 1 Color Upcharge (\$375 Per Car)		\$ 375.00
<input type="checkbox"/>	Tier 2 Tier 2 Color Upcharge (\$525 Per Car)		\$ 525.00

Standard Colors:

Quantity

No Cost Colors		Quantity
<input type="checkbox"/>	PXJ DB Black Clear Coat	
<input checked="" type="checkbox"/>	PW7 Bright White Clear Coat	1.00
<input type="checkbox"/>		
Tier 1 - Additional \$375 Per Car		
<input type="checkbox"/>	PRV Octane Red Pearl Coat	
<input type="checkbox"/>	PDN Destroyer Grey Clear Coat	
<input type="checkbox"/>	PSE Silver Metallic Clear Coat	
<input type="checkbox"/>	PHC Ember Pearl Coat	
<input type="checkbox"/>	PCA Frostbite Pearl Coat	
<input type="checkbox"/>	PCQ Midnight Sky	
<input type="checkbox"/>	PAS Baltic Grey Metallic Clear Coat	
Tier 2 - Additional \$525 Per Car		
<input type="checkbox"/>	PBU Blu By You Pearl Coat	
<input type="checkbox"/>	PR4 Flame Red	
<input type="checkbox"/>	P79 Michigan State Police Blue	
<input type="checkbox"/>	P82 Ranger Clear Coat	

Enter Quantity Here

Emergency Equipment/Lighting Upfit

<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Option Availability and Compatibility Vary
USE THIS FORM AS A GUIDE
 Please Return to your Performance Representative For Confirmation

Total Price Per Vehicle: \$ 44,549.78

Number Units This Spec: 1.00

Total this Order: \$ 44,549.78

Notes & Instructions:

Agency Information:

Agency Name: Smithfield PD
 Contact: _____
 Position: _____
 Address 1: _____
 Address 2: _____
 City, State, Zip: _____
 Office Phone: _____
 Cell Phone: _____
 Email: _____

Amy Hill

Government & Fleet Sales

605 Warsaw Road
 Clinton, NC 28328
ahill@ramclinton.com
 (336) 687-7964 Cell



Dianne Nelms

Government & Fleet Sales

605 Warsaw Road
 Clinton, NC 28328
dnelms@ramclinton.com
 (910) 214-2956 Cell





Request for Town Council Action

Consent
Agenda
Item:

Vehicle
Purchase

Date: 01/09/2024

Subject: Vehicle Purchase

Department: Police Department

Presented by: Chief of Police - Pete Hedrick

Presentation: Consent Agenda Item

Issue Statement

The Police Department is requesting to purchase a new Dodge Charger as a patrol vehicle for its department.

Financial Impact

\$35,113.00 from approved capital outlay budget for vehicles. (\$110,500) budgeted)

Action Needed

Approve vehicle purchase from existing inventory.

Recommendation

N/A

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposed Bid



Staff Report

Consent Agenda Item:	Vehicle Purchase 01/09/2024
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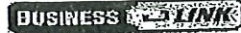
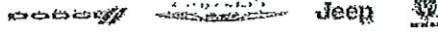
The Police Chief is recommending:

Town Council has approved \$110,500 for new vehicles in this budget year. The plan was to purchase two Ford Explorers. At this time those vehicles are not available and there is not a projected time frame when they would be available. Based on that and the need for new vehicles for the police department the police department is requesting to purchase a 2023 Dodge Charger Patrol Vehicle from Ilderton Automotive which is also priced by the state-wide bidding contract for \$35,113.



ILDERTON

701-712 South Main Street
High Point, NC 27260
(336) 841-6100



12/8/2023

Buyer:	SMITHFIELD PD	Cell:	
	CAPTAIN GRADY		
Phone:	919-934-2071	Phone:	
E-Mail:	jfgrady@smithfieldpd.org	Fax:	

VEHICLE	DODGE CHARGER PURSUIT RWD	Make:	
Year:	2023	Model:	
Color:	WHITE	Year:	
Engine:	5.7L V8 HEMI	Color:	
Drive		VIN:	
Mileage:		Stock #:	
		ACV:	

MSRP

Sale Price **NC STATE CONTRACT** **\$ 34,678.00**
070A

Options Included			
CLOTH FRONT & REAR VINYL SEATS	\$	135.00	\$ -
FRONT MAP READING LIGHTS	\$	85.00	\$ -
18" WHEEL COVERS	\$	45.00	\$ -
EXTRA KEYS (8 TOTAL)	\$	170.00	\$ -

Options Total **\$ 435.00**

Sub Total **\$ 35,113.00**

Units: 1

BALANCE DUE \$ 35,113.00

Manager Kim Tuttle
ASST DIRECTOR OF FLEET SALES

Customer _____
AUTHORIZED PERSONEL

- Vehicle
 - EPA Classification: Large Cars
- Mileage
 - Fuel Economy Est-Combined (MPG): 21
 - EPA Fuel Economy Est - City (MPG): 18
 - EPA Fuel Economy Est - Hwy (MPG): 27
- Electrical
 - Cold Cranking Amps @ 0° F (Primary): 730
 - Maximum Alternator Capacity (amps): 180
- Weight Information
 - Base Curb Weight (lbs): 4205
- Trailering
 - Dead Weight Hitch - Max Trailer Wt. (lbs): 1000
 - Dead Weight Hitch - Max Tongue Wt. (lbs): 100
 - Wt Distributing Hitch - Max Trailer Wt. (lbs): 1000
 - Wt Distributing Hitch - Max Tongue Wt. (lbs): 100
- Suspension
 - Suspension Type - Front: Short And Long Arm
 - Suspension Type - Rear: Multi-Link
 - Suspension Type - Front (Cont.): Short And Long Arm
 - Suspension Type - Rear (Cont.): Multi-Link
- Brakes
 - Brake Type: 4-Wheel Disc
 - Brake ABS System: 4-Wheel
 - Disc - Front (Yes or): Yes
 - Disc - Rear (Yes or): Yes
 - Front Brake Rotor Diam x Thickness (in): 13.6
 - Rear Brake Rotor Diam x Thickness (in): 12.6
- Tires
 - Front Tire Order Code: TPR
 - Rear Tire Order Code: TPR
 - Front Tire Size: P235/55HR19
 - Rear Tire Size: P235/55HR19
- Wheels
 - Front Wheel Size (in): 19 X 7.5
 - Rear Wheel Size (in): 19 X 7.5
 - Front Wheel Material: Aluminum
 - Rear Wheel Material: Aluminum
- Steering
 - Steering Type: Rack-Pinion
 - Turning Diameter - Curb to Curb (ft): 38.7
- Fuel Tank
 - Fuel Tank Capacity, Approx (gal): 18.5
- Exterior Dimensions

- Wheelbase (in): 120
- Length, Overall (in): 198.4
- Width, Max w/o mirrors (in): 75
- Height, Overall (in): 58.5
- Track Width, Front (in): 63.3
- Track Width, Rear (in): 63.4
- Min Ground Clearance (in): 5.2
- Cargo Area Dimensions
 - Trunk Volume (ft³): 16.5
- Interior Dimensions
 - Passenger Capacity: 5
 - Passenger Volume (ft³): 104.7
 - Front Head Room (in): 38.6
 - Front Leg Room (in): 41.8
 - Front Shoulder Room (in): 59.5
 - Front Hip Room (in): 56.2
 - Second Head Room (in): 36.6
 - Second Leg Room (in): 40.1
 - Second Shoulder Room (in): 57.9
 - Second Hip Room (in): 56.1
- Summary
 - Vehicle Name: Dodge Charger
 - Body Style: Sedan
- Emissions
 - Tons/yr of CO2 Emissions @ 15K mi/year: 8.5



Request for Town Council Action

**Consent
Agenda
Item:** Purchase a
New Vehicle
Date: 01/09/2024

Subject: Purchase New Vehicle for Water & Sewer Division

Department: Public Utilities

Presented by: Public Utilities Director – Ted Credle

Presentation: Consent Agenda Item

Issue Statement

The purchase of a new work truck was approved by Town Council for the current budget year (FY2023 – 2024). Continuing supply chain issues have made finding pick-up trucks scarce and expensive. To this end, the Fats, Oils, and Grease (F.O.G.) Coordinator does not need a pick-up and is able to perform duties with the selected SUV/Crossover vehicle.

Financial Impact

This budget year, \$30,000 was set aside for this vehicle. The quoted price is \$28,853.14

Action Needed

Approve the purchase from the proposed Dealer (Performance - \$28,853.14).

Recommendation

Staff recommends approval of the vehicle form Performance Automotive

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Proposed bid (Performance Automotive - Clinton)



Staff Report

**Consent
Agenda
Item: Purchase a
New Vehicle**

As part of the approved budget for the present fiscal year (2023-2024), the Town Council approved funding to purchase a new work truck for use in the Water & Sewer division for the Public Utilities Department. As appropriate trucks are scarce and difficult to find, the opportunity to purchase this SUV/Crossover arose, and is within budget. As this vehicle is for use by the Fats, Oils, and Grease (F.O.G.) Coordinator, a work pick-up truck is not necessary.

Even with the recent rise in prices, the quoted vehicle is under the approved budget (\$30,000) and will fit Town needs. Staff is asking the Council to approve the low bidder.



2023 Ford Escape Active, Gas

North Carolina Statewide Vehicle Contract #202100002

Category B - SUV/Crossover

Contract Term Dates: May 10, 2021 - November 30, 2023

Standard Features

1.5L EcoBoost Engine with Auto Start/Stop 8 Speed Automatic Transmission Easy Fuel Capless Fuel Filler Power Liftgate Mini Spare Tire 225/65R17 102H All Season BSW Tires 17" Shadow Silver Painted Aluminum Wheels Cruise Control Dual Zone Electronic Auto Temp Control	Rotary Gear Shift Selector Tilt/Telescoping Steering Wheel Power Windows, Power Locks, Keyless Entry Rear Window Defrost & Washer Flip Key with Integrated Key FOB SYNC4 with Voice Recognition Transmission Oil Cooler Automatic On/Off Headlamps Tire Pressure Monitoring System
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Drivetrain Configurations

1.5L Gas	<input type="checkbox"/>	U0G-200A	2023 Ford Escape (SE), Active Trim Level, FWD, Gas	\$ 26,806.45
I-4 EcoBoost	<input checked="" type="checkbox"/>	U9G-200A	2023 Ford Escape (SE), Active Trim Level, AWD, Gas	\$ 28,199.84

NC70A Base Vehicle Configuration

Base Body Configuration

106.7	106.7 Wheel Base	Base
-------	------------------	------

Base Powertrain Configuration

99N	1.5L EcoBoost Engine	Base
448	8 Speed Automatic Transmission	Base

Base Interior Configuration

YZ	Oxford White	Base
C	Unique Cloth Seats	Base
B	Ebony Color	Base

Base Package / Options

	Mini Spare Tire	Base
	17" Steel Wheels	Base
	225/65R-17 BSW Tires	Base
B4A	Fleet Invoice Option	Base
153	Front License Plate Bracket	Base

Option Availability and Compatibility Vary
USE THIS FORM AS A GUIDE
 Please Return to your Performance Representative For Confirmation

Code **Popular Factory Options** **MSRP** **6% Disc**
Please Consult Escape Order Guide for Add'l Options

<input type="checkbox"/>	68B	Tech Pack #1	\$ 995	\$ 935.30
<input type="checkbox"/>	68C	Tech Pack #2	\$ 4,125	\$ 3,877.50
<input checked="" type="checkbox"/>	19H	Cold Weather Package	\$ 695	\$ 653.30
<input type="checkbox"/>	43M	Panoramic Vista Roof	\$ 1,595	\$ 1,499.30
<input type="checkbox"/>	41H	Engine Block Heater	\$ 150	\$ 141.00
<input type="checkbox"/>	47B	Easy Access Cargo Shade	\$ 135	\$ 126.90
<input type="checkbox"/>	50Q	Cargo Mat	\$ 100	\$ 94.00
<input type="checkbox"/>	63E	Remote Start	\$ 495	\$ 465.30
<input type="checkbox"/>	63C	Splash Guards	\$ 210	\$ 197.40
<input type="checkbox"/>	60S	Reverse Sensing System	\$ 245	\$ 230.30
<input type="checkbox"/>	PAZ	Star White Metallic Tri Coat Upcharge - Per Each	\$ 995	\$ 935.30
<input type="checkbox"/>	PL8	Cinnabar Red Metallic Tinted Colorant- Per Each	\$ 495	\$ 465.30
<input type="checkbox"/>	PD4	Rapid Red Metallic Tri Coat Upcharge - Per Each	\$ 495	\$ 465.30
<input checked="" type="checkbox"/>	153	Front License Plate Bracket	N/C	N/C

Standard Colors:

		Quantity	Enter Quantity Here	
<input type="checkbox"/>	B3	Atlas Blue Metallic		
<input type="checkbox"/>	K1	Vapor Blue Metallic		
<input type="checkbox"/>	JS	Iconic Silver Metallic		
<input type="checkbox"/>	M7	Carbonized Gray Metallic		
<input type="checkbox"/>	UM	Agate Black Metallic		
<input checked="" type="checkbox"/>	YZ	Oxford White		1.00
<input type="checkbox"/>	AZ	Star White Metallic Tri-Coat (Extra Cost Color Option)		
<input type="checkbox"/>	L8	Cinnabar Red Metallic Premium Colorant (Extra Cost Color Option)		
<input type="checkbox"/>	D4	Rapid Red Metallic Tinted Clear Coat (Extra Cost Color Option)		

Emergency Equipment/Lighting Upfit

<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Option Availability and Compatibility Vary
USE THIS FORM AS A GUIDE
 Please Return to your Performance Representative For Confirmation

Total Price Per Vehicle: \$ **28,853.14**
Number Units This Spec: **1.00**
Total this Order: \$ **28,853.14**

Notes & Instructions:

QUOTE DATE 12/4/23

In stock : VIN PUB24774

VEHICLE SUBJECT TO PRIOR SALE WITHOUT PO ON FILE

Agency Information:

Agency Name: TOWN OF SMITHFIELD

Contact: Aubrey P Butler

Position: Water/Sewer Superintendent

Address 1:

Address 2:

City, State, Zip:

Office Phone:

Cell Phone: 919-934-2438

Email:

Fax:

FIN Code:

GPC Info:

Gary Shaffer

Government & Fleet Sales

605 Warsaw Road

Clinton, NC 28328

gshaffer@performancecdjr.com

(910) 789-7682 cell





Staff Report

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

Background

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

In addition, please find the following current vacancies:

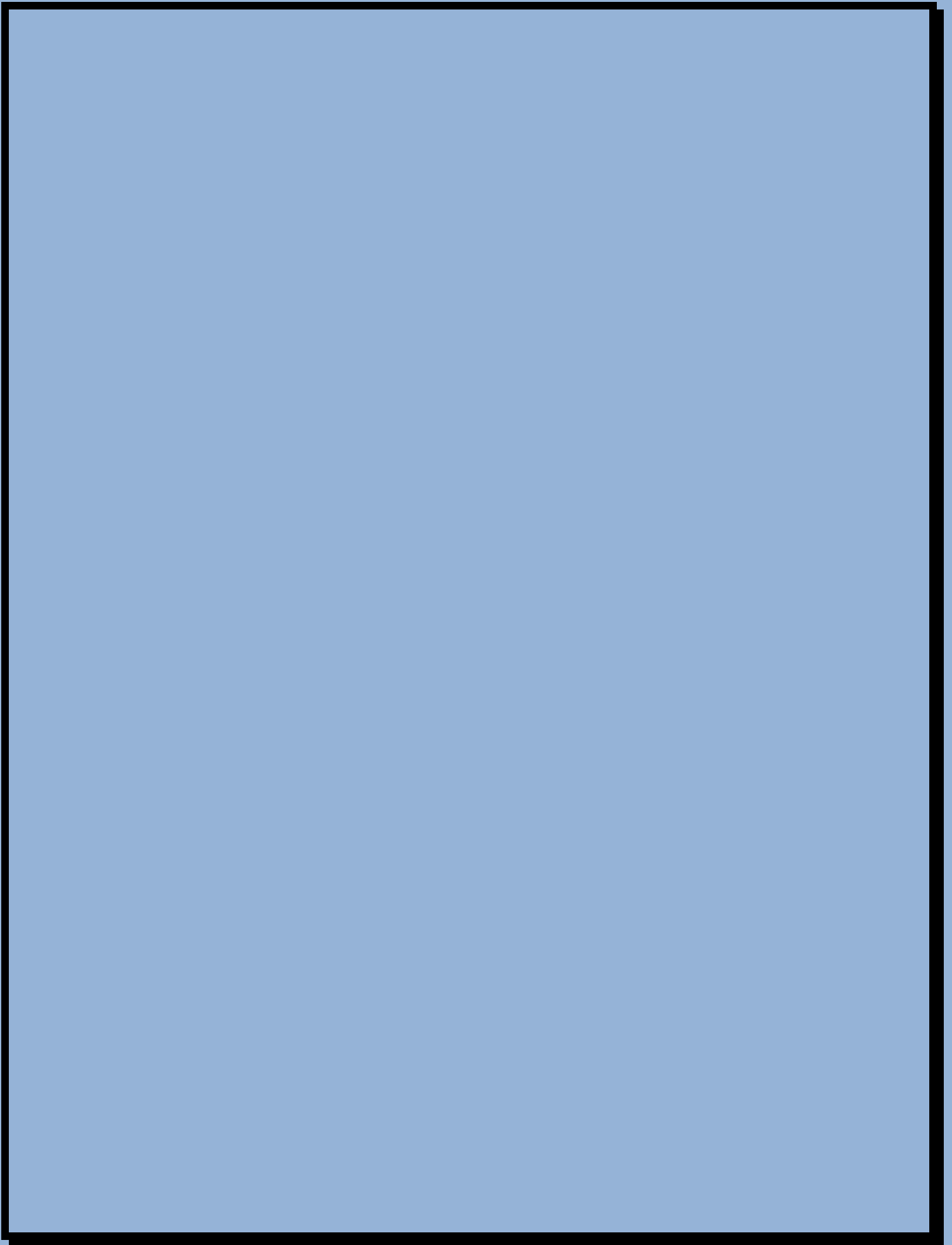
<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Fire Chief	Fire	10-20-5300-5100-0200
Electric Lineman	PU – Electric	31-72-7230-5100-0200
Police Officer	Police	10-20-5100-5100-0200
Equipment Operator	PW – Sanitation	10-40-5800-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2023-2024 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
Firefighter I (3)	Fire	10-20-5300-5100-0200	\$19.19/hr. (\$41,910.96/yr.)
Firefighter II (3)	Fire	10-20-5300-5100-0200	\$20.15/hr. (\$44,007.60/yr.)
Firefighter (9 - Part-time)	Fire	10-20-5300-5100-0210	\$17.60/hr.
Part-Time Athletics Staff	P&R – Recreation	10-60-6200-5300-0210	\$10.00/hr.
Police Officer I	Police	10-20-5100-5100-0200	\$22.26/hr. (\$49,773.36/yr.)
Police Officer II	Police	10-20-5100-5100-0200	\$23.36/hr. (\$52,232.96/yr.)
Equipment Operator	PW – Sanitation	10-40-5800-5100-0200	\$17.21/hr. (\$35,796.80/yr.)

Business Items





Request for Town Council Action

**Business
Agenda
Item:** Three
Way Stop
Date: 01/09/2024

Subject: North Ave and West St. three way stop

Department: Police Department

Presented by: Chief of Police – Pete Hedrick

Presentation: Business Item

Issue Statement

The Police Chief is requesting to make the intersection of North Ave and West St. a three way stop.

Financial Impact

Cost of signage

Action Needed

Approve or deny request.

Recommendation

Staff is recommending approval of this request

Approved: Town Manager Town Attorney

Attachments:

1. Staff Report
2. Map and Photos of the Area



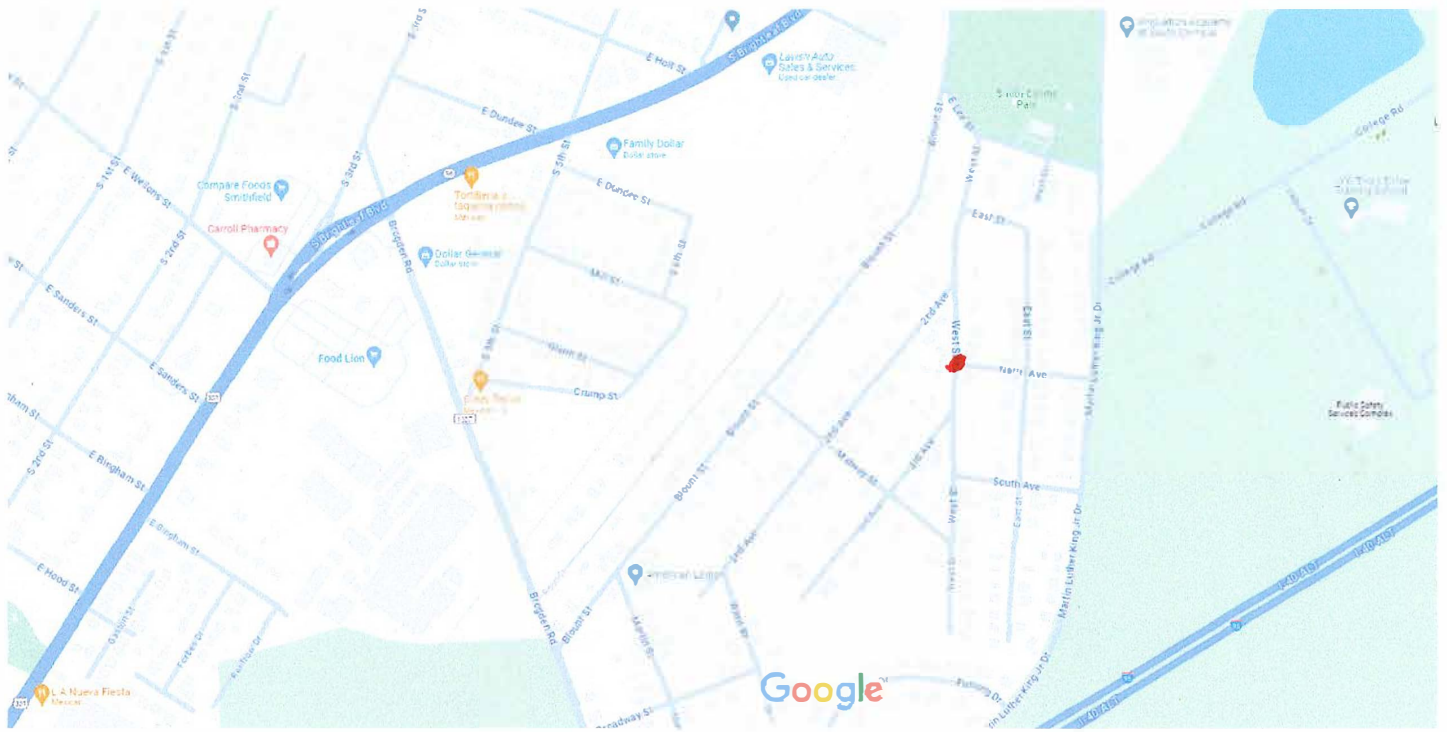
Staff Report

**Business
Agenda
Item: Three Way
Stop**

The Police Chief is recommending:

After reviewing a citizen complainant and reviewing crash reports the physical layout of the intersection and the high amount of pedestrian traffic in the area, I recommend changing the intersection to a three way stop. This will slow traffic down and improve safety in the area.

Google Maps North Ave and West Street



Map data ©2024 Google 200 ft



719

721

West St

721

901

North Ave

North Ave

No

804

West St

801

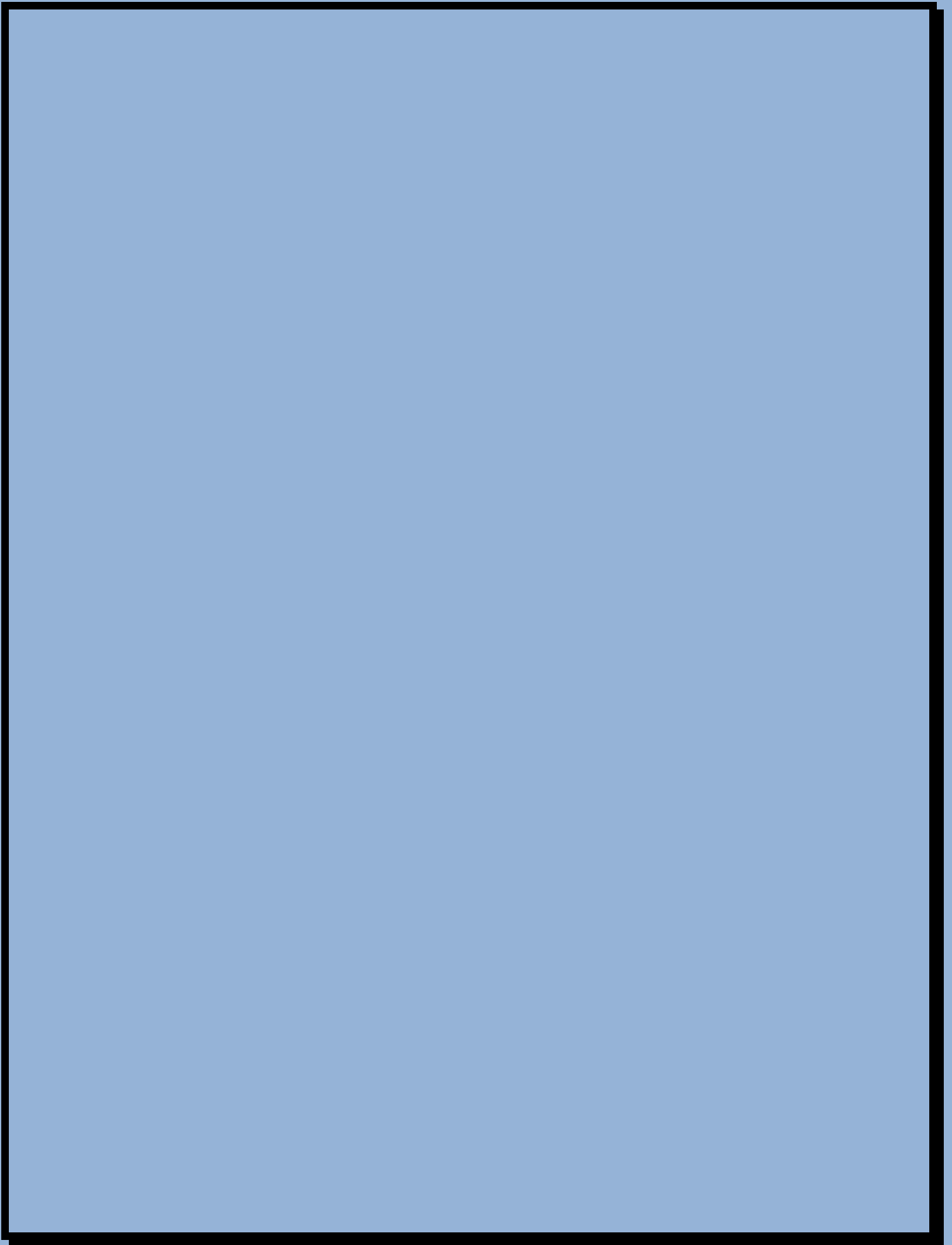
St

124

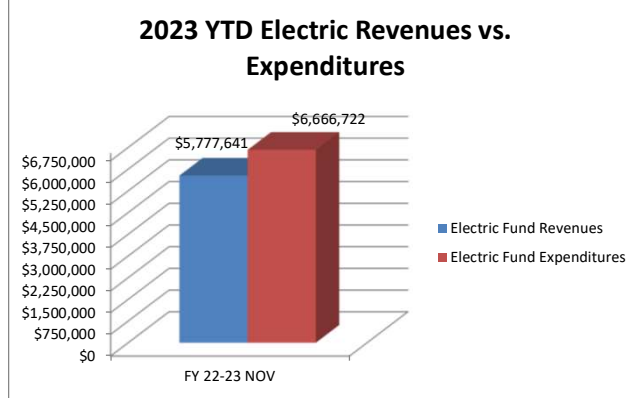
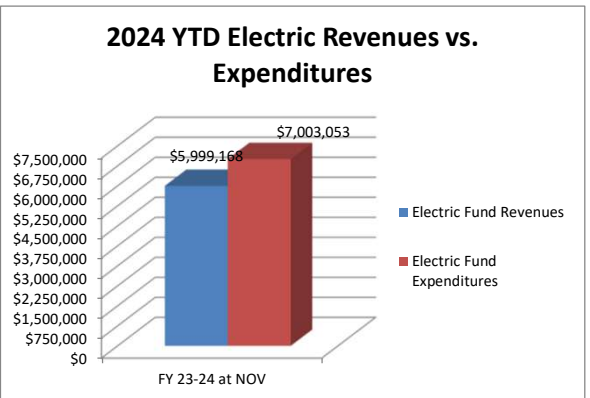
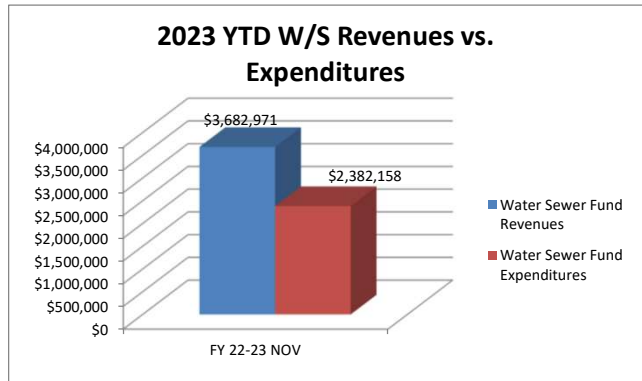
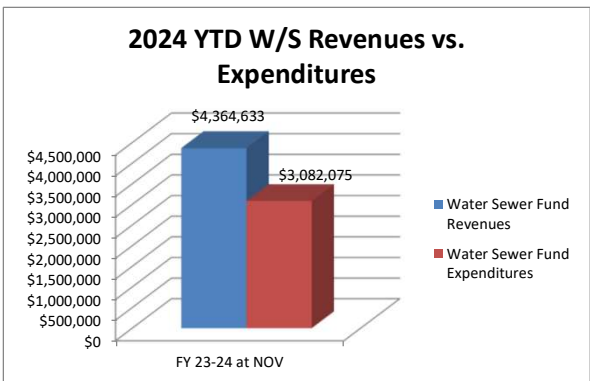
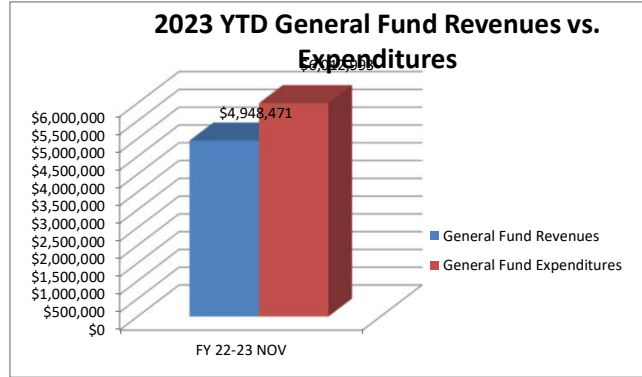
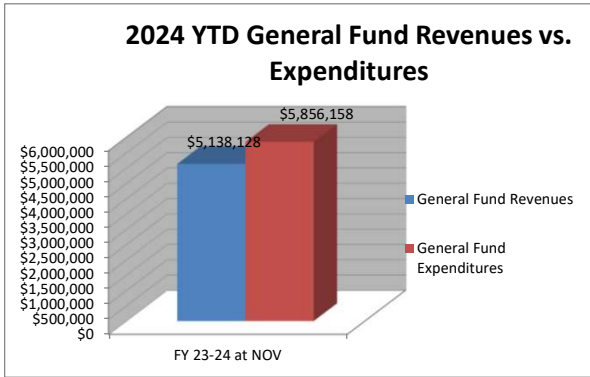




Financial Report



Town of Smithfield Revenues vs. Expenditures



TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
November 30, 2023
Gauge: 5/12 or 42 Percent

41.67%

		GENERAL FUND						
Revenues	Frequency	Actual to Date		Budget		Actual to Date		YTD %
		FY '22-23	FY '23-24	FY '23-24	FY '23-24	Collected		
Current & Prior Year Property Taxes	Monthly	\$ 1,835,488	\$ 7,436,900	\$ 2,415,579				32.48%
Motor Vehicle Taxes	Monthly	279,895	775,000	325,959				42.06%
Utility Franchise Taxes	Quarterly	227,683	965,000	-				0.00%
Local Option Sales Taxes	Monthly	964,424	3,100,000	676,386				21.82%
Aquatic and Other Recreation	Monthly	440,832	714,500	384,718				53.84%
Sanitation (Includes Penalties)	Monthly	542,281	1,519,310	555,442				36.56%
Grants		-	21,630	15,585				72.05%
All Other Revenues		657,869	1,784,484	764,459				42.84%
Transfers (Electric and Fire Dist.)		-	334,150	-				0.00%
Fund Balance Appropriated		-	1,146,657	-				0.00%
Total		\$ 4,948,471	\$ 17,797,631	\$ 5,138,128				28.87%

Expenditures	Actual to Date		Budget		Actual to Date		YTD %
	FY '22-23	FY '23-24	FY '23-24	FY '23-24	Spent		
General Gov.-Governing Body	\$ 180,981	\$ 488,076	\$ 294,700		60.38%		
Non Departmental	415,649	1,240,026	456,925		36.85%		
Debt Service	317,926	438,296	317,926		72.54%		
Finance	58,125	162,590	58,718		36.11%		
IT	42,309	303,162	77,578		25.59%		
Planning	170,946	408,658	147,873		36.19%		
Police	1,555,930	4,636,274	1,473,574		31.78%		
Fire	968,492	3,042,526	1,039,223		34.16%		
General Services/Public Works	259,985	706,233	296,575		41.99%		
Streets	191,929	746,065	127,151		17.04%		
Motor Pool/Garage	40,092	198,685	73,164		36.82%		
Powell Bill	351,507	475,548	25,532		5.37%		
Sanitation	554,241	1,936,360	576,191		29.76%		
Stormwater	14,766	216,225	12,670		5.86%		
Parks and Rec	399,163	1,223,107	422,737		34.56%		
SRAC	457,327	1,275,305	435,208		34.13%		
Sarah Yard Center	33,625	58,696	20,413		34.78%		
Contingency	-	241,799	-		0.00%		
Total	\$ 6,012,993	\$ 17,797,631	\$ 5,856,158		32.90%		

YTD Fund Balance Increase (Decrease) (1,064,522) (0) (718,030)

TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
November 30, 2023
Gauge: 5/12 or 42 Percent

41.67%

WATER AND SEWER FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '22-23	FY '23-24	FY '23-24	Collected
Water Charges	\$ 1,062,303	\$ 2,912,000	\$ 1,145,936	39.35%
Water Sales (Wholesale)	757,810	2,080,380	1,035,953	49.80%
Sewer Charges	1,772,796	4,800,000	1,860,708	38.76%
Penalties	30,885	60,000	27,385	45.64%
Tap Fees	2,420	3,000	14,600	486.67%
Other Revenues	56,757	184,000	280,051	152.20%
Fund Balance Appropriated	-	318,291	-	0.00%
Total	\$ 3,682,971	\$ 10,357,671	\$ 4,364,633	42.14%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '22-23	FY '23-24	FY '23-24	Spent
Water Plant (Less Transfers)	\$ 795,133	\$ 2,479,704	\$ 891,188	35.94%
Water Distribution/Sewer Coll (Less Transfers)	1,438,297	5,222,563	1,978,625	37.89%
Transfer to W/S Capital Proj. Fund	-	1,350,000	-	0.00%
Debt Service	148,728	1,030,957	212,262	20.59%
Contingency	-	274,447	-	0.00%
Total	\$ 2,382,158	\$ 10,357,671	\$ 3,082,075	29.76%

YTD Fund Balance Increase (Decrease) 1,300,813 - 1,282,558

ELECTRIC FUND

Revenues	Actual to Date	Budget	Actual to Date	YTD %
	FY '22-23	FY '23-24	FY '23-24	Collected
Electric Sales	\$ 5,627,217	\$ 16,320,000	\$ 5,755,107	35.26%
Penalties	34,977	80,000	39,718	49.65%
All Other Revenues	115,447	252,000	204,343	81.09%
Fund Balance Appropriated	-	226,133	-	0.00%
Total	\$ 5,777,641	\$ 16,878,133	\$ 5,999,168	35.54%

Expenditures	Actual to Date	Budget	Actual to Date	YTD %
	FY '22-23	FY '23-24	FY '23-24	Spent
Administration/Operations	\$ 1,162,189	\$ 3,121,377	\$ 1,412,751	45.26%
Purchased Power - Non Demand	2,004,502	12,450,000	2,008,097	16.13%
Purchased Power - Demand	2,675,706	-	2,757,879	#DIV/0!
Purchased Power - Debt	481,740	-	481,740	#DIV/0!
Debt Service	342,585	342,586	342,586	100.00%
Capital Outlay	-	16,700	-	0.00%
Contingency	-	220,000	-	0.00%
Transfers to Electric Capital Proj Fund	-	632,320	-	0.00%
Transfers to General Fund	-	95,150	-	0.00%
Total	\$ 6,666,722	\$ 16,878,133	\$ 7,003,053	41.49%

YTD Fund Balance Increase (Decrease) (889,081) - (1,003,885)

TOWN OF SMITHFIELD
MAJOR FUNDS FINANCIAL SUMMARY REPORT
November 30, 2023
Gauge: 5/12 or 42 Percent

41.67%

CASH AND INVESTMENTS FOR OCTOBER

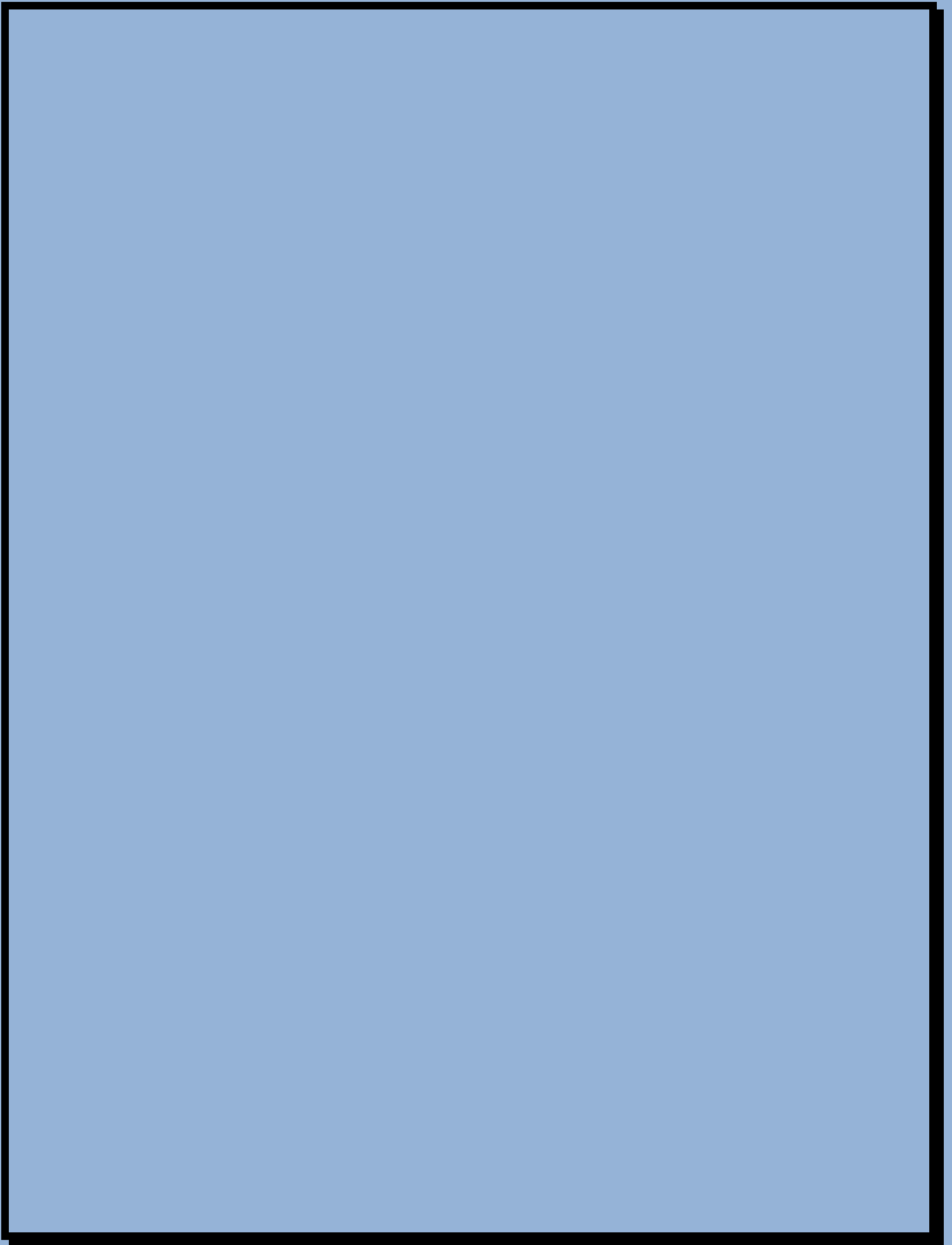
General Fund (Includes P. Bill)	16,921,666			
Water and Sewer Fund	13,118,171			
Electric Fund*	11,033,627			
ARPA (20)	2,463,729			
SCIF (21)	1			
JB George Endowment (40)	134,534			
Water Plant Expansion (43)	463,889			
Booker Dairy Road Fund (44)	457,896			
Capital Project Fund: Wtr/Sewer (45)	1,674,801			
Capital Project Fund: General (46)	929,103			
Capital Project Fund: Electric (47)	235,273			
FEMA Acquisitions and Elevations (48)	550			
CDBG Neighborhood Revitalization (49)	(179,036)	1st CITIZENS	30,294,376	1.75%
Firemen Relief Fund (50)	108,483	NCCMT	5,260,843	5.000%
Fire District Fund (51)	229,363	KS BANK	999,674	3.00%
General Capital Reserve Fund (72)	6,382	TRUIST	10,052,435	3.25%
Total	\$ 47,598,432		\$ 46,607,328	

*Plug

Account Balances Confirmed By Finance Director on

12/28/2023

Department Reports





FINANCE DEPARTMENTAL REPORT FOR NOVEMBER, 2023

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

Daily Collections/Property Taxes/Other.....	\$2,779,127
Franchise Tax.....	-
Sales & Use Tax.....	348,336
Powel Bill.....	<u>0</u>
Total Revenue	\$3,127,463
Expenditures: General, Water, and Electric.....	\$2,971,289

FINANCE:

- Compiled and submitted monthly retirement report for November on 11/30/2023.
- Issued 39 purchase orders
- Processed 740 vendor invoices for payment and issued 382 accounts payable checks
- Prepared and processed two regular payrolls and two specialty payrolls (longevity and vacation buyout); and remitted federal and state payroll taxes on November 3, 10, 17 and 24, 2023.
- Issued total of 0 renewal privilege licenses for beer and wine sales with 9 outstanding
- Sent 0 past due notices for delinquent privilege license
- Issued 0 peddler license
- Sent 0 notices for grass cutting
- Collected \$0 in grass cutting invoices. Total collected to date is \$9,496.
- Processed 9 NSF Checks/Fraudulent Cards (Utility and SRAC)
- Debt Setoff - Bad Debt Collection calendar year-to-date total \$33,011.73 (EMS: \$6,982.75; SRAC: \$3,160.23; Utility: \$22,868.75; and Other: \$0)
- Penn Credit - Bad Debt Collections received in August \$0; Total collections calendar year-to-date \$23,185.67
- Invoiced 2 grave opening (10-40-3400-3403-0003) for a total of \$0.
- Invoiced Johnston Community College for Police Security on Oct 4th.
- Earned \$44,227 in interest from FCB and paid \$3028 in fees on the central depository account.
- Paid \$13,198 in credit/debit/Tyler card fees, but received \$9,091 (31-72-3550-3520-0002) in convenience fees

FINANCE DIRECTOR

- Attended Town Council Meeting on Nov. 14, 2023
- Prepared Management Discussion and Analysis (MDA) for audit report
- Paid Utility Sales Tax on 11/17/2023
- Reported 20 Stopped Water Meters to Utilities to Replace on 10/30 and 11/09/2023
- Attended Department Head Meetings on 11/13 and 11/21/2023



Planning Department Development Report

Wednesday, December 20, 2023

Project Name: **Johnston County Neuse River Pump Station**

Request: new replacement pump station

Location

Tax ID#: 15J10015J PIN#: 168319-60-6281

Project Status In First Review

Notes:

Site Plan 2023-13
Submittal Date: 12/18/2023
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **Smithfield Venue - 230 N Equity Dr**

Request: Reuse of building as an event venue

Location 230 North Equity Drive

Tax ID#: 15008045C. PIN#: 260417-20-2951

Project Status In First Review

Notes:

Site Plan 2023-12
Submittal Date: 11/15/2023
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **Watershed Ordinance Update**

Request:

Location

Tax ID#: PIN#:

Project Status

Notes:

Text Amendment 2023-09
Submittal Date: 11/7/2023
Planning Board Review: 12/7/2023
Board of Adjustment Review:
Town Council Hearing Date: 1/9/2024
Approval Date:

Project Name: **96 Gulf Stream Court Industrial**

Request: Site Plan review

Location 96 Gulfstream Court

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

Project Status In Second Review

Notes:

Site Plan 2023-10
Submittal Date: 10/25/2023
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **Rapid Response Electric**
Request: Site plan review for expansion
Location 228 Tyler Drive
Tax ID#: 15J11023N PIN#: 168206-38-3045
Project Status Second Review Complete
Notes:

Site Plan 2023-09
Submittal Date: 10/19/2023
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date:

Project Name: **JCC Greenhouses**
Request:
Location 1240 East Market Street
Tax ID#: 15L11005N PIN#: 169308-89-4088
Project Status Approved
Notes:

Site Plan 2023-08
Submittal Date: 10/5/2023
Planning Board Review:
Board of Adjustment Review:
Town Council Hearing Date:
Approval Date: 10/6/2023

Project Name: **Johnson's Tire & Auto**
Request: Rezoning from R-20A to B-3
Location 267 NC Hwy 210
Tax ID#: 15076014 PIN#: 168400-93-3800
Project Status Scheduled for Public Hearing
Notes: **Rezones a .5 acre portion of 1.5 acre tract of land**

Map Amendment 2023-02
Submittal Date: 8/4/2023
Planning Board Review: 9/7/2023
Board of Adjustment Review:
Town Council Hearing Date: 10/2/2023
Approval Date: 10/2/2023

Project Name: **Outdoor vehicluar display**
Request: Lowers parking lot striping standards
Location
Tax ID#: PIN#:
Project Status
Notes: **Special considerations for automobile sales only.**

Text Amendment 2023-10
Submittal Date: 8/4/2023
Planning Board Review: 9/7/2023
Board of Adjustment Review:
Town Council Hearing Date: 10/2/2023
Approval Date: 10/2/2023

Project Name: **Special event ordinance revisions**
 Request: Reduces permit requirements for events held in town parks
 Location
 Tax ID#: PIN:
 Project Status
 Notes:

Text Amendment 2023-11	
Submittal Date:	8/4/2023
Planning Board Review:	9/7/2023
Board of Adjustment Review:	
Town Council Hearing Date:	10/2/2023
Approval Date:	10/2/2023

Project Name: **Slim Chickens**
 Request: Free Standing Restaurant
 Location 1311 North Brightleaf Boulevard
 Tax ID#: 14074019A PIN#: 260411-55-9256
 Project Status Approved
 Notes: **Under Construction**

Site Plan 2023-07	
Submittal Date:	7/18/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	8/9/2023

Project Name: **Bufflo Road Subdivision**
 Request: 222 unit subdivision
 Location Buffalo Road
 Tax ID#: 14A03005 PIN#: 260412-06-3802
 Project Status Scheduled for Public Hearing
 Notes:

Conditional Zoning 2023-01	
Submittal Date:	6/30/2023
Planning Board Review:	11/2/2023
Board of Adjustment Review:	
Town Council Hearing Date:	1/9/2024
Approval Date:	

Project Name: **Johnston County / Yelverton Grove Road Rezoning**
 Request: Rezone 49.02 acers from R-20A to OI
 Location Yelverton Grov
 Tax ID#: 15L11012 PIN#: 260300-46-7578
 Project Status Approved
 Notes: **Planning Board Reccomends Approval**

Map Amendment 2023-01	
Submittal Date:	6/2/2023
Planning Board Review:	7/13/2023
Board of Adjustment Review:	
Town Council Hearing Date:	8/1/2023
Approval Date:	8/1/2023

Project Name: **Sidewalk Fee in lieu of**
 Request: Amend Article 2 to create a sidewalk fee in lieu of option
 Location
 Tax ID#: PIN#:
 Project Status **In First Review**
 Notes: **Town Council tabled discussion to future workshop**

Text Amendment 2023-07	
Submittal Date:	6/2/2023
Planning Board Review:	7/13/2023
Board of Adjustment Review:	
Town Council Hearing Date:	8/1/2023
Approval Date:	

Project Name: **Big Dan's Car Wash**
 Request: Car wash tunnel
 Location 100 Smithfield Cros
 Tax ID#: 15008045Y PIN#: 260305-09-6780
 Project Status **Approved**
 Notes: **Old Checkers Site**

Site Plan 2023-06	
Submittal Date:	6/1/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	9/15/2023

Project Name: **Cox Automotive Addition**
 Request: Open canopy addition to building
 Location
 Tax ID#: PIN:
 Project Status
 Notes:

Site Plan 2023-05	
Submittal Date:	5/22/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	5/22/2023

Project Name: **General Design Standards**
 Request: Article 2,10 and Appendix A
 Location
 Tax ID#: PIN#:
 Project Status **In First Review**
 Notes: **Town Council tabled discussion to future workshop**

Text Amendment 2023-06	
Submittal Date:	5/1/2023
Planning Board Review:	5/4/2023
Board of Adjustment Review:	
Town Council Hearing Date:	7/4/2023
Approval Date:	

Project Name: **Airport Industrial Lot 4**
Request: 8000 sq ft Industrial Flex Space
Location 154 Airport Ind Drive
Tax ID#: 15J08017H PIN#: 68500-04-6994
Project Status **Approved**
Notes: **Under Construction**

Site Plan 2023-04	
Submittal Date:	4/19/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/9/2023

Project Name: **Westerman Place Sub'd**
Request: variance to create a lot on a private easement
Location 350 Westerman Place
Tax ID#: 15I07040 PIN#: 167500-74-2102
Project Status **Approved**
Notes: **10.110.1.4.4,10.110.1.4.4.1 and 10.110.1.4.4.2 to allow a 6.77-acre lot on an access easement**

BOA 2023-05	
Submittal Date:	4/7/2023
Planning Board Review:	
Board of Adjustment Review:	4/27/2023
Town Council Hearing Date:	
Approval Date:	

Project Name: **Eagle Nest**
Request: 7 Lot major subdivision
Location Galilee Road
Tax ID#: 15I09034M PIN#: 167300-68-6881
Project Status **First Review Complete**
Notes: **Manufactured homes on septic tanks with shared driveways - appears to have been withdrawn**

Subdivision 2023-01	
Submittal Date:	3/21/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	

Project Name: **Home2Suites**
Request: 98 Room Hotel
Location 180 Towne Center Place
Tax ID#: 15L11001H PIN#: 260305-08-8796
Project Status **Approved**
Notes: **Construction Eminent**

Site Plan 2023-03	
Submittal Date:	3/17/2023
Planning Board Review:	
Board of Adjustment Review:	
Town Council Hearing Date:	
Approval Date:	6/22/2023

Project Name: **Airport Overlay District**

Request: Amends Section 10.95 Airport Height Hazard Overlay (AHH).

Location

Tax ID#: PIN#:

Project Status **Approved**

Notes: **PB reccomends approval**

Text Amendment 2023-03

Submittal Date: 3/3/2023

Planning Board Review: 4/6/2023

Board of Adjustment Review:

Town Council Hearing Date: 5/2/2023

Approval Date: 5/2/2023

Project Name: **Landscape Maintenance**

Request: Amends Section 10.11. Landscape Maintenance

Location

Tax ID#: PIN#:

Project Status **Approved**

Notes: **PB reccomends approval**

Text Amendment 2023-05

Submittal Date: 3/3/2023

Planning Board Review: 4/7/2023

Board of Adjustment Review:

Town Council Hearing Date: 5/2/2023

Approval Date: 5/2/2023

Project Name: **Gov. offices in the IND Zoning Districts**

Request: Amends Section 6.6, Table of Permitted Uses

Location

Tax ID#: PIN#:

Project Status **Approved**

Notes: **PB reccomends approval**

Text Amendment 2023-05

Submittal Date: 3/3/2023

Planning Board Review: 4/6/2023

Board of Adjustment Review:

Town Council Hearing Date: 5/2/2023

Approval Date: 5/2/2023

Project Name: **Ram Rent-All**

Request: Free standing storage building

Location 804 North Brightleaf Boulevard

Tax ID#: 15006010 PIN#: 260413-02-1766

Project Status **Approved**

Notes: **1,800 square foot metal building**

Site Plan 2023-04

Submittal Date: 2/10/2023

Planning Board Review:

Board of Adjustment Review: 3/30/2023

Town Council Hearing Date:

Approval Date: 4/13/2023

Project Name: **Accessory Structures**
 Request: Allows 2 accessory structures perresidential zoned lot
 Location
 Tax ID#: PIN#:
 Project Status **Approved**
 Notes: **PB reccomended approval**

Text Amendment 2023-02	
Submittal Date:	2/3/2023
Planning Board Review:	3/2/2023
Board of Adjustment Review:	
Town Council Hearing Date:	4/4/2023
Approval Date:	4/4/2023

Project Name: **Perfect Ride**
 Request: Variance from Street Yard, Paking lot trees, Parking lot striping
 Location 721 North Brightleaf Boulevard
 Tax ID#: 15006006 PIN#: 169416-92-9618
 Project Status
 Notes: **Denied by TOSBOA**

Variance 2023-03	
Submittal Date:	2/3/2023
Planning Board Review:	
Board of Adjustment Review:	2/23/2023
Town Council Hearing Date:	
Approval Date:	

Project Name: **Deacon Jones Automotive**
 Request: Exemption from parking lot striping
 Location 1109 North Brightleaf Boulevard
 Tax ID#: 15004022 PIN#: 260413-24-1290
 Project Status
 Notes: **Denied by TOSBOA**

Variance 2023-02	
Submittal Date:	1/12/2023
Planning Board Review:	
Board of Adjustment Review:	2/23/2023
Town Council Hearing Date:	
Approval Date:	

Project Name: **Deacon Jones Automotive**
 Request: Exceed the maximum of four wall signs for a total of six
 Location 1109 North Brightleaf Boulevard
 Tax ID#: 15004022 PIN#: 260413-24-1290
 Project Status **Approved**
 Notes: **Approved by TOSBOA**

Variance 2023-01	
Submittal Date:	1/6/2023
Planning Board Review:	
Board of Adjustment Review:	1/26/2023
Town Council Hearing Date:	
Approval Date:	

Project Name: **Twin Creeks Phs 1**

Request: 28 Lot Subdivision

Location Gailee Road

Tax ID#: 15I09011B PIN#: 167300-56-5565

Project Status

Notes: **Under Construction**

Subdivision 2019-01

Submittal Date: 4/5/2019

Planning Board Review:

Board of Adjustment Review:

Town Council Hearing Date:

Approval Date:

Project Name: **Kamdon Ranch**

Request: 110 Lot Division

Location Swift Creek Road

Tax ID#: 15I08020 PIN#: 167400-55-9495

Project Status **Approved**

Notes: **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

Permits Issued for December 2023

		Permit Fees	Permits Issued
Zoning	Land Use	\$700.00	7
Subdivisions	Major Subdivision	\$300.00	2
Site Plan	Minor Site Plan	\$25.00	1
Zoning	Sign	\$0.00	0
Report Period Total:		\$1,025.00	10
Fiscal YTD Total:		\$23,075.00	429

Permit#	Permit	Sub Type	Address	Issue Date
Z23-000161	Zoning	Land Use	1025 Outlet Center Drive Suite 80	12/04/2023
Z23-000162	Zoning	Land Use	1233 North Brightleaf Boulevard	12/06/2023
Z23-000163	Zoning	Land Use	1025 Outlet Center Drive Suite 610	12/08/2023
Z23-000164	Zoning	Land Use	902 South Brightleaf Boulevard	12/14/2023
Z23-000165	Zoning	Land Use	721 North Brightleaf Boulevard Suite 6	12/15/2023
Z23-000167	Zoning	Land Use	1300 North Brightleaf Boulevard	12/28/2023
Z23-000168	Zoning	Land Use	1025 Outlet Center Drive Suite 520	12/29/2023
SP23-000280	Site Plan	Major Site Plan	171 Peebles Drive	12/12/2023
SP23-000278	Site Plan	Minor Site Plan	207 Maple Circle	12/08/2023
SP23-000286	Site Plan	Major Site Plan	319-329 Sandpiper Street	12/21/2023



SMITHFIELD POLICE DEPARTMENT

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

MONTHLY STATISTICS

MONTH ENDING NOVEMBER 30, 2023

	<i>MONTHLY TOTAL</i>	<i>YEAR TO DATE TOTAL</i>
CALLS FOR SERVICE	1360	17526
INCIDENT REPORTS TAKEN	103	1179
BURGLARY	0	38
CASES CLOSED	75	787
ACCIDENT REPORTS	95	850
ARREST REPORTS TAKEN	61	635
DRUGS	9	113
DWI	4	51
CITATIONS ISSUED	124	1278
PARKING/PAID	37/16	70/29
SPEEDING	0	252
NOL/DWLR	44	353
FICT/CNCL/REV REG CARD/TAG	24	177

Smithfield, North Carolina • The Heart of Johnston County Since 1777

REPORTED UCR OFFENSES FOR THE MONTH OF NOVEMBER 2023

PART I CRIMES	November 2022	November 2023	+/-	Percent Changed	Year-To-Date 2022	Year-To-Date 2023	+/-	Percent Changed
MURDER	0	0	0	N.C.	0	1	1	N.C.
RAPE	0	0	0	N.C.	4	3	-1	-25%
ROBBERY	1	1	0	0%	6	6	0	0%
Commercial	0	0	0	N.C.	2	1	-1	-50%
Individual	1	1	0	0%	4	5	1	25%
ASSAULT	10	1	-9	-90%	65	35	-30	-46%
* VIOLENT *	11	2	-9	-82%	75	45	-30	-40%
BURGLARY	3	2	-1	-33%	73	41	-32	-44%
Residential	1	2	1	100%	41	20	-21	-51%
Non-Resident.	2	0	-2	-100%	32	21	-11	-34%
LARCENY	19	42	23	121%	411	371	-40	-10%
AUTO THEFT	2	2	0	0%	32	22	-10	-31%
ARSON	0	0	0	N.C.	3	2	-1	-33%
* PROPERTY *	24	46	22	92%	519	436	-83	-16%
PART I TOTAL:	35	48	13	37%	594	481	-113	-19%
PART II CRIMES								
Drug	9	11	2	22%	172	142	-30	-17%
Assault Simple	8	13	5	63%	102	119	17	17%
Forgery/Counterfeit	0	1	1	N.C.	16	16	0	0%
Fraud	8	4	-4	-50%	84	83	-1	-1%
Embezzlement	0	1	1	N.C.	4	8	4	100%
Stolen Property	1	0	-1	-100%	7	3	-4	-57%
Vandalism	14	4	-10	-71%	72	49	-23	-32%
Weapons	1	1	0	0%	6	7	1	17%
Prostitution	0	0	0	N.C.	0	0	0	N.C.
All Other Sex Offens	0	1	1	N.C.	4	2	-2	-50%
Gambling	0	0	0	N.C.	0	0	0	N.C.
Offn Agnst Faml/Chld	0	0	0	N.C.	4	1	-3	-75%
D. W. I.	4	4	0	0%	72	47	-25	-35%
Liquor Law Violation	0	0	0	N.C.	11	2	-9	-82%
Disorderly Conduct	0	0	0	N.C.	10	6	-4	-40%
Obscenity	1	0	-1	-100%	1	0	-1	-100%
Kidnap	0	1	1	N.C.	0	3	3	N.C.
Human Trafficking	0	0	0	N.C.	0	0	0	N.C.
All Other Offenses	20	11	-9	-45%	236	271	35	15%
PART II TOTAL:	66	52	-14	-21%	801	759	-42	-5%
GRAND TOTAL:	101	100	-1	-1%	1395	1240	-155	-11%

N.C. = Not Calculable



**Town of Smithfield
Fire Department
November 2023**

I. Statistical Section

Nov.

Confirmed Structure Fires	11
EMS Responses	148
Misc./Other Calls	38
Mutual Aid Calls	10
TOTAL EMERGENCY RESPONSES	240

Nov. YTD

Fire Inspections	82	955
Public Fire Education Programs	3	44
# Of Children Educated	1,290	4,371
# Of Adults Educated	300	2,119
Plans Review Construction/Renovation Projects	18	240
Fire Department Permits reviewed / Issued	36	406
Business Preplans	1	2
Fire Related Injuries & Deaths	0	0
# Of Civilian Deaths	0	0
# Of Civilian Injuries	2	5

II. Major Revenues

Nov. YTD

Inspections	\$700.00	\$9,225.00
Fire Recovery USA	\$2,489.70	\$13,357.72

III. Personnel Update:

1 vacant Full-time position (Assistant Fire Chief), Continuous Part-time positions available, 11 p/t positions current including the p/t fire inspector.

IV. Narrative of monthly departmental activities:

- Squad was in-service 1 of 22 days
- Total Training Hours for November = 60 hours
- JoCo Works
- Brogden Industrial Inspections
- Smoke Alarm Inventory
- Develop Budget Items
- Assist members with Standard Fire Inspection Testing.
- Obtained Donation for purchasing of Smoke Alarms
- Nov. 2 JoCo Works – JCC

- Nov. 4 Touch-A-Truck – Downtown Smithfield
- Nov. 17 Career Day – Smithfield Middle School

V. Upcoming Plans

- Smoke alarm Purchasing from donation
- Amazon Walk through and Life Safety Egress Inspection
- After hours Employment/Fire Watch form development
- Inspector Occupancy Zone Maps completion
- Budget Items
- Assistant Fire Chief – Assessment Center
- Firefighter Hiring Process



Reporting

Monthly Reports ▼

Nov 1 - Nov 30

Summary

Asset Health ✦ New

Reporting Details

Recent Activity

Export Data

Custom Dashboards

Assigned To

Due Date

Priority

Asset

Category



Work Orders 14

Purchase Orders

Reporting

Requests

Assets

Messages 1

Categories

Parts Inventory

Library ▼

Meters

Locations

Teams / Users

Vendors

Work Orders

Created vs. Completed ▶

+ Add to Dashboard

122

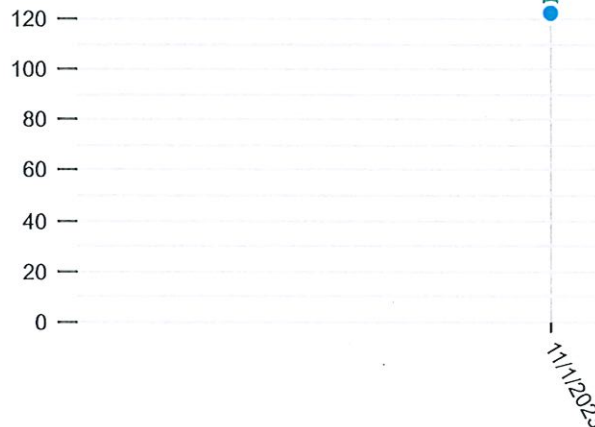
Created

127

Completed

104.1%

Percent Completed
**More Work Orders were completed than created during this time period*



Reactive vs. Repeatable ▶



118

Reactive

4

Repeatable

3.3%

Repeating Ratio

144

Support

Lawrence Davis ▶

Settings

**Town of Smithfield
Public Works Appearance Division
Cemetery, Landscapes, and Grounds Maintenance
Buildings, Facilities, and Sign Division
Monthly Report
November 30, 2023**



I. Statistical Section

- 5 Burials
- 2 Works Orders – Buildings & Facilities Division
- 13 Work Orders – Grounds Division
- 5 Work Orders – Sign Division

II. Major Revenues

Sunset Cemetery Lot Sales:	\$ 1,000.00
Riverside Ext Cemetery Lot Sales:	\$ 0
Grave Opening Fees:	\$ 3,625.00
Total Revenue:	\$ 4,625.00

III. Major Expenses for the Month:

Paid Craft digging Service \$2,400.00 for grave opening at town's cemetery.

IV. Personnel Update:

No new hire for the month of Nov.

V. Narrative of monthly departmental activities:

The overall duties include daily maintenance on cemeteries, landscapes, right-of-ways, buildings, and facilities.

**Town of Smithfield
Public Works Department
November 30, 2023**



108 Total Work Orders completed by the Public Works Department

5 Burials, at \$725.00 each = \$3,625.00

0 Cremation Burial, \$425.00 each = \$0

\$1,000. Sunset Cemetery Lot Sales

\$0. Riverside Extension Cemetery Lot Sales

422.40 tons of household waste collected

228.00 tons of yard waste collected

2.65 tons of recycling collected

0 gallons of used motor oil were recycled

0 scrap tires were recycled

Appearance Commission Nov. 2023 Monthly Report:

- 95 Signage
- Donate-A-Tree program
- Upcoming guest speakers
 - Activate Selma - Jan 16th
 - Visitor's Bureau - TBD

Action Items

- Vote for Bradford tree replacements
- DSDC Project Collaborations



Next Appearance Commission meeting will be on Jan. 15, 2023, at 5:00 pm in Town Hall.



Established 1978

6357 Cleveland Road
Clayton, NC 27520

Tel: (919)934-7764 Fax: (919)934-1460

sales@swiftcreeknursery.com

QUOTATION

Page # 1 of 1
Order # 11130
Purchase Order:
Ship Date:
Ship Via: Pick Up

SOLD TO:
Town Of Smithfield
P.O. Box 761
Smithfield, NC 27577

SHIP TO:
Town Of Smithfield
P.O. Box 761
Smithfield, NC 27577

Bus: (919)934-2116

Ordered By	Order Date	Update Date	Terms
Lenny Branch	18 OCT 2023		Net 30 Days

Qty	Description	Unit Price	Total
13	Ilex cornuta 'Needlepoint' 10 gal 3-4'H Needlepoint Holly	45.00	585.00
16	Ligustrum sinense 'Sunshine' PP20379 3 gal 15-18"H Sunshine Privet	14.00	224.00
15	Loropetalum chinense v. r. 'Crimson Fire' PPAF3 gal 10-12"H X 15-18"W Crimson Fire Loropetalum	16.00	240.00
6	Miscanthus sinensis 'Adagio' 3 gal 18"h- Adagio Maiden Grass	10.50	63.00
22	Rosa x Apricot Drift(R) PPAF 3 gal 15"w Apricot Drift(R) Rose	13.00	286.00
<i>other options: pink drift Red drift Sweet drift</i>			
<hr/>			
72		Sub-Total	1,398.00
		Total	1,398.00

Estimate for I-95 bed.

A 10% Restocking Fee will be charged on Orders that are Cancelled after they have been Pulled

Date: _____ Customer Signature: _____

**Town of Smithfield
Public Works Fleet Maintenance Division
Monthly Report
Nov. 30, 2023**



I. Statistical Section

 2 Preventive Maintenances

 0 North Carolina Inspections

 23 Work Orders

II. Major Revenues

None for the month

III. Major Expenses for the Month:

None for the month

IV. Personnel Update:

None for the month

V. Narrative of monthly departmental activities:

The shop employee performed preventive maintenance on all Town owned generators.



Reporting

Monthly Reports ▾

Nov 1 - Nov 30

Summary

Asset Health New

Reporting Details

Recent Activity

Export Data

Custom Dashboards

Ethan Bryant

Due Date

Priority

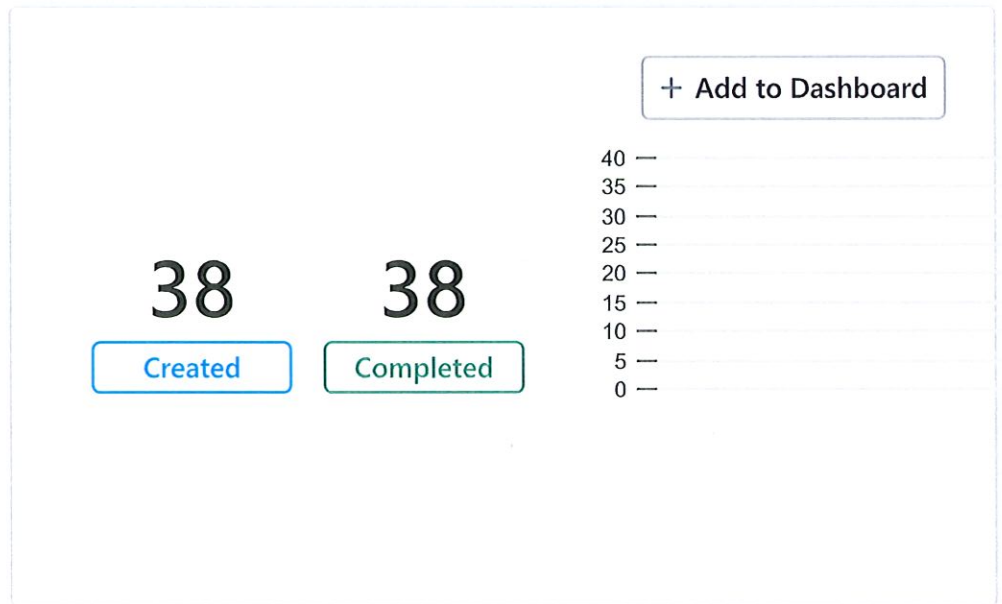
Asset

Category



Created vs. Completed

Created vs. Completed



Grouped by:

Team

User

Asset

Location

Created vs. Completed



Assigned Team Name ▾

Members ▾

Assigned ▾

Completed

No data available. Try clearing any active filters, changing the date

Work Orders 14

Purchase Orders

Reporting

Requests

Assets

Messages 1

Categories

Parts Inventory

Library ▾

Meters

Locations

Teams / Users

Vendors

Support

Lawrence Davis
Settings >

Work Orders List for 11/30/2023 - 12/31/2023



WORK ORDER INFO	LOCATION & ASSET	DUE & STATUS	TIME & COST	PROCEDURE ANSWERS
#2315 Deliver cones to the Srac High Drainage Ethan Bryant		12/01/2023 ✓ Done Completed by Ethan Bryant on 12/01/2023	Total Time Costs Total Time Total Costs \$10.38 30m 8s \$10.38	
#2319 Stopsign torn down Drainage Ethan Bryant OT	Drainage Division	✓ Done Completed by Ethan Bryant on 12/01/2023	Total Time Costs Total Time Total Costs \$8.63 25m 4s \$8.63	
#2320 Streetblades torn down Drainage Ethan Bryant	Drainage Division	✓ Done Completed by Ethan Bryant on 12/01/2023	Total Time Costs Total Time Total Costs \$7.12 20m 40s \$7.12	
#2323 Putting out angels High Appearance Division Drainage Ethan Bryant	Drainage Division	✓ Done Completed by Ethan Bryant on 12/04/2023	Total Time Costs Total Time Total Costs \$124.13 6h 0m 30s \$124.13	

PROCEDURE ANSWERS

TIME & COST

DUE & STATUS

LOCATION & ASSET

WORK ORDER INFO

#2330 Sink hole
 Drainage
 Ethan Bryant
 Drainage Division
 ✓ Done
 Completed by Ethan Bryant on 12/05/2023
 Total Time Costs
 Total Time 1h 32m 14s
Total Costs \$31.76

#2342 Pick up cones
 Drainage
 Ethan Bryant
 Drainage Division
 ✓ Done
 Completed by Ethan Bryant on 12/08/2023
 Total Time Costs
 Total Time 1h 0m 0s
Total Costs \$20.66

#2349 414 Caswell St
 Low
 Drainage
 Ethan Bryant
 Drainage Division
 Drainage Division
 12/11/2023
 ✓ Done
 Completed by Ethan Bryant on 12/13/2023
 Total Time Costs
 Total Time 41m 22s
Total Costs \$14.24

#2367 Deliver cones for parade
 Appearance Division
 Drainage
 Ethan Bryant
 Drainage Division
 ✓ Done
 Completed by Ethan Bryant on 12/14/2023
 Total Time Costs
 Total Time 1h 56m 30s
Total Costs \$40.11

#2369 Keep right sign torn down
 Drainage
 Ethan Bryant
 Drainage Division
 ✓ Done
 Completed by Ethan Bryant on 12/14/2023
 Total Time Costs
 Total Time 28m 31s
Total Costs \$9.82

PROCEDURE ANSWERS

TIME & COST

DUE & STATUS

LOCATION & ASSET

WORK ORDER INFO

#2380
Fill pothole
Drainage
 Ethan Bryant

Drainage Division

✓ Done
 Completed by Ethan Bryant
 on 12/15/2023

Total Time Costs
 Total Time 12m 5s
Total Costs \$4.16

#2381
Stopsign torn down
Drainage
 Ethan Bryant

Drainage Division

✓ Done
 Completed by Ethan Bryant
 on 12/15/2023

Total Time Costs
 Total Time 1h 32m 32s
Total Costs \$31.86

#2383
30mph sign torn down
Drainage
 Ethan Bryant

Drainage Division

✓ Done
 Completed by Ethan Bryant
 on 12/15/2023

Total Time Costs
 Total Time 15m 52s
Total Costs \$5.46

#2384
Check problem areas
Drainage
 Ethan Bryant

Drainage Division

✓ Done
 Completed by Ethan Bryant
 on 12/18/2023

Total Time Costs
 Total Time 4h 43m 0s
Total Costs \$97.45

#2389
Cut tree hanging in roadway
High
Drainage
 Ethan Bryant

Drainage Division

✓ Done
 Completed by Ethan Bryant
 on 12/19/2023

Total Time Costs
 Total Time 55m 21s
Total Costs \$19.06

#2391
Check street
Drainage
 Ethan Bryant

Drainage Division

✓ Done
 Completed by Ethan Bryant
 on 12/19/2023

Total Time Costs
 Total Time 15m 36s
Total Costs \$5.37

PROCEDURE ANSWERS

TIME & COST

DUE & STATUS

LOCATION & ASSET

WORK ORDER INFO

WORK ORDER INFO	LOCATION & ASSET	DUE & STATUS	TIME & COST	PROCEDURE ANSWERS
#2345 drain pipe in ditch needs to be cleaned out	Drainage Division Drainage Division	12/08/2023 In Progress	Total Time Costs Total Time \$0.01 0m 2s Total Costs \$0.01	
<div style="background-color: #f4a460; border-radius: 5px; padding: 2px; display: inline-block;">Medium</div> <div style="border: 1px solid #0070c0; border-radius: 5px; padding: 2px; display: inline-block; color: #0070c0;">Drainage</div> Ethan Bryant				
#2393 faded STOP sign	Drainage Division Street Division	12/19/2023 Open		
<div style="background-color: #e74c3c; color: white; border-radius: 5px; padding: 2px; display: inline-block;">High</div> <div style="border: 1px solid #0070c0; border-radius: 5px; padding: 2px; display: inline-block; color: #0070c0;">Streets Division</div> Ethan Bryant				
#2394 Potholes	Drainage Division	12/19/2023 Open		
<div style="background-color: #e74c3c; color: white; border-radius: 5px; padding: 2px; display: inline-block;">High</div> <div style="border: 1px solid #0070c0; border-radius: 5px; padding: 2px; display: inline-block; color: #0070c0;">Potholes and street repairs</div> Ethan Bryant				
#2400 leaves on storm drains need removed	Drainage Division Street Division	12/20/2023 Open		
<div style="background-color: #f4a460; border-radius: 5px; padding: 2px; display: inline-block;">Medium</div> <div style="border: 1px solid #0070c0; border-radius: 5px; padding: 2px; display: inline-block; color: #0070c0;">Streets Division</div> Ethan Bryant				

#2324

Cut ditch

Medium

Drainage

Ethan Bryant

01/03/2024

Open



Signed off by

12/5/2023

Date

WATER/SEWER STREET CUTS - ASPHALT LIST

Date:	Address:	Size:	Emailed to PW on:
11/30/23	406 N. 10th St.	11x5	12/15/23
12/01/23	Fuller & Martin Luther King Jr. Dr.	(2) cuts: 5x6 & 6x11	12/15/23
12/08/23	911 Blount St.	6x11	12/15/23
12/11/23	5 W. Edgerton St.	5x6	12/15/23
12/13/23	14 Eden Dr.	5x10	12/15/23

Submitted to Denton Contracting 12/15/23
Total (6) utility cuts

Town of Smithfield
Public Works Sanitation Division
Monthly Report
NOVEMBER 30, 2023



I. Statistical Section

The Division collected from approximately 4,207 homes, 4 times during the month

- a. Sanitation forces completed 54 work orders
- b. Sanitation forces collected tons 422.40 of household waste
- c. Sanitation forces disposed of 114 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 5.98 tons of construction debris (C&D)
- f. Town disposed of 0 Tires from yard.
- g. Recycling forces collected 2.65 tons of recyclable plastic
- h. Recycled 0 lbs. of cardboard material from the Convenient Site Center
- i. A total of 0 gals of Anti-freeze was collected at the Convenient Site Center
- j. Recycled 0 lbs. of plastics & glass (co-mingle) from the Convenient Site Center

II. Major Revenues

- a. Received \$0 from Sonoco Products for cardboard material
- b. Sold 680 lbs. of aluminum cans for \$ 272.00
- c. Sold 4,740 lbs. of shredder steel for \$241.00 to Renew.

III. Major Expenses for the Month:

Spain Farms Nursery was paid \$ 4,104.00 for disposal of yard waste and debris. Cox Repair Service was paid \$600 to tow TK# 305 to shop. NCDMV was paid \$2,000 for registration and tags for TK# 321. Parker Gas Co. was paid \$1,165.18 for Non- Highway Diesel. Sampson Bladen Oil Co. was paid \$2,754 for hydraulic Fluid.

IV. Personnel Update:

The Safety meeting was on Lung cancer wellness with speaker Jaime Pearce. The Department worked with Mitchells Temporary for 2 vacant positions.

V. Narrative of monthly departmental activities:

The department worked closely with Downtown Development and Parks and Rec Supplying control devices and event containers for their events. Community Service Workers worked 96 Hrs.



MONTHLY REPORT FOR NOVEMBER, 2023

PROGRAMS STATISTICS	November, 2023	23/24 FY	November, 2022	
		YTD		
NUMBER OF PROGRAMS	6	48	9	
TOTAL ATHLETICS PARTICIPANTS	306	1,743	439	
TOTAL NON/ATHLETIC PARTICIPANTS	110	2,806	71	
NUMBER OF GAMES PLAYED	0	101	5	
TOTAL NUMBER OF PLAYERS (GAMES)	0	4540	126	
NUMBER OF PRACTICES	63	405	10	
TOTAL NUMBER OF PLAYER(S) PRACTICES	636	5,034	259	
SARAH YARD CENTER VISITS	115	672	79	
	November, 2023	23/24 FY YTD	November, 2022	22/23 FY YTD
PARKS RENTALS	26	243	38	330
USERS (PARKS RENTALS)	900	12,613	846	9,609
TOTAL UNIQUE CONTACTS	1,761	25,665	1,749	19,503
	November, 2023	23/24 FY YTD	November, 2022	22/23 FY YTD
FINANCIAL STATISTICS				
PARKS AND RECREATION REVENUES	\$ 1,967.00	\$ 43,110.00	\$ 3,660.00	\$ 48,963.00
PARKS AND RECREATION EXPENDITURES (OPERATIONS)	\$ 77,060.00	\$ 365,772.00	\$ 73,203.00	\$ 359,808.00
PARKS AND RECREATION EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ 38,306.00	\$ 56,965.00	\$ 3,536.00	\$ 39,354.00
SARAH YARD CENTER EXPENDITURES (OPERATIONS)	\$ 2,533.00	\$ 12,938.00	\$ 1,771.00	\$ 12,124.00
SARAH YARD CENTER EXPENDITURES (CAPITAL OUTLAY EQUIP)	\$ 7,475.00	\$ 7,475.00	\$ -	\$ 21,500.00

HIGHLIGHTS: Youth Basketball - 274 participants
 Youth Pre-Season Basketball Camp - 32 Participants
 Swimsgiving



SRAC MONTHLY REPORT FOR NOVEMBER, 2023

PROGRAMS SATISTICS	November, 2023	23/24 FY	November, 2022	
		YTD		
NUMBER OF PROGRAMS	18	84	18	
TOTAL CONTACT WITH PROGRAM PARTICIPANTS	1,401	16,429	2,681	
	November, 2023	23/24 FY	November, 2022	22/23 FY
		YTD		YTD
SRAC MEMBER VISITS	3,530	18,965	2,786	15,775
DAY PASSES	630	7,536	708	7,082
RENTALS (SRAC)	43	292	45	290
USERS (SRAC RENTALS)	1,380	2,922	2,984	12,106
TOTAL UNIQUE CONTACTS	6,941	53,967	9,159	56,675
FINANCIAL STATISCTICS	November, 2023	23/24 FY	November, 2022	22/23 FY
		YTD		YTD
SRAC REVENUES	\$ 49,235.00	\$ 339,338.00	\$ 42,525.00	\$ 300,927.00
SRAC EXPENDITURES	\$ 85,791.00	\$ 435,208.00	\$ 105,135.00	\$ 455,930.00
SRAC APITAL OUTLAY	\$ -	\$ 99,961.00	\$ 1,250.00	\$ 1,355.00
SRAC MEMBERSHIPS	3610		2995	

NOTES: Hosted 6 High School Swim Meets
 Aligator Steps Swim Lessons
 Pottery Classes



- **Statistical Section**

- Electric CP Demand 23,323 Kw relative to October's demand of 18,362 Kw.
- Electric System Reliability was 99.2408%, with two (2) recorded main line outages; relative to October's 99.9999%.
- Raw water treated on a daily average was 4.963 MG relative to 5.122 MG for October; with maximum demand of 6.083 MG relative to October's 6.004 MG.
- Total finished water to the system was 133.753 MG relative to October's 144.270 MG. Average daily for the month was 4.458 MG relative to October's 4.654 MG. Daily maximum was 5.026 MG (November 28th) relative to October's 5.076 MG. Daily minimum was 3.658 MG (November 24th), relative to October's 4.125 MG.

- **Miscellaneous Revenues**

- Water sales were \$246,640 relative to October's \$255,641
- Sewer sales were \$412,401 relative to October's \$420,666
- Electrical sales were \$1,189,537 relative to October's sales of \$1,183,834
- Johnston County Water purchases were \$208,519 for 82.094 MG relative to October's \$183,050 for 72.067 MG.

- **Major Expenses for the Month**

- Electricity purchases were \$952,800 relative to October's \$839,375.
- Johnston County sewer charge was \$123,604 for 29.290 MG relative to October's \$163,918 for 38.843 MG.

- **Personnel Changes**

- There were no personnel changes this month



**Town of Smithfield
Electric Department
Monthly Report
November, 2023**

I. Statistical Section

- Street Lights repaired –25
- Area Lights repaired-11
- Service calls – 42
- Underground Electric Locates -190
- Poles changed out/removed or installed -4
- Underground Services Installed -10

II. Major Revenues

- N/A

III. Major Expenses for the Month:

- N/A

IV. Personnel Update:

- The Utility Dept. had a Safety meeting on Personal Protective Equipment.

V. Miscellaneous Activities:

- The Electrical Dept. has only house services & street lights to install at East River Phases 3,4 & 5 as houses are completed.
- The Electrical Dept. is working on replacing old poles and upgrading lines in the Pine Acres area.
- The Electrical Dept. helped Parks & Rec. install the Christmas Tree at the Library.
- The Electrical Dept install electronic radar signs on Market St. for the Police Dept.



WATER & SEWER

November 2023 Monthly Report

● DISCONNECT WATER	4
● RECONNECT WATER	2
● TEST METER	6
● TEMPORARY METER SET	2
● DISCOLORED WATER CALLS	8
● LOW PRESSURE CALLS	4
● NEW/RENEW SERVICE INSTALLS	8
● LEAK DETECTION	14
● METER CHECKS	29
● METER REPAIRS	16
● WATER MAIN/SERVICE REPAIRS	8
● STREET CUTS	10
● REPLACE EXISTING METERS	16
● INSTALL NEW METERS	6
● FIRE HYDRANTS REPAIRED	2
● FIRE HYDRANTS REPLACED	0
● SEWER REPAIRS/SINK HOLES	4
● CLEANOUTS INSTALLED	5
● INSPECTIONS	7
● CAMERA SEWER	4

- SEWER MAIN CLEANED 1964 LF
- SERVICE LATERALS CLEANED 1035 LF
- SERVICE CALLS 102
- LOCATES 143

- SERVICED AND MAINTAINED ALL 21 LIFT STATIONS 2 TIMES PER WEEK
- INSPECTED ALL AERIAL SEWERS ONE TIME
- INSPECTED HIGH PRIORITY MANHOLES WEEKLY
- HELPED PUBLIC WORKS CLEAN STORM DRAIN ISSUES DURING EVERY RAIN FALL EVENT.

Major Expenses for the Month of November

1. A lot of repair work done to Vac Truck.
2. Many large main breaks in downtown.

Personnel Updates

Upcoming projects for the month of December

1. Donald will be replacing more fire hydrants.
2. Acquiring quotes for replacing Pump Station #8 to submersible.
3. Acquiring quotes for Alleyways on Wilson and Holding Streets.



MONTHLY WATER LOSS REPORT

November 2023

(7) - Meters with slow washer leaks

(2) - ¾" Line, 1/8" hole, 1day

(3) - 6" Line, Full Shear, 6Hrs

6" Line, Split Bell, 6Hrs

8" Line, 1/8" hole, 1day

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	11/28/23	3	15	7965	10	North Street	11/15/23	3.4	15	17820	40
Computer Drive	11/28/23	3	15	31860	10	West Street	11/15/23	3.4	15	78030	50
Castle Drive	11/28/23	3	15	7965	10	Regency Drive	11/15/23	3.2	15	63720	60
Parkway Drive	11/28/23	3	15	63720	40	Randers Court	11/15/23	3.2	15	15930	40
Garner Drive	11/28/23	3	15	63723	40	Noble Street	11/15/23	3.4	15	15930	40
Hwy 210 LIFT ST.	11/28/23	3	15	15930	40	Fieldale Dr#1(L)	11/15/23	3.2	15	63720	40
Skyland Drive	11/28/23	3	15	7965	10	Fieldale Dr#2(R)	11/15/23	3	15	63720	40
Bradford Street	11/29/23	3	15	15930	10	Heather Court	11/15/23	3.2	15	15930	40
Kellie Drive	11/29/23	3	15	7965	10	Reeding Place	11/15/23	3.2	15	15930	40
Edgewater	11/29/23	3	15	7965	10	East Street	11/15/23	3.4	15	63720	40
Edgcombe	11/29/23	2.8	15	15930	40	Smith Street	11/15/23	3.2	15	63720	40
Valley Wood	11/29/23	3	15	63720	40	Wellons Street	11/15/23	3.2	15	63720	40
Creek Wood	11/29/23	3	15	63720	40	Kay Drive	11/16/23	2.8	15	38985	15
White Oak Drive	11/29/23	3	15	7965	10	Huntington Place	11/16/23	2.8	15	38985	15
Brookwood Drive	11/29/23	3	15	22515	5	N. Lakeside Drive	11/16/23	2	15	9750	15
Runnymede Place	11/30/23	3	15	31860	10	Cypress Point	11/16/23	2.8	15	34890	12
Nottingham Place	11/30/23	3	15	38985	10	Quail Run	11/16/23	2.5	15	8715	12
Heritage Drive	11/30/23	3	15	38985	10	British Court	11/16/23	2.8	15	8715	12
Noble Plaza #1	11/30/23	2.8	15	9750	10	Tyler Street	11/16/23	2.5	15	78030	60
Noble Plaza #2	11/30/23	2.8	15	9750	10	Yelverton Road	11/16/23	3	15	63720	40
Pinecrest Street	11/30/23	3	15	19500	10	Ava Gardner	11/16/23	2	15	63720	40
S. Sussex Drive	11/30/23	3	15	31860	10	Waddell Drive	11/16/23	2.5	15	7965	10
Elm Drive	11/30/23	3	15	9750	10	Henly Place	11/15/23	2.5	15	8715	12
						Birch Street	11/15/23	2.3	15	34890	12
Coor Farm Supply	11/30/23	2	15	7965	10	Pine Street	11/15/23	2	15	38985	15
Old Goldsboro Rd,	11/30/23	3	15	7965	10	Oak Drive	11/15/23	2.5	15	37695	14
Hillcrest Drive	11/13/23	3.2	15	31860	10	Cedar Drive	11/15/23	2.4	15	31860	10
Eason Street	11/13/23	3.4	15	38985	40	Aspen Drive	11/15/23	2.4	15	34890	12
Magnolia circle	11/13/23	3.2	15	78030	40	Furlonge Street	11/15/23	2.9	15	34890	12
Rainbow Drive	11/13/23	3	15	19500	60	Golden Corral	11/15/23	3	15	40290	16
Rainbow Circle	11/13/23	3	15	19500	60	Holland Drive	11/30/23	3	15	9750	15
Moonbeam Circle	11/13/23	3.2	15	19500	60	Davis Street	11/30/23	3	15	34890	12
Ray Drive	11/13/23	3	15	15930	60	Caroline Ave.	11/30/23	2.5	15	31860	10
Will Drive	11/13/23	3	15	63720	40	Johnston Street	11/30/23	2	15	38985	15
Michael Lane	11/13/23	3.2	15	63721	40	Ryans	11/30/23	2	90	9750	15
Ward Street	11/13/23	3	15	15930	40						

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