



**ELIZABETHTOWN
COUNCIL
REGULAR MEETING**
7:00 PM, Monday, February 6, 2023

1. OPENING AND CALL TO ORDER

1.1 Opening and Call to Order

Mayor Sylvia Campbell will call the meeting to order.

2. PRESENTATION OF COLORS, PLEDGE OF ALLEGIANCE AND INVOCATION

2.1 Presentation of Colors, Pledge of Allegiance and Invocation

Cadets from the Paul R. Brown Leadership Academy will present the Colors and all will join in reciting the Pledge of Allegiance.

3. APPROVE CONSENT AGENDA ITEMS

3.1 Approve Consent Agenda Items

Council is requested to approve the Consent Agenda items presented.

[Peak Agenda Attachment - Consent Agenda Documentation - Revised - 2.6.23.pdf](#)

4. PUBLIC HEARING

4.1 PUBLIC HEARING: Community Development Block Grant - Neighborhood Revitalization (CDBG-NR) - Grant No: 21-C-4026

Council is requested to follow the Hearing Procedure noted below:

HEARING PROCEDURE:

a) Open the hearing and call upon Planning Director Rusty Worley to present the information; and

b) Solicit relevant public comments and information; and

c) Close the hearing after receiving or not any public comments.

(Action will be taken in Agenda Item #7.1).

[Peak Agenda Attachment - Public Hearing Notice - CDBG-NR Grant - 2.6.23.pdf](#)

5. ORDINANCES/RESOLUTIONS/PROCLAMATIONS

- 5.1 Resolution #R-2023-03 - To Declare Personal Property as Surplus
Council is requested to approve the Resolution.

[Peak Agenda Attachment - Revised Resolution and Surplus Property Forms - 2.6.23.pdf](#)

6. PRESENTATIONS

- 6.1 Town Manager Update

Town Council is requested to hear the update on Annexation of the Elizabethtown Industrial Park.

7. ADMINISTRATIVE MATTERS

- 7.1 CDBG-NR Program Grant Agreement, Funding Approval, Resolution for Grant Acceptance, Signatory and Certification Form and Performance Based Contract - Implementation
Schedule: CDBG No: 21-C-4026 - Elizabethtown Community Center
Council is requested to approve the documents needed for the Community Center CDBG-NR project.

[Peak Agenda Attachment - CDBG-NR Grant Agreement - 2.6.23.pdf](#)

[Peak Agenda Attachment - CDBG-NR Funding Approval - 2.6.23.pdf](#)

[Peak Agenda Attachment - CDBG-NR Signatory and Certification Form - 2.6.23.pdf](#)

[Peak Agenda Attachment - CDBG-NR Performance Based Contract - Implementation Schedule - 2.6.23.pdf](#)

[Resolution - CDBG-NR Grant - Elizabethtown Community Center - 2.6.2023.docx](#)

- 7.2 Bid Award - Demolition of Structures in Support of Community Center
Council is requested to award the bid.

[Peak Agenda Attachment - Evaluation of Bids and Proposals - Demolition Project on MLK - 2.6.23.pdf](#)

- 7.3 Proposal for Site Preparation of Specific Properties at the Elizabethtown Industrial Park - Woodland Vegetation Management, Inc.

Council is requested to approve the Site Preparation Proposal from Woodland Vegetation Management, Inc.

[Peak Agenda Attachment - Proposal from Woodland Vegetation Management, Inc. - 2.6.23.pdf](#)

- 7.4 Written Order for Special Use Permit Approval - Cynthia Campbell - Garage Construction
Council is requested to approve the Written Order.

[Peak Agenda Attachment - Special Use Permit Written Order - Cynthia Campbell - 2.6.23.pdf](#)

- 7.5 Monthly Financial Report

Council is requested to approve the Monthly Financial Report.

[Peak Agenda Attachment - Monthly Financial Report for January 2023.pdf](#)

8. OTHER BUSINESS

8.1 "Briefly" (*Reminders and announcements are made at this time*).

Council is requested to hear the reminders and announcements.

[Peak Agenda - Briefly - 2.6.2023.docx](#)

[Peak Agenda Attachment - February 2023 Departmental Update Report.pdf](#)

9. OPEN FORUM

9.1 Open Forum

Council is requested to listen to any public concerns or comments received.

[Sign-In Sheet - Open Forum - 2.6.23 TC Meeting .docx](#)

10. CLOSED SESSION

10.1 Closed Session

Mayor Sylvia Campbell will entertain a motion and a second to enter into Closed Session for the purposes of NCGS 143-318.11(a)(3) - Attorney-Client Privilege and NCGS 143-318.11(a)(4) - Economic Development.

11. ADJOURNMENT

11.1 Adjournment

Mayor Campbell will entertain a motion and a second to adjourn.



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: OPENING AND CALL TO ORDER

SUBJECT: Opening and Call to Order

BACKGROUND:

SUGGESTED ACTION: Mayor Sylvia Campbell will call the meeting to order.

ATTACHMENTS:



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: PRESENTATION OF COLORS, PLEDGE OF ALLEGIANCE AND INVOCATION

SUBJECT: Presentation of Colors, Pledge of Allegiance and Invocation

BACKGROUND: After the Pledge of Allegiance, Mayor Campbell will call on Mayor Pro Tem Rufus Lloyd to give the Invocation.

SUGGESTED ACTION: Cadets from the Paul R. Brown Leadership Academy will present the Colors and all will join in reciting the Pledge of Allegiance.

ATTACHMENTS:



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: APPROVE CONSENT AGENDA ITEMS

SUBJECT: Approve Consent Agenda Items

BACKGROUND: A Consent Agenda includes several items for approval by the Board in a single motion. Documentation concerning these items are provided in the attached agenda material. Upon request from any one Board member, any item listed under the Consent Agenda shall be removed from the Consent Agenda and considered separately. After any items have been removed and the Consent Agenda is set, the Mayor will state the items on the Consent Agenda and moves to adopt it.

SUGGESTED ACTION: Council is requested to approve the Consent Agenda items presented.

ATTACHMENTS:

[Peak Agenda Attachment - Consent Agenda Documentation - Revised - 2.6.23.pdf](#)



**February 6, 2023 Town Council Meeting
Consent Agenda Items**

- A. Proposed Agenda – Agenda considered *proposed* until approved by the Board.

ACTION RECOMMENDED: Approval

- B. January 9, 2023 Noon Work Session
Meeting Minutes

ATTACH. #B

ACTION RECOMMENDED: Approval

- C. January 9, 2023 Regular Meeting Minutes

ATTACH. #C

ACTION RECOMMENDED: Approval

TOWN OF ELIZABETHTOWN

Noon Meeting

January 9, 2023

The Elizabethtown Town Council met for its noon work session on Monday, January 9, 2023 at 12:00 pm in the Council Chamber. Those present were Mayor Sylvia Campbell, Council Members Paula Greene, Ricky Leinwand, Herman Lewis, Howell Clark Jr., Town Manager Dane Rideout and Town Attorney Goldston Womble. Department Heads in attendance included Police Chief Tony Parrish, Assistant Town Manager Pat DeVane, Planner Rusty Worley, Director of Communications & Marketing Terri Dennison, Public Service/Engineering Director Stephen Duffy, Town Clerk Juanita Hester, Fire Chief Hollis Freeman and Finance Director Sharon Penny. Mayor Pro Tem Rufus Lloyd and Council Member Rich Glenn were absent.

Mayor Sylvia Campbell opened the meeting and then gave the invocation.

Ms. Brenda Clark was present.

Mr. Chad Payne with Acoustic Creations updated Council on the new communication equipment in the Chamber.

Item #3.1: Approve Consent Agenda Items

This agenda item will be considered at the evening meeting.

Item #4.1: PUBLIC HEARING: Special Use Permit Request – Case Number SUP #2021181 – Petitioner Cynthia Campbell – To Construct a 930 Sq. Ft. Garage – Quasi-Judicial

This agenda item will be considered at the evening meeting.

Item #4.2: PUBLIC HEARING: Community Development Block Grant – Neighborhood Revitalization (CDBG-NR)

This agenda item will be considered at the evening meeting.

Item #4.3: PUBLIC HEARING: Zoning Ordinance Text Amendment for Accessory Buildings – Case Number TA # 112222

This item will be considered at the evening meeting.

Item #5.1: Approval of Special Use Permit Application – Case Number SUP # 201181 – Cynthia Campbell – To Construct 930 Sq. Foot Garage on lot adjacent to 511 Pickney Street

Council will consider at the evening meeting.

ATTACH. #B

Item #5.2: Approval of the Zoning Ordinance Text Amendment for Accessory Buildings --
Section 8.14.12

Council will consider at the evening meeting.

Item #5.3: Grant Project Ordinances

This agenda item will be considered at the evening meeting.

Item #5.4: Resolution #R-2023-01 – Surplus Property Declaration - Wrecked Police Vehicle –
2016 Dodge

Council will consider at the evening meeting,

Item #6.1: Presentation to Family Members – Resolution in Memory and Honor of Mrs. Mae Ola
Sheridan

This item will be presented at the evening meeting.

Item #6.2: Audit Report for FY Ending 6/30/2022

Auditor Bryon Scott with Thompson, Price, Scott and Adams updated Council on the Audit. The Audit is not approved by Local Government Commission yet. Mr. Scott noted General Fund cash has increased in the last 4 years to \$2,194,251.00, expenditures \$5,302,645.00, ad valorem tax valuation increased, ARPA funds increased the expenditures, \$400,000.00 surplus, fund balance \$2,656,101.00, 27.14% available fund balance, state average 63%, water fund \$3,297,273.00, revenue \$1,735,459.00, expenditures \$2,065,668.00, grants, \$539,404.00, fund balance \$16,091,348.00, motor vehicle \$34,953,333.00, tax rate 96.73% and low fund balance 28%.

Item #6.3: Town Manager Update

This item will be presented at the evening meeting.

Item #7.1: Approval of Audit for Fiscal Year Ending June 30, 2022

This agenda item will be considered at the evening meeting.

Item #7.2: Purchase of Lights for Update to Downtown Lighting System

Council will consider at the evening meeting.

Item #7.3: Roster of Certified Firefighters and Relief Fund Board of Trustees

Council will consider at the evening meeting.

Item # 7.4: Fire Department Funding Agreement and Automatic Aid Agreement

This agenda item will be considered at the evening meeting.

Item # 7.5: Property Purchase – Parcel # 15789

Council will consider at the evening meeting.

Item #7.6: Monthly Financial Report

This agenda item will be considered at the evening meeting.

Item #8.1: "Briefly"

Town Manager briefed on the following:

Industrial Park annexation is going well.

Meeting with Sovereign Aerospace January 10th.

January 11th State Aviation Flight School.

January 12th Local Government Commission Meeting.

January 12th Severn Peanut Company expansion meeting.

January 13th Airport Design meeting at 10:00 a.m.

Town Offices closed January 16th in observance of Martin Luther King Jr. Day. Parade starts at 11:00 a.m.

January 18th meeting at 11:00 a.m. with Senator Jackson at Cape Fear Vineyard.

January 19th County Truck Ordinance meeting.

Chamber's Annual Meeting and Award Banquet is January 19th at Lu Mil Vineyard – Social at 5:30 p.m. followed by dinner at 6:00 p.m.

January 21st Chamber Casino Night.

March 7th 9:00 a.m. Budget Retreat at the Airport Terminal.

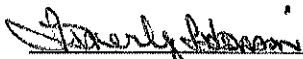
Item #9.1: OPEN FORUM

No concerns or comments.

With no further business to conduct, Council Member Howell Clark Jr., seconded by Council Member Ricky Leinwand, made a motion to adjourn (Unanimous).

Sylvia Campbell, Mayor

ATTEST:



Beverly Robinson, Admin. Asst./CTC

TOWN OF ELIZABETHTOWN

Regular Meeting

January 9, 2023

The Elizabethtown Town Council met for its evening meeting on Monday, January 9, 2023 at 7:00 pm in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Ricky Leinwand, Herman Lewis, Howell Clark Jr., Rich Glenn Jr., Town Manager Dane Rideout and Town Attorney Goldston Womble. Department Heads in attendance included Police Chief Tony Parrish, Assistant Town Manager Pat DeVane, Planner Rusty Worley, Director of Communications & Marketing Terri Dennison, Public Service/Engineering Director Stephen Duffy, Town Clerk Juanita Hester, Fire Chief Hollis Freeman and Finance Director Sharon Penny. Council Member Paula Greene was absent.

Mayor Sylvia Campbell opened the meeting and welcomed Paul R. Brown Leadership Academy Cadets. The presentation of colors and the Pledge of Allegiance were given by Paul R. Brown Leadership Academy Cadets. Mayor Campbell then called upon Mayor Pro Tem Rufus Lloyd to give the invocation.

Item #3.1: Approve Consent Agenda Items

Upon a motion by Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, the Board unanimously approved the following Consent Items as presented: A. Proposed Agenda, B. December 5, 2022 Noon Work Session Meeting Minutes, C. December 5, 2022 Regular Meeting Minutes, D. December 5, 2022 Closed Session Minutes, E. Tax Releases, F. Resolution #R-2022-16 – In Memory and Honor of Mrs. Mae Ola Sheridan.

Item #4.1: PUBLIC HEARING: Special Use Permit Request – Case Number SUP #2021181 – Petitioner Cynthia Campbell – To Construct a 930 Sq. Ft. Garage – Quasi-Judicial

Mayor Campbell opened the Public Hearing and called upon Planner Rusty Worley to present.

Attorney Goldston Womble: Do you affirm that the testimony you are about to give in this matter is entirely the truth?

Rusty Worley: I do. This is a Special Use Permit for a 930 square foot garage on lot adjacent to 511 Pinkney Street. A Special Use permit is required because it is over 750 square feet.

Attorney Goldston Womble: Do you affirm that the testimony you are about to give in this matter is entirely the truth?

ATTACH. #C

Cynthia Campbell: I do. Good afternoon, Mayor and Town Council. Thank you for the opportunity for my family to speak. I inherited the property from family, my Granddaddy. We want somewhere to put our lawnmower, tractor and motorcycle. We want the place to look neat when people ride by. Thank you for the consideration and to speak.

No one signed up to speak, therefore, Mayor Campbell closed the Public Hearing.

Item #4.2: PUBLIC HEARING: Community Development Block Grant – Neighborhood Revitalization (CDBG-NR)

Mayor Sylvia Campbell opened the Public Hearing and called upon Town Planner Rusty Worley to speak. Mr. Worley noted the Town applied for a CDBG-NR grant for \$2,575,000.00 for a 11,000 sq. ft. Community Center. The Town will need to have 2 Public Hearings. No one signed up to speak, therefore the Mayor closed the Public Hearing.

Item #4.3: PUBLIC HEARING: Zoning Ordinance Text Amendment for Accessory Buildings – Case Number TA # 112222

Mayor Campbell opened the Public Hearing and called Town Planner Rusty Worley to present. Town Planner noted the Planning Board has addressed Accessory buildings to 1 attached garage, 1 carport, 8.14.12.2 Commercial Distances – 1 Accessory building 400 sq. ft., meet building codes, 8.14.12.4 Accessory buildings will be in harmony with existing development and uses within the area, 8.14.12.5 open carport primarily metal shelters to be in only R12 zoning districts, 8.14.12.6 delete in fee schedule, 8.14.12.7 Accessory building larger than 400 sq. ft. shall be placed on a concrete foundation. Mayor Sylvia Campbell closed the Public hearing since no one signed up to speak.

Item #5.1: Approval of Special Use Permit Application – Case Number SUP # 201181 – Cynthia Campbell – To Construct 930 Sq. Foot Garage on lot adjacent to 511 Pinkney Street
Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, made a motion to approve Special Use Permit Application – Case Number SUP # 201181 as presented (Unanimous).

Item #5.2: Approval of the Zoning Ordinance Text Amendment for Accessory Buildings – Section 8.14.12

Council Member Howell Clark Jr., seconded by Council Member Rich Glenn, moved to approve the Zoning Ordinance Text Amendment for Accessory Buildings Section 8.14.12 (Unanimous).

Item #5.3: Grant Project Ordinances

Council Member Rich Glenn, seconded by Mayor Pro Tem Rufus Lloyd, made a motion to approve Grant Project Ordinances as presented (Unanimous). Copy attached and incorporated herein by reference.

Item #5.4: Resolution #R-2023-01 – Surplus Property Declaration - Wrecked Police Vehicle – 2016 Dodge

Mayor Pro Tem Rufus Lloyd, seconded by Council Member Ricky Leinwand, moved to approve Resolution #R-2023-01- Surplus Property Declaration – Wrecked Police Vehicle 2016 Dodge (Unanimous). Copy attached and incorporated herein by reference.

Item #6.1: Presentation to Family Members – Resolution in Memory and Honor of Mrs. Mae Ola Sheridan

Mayor Sylvia Campbell noted Mrs. Mae Ola Sheridan passed in November 2022 at the age of 104. It is an honor to present this Resolution to her family in memory of her. Reflecting on some of Mrs. Sheridan's acts and kindness, she retired from Bladen County School system, she was an avid storyteller, a seamstress, an excellent cook, a strong woman of faith and a babysitter to many. Mayor Campbell called the Family members to the front of the room and read the framed Resolution aloud and made the presentation. Resolution copy attached and incorporated herein by reference.

Item #6.2: Audit Report for FY Ending 6/30/2022

This agenda item was presented at the Noon Work Session.

Item #6.3: Town Manager Update

Director of Communications and Marketing Terri Dennison noted the 250th Anniversary banners are up, there is so much history that it will be in 50 year periods starting March – November 2023. There will be a Founders Day Parade March 4th, Civil War Era May 6th, Agriculture is King July 8th, Homecoming Weekend September 23rd and Modern Times November 3rd -5th. Copy of schedule attached and incorporated herein by reference.

Item #7.1: Approval of Audit for Fiscal Year Ending June 30, 2022

Council Member Howell Clark Jr. seconded by Council Member Herman Lewis, moved to approve the Audit for fiscal year ending June 30, 2022 as presented (Unanimous). Copy of presented Audit Report attached and incorporated herein by reference.

Item #7.2: Purchase of Lights for Update to Downtown Lighting System

Council Member Herman Lewis, seconded by Mayor Pro Tem Rufus Lloyd, made a motion to approve purchase of lights for update to Downtown Lighting System as presented (Unanimous). Copy of Purchase Order attached and incorporated herein by reference.

Item #7.3: Roster of Certified Firefighters and Relief Fund Board of Trustees

Council Member Rich Glenn, seconded by Council Member Howell Clark Jr., moved to approve Roster of Certified Firefighters and Relief Fund Board of Trustees as presented (Unanimous). Copy attached and incorporated herein by reference.

Item # 7.4: Fire Department Funding Agreement and Automatic Aid Agreement

Mayor Pro Tem Rufus Lloyd, seconded by Council Member Rich Glenn, made a motion to approve Fire Department Funding Agreement and Automatic Aid Agreement (Unanimous).

Copy attached and incorporated herein by reference.

Item # 7.5: Property Purchase – Parcel # 15789

Council Member Rich Glenn, seconded by Council Member Howell Clark Jr., moved to approve Property Purchase – Parcel 15789 as presented (Unanimous). Copy of site map attached and incorporated herein by reference.

Item #7.6: Monthly Financial Report

Finance Director Sharon Penny noted some departments are over 50% and from the report in front of you, I will answer any questions. With there being no questions, Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, made a motion to approve as presented (Unanimous). Copy attached and incorporated herein by reference.

Item #8.1: "Briefly"

Town Manager briefed on the following:

Town offices closed January 16th in observance of Martin Luther King Jr. Day.

Parade line up starts at 9:00 a.m.

Town has asked for an easement on Dunham Street.

Beverly Robinson birthday was January 5th.

Item #9.1: OPEN FORUM

Mr. Steve Lesane, a property owner on Martin Luther King Jr. Drive noted he wants to build multiple housing units 2-5. Mr. Lesane noted he has talked with Mr. Rusty Worley and would like the okay from Council to proceed.

Council Member Rich Glenn noted the Community Day event sponsored by Mr. Fletcher Collins in the Mt. Olive community and asked Council to please attend.

With no further business to conduct, Council Member Howell Clark Jr., seconded by Council Member Rich Glenn, made a motion to adjourn (Unanimous).

Sylvia Campbell, Mayor

ATTEST:



Beverly Robinson, Admin. Asst./CTC



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARING

SUBJECT: PUBLIC HEARING: Community Development Block Grant - Neighborhood Revitalization (CDBG-NR) - Grant No: 21-C-4026

BACKGROUND: Planning Director Rusty Worley may be called upon to present this agenda item. Grant funding will be for the proposed Elizabethtown Community Center project. The required first Public Hearing was conducted at Town Council's January 9, 2023 Rescheduled meeting.

Copy of Public Hearing Notice provided.

SUGGESTED ACTION: Council is requested to follow the Hearing Procedure noted below:

HEARING PROCEDURE:

- a) Open the hearing and call upon Planning Director Rusty Worley to present the information; and
 - b) Solicit relevant public comments and information; and
 - c) Close the hearing after receiving or not any public comments.
- (Action will be taken in Agenda Item #7.1).*

ATTACHMENTS:

Peak Agenda Attachment - Public Hearing Notice - CDBG-NR Grant - 2.6.23.pdf

"The Bladen Journal"
Publication Date:
January 20, 2023

TOWN OF ELIZABETHTOWN
PUBLIC HEARING NOTICE

Community Development Block Grant-Neighborhood Revitalization (CDBG-NR) Program

The Town of Elizabethtown Town Council will be conducting the second of two Public Hearings on February 6, 2023 at 7:00 p.m. for the purpose of receiving public comments regarding a Community Development Block Grant-Neighborhood Revitalization Program in the amount of \$2,575,000.00 for a proposed Community Center on Martin Luther King, Jr. Drive, Elizabethtown, NC. The Public Hearing will be conducted in the Elizabethtown Municipal Building located at 805 W. Broad Street, Elizabethtown, NC. Members of the public wishing to speak at this Public Hearing will be required to place their name on the sign-in sheet prior to the opening of the Town Council meeting.

This information is available in Spanish or any other language upon request. Please contact Planning Director Rusty Worley at 910/862-2066, Ext. 2014, for accommodations for this request.

Esta información está disponible en español o cualquier otro lenguaje a petición. Por favor póngase en contacto con Planning Director en 910-862-2066, Ext. 2014, o en 805 W. Broad St., Elizabethtown, NC 28337 de alojamiento para esta solicitud.

Sylvia Campbell, Mayor



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Resolution

AGENDA SECTION: ORDINANCES/RESOLUTIONS/PROCLAMATIONS

SUBJECT: Resolution #R-2023-03 - To Declare Personal Property as Surplus

BACKGROUND: The following personal property items are no longer useful to the Town; therefore, Resolution for Declaration of Surplus Property is provided. The electronic auction method of property disposal will be used.

2014 Dodge Charger; 1991 Car Lift, two (2) each K-9 Transport Systems, Spreader for Tractor, three (3) Small Tool Boxes for Truck and three (3) Side Tool Boxes for Truck.

Police Chief Tony Parrish and Director of Public Services/Engineering Steve Duffy will be able to answer any questions.

SUGGESTED ACTION: Council is requested to approve the Resolution.

ATTACHMENTS:

Peak Agenda Attachment - Revised Resolution and Surplus Property Forms - 2.6.23.pdf

TOWN OF ELIZABETHTOWN

Resolution Authorizing Sale of Personal Property by Internet Auction

RESOLUTION #R-2023-03

Whereas, GS 160A-270(c) allows the Town Council to sell personal property at electronic auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at electronic auction; and

Whereas, the Town Manager has recommended that the following property be sold at electronic auction as surplus property:

2014 Dodge Charger, VIN #2C3CDXAG6EH180503, Mileage 118866
1991 Car Lift, Model WL090, Serial #M3116P
Standard K-9 Transport System for 2011 Ford Expedition
Standard K-9 Transport System for Crown Victoria
Spreader for Tractor, Cosmo 250
Small Tool Boxes for Truck (Three each)
Side Tool Boxes for Truck (Three each)

Now, therefore, be it resolved, by the Elizabethtown Town Council that the Town Manager or his designee (Steve Duffy, Public Services/Engineering Director) are authorized to sell at electronic auction @ www.GovDeals.com, the surplus property above-described per the terms and conditions as specified in the GovDeals contract approved by this Council and in accordance with G.S. 160A-270(c). The terms of the sale shall be net cash. The Town Clerk is directed to publish at least once and not less than 10 days before the date of the auction, a copy of this resolution or a notice summarizing its content as required by NCGS 160A-270(c).

Adopted this the 6th day of February, 2023.

Sylvia Campbell, Mayor

ATTEST:

Juanita Hester, Town Clerk

DISPOSITION OF TOWN OF ELIZABETHTOWN PROPERTY

Requesting Department: Police

Vehicle or Equipment: Vehicle

Year / Model / Make: 2014 Dodge Charger

Serial Number: 2C3CDXAG6EH180503

Present Mileage: 118866

Estimated Value: 6,000

Remarks: (Brief justification of why property needs to be disposed of)

Removed From Road Due
To Mileage And Repair
Costs

Recommended minimum disposition price (optional): \$ 5000

BY: AT Parnis

DATE: 1/3/23

DISPOSITION OF TOWN OF ELIZABETHTOWN PROPERTY

Requesting Department Public Works

Vehicle or Equipment: Car lift

Year / Model / Make: 1991 Western MFG. Co.

Model = WLO90

Serial Number: M3116P

Present Mileage: _____

Estimated Value: \$ 800 \$ 1300

Remarks: (Brief justification of why property needs to be disposed of)

Lift was replaced with a four
post lift and taken out of service.

Recommended minimum disposition price (optional): \$ _____

By: D. J. [Signature]

Date: 1-23-23

DISPOSITION OF TOWN OF ELIZABETH TOWN PROPERTY

Requesting Department: Police Dept.

Vehicle or Equipment: Standard K-9 Transport system
for 2011 Ford Expedition

Year / Model / Make: _____

Serial Number: _____

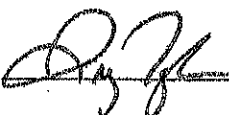
Present Mileage: _____

Estimated Value: \$2500 - \$3500

Remarks: (Brief justification of why property needs to be disposed of)

Police Dept. no longer has a K-9 division.

Recommended minimum disposition price (optional): _____

By: 

Date: 1-23-23

DISPOSITION OF TOWN OF ELIZABETHTOWN PROPERTY

Requesting Department

Police Dept.

Vehicle or Equipment:

Standard K-9 Transport System
for Crown Victoria

Year / Model / Make:

Serial Number:

Present Mileage:

Estimated Value:

\$1500 to \$2000

Remarks: (Brief justification of why property needs to be disposed of)

Police Dept. no longer has a K-9 Division

Recommended minimum disposition price (optional): \$ _____

By:

Dmy Zyk

Date:

1-23-23

DISPOSITION OF TOWN OF ELIZABETHTOWN PROPERTY

Requesting Department

Public Works

Vehicle or Equipment:

Spreader for tractor

Year / Model / Make:

Cosmo 250

Serial Number:

Present Mileage:

Estimated Value:

\$ 75 to \$100

Remarks: (Brief justification of why property needs to be disposed of)

We have a new spreader and
the one we are selling has rust
holes and would need some work.

Recommended minimum disposition price (optional): \$ _____

By:

[Signature]

Date:

1-26-23

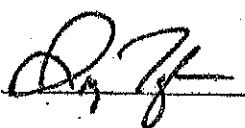
DISPOSITION OF TOWN OF ELIZABETH TOWN PROPERTY

Requesting Department Public Works
Vehicle or Equipment: Three small truck tool
boxes + 3 side truck tool boxes.
Year / Model / Make: _____
Serial Number: _____
Present Mileage: _____
Estimated Value: \$ 300 to \$400

Remarks: (Brief justification of why property needs to be disposed of)

These tool boxes do not fit
the trucks we have in our
fleet.

Recommended minimum disposition price (optional): \$ _____

By: 

Date: 1-26-23



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: PRESENTATIONS

SUBJECT: Town Manager Update

BACKGROUND: Planning Director Rusty Worley may be called upon to present an update on the Annexation of the Elizabethtown Industrial Park.

SUGGESTED ACTION: Town Council is requested to hear the update on Annexation of the Elizabethtown Industrial Park.

ATTACHMENTS:



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: CDBG-NR Program Grant Agreement, Funding Approval, Resolution for Grant Acceptance, Signatory and Certification Form and Performance Based Contract - Implementation Schedule: CDBG No: 21-C-4026 - Elizabethtown Community Center

BACKGROUND: With the required first and second Public Hearings having been conducted, presented are grant documents for Town Council approval. Notification has been received from Department of Commerce that the Town's current Citizen Participation Plan does meet the program requirement. For the Grant Signatory form, it is likely the same individuals (Mayor, Manager, Finance Director and Town Clerk) can sign Requisitions for this grant since the current CDBG-NR grant is on-going. Planning Director Rusty Worley and Assistant Town Manager Pat DeVane have been assigned as the Grant Program Administrators. Planning Director Rusty Worley may be called upon for any questions that Council may have.

Copy of the Grant Agreement, Funding Approval, Resolution for Grant Acceptance, Signatory and Certification Form and Performance Based Contract - Implementation Schedule provided.

SUGGESTED ACTION: Council is requested to approve the documents needed for the Community Center CDBG-NR project.

ATTACHMENTS:

Peak Agenda Attachment - CDBG-NR Grant Agreement - 2.6.23.pdf
Peak Agenda Attachment - CDBG-NR Funding Approval - 2.6.23.pdf
Peak Agenda Attachment - CDBG-NR Signatory and Certification Form - 2.6.23.pdf

Peak Agenda Attachment - CDBG-NR Performance Based Contract - Implementation
Schedule - 2.6.23.pdf

Resolution - CDBG-NR Grant - Elizabethtown Community Center - 2.6.2023.docx



Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program

This grant agreement for the Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program is entered into between the North Carolina Department of Commerce (DOC), Rural Economic Development Division and **Town of Elizabethtown**, on this 19th day of December 2022.

Upon execution of this grant agreement, the North Carolina Department of Commerce (DOC) agrees to provide to the **Town of Elizabethtown**, (the "Recipient" and collectively with DOC, the "Parties"), Community Development Block Grant (CDBG) assistance under Title I of the Housing and Community Development Act of 1974, (P.L. 93-383), as amended, authorized (and subject to Recipient's compliance with) the DOC funding approval, the North Carolina Community Development Block Grant administrative rules, other applicable laws, rules, regulations, and all other requirements of DOC now or hereafter in effect. The grant agreement is effective on the date the grant agreement and funding approval are signed by the Recipient.

The grant agreement consists of the program guidelines and the approved application, including the certifications, maps, schedules and other submissions in the application, any subsequent amendments to this document or the approved application and funding approval and the following general terms and conditions:

1. Definitions. Except to the extent modified or supplemented by the agreement, any term defined in the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L, shall have the same meaning when used herein.
 - (a) Agreement means this grant agreement, as described above and any amendments or supplements thereto.
 - (b) Recipient means the **Town of Elizabethtown**, the entity designated as a recipient for grant assistance in the grant agreement and funding approval.
 - (c) Certifications mean the certifications submitted with the grant application pursuant to the requirements of Paragraph (e) of Rule .0407 of the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L.
 - (d) "Assistance" or "Grant" means the grant funds provided under this Agreement from funds allocated to the State of North Carolina from the Federal Treasury through the CDBG and supporting laws, rules, requirements and regulations, in the amount of \$2,575,000 except as modified.

- (e) Program means the community development program, project, or other activities, including the administration thereof, for which assistance is being provided under this Agreement and which is described in the Recipient's approved application, as may be modified.
 - (f) The date for receiving the grant means the date of the REDD Director's signature on the Grant Agreement and Funding Approval.
2. Timely Execution. Due to the need to expedite the use and expenditure of CDBG funds, Recipient's failure to execute and return a copy of the Agreement within 60 days of the date of the Rural Economic Development Division (REDD) Director's signature on the Grant Agreement and Funding Approval may be deemed by DOC to determine the funds are available for reallocation to other subrecipients.
3. Obligations of the Recipient. The recipient shall perform the Program as specified in the application approved by DOC as may be amended with DOC approval. The Recipient hereby certifies that it will comply with all applicable federal and state laws, regulations, rules and Executive Orders, pursuant to Paragraph (e) of Rule .0407 of the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L. The Recipient shall also comply with all other lawful requirements of DOC, all applicable requirements of the General Statutes of the State of North Carolina specifically N. C. G. S. 87-1-87-15.9 and any other applicable laws, rules, regulations, requirements, and Executive Orders currently or hereafter in force. Recipient is prohibited from any fraud, waste, and abuse of CDBG funds by any person or entity. The rules contained in 4 N.C.A.C. 19L (as well as applicable federal rules and regulations) are part of the Agreement, except where specifically modified by applicable law, rule, regulation, DOC, the CDBG HUD Program Requirements and any subsequent amendments, regulations, or clarifications to any of the foregoing.

Additionally, Recipient agrees to ensure compliance with respect to the Program and the Grant (and any of its proceeds) with all applicable federal and state laws, rules, regulations and requirements, including but not limited to the following (as each may be modified or amended): (1) the CDBG HUD Program Requirements; (2) Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 *et seq*), (3) existing CDBG laws, rules, regulations and requirements, as may be amended, including those set forth in 24 C.F.R., Part 570; (4) North Carolina laws, rules, regulations and requirements; (5) DOC guidance and requirements regarding CDBG now or hereafter in effect, including but not limited to: DOC's CDBG Guidelines and Application Instructions, and DOC bulletins or other guidance documents; and (6) Recipient's own approved CDBG application to DOC, as may be amended with DOC approval.

4. Obligations of Recipient with Respect to Certain Third-Party Relationships. Recipient is responsible to DOC for ensuring compliance with the provisions of this Agreement and all applicable laws, rules, regulations, and requirements, even when the recipient designates a third party or parties to undertake all or any part of the Program. The Recipient shall comply with all lawful requirements of DOC necessary to ensure that the program is carried out in accordance with the Recipient's certifications including but not limited to the certification of assumption of environmental responsibilities under Rule .1004 of the North Carolina Community Development Block Grant Administrative Rules, 4 NCAC 19L. If the Recipient contracts with or designates a third party to undertake all or part of the Program, the

Recipient's contract with the third party must require the third party to comply with this Agreement, all applicable laws, rules, regulations, and requirements, including but not limited to the procurement standards set forth in 4 N.C. Administrative Code 19L .0908 as may be applicable.

Recipient shall likewise ensure that all subrecipient contracts regarding Grant funds or relating to the Program include all required contractual elements in order to be in compliance with all Federal, State and local laws, including but not limited to the provisions contained in 24 C.F.R. § 570.503, 24 C.F.R. § 85.37, and other provisions described throughout this Agreement, where applicable. In any event, the Recipient is liable to DOC and HUD for any improper expenditures, damage, loss or harm resulting from the failure of any person or entity to comply with any applicable law, rule, regulation or requirement regarding the Grant funds and/or the Program, including but not limited to an act or omission by a subrecipient or other third party. The Recipient agrees to periodically and rigorously monitor and audit its subrecipients and other third parties to ensure compliance with all applicable requirements.

Any subcontracts or subrecipient agreements entered into by the Recipient with Grant funds shall be subject to all terms and conditions of this Agreement. Payment of all subcontractors and subrecipients shall be the sole responsibility of the Recipient, and DOC shall not be obligated to pay for any work performed by any subcontractor or subrecipient. The Recipient shall be responsible for the performance of all subcontractors and subrecipients and shall not be relieved of any of the duties and responsibilities of this Agreement as a result of entering into subcontracts or subrecipient agreements.

5. Changes to Agreement. Recipient agrees that DOC may supplement or modify this Agreement as may be necessary to implement additional or modified Federal or State guidance regarding implementation of the CDBG program.
6. Conflict of Interest. Recipient agrees to comply with all applicable conflict of interest provisions, including but not limited to those found at 4 N.C.A.C. 19 L .0908 and .0914, N.C. Gen. Stat. § 14-234, 24 C.F.R. § 85.36, 24 C.F.R. § 570.489 (g) and (h), and 24 C.F.R. § 570.611, where applicable, copies of which may be obtained from DOC.

Except for eligible administrative or personnel costs, the general rule is that no persons described in the following sentence who exercise or have exercised any functions or responsibilities with respect to grant activities assisted under this Agreement or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a Grant-assisted activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

The conflict-of-interest summary in the sentence above generally applies to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or Recipient or applicable third parties which are receiving CDBG grant funds.

Recipient agrees to include these same prohibitions in all such contracts or subcontracts with any subrecipients or other third parties relating to the Program.

In any event, the Assistance provided under this Agreement shall not be used in the payment of any bonus or commission for the purpose of obtaining DOC approval of the application for such assistance, or DOC approval of applications for additional assistance, or any other approval or concurrence of DOC required under this Agreement, or the North Carolina Community Development Block Grant Administrative Rules, with respect thereto; provided, however, that reasonable fees or bona fide technical, consultant, managerial or other such services, other than actual solicitation, are not prohibited if otherwise eligible as program costs and allowed by applicable law.

Additionally, certain limited exceptions to the conflict-of-interest rules listed in 24 C.F.R. § 570.489 may be granted in writing by HUD and/or DOC upon written request and the provision of information specified in 24 C.F.R. § 570.489(h)(ii)(4).

7. Reimbursement to DOC for Improper Expenditures. The Recipient will reimburse DOC for any amount of Grant assistance improperly expended, either deliberately or non-deliberately, by any person or entity. Additionally, a contract for administrative services shall include a clause holding the administrator organization responsible for reimbursement to the Recipient for any improperly expended grant funds that had to be returned to DOC.
8. Recordkeeping Requirements. Recipient will maintain any and all records and comply with all responsibilities as may be required under typical CDBG recordkeeping (for example, records and responsibilities set forth in 4 N.C.A.C. 19L.0911 ("Recordkeeping"), 24 C.F.R. 570.490 ("Recordkeeping Requirements"), 24 C.F.R. § 570.506 ("Records to be maintained") and 24 C.F.R. § 85.42 ("Retention and Access Requirements for Records") as each may be modified by HUD or DOC) as well as records and responsibilities related to CDBG or specifically to CDBG funds. Recipient agrees to comply with any additional record-keeping requirements now or hereinafter set forth by DOC, HUD or any other federal or state entity.
9. Access to Records. The Recipient shall provide any duly authorized representative of DOC, the State of North Carolina, the federal Department of Housing and Urban Development (HUD), and the Comptroller General, the Inspector General and other authorized parties at all reasonable times access to and the right to inspect, copy, monitor, and examine all of the books, papers, records, and other documents relating to the grant for a period of five years following the completion of all close-out procedures. All original files shall be maintained at the Local Government offices for access purposes.
10. Release of Personal, Financial and Identifying Information. To ensure and document compliance with CDBG income requirements as well as other matters, Recipient shall obtain and retain personal, income-related, financial, tax and/or related information from individuals and families that are benefitting from Grant or Program funds. Additionally, Recipient is obligated to provide access to any and all information relating to the Program to

DOC, HUD or some other appropriate federal or state monitoring entity, upon DOC's request. This obligation includes, but is not limited to, the personal, financial, and identifying information of individuals assisted by the Program. As such, Recipient shall obtain any releases or waivers from all individuals or entities necessary to ensure that this information can be properly and legally provided to appropriate federal and state entities, including DOC and HUD, without issue or objection by the individual or entity.

11. Project Savings. The Recipient is obligated to contribute 100 percent of its pledged **cash** contribution to the CDBG project even if the project experiences a savings after authorized activities are completed. Any project savings accrue to the CDBG program. **Substitution of in-kind contributions for cash is not allowed.**
12. Expenditure of Non-CDBG Funds. The recipient must ensure that non-CDBG funds are expended along with CDBG funds, following the implementation schedule described in the approved application and modified by the Performance Contract (or otherwise with DOC approval), and shall report on non-CDBG expenditures with each Annual Performance Report, consistent with Section .1100 PERFORMANCE of the program regulations (4NCAC 19L) as well as any other applicable reporting requirements.
13. Method of Payment. The Department of Commerce uses the Office of State Controller (OSC) to make CDBG payments to units of local government.
14. Fair Housing. Recipients of CDBG funds are required to comply with fair housing and non-discrimination laws and regulations. Recipients should consult Section .1001 of the CDBG administrative rules for further information on equal opportunity requirements. Recipients are required to submit a fair housing plan for its jurisdiction. Recipients with 10,000 persons or more will be required to complete an Analysis to Impediments to Fair Housing Choice Study. For each grant year that a CDBG project is active, a Recipient must describe the actions it will take in the areas of enforcement, education and removal of barriers and impediments to affirmatively further fair housing. Guidance for developing a Fair Housing Plan can be found on the DOC website at www.commerce.nc.gov.
15. Equal Employment and Procurement Opportunity. A Recipient must describe the actions it will take annually while the grant is open in the areas of enforcement, education and removal of barriers and impediments that affirmatively further equal access in employment and procurement. This includes a description of steps to be taken in the areas of advertisement, compliance, and complaint tracking.
16. Local Economic Benefit (Section 3 Regulation). For each year that a CDBG is active, the Recipient must describe a strategy whereby opportunities in employment and procurement arising out of a CDBG assisted project are identified and made available to low-income residents within the CDBG assisted area to the greatest extent feasible. This strategy must include (1) identification of training and technical assistance resources to prepare low-income residents for employment and procurement opportunities, (2) attempts to reach the numerical targets for new hires set forth in the Section 3 regulation, which applies to Recipients receiving \$200,000 or more in non-administrative line items expended for construction contracts and (3) education of low-income residents within the CDBG assisted area about the components and opportunities of the program.

In addition, Recipients will be required to coordinate additional activities as it relates to Section 3 with the DOC CDBG Compliance Office.

17. Section 504 and ADA. Recipients must complete the Section 504 Survey and Transition Plan. This plan will not satisfy all the requirements of the Americans with Disabilities Act, but it will meet the minimum requirements for a CDBG assisted project.
18. Environmental Review. Recipients of CDBG funds are required to complete the document entitled "Environmental Review Procedures for the CDBG Program." Once the Environmental Review Record (ERR) is received, REDD will review for completeness. Recipients cannot conduct any program activities until REDD issues an environmental clearance.
19. Language Access Plan (LAP). Recipients of Federal financial assistance have an obligation to reduce language barriers that can preclude meaningful access by Limited English Proficient (LEP) persons to important government programs, services, and activities. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and its implementing regulations require that Recipients take responsible steps to ensure meaningful access by LEP persons. Recipients will be required to submit a language access plan using the approved template from REDD. The plan will address the LAP policy, translation of required vital documents, and requirements for citizen participation.
20. Federal Funding Accountability and Transparency Act (FATA): The Recipient must also comply with provision of FATA, which includes requirements on executive compensation, and 2 C.F.R., Part 170 Reporting Subaward and Executive Compensation Information.
21. Procurement Standards. Where applicable, Recipient shall follow the procurement standards established in the "Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments" (24 C.F.R., Part 85) and HUD implementing regulations contained in 24 C.F.R. § 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. 4 N.C.A.C. 19L.0908.
 - a. Any Recipient or Subrecipient shall follow other applicable procurement standards set forth in 4 N.C.A.C. 19L.0908, and the relevant laws cited therein, including but not limited to, laws related to conflicts of interest (N.C.G.S. §14-234), public building contracts (N.C.G.S. § 148-128 to 135), and payment and performance bonds (N.C.G.S. § 44A-25 through 35); acquisition and relocation (4 N.C.A.C. 19L.1003); property management standards (4 N.C.A.C. 19L.0909); equal opportunity (4 N.C.A.C. 19L.1001); and labor standards (4 N.C.A.C. 19L.1006).
 - b. Recipient shall likewise follow all other applicable federal and state procurement rules, guidelines, and procedures, including those set forth in Office of Management and 2 C.F.R. Part 200 ("Cost Principles for State and Local Governments").

In any event, per 24 C.F.R. 570.489(g), all purchase orders and contracts shall include any clauses required by Federal statutes, executive orders and implementing regulations.

Additionally, Recipient acknowledges and agrees that, in its conduct under this Agreement and in connection with any and all expenditures of Grant funds made by it, Recipient, its

officers, agents and employees shall be and are subject to the provisions of the North Carolina General Statutes and the North Carolina Administrative Code relating to and governing procurement, public contracts, suspension and debarment. Recipient further acknowledges and agrees that, in the event that it grants any of the Grant funds awarded hereunder to one or more subrecipients or other applicable entities, Recipient shall, by contract, ensure that the provisions of all applicable laws relating to, and governing procurement, public contracts, suspension and debarment are made applicable to and binding upon any and all subrecipients and/or other applicable entities.

22. Labor Standards. Recipient shall follow all applicable laws, rules and regulations concerning the payment of wages, contract work hours, safety, health standards, and equal opportunity for CDBG programs, including but not limited to the rules set forth in 4 N.C.A.C. 19L.1006, 24 C.F.R. § 570.603 and the following (as may be applicable to CDBG-projects):
- a. Davis-Bacon Act (40 U.S.C.A. 276a). Among other provisions, this act requires that prevailing local wage levels be paid to laborers and mechanics employed on certain construction work assisted with CDBG funds.
 - b. Contract Work Hours and Safety Standards Act (40 U.S.C.A. 327 through 333). Under this act, among other provisions, laborers and mechanics employed by contractors and subcontractors on construction work assisted with CDBG funds must receive overtime compensation at a rate not less than one and one-half the basic rate of pay for all hours worked in excess of forty hours in any workweek. Violators shall be liable for the unpaid wages and in addition for liquidated damages computed in respect to each laborer or mechanic employed in violation of the act.
 - c. Fair Labor Standards Act (29 U.S.C. 201 et seq.), requiring among other things that covered employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed work-week.
 - d. Federal anti-kickback laws (18 U.S.C. 874 and 40 U.S.C. 276), which, among other things, outlaws and prescribes criminal penalties for "kickbacks" of wages in federally financed or assisted construction activities. Weekly statements of compliance and weekly payrolls must be provided by all contractors and subcontractors.

Recipient agrees to maintain records regarding compliance with the laws and regulations cited in 4 N.C.A.C. 19L.1006 (including the citations listed above) in accordance with 4 N.C.A.C. 19L.0911.

All contracts between Recipient and third parties shall contain labor standards provisions as required in 4 N.C.A.C. 19L.1006.

23. Architectural Barriers. Per 4 N.C.A.C. 19L.1007, 24 C.F.R. §§ 570.487 and 570.614 and other applicable law, all applicable buildings or facilities designed, constructed or altered with CDBG Grant funds shall be made accessible and useable to the physically handicapped as may be required by applicable laws, rules, regulations or requirements. Additionally, Recipient must comply with the following (as may be applicable to CDBG projects):
- a. Architectural Barriers Act of 1968 (P.L. 90-480). This act requires Recipient to ensure that certain buildings constructed or altered with CDBG funds are readily accessible to the physically handicapped.
 - b. Minimum Guidelines and Requirements for Accessible Design 36 C.F.R. Part 1190. These regulations establish guidelines for implementing the federal acts described in

4 N.C.A.C.19L.1007(1)(a). The regulations provide technical standards which must be met by Recipient.

- c. Americans with Disabilities Act ["ADA"] and the ADA Accessibility Guidelines for Buildings and Facilities or the Uniform Federal Accessibility Standards.
 - d. North Carolina Building Code. These provisions describe minimum standards Recipient must meet in constructing or altering building and facilities, to make them accessible to and useable by the physically handicapped.
24. Change of Use of Real Property. Recipient agrees not to change the use or planned use of any property acquired with CDBG funds from that for which the acquisition or improvement was made, in accordance with this Agreement and applicable law, rule, regulation or requirement, unless (i) the DOC grants explicit written approval and (ii) the requirements of 24 C.F.R. § 570.489(j), 24 C.F.R. § 570.505 and other applicable requirements are followed, as modified (or as may be modified) by HUD or DOC.
25. Obligation of Recipient with Regard to Vacant Units. The recipient shall ensure that all vacant units being rehabilitated will be occupied by a low or moderate income person by the time close-out occurs.
26. Utility Assessments or Fees: Assessments or fees to recover the CDBG funded portion of a utility project may be charged to properties not owned and occupied by low- and moderate-income persons. Such assessments are program income and, as such, must be used for eligible CDBG activities that meet a CDBG national objective.
27. False or Misleading Information. Recipient is advised that providing false, fictitious, or misleading information with respect to CDBG funds may result in criminal, civil, or administrative prosecution under 18 U.S.C. § 1001, 18 U.S.C. § 1343, 31 U.S.C. § 3729, 31 U.S.C. § 3801, or another applicable statute. Recipient shall promptly refer to DOC and HUD's Office of the Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving CDBG funds.
28. Disputes with DOC. If Recipient has any disagreement or dispute with any action or inaction by DOC, Recipient shall inform DOC by letter addressed to Valerie Fegans, CDBG Director, Department of Commerce – Rural Economic Development Division, 4346 Mail Service Center, Raleigh, NC 27699-4346. The Rural Economic Development Division ["REDD"] will endeavor to respond in writing to said letter within 30 days from receipt. Recipient shall not be entitled to a hearing under Chapter 150B for matters described in N.C. Gen. Stat. § 150B(c)(8), added by N.C. Senate Bill 960, including matters related to "contracts, disputes, protests, and/or claims arising out of or relating to the implementation of the [CDBG]." This includes actions arising out of or related to this Agreement or the Program.
29. Disputes or Complaints by Subrecipients or Other Entities. Recipient is responsible for developing, implementing, and utilizing its own dispute resolution procedures with respect to disputes and/or complaints between and among Recipient, a Subrecipient, a contractor and/or any other person or entity (other than DOC). This includes (but is not limited to) procedures relating to procurement disputes or protests discussed in 24 C.F.R. 85.36. In the event of a dispute between and among Recipient, any Subrecipient, contractor and/or any other persons

or entities (not including DOC), Recipient shall make every effort to resolve the dispute pursuant to its own dispute resolution procedures and shall issue a final decision on the matter as soon as is reasonably practicable. Recipient's dispute resolution procedure shall provide that, in the event that any party to such a dispute or complaint is dissatisfied with the final decision or other resolution provided by Recipient, the dissatisfied party shall appeal to the North Carolina Superior Court in an appropriate County for a trial de novo, to the extent that jurisdiction is proper pursuant to N.C. Gen. Stat. § 7A-240 and other applicable law.

30. Schedules

- (a) Schedule for Release of Conditions and Completion Activities. **The Recipient must satisfy all Funding Approval Conditions to release CDBG funds within 3 months (3/19/2023) from the date the Grant Agreement and Funding Approval were signed by the REDD Director.** The recipient must draw down all CDBG funds, expend all local non-CDBG funds and complete all project activities in conformance with the activities' implementation schedule in the application as modified by the Performance Based Contract.
- (b) **The Recipient must obligate all funds within 27 months (3/19/2025) from the date the Grant Agreement and Funding Approval are signed by REDD Director.**
- (c) **All funds are to be expended within 30 months (6/19/2025) from the date the Grant Agreement and Funding Approval are signed by REDD Director. Any remaining funds will be de-obligated.**
- (d) **All closeout documents must be returned to REDD by (3/19/2023) .**
- (e) Schedule for Submission of Compliance Documents. The Recipient must submit the following compliance documents within the specified number of months from the date the Grant Agreement and the Funding Approval were signed by the REDD Director:
 - **Environmental – 4 months (4/19/2023)**
 - **Equal Employment and Procurement Plan – 4 months (4/19/2023)**
 - **Fair Housing Plan – 4 months (4/19/2023)**
 - **Section 3 Plan – 4 months (4/19/2023)**
 - **Section 504 Plan – 4 months (4/19/2023)**
 - **Language Access Plan – 4 months (4/19/2023)**
 - **Analysis of Impediments- 4 months (4/19/2023)**
 - **Request for Release of Funds – 5 months (5/19/2023)**
- (f) Timely Drawdown of Funds. Recipient is expected make timely drawdowns so that funds are expended in a timely manner.

31. Performance Measures

The CPD Performance Measurement System is HUD's response to the standards set by the Government Performance and Results Act (GPRA) of 1993. This act holds all Federal agencies accountable for establishing goals and objectives and measuring achievements.

- (a) The recipient must ensure that all activities in the funded project(s) meet the appropriate objectives, outcomes, and indicators established by HUD and selected by DOC. CDBG funds cannot be used to pay for any activity that does not meet the above requirement.

- (b) The recipient must also assist DOC, when requested, in collecting indicators and any other data necessary to fulfill the requirements of the CPD Performance Measures System, which includes data for the Integrated Disbursement and Information System (IDIS).

Upon execution of this agreement by DOC and the Recipient, the Recipient hereby accepts the assistance on the terms of this grant agreement effective on the date indicated below, and further certifies that the official signing this document has been duly authorized by the recipient's governing body to execute this Grant Agreement.

Secretary of the Department of Commerce

Date: 12/19/2022

☒ By: Valerie Fegans
Valerie Fegans
Interim CDBG Director
Rural Economic Development Division

Date: _____

Name of Recipient

☒ By: _____
Signature of Authorized Official

(Title)



**Rural Economic Development Division
Community Development Block Grant Program**

Funding Approval

1. Name and Address of Recipient

Town of Elizabethtown
805 W. Broad Street
Elizabethtown, North Carolina
28337

2. Grant Number and Funding Approval Date

Grant Number: 21-C-4026
Date of Original Funding Approval : 12/19/22
Date of Amended Funding Approval :

3. Approved Projects

Approved Amount

C1 Elizabethtown Community Center

\$2,575,000.00

Total Grant Award

\$2,575,000.00

4. Funding Approval Conditions

The following conditions must be removed in writing by the Rural Economic Development Division in order for all funds to be released for the approved project (s) listed in item (3), above:

A. Administration Contracts/Inter-local Agreements Condition:

No funds may be obligated or expended in any project activity except the administration activity until the recipient has submitted either a copy of the contract awarded for administration of this grant, or a statement signed by the CEO stating that the contract will be administered internally.

B. Use of Experienced CDBG Administrator:

No funds may be obligated or expended for the administration activity until the recipient has submitted a statement signed by the CEO stating that they will be using an experienced CDBG administrator or local government staff. This person should be one who has administered more than one (1) CDBG project. Please note that if issues result from the CDBG administrator, the local government will be subject to 4 NCAC 19L.

C. Environmental Condition:

No funds may be obligated or expended in any project activity except for the administration activity in the C-1 project until the recipient has complied with the Environmental Review Procedures for the N.C. CDBG Program and the CDBG regulations contained in 4 NCAC 19L.1004.

D. Performance Based Contract Condition:

No funds may be obligated or expended in any project activity except for the administration activity until the recipient has returned to REDD one copy of the properly completed Performance Based Contract signed by the CEO.

E. Citizen Participation and Compliance Condition:

No funds may be obligated or expended in any project activity except for the administration activity until REDD is provided with the following documentation of compliance with citizen participation requirements in the application process [4NCA 19L.1002(b)]: publisher's affidavits of notices for and minutes signed by the town clerk of the two required public hearings.

F. Recombination of Parcels Condition:

No funds may be obligated or expended in any project activity except for the administration activity until REDD is provided with a letter signed by the CEO that the parcels associated with the community center will be combined and documentation will be provided to REDD after completion.

5. Signature of Authorized Official

Valerie Fegans
Name

Valerie Fegans

12/19/2022
Date

Interim Director

Title

6. Signature of Authorized Local Official

Name

Date

Title

SIGNATORY FORM AND CERTIFICATION

Grant No. _____

Recipient Name _____

Address: _____

Signatures of individuals authorized to sign Requisition for Funds forms. (Two signatures required on each requisition.)

(Signature)_____
(Typed Name) (Typed Title)_____
(Signature)_____
(Typed Name) (Typed Title)_____
(Signature)_____
(Typed Name) (Typed Title)_____
(Signature)_____
(Typed Name) (Typed Title)**CERTIFICATION**

1. () I certify that the signatures above are of the individuals authorized to sign Requisition for Funds form for the above recipient.

Certifying Official + Title

2. () The governing board has passed a resolution authorizing the persons above to sign Requisition for Funds forms for the above recipient. A copy of the resolution is attached.

I certify that the signatures above are those of the individuals authorized by resolution of the governing board of the recipient to sign Requisition for Funds forms.

Certifying Official + Title**INSTRUCTIONS FOR COMPLETING SIGNATORY FORM AND CERTIFICATION**

1. Indicate name and address of the recipient.
2. Two authorized signatures shall be required on all Requisition for Funds forms. The Rural Economic Development Division will check the signatures on each requisition form to see that they match the authorized signatures on the Signatory Form and Certification. Only the signatures of persons shown on the Signatory Forms and Certification will be accepted.
3. To allow for flexibility in making requisition requests, it is recommended that four authorized signatures appear on the Signatory Form and Certification. Local governments may choose one of two options in completing the Certification. If the local government choose to use the first option, the chief elected official or the chief finance officer must sign the form as the certifying official. In signing as the certifying official, the chief elected official or chief finance officer certifies that: 1) the signatures are authentic and 2) that the persons designated as signatories are authorized to sign requisitions for payment. If the chief elected official or the chief finance officer is the certifying official, that person may not also be authorized signature.

If the community wishes to have both the chief elected official and the chief finance officer sign requisitions for payment, the community should select the second option for certification. In this case, the governing board must pass a resolution authorizing sufficient persons to act as signatories. In addition, an individual who is not designated as a signatory must certify the authenticity of the authorized signatures. Anyone who knows all of the persons authorized to sign requisitions may sign as the certifying official. Another local government staff person or member of the governing body is recommended.

4. If the recipient wished to change the persons authorized to sign the requisition for funds form a new Signatory Form and Certification must be submitted to the Rural Economic Development Division.
5. No erasures or corrections may appear on the Signatory Form and Certification.

First quarter begins on the date of REDD Director's signature on the Grant Agreement and Funding Approval.

List goals to be accomplished each Quarter.

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter
	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description
I. Administrative Activities									
a. Grant Agreement/Funding Approval									
b. Environmental Condition									
c. Citizen Participation Condition									
d. Flood Plain Compliance									
e. Other Conditions									

First quarter begins on the date of REED Director's signature on the Grant Agreement and Funding Approval.

List goals to be accomplished each Quarter. Activities should correspond to those on the Budget and Benefits: Low and Moderate Income forms in the application approved for funding.

	1st Quarter % Units	2nd Quarter % Units	3rd Quarter % Units	4th Quarter % Units	5th Quarter % Units	6th Quarter % Units	7th Quarter % Units	8th Quarter % Units	9th Quarter % Units	1
2. Housing Activities										
a. Relocation										
b. Acquisition										
c. Disposition										
d. Clearance										
e. Rehabilitation of Privately owned dwellings (includes any on-site installations, e.g., septic tanks, wells)										
f. Units Constructed										
g. Units Occupied										
3. Innovative Activity										

Performance Based Contract - Implementation Schedule

Name of Grantee

Grant Number

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	5th Quarter	6th Quarter	7th Quarter	8th Quarter	9th Quarter
	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description	% Process Completed Description
4. Water Improvements Engineering Bidding Process Contract Awarding Construction/Installation Work Completed									
5. Sewer Improvements Engineering Bidding Process Contract Awarding Work Construction Work Completed									
6. Street Improvements Engineering Bidding Process Contract Awarding Construction/Installation Work Completed									
7. Drainage Improvements Engineering Bidding Process Contract Awarding Construction/Installation Work Completed									
8. Other Improvements Work Completed									

9. Signature of Authorized Local Official

Name

Signature

Title

Date

10. Signature of Authorized REDD Official

Name

Valerie Peggus

Interim Director, Rural Economic Development Division
Title

Date

**GRANT ACCEPTANCE RESOLUTION
BY THE TOWN COUNCIL
OF THE
TOWN OF ELIZABETHTOWN**

#R -2023-02

WHEREAS, the Town of Elizabethtown has applied for 2021 Small Cities Community Development Block Grant funding with the Department of Commerce; and

WHEREAS, the Town of Elizabethtown has received notice from the Department of Commerce that their 2021 Community Development Application has received preliminary approval for funding; and

WHEREAS, the Department of Commerce is offering Grant No. 21-C-4026 under the Community Development Block Grant (CDBG) Neighborhood Revitalization Program; and

WHEREAS, the Town of Elizabethtown wishes to accept this Small Cities Community Development Block Grant for the betterment of its citizens and the improvement of the Town.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Elizabethtown that the Town hereby accepts Grant No. 21-C-4026 and authorizes Sylvia Campbell as Mayor to execute the Grant Agreement and the Funding Approval and any other documents as necessary to accept this grant offer.

BE IT FURTHER RESOLVED that Town Council hereby assigns the Town of Elizabethtown Planning Director Rusty Worley and Assistant Town Manager Pat DeVane as administrators of this grant for the Town of Elizabethtown.

Adopted this the 6th day of February, 2023 at Elizabethtown, North Carolina.

Sylvia Campbell, Mayor

ATTEST:

Juanita Hester, Town Clerk



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Bid Award - Demolition of Structures in Support of Community Center

BACKGROUND: Town Manager Dane Rideout brings forth Bid Summary for the demolition project on MLK in preparation of the construction of the Elizabethtown Community Center. The Town Manager's recommendation is to make bid award to RMJ Logistics in the amount of \$15,000.00. RMJ Logistics bid proposals include \$5,000 for demolition services at 403 MLK Drive and \$10,000 for demolition services at 409 MLK Drive. Mr. Rideout may be called upon to answer any questions.

Provided is copy of the Evaluation of bids received as well as bid proposal copies.

SUGGESTED ACTION: Council is requested to award the bid.

ATTACHMENTS:

Peak Agenda Attachment - Evaluation of Bids and Proposals - Demolition Project on MLK - 2.6.23.pdf

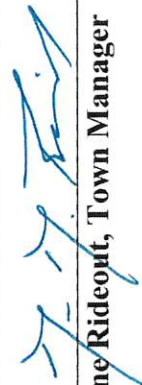
**EVALUATION OF BID'S RECEIVED
FOR
DEMOLITION SERVICES
TOWN OF ELIZABETH TOWN**

25 January 2023

Scoring Range – 1 being the lowest score and 3 the highest

Firm	Firm Experience and Focus Area	Minority Based Company (Grant Requirement)	Qualifications and Experience	In-Town Business	Previous Experience Working with Town	Total Score
4 Seasons Demolition	3	1	3	1	3	11
RMJ Logistics	3	3	2	3	3	14
The Tara Group of Lumberton, INC.	3	1	3	1	1	9

Evaluation verified as correct on 25 Jan 23


Dane Rideout, Town Manager



PO Box 15590, Wilmington, NC 28408
www.4seasonsdemolition.com

January 4, 2023

Town of Elizabethtown
Rusty Worley
Town Planner
805 W Broad St.
Elizabethtown, NC 28337
(910) 862-2066 ext 2014 – Office
(910) 874-3719 Cell
rworley@elizabethtownnc.org

Demolition Proposal for: 403 & 409 Martin Luther King

1. Obtain necessary state and local permits.
2. Locate underground utilities.
3. Demolish, haul, and dispose of structure.

403 MLK Cost: \$5,500.00

409 MLK Cost: \$7,500.00

*Payment due upon completion.
Contaminated / Hazardous materials not included.*

Proposal Authorized By: Chuck Ohnmacht, President

Proposal Accepted By: _____ Date: _____

RMJ Logistics
3006 W BROAD ST
ELIZABETHTOWN, NC 28337 US
(910) 862-2706
rwmckoy@aol.com

Estimate

ADDRESS

TOWN OF ELIZABETHTOWN.

ESTIMATE # 3771

DATE 01/17/2023

SKU	ACTIVITY	QTY	RATE	AMOUNT
	Services			5,000.00
	DEMOLISH BUILDING			
	REMOVE DEBRIS			
	HAUL DEBRIS TO LANDFILL			
	BACKFILL WITH SAND CLAY			
	-TOWN WILL PAY LANDFILL FEES			
	-RMJ LOGISTICS WILL COVER THE DISPOSAL OF BRICKS			
	FOR: 403 MLK DRIVE ELIZABETHTOWN, NC 28337			

CONDITIONS AND TERMS: PAYMENT IS DUE UPON COMPLETION
OF THE JOB.

TOTAL

\$5,000.00

Accepted By

Accepted Date

RMJ Logistics
3006 W BROAD ST
ELIZABETHTOWN, NC 28337 US
(910) 862-2706
rwmckoy@aol.com

Estimate

ADDRESS
TOWN OF ELIZABETHTOWN.

ESTIMATE # 3770
DATE 01/17/2023

SKU	ACTIVITY	QTY	RATE	AMOUNT
	Services			10,000.00
	DEMOLISH BUILDING			
	REMOVE DEBRIS			
	HAUL DEBRIS TO LANDFILL			
	BACKFILL WITH SAND CLAY			
	-TOWN WILL PAY LANDFILL FEES			
	-RMJ LOGISTICS WILL COVER THE DISPOSAL OF BRICKS			
	FOR: 409 MLK DRIVE ELIZABETHTOWN, NC 28337			

CONDITIONS AND TERMS: PAYMENT IS DUE UPON COMPLETION
OF THE JOB.

TOTAL

\$10,000.00

Accepted By

Accepted Date



THE TARA GROUP OF LUMBERTON, INC.

2700 NC Hwy 72 West
Lumberton, NC 28360
NC# 41562 ~ SC# 98350 ~ LA# 42153
Telephone: 910-739-8199 ~ Fax: 910-272-0816



Quote

Date: 1/12/2023

Att: Russell Worley
Town of Elizabethtown
Elizabethtown, NC 28337

Demo 403 & 409 Martin Luther King Drive Structures, prep site and remove current structures.
This does not include any hazardous materials remediation

Lump Sum: \$21,000.00

This Quote is good for 30 days



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Proposal for Site Preparation of Specific Properties at the Elizabethtown Industrial Park - Woodland Vegetation Management, Inc.

BACKGROUND: Town Manager Dane Rideout may be called upon to present this agenda item. Mr. Rideout has obtained proposal from Woodland Vegetation Management, Inc. in the amount of \$11,375.00. The work will entail clearing unwanted vegetation from specific properties at the Elizabethtown Industrial Park.

Provided is copy of the Proposal from Woodland Vegetation Management, Inc.

SUGGESTED ACTION: Council is requested to approve the Site Preparation Proposal from Woodland Vegetation Management, Inc.

ATTACHMENTS:

Peak Agenda Attachment - Proposal from Woodland Vegetation Management, Inc. - 2.6.23.pdf



Estimate/Contract

Date

Contract #

1/30/2023

4041

Name / Address

Town Of Elizabethtown
805 W Broad St.
Elizabethtown, NC 28337

Terms

Location

Net 30

Bladen

Item	Description	Qty	Rate	Total
Mechanical Drum ...	Site Prep Mechanical Drum Chopping with Log Skidder to lay all unwanted vegetation on the ground. 65 acres +/- \$175/acre. \$11,375.00Acre based of GPS mapping coverage.	65	175.00	11,375.00

Thank you for letting us offer this proposal.

Total \$11,375.00

Signature _____

Signature _____

Phone #

Fax #

252-753-9288

252-753-9281

For herbicide application

estimates/contracts only - pricing is
guaranteed for 30 days. Please return in
order to lock in pricing.

E-mail

lauren@wvm-inc.com



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Written Order for Special Use Permit Approval - Cynthia Campbell - Garage Construction

BACKGROUND: Planning Director Rusty Worley presents the Written Order for the 1/9/2023 Town Council approval of the Special Use Permit for Cynthia Campbell - construction of a garage. Mr. Worley may be called upon to present this agenda item.

Copy of the "Special Use Permit Granted" document provided.

SUGGESTED ACTION: Council is requested to approve the Written Order.

ATTACHMENTS:

[Peak Agenda Attachment - Special Use Permit Written Order - Cynthia Campbell - 2.6.23.pdf](#)

SPECIAL USE PERMIT GRANTED

On the date(s) listed below, Town Council for the Town of Elizabethtown met and held a public hearing to consider the following application.

Applicant: Cynthia Campbell

Property location: 511 Pinkney Street, Elizabethtown NC 28337
Street address

Tax map: 11 Block Lot 57 BLK G PIN 1311-07-78-4117

Proposed use of property: 930 sq ft Storage Building

Meeting date(s): January 9, 2023

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

- (1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in Elizabethtown Planning Department.
- (2) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

If this permit authorizes development on a tract of land larger than one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town the attached acknowledgement of the issuance of this permit so that the Town may have it recorded in the Bladen County Registry.

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

Town of Elizabethtown

Sylvia Campbell, Mayor (Seal)

Attest:

By _____
Town Clerk

NORTH CAROLINA, BLADEN COUNTY

I _____, a Notary Public in and for said State and County, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this ____ day of _____, 2023.

Notary Public

My Commission Expires: _____

Cynthia Campbell, owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Cynthia Campbell
Owner

Owner

Owner

Owner

NORTH CAROLINA

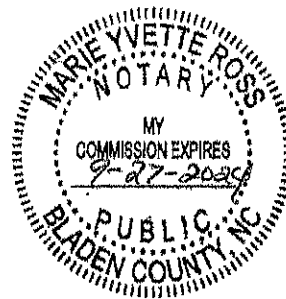
Bladen COUNTY

I, Marie Yvette Ross a Notary Public in and for said State and County, do hereby certify that

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

2023. WITNESS my hand and notarial seal, this the 30th day of January.

Marie Yvette Ross
Notary Public



My commission expires:

9/27/2024

Not valid until fully executed and recorded



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Monthly Financial Report

BACKGROUND: Finance Director Sharon Penny brings forth a Financial Report for the month of January 2023. Mrs. Penny may be called upon to give a brief presentation of the information.

Provided is copy of the Financial Report for January 2023.

SUGGESTED ACTION: Council is requested to approve the Monthly Financial Report.

ATTACHMENTS:

[Peak Agenda Attachment - Monthly Financial Report for January 2023.pdf](#)

ELIZABETHTOWN as of January 31, 2023
BUDGET & FINANCE SNAPSHOT

FISCAL YEAR 2022-2023 REVENUES

58% YEAR COMPLETED

Revenue Sources	Fiscal Year Budget	Actual Y-T-D as of 1-31-2023	% of Budget
GENERAL FUND			
Ad Valorem & BID Taxes	1,654,000	1,691,907.08	102.3%
Vehicle Taxes	185,000	91,146.08	49.3%
Local Option Sales Taxes	700,000	294,094.52	42.0%
Utility Franchise Taxes	290,000	83,926.40	28.9%
ABC Revenue	105,000	152,500.00	145.2%
Powell Bill	114,000	112,570.43	98.7%
Street Improvement Project Loan	1,275,128	320,832.06	25.2%
Bladen Fire District	206,000	144,459.00	70.1%
Solid Waste fees	1,067,000	648,893.09	60.8%
Permits & Fees	26,350	17,092.00	64.9%
FEMA reimbursement	0	0.00	0.0%
Rental Income	104,000	27,412.81	26.4%
Salary & Admin. Reimbursements	79,669	36,046.57	45.2%
Miscellaneous Revenues	64,607	226,327.42	350.3%
Federal ARPA Funding	538,280	542,892.67	100.9%
General Fund Balance Approp.	560,305		0.0%
TOTAL GENERAL FUND	6,969,339	4,390,100.13	63.0%
WATER FUND			
Water fees	717,570	485,397.85	67.6%
Sewer fees	881,820	563,025.94	63.8%
Miscellaneous Revenue	135,200	93,523.67	69.2%
Utility Fund Balance Approp.	0		0.0%
TOTAL WATER FUND	1,734,590	1,141,947.46	65.8%

FINANCIAL REPORT

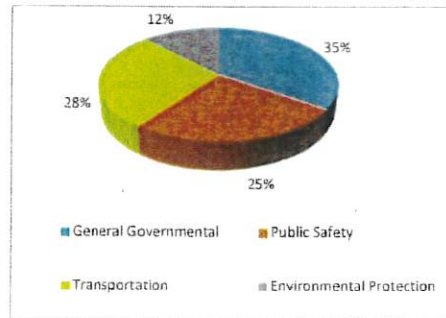
As indicated in the table to the left, Elizabethtown has received \$4,390,100 of its General Fund budgeted revenues during the reporting period, which began July 1, 2022.

\$1,141,947 of the Water Fund budgeted revenues has also been received. As of January 31, 2023, 93% of the current year appropriation for property taxes has been collected.

The total percentage of revenue received in the general fund and the water/sewer fund combined is 64%.

BUDGET & FINANCE SNAPSHOT
FISCAL YEAR 2022-2023 EXPENDITURES

Department	Fiscal Year Budget	Actual Y-T-D as of 1-31-2023	% of Budget
Governing Body	78,200	61,598.12	78.8%
Administration	527,495	438,299.49	83.1%
Finance	281,400	176,704.89	62.8%
Public Works	414,662	179,365.97	43.3%
Technology	55,000	32,897.00	59.8%
Public Facilities	122,475	65,690.07	53.6%
Police	1,523,660	865,809.67	56.8%
Fire	940,234	577,336.11	61.4%
Streets	589,101	429,275.24	72.9%
Powell	114,000	10,244.02	9.0%
Street Improvement Project	1,275,128	276,479.49	21.7%
Solid Waste	570,000	283,201.92	49.7%
Planning & Economic Develop.	139,102	74,522.81	53.6%
Recreation	49,500	49,300.35	99.6%
Airport	105,869	78,232.06	73.9%
Special Appropriations	183,513	77,402.00	42.2%
GENERAL FUND TOTAL	6,969,339	3,676,359	52.8%
WATER FUND			
Water	808,404	540,445	66.9%
Sewer	826,186	424,648	51.4%
Tank Maintenance & Transfer Out	100,000	58,333	58.3%
WATER FUND TOTAL	1,734,590	1,023,426.11	59.0%



As of January 31, 2023, Elizabethtown has expended \$3,676,359 of this fiscal year's \$6.9 million General Fund operating budget and \$1,023,426 from it's Water Fund budget. The total expenditures for the combined funds equate to approximately 54% of the current operating budget.

The fiscal year-to-date expenditures are shown by area of function in the pie chart above. The largest expenditures for the Town is related to the provision of Public Safety & General Government.

REVENUE OVER/(UNDER) EXPENDITURES

GENERAL FUND	0 \$	713,741
WATER FUND	0 \$	118,521
TOTAL COMBINED FUNDS	0 \$	832,262



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: OTHER BUSINESS

SUBJECT: "Briefly" (*Reminders and announcements are made at this time*).

BACKGROUND: Town Manager Dane Rideout may be called upon to present this agenda item.

Copy of "Briefly" items provided as well as Departmental Update Report.

SUGGESTED ACTION: Council is requested to hear the reminders and announcements.

ATTACHMENTS:

[Peak Agenda - Briefly - 2.6.2023.docx](#)

[Peak Agenda Attachment - February 2023 Departmental Update Report.pdf](#)

To: Mayor and Town Council
From: Dane Rideout, Town Manager
Subject: "Briefly"
Date: February 6, 2023

The following items are provided as information to Council:

- The Department Head Update Report for February 6, 2023 is provided as a separate attachment.
- Mayor and Town Council members are invited to attend the Fire Department's Awards Banquet scheduled for February 24th at 6 p.m. at the Fire Station. Fire Chief Hollis Freeman will brief Council at the Noon Work Session.
- The Chamber Member Breakfast is scheduled for February 21st from 8:00 a.m.– 8:30 a.m. at the Cape Fear Farmer's Market.
- In observance of Presidents' Day, the Town offices will be closed on Monday, February 20, 2023.
- The Town's 250th Anniversary Founders' Day Parade is scheduled for Saturday, March 4th at 10 a.m. Parade line-up begins at 8:30 a.m. at the Municipal Building.
- The Town's Annual Budget Retreat is scheduled for March 7, 2023 at the Airport Terminal building.
- The 2023 NCLM CityVision Conference is scheduled for April 25-27 in Concord. Please let the Manager's office know on February 6th if you wish to attend.



FOR THE MONTH OF FEBRUARY

2/08 – Tony Parrish – Police Chief
2/08 – James Davis – Police Officer
2/14 – Jerimey Sykes – Utility Technician
2/17 – Joe Lacewell III – Street Department
2/18 – Delana Faircloth – Public Works Coordinator
2/18 – Kim Laneve – Finance Dept.



Department Head Updates
February 2023

COMMUNICATION AND MARKETING

Terri Dennison

Ribbon Cuttings Held for Two New Elizabethtown Businesses

Two new businesses opened in Elizabethtown during January:

- Cool Storage Climate Control Storage on Swanzy Street in the same building as Bladen Builders Supply.
- The Man Cave Testosterone and Wellness Center in the 87 North Building on West Broad Street.



Bladen County and White Lake to Benefit from Creating Outdoor Recreation Economy Program (CORE)

T. Dennison and C. Huestess were informed that Bladen County was one of 34 successful applicants for the Creating Outdoor Recreation Economy Program through the Main Street Program and EDNCP. Bladen County Economic Development will serve as the governmental liaison and T. Dennison will be the lead coordinator for the program. White Lake was also chosen. It is expected that the two applicants will collaborate together.



UPLIFT Program Hold Initial Public Meeting

Over 30 people attended the first public meeting on the Uplift Tourism Strategy program on January 18. After explaining the goals of the program, Simon Jones of Naturescapes, asked the attendees what they would like to see developed. Areas of interest included promotion and development of outdoor recreation, agriculture based tourism, and historical significant stories.

Mr. Jones was also the speaker at the Chamber's Annual Meeting the following night where he gave examples of what tourism products have been developed in other regions using the local history, assets and culture to develop compelling stories.



Year of the Trail Festival Receives County Funding for Promotion.

The first ever Year of the Trail Weekend on February 17-19 received a boost from the Bladen County Commissioners in the form of a \$7000 grant to promote and market the 3-day event. The committee is using the funds to do on-line and social media post with WECT targeting southeastern NC and with WRAL to target the Raliegh/Durham area.

2023
YEAR OF THE TRAIL
Festival Weekend
February 17-19

Mother Nature's Playground
Guided Hikes,
Paddles and Bike
Rides

Outdoor vendors
Good Southern
Cooking
Music
Fellowship

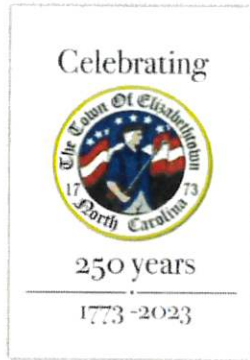
YEAR OF THE TRAIL

Click here for



250th Anniversary Update

Work continues on the events to celebrate the 250th Anniversary of Elizabethtown. Founders Day on March 4 will kick off with a parade following the normal parade route, followed by a Dedication Ceremony at the Cape Fear Farmers Market. A rundown of Founders Day event follows:



Our Founders Day Celebration honors those who helped establish the town, especially those who fought the British to gain Independence.

It also honors all of us who found our way to Elizabethtown no matter what year or for what reason.

*COME IN COSTUME AND
JOIN IN THE FUN!*

For information:

**contact Terri Dennison at 910.862.4368 or
tdennison@elizabethtownnc.org**

Saturday, March 4 **Founders Day (1773-1824)** **Parade & Revolutionary War**

9AM

VENDORS OPEN

Cape Fear Farmers Market

10 AM

FOUNDERS DAY PARADE

Line up starts at 8:30AM

Parade From Town Hall, East on Broad Street to South Poplar Street. Parade ends at Poplar & Swanzy Streets.

11:AM

OPENING AND DEDICATION

Cape Fear Farmers Market

THE STORY OF THE BATTLE OF ELIZABETHTOWN

followed by

Walking Tours

Revolutionary War Display

Founding Father's and Genealogy

12PM - 3PM

Barrowburn

Celtic Music Band



2022 Chamber Award Winners presented on January 19, 2023 (L to R.):

Outstanding Chamber Member Award – Camp Clearwater

Lifetime Achievement Award – Ron Taylor

Legacy Award – Sondra Guyton

Caring Person Award – David DeAndrade

Outstanding Small Businessperson Award –
Gina & Michael Burney

ELIZABETHTOWN AIRPORT

Mitch Taylor

Stats for the month of January 2023

Recorded Aircraft Operations	707
Aviation Gasoline Sales	6265.60 Gallons
Sales Revenue	\$27,814
Jet Fuel Sales	2555.3 Gallons
Sales Revenue	\$10,682

FIRE DEPARTMENT

Hollis Freeman



- Fire Calls: 10
- EMS: 40
- Specialized Calls: 1
- Service Calls: 2
- Other Type Incidents: 17
- Total Calls for January: 70 Calls for service

Events

Martin Luther King Jr. Parade January 16th

Fire Extinguisher Training at Elizabethtown Head Start January 30th

POLICE DEPARTMENT

Tony Parrish

Stats for 1/2/2023-1/29/2023	
Calls for Service	339
Reports Taken	64
Arrests	11
Traffic Collisions	23
Traffic Citations	15
Warning Tickets	0

Flock ALPR Cameras results for this period:

1. Located two (2) stolen vehicles; with approximate value of \$16,600.
2. Located one (1) wanted person.
3. Located one (1) stolen license plate.

Utility Services – Water & Sewer - Don Edwards, Ricky Smith, Jerimey Sykes, Sherry Lanier, Nicholas Kauffman & Horace Wyatt (PT)

All routine daily sampling, testing, monitoring, and documentation requirements were completed for both the drinking water and wastewater conveyance operations. Staff responded to 8 trouble calls ranging from flushing lines to water leaks. Water Department assisted with repairing Decanter equipment at the WWTP. Staff has been working closely with Connie Holland in Utility billing to address zero consumption accounts, meter replacements and MTU installations and repairs. In total 84 MTUs have been deployed and 11 meters have been replaced.

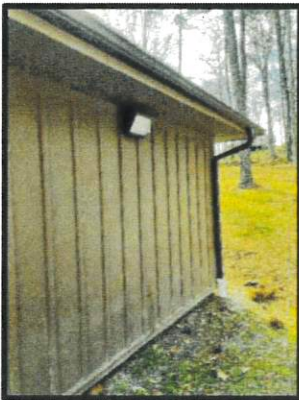
Wastewater Treatment Plant - Hugh Bledsoe

All routine sampling, testing and general plant operating processes were executed as required. Plant equipment preventative maintenance has been completed as required. Additionally...

- Decanted water from the SBR digester for sludge thickening in preparation of a sludge haul event by McGill Environmental.
- Had a decanter failure on # 2 SBR due to electrical control issues causing decanter to fall into the tank. With the help of the water department, raised the decanter and reattached it to the drive.
- Brought in a crew from Sanford Electric to replace #2 SBR variable drive and all of the control wiring to correct issues, working correctly now.
- Received and reported results from the annual priority pollutant sampling in December 2022, no violations.
- Submitted monthly discharge monitoring reports for December 2022, no violations.
- McGill Environmental hauled 10 loads of thickened sludge from the SBR digester.

Facilities Management – Greg Taylor

Mr. Taylor continued to replace lights in the airport hangers as they come available and also replaced and added lights in Public Works Garage due to the low light conditions. He received a call on the HVAC at the airport and did minor repairs on it. The men's restroom lock at the lock and dam was damaged and had to be replaced as well as some boards on the walkway along the river. There was also a wall pack at Tory Hole Park restrooms that was not working which has been replaced. Mr. Taylor has been instrumental on getting some assets that we no longer need and posting them on GovDeals. He has also assisted with IT work at Townhall and Public Works.



Streets/Parks - George Hopkins, Pascal Munoz, James Faulk, Julius Powell, Nate Lacewell, David Beyer (PT) & Dwight Davis (PT)

The streets dept. did a great job on edging and mulching the beds at the airport. They continue to work steady at keeping trash picked up as well as pressuring washing the sidewalks at Town Hall and removing graffiti from the skate park. They have cut down and cleaned up trees along the ditch banks at Greens pond and repaired wash outs on outfall lines.

Fleet Maintenance - Tracy Priest

Mr. Priest serviced 0 mowers, 0 small equipment items and other equipment, 1 large pieces of equipment, 12 Police Vehicles, 1 Fire Department Vehicle, 2 Public Works Vehicles, and various other tasks as assigned.

Janitorial Services - Joan Tew (Contracted)

Janitorial responsibilities at each of the park's restroom facilities, the Farmers Market, Town Hall, Airport, and the Public Works facilities have been complete as assigned.

TOWN CLERK

Juanita Hester

- Clerk received two electronic Public Records Request during the month of January 2023. The first being electronic records' copy of all payment transactions for FY 2022. Such was forwarded to Finance Director Sharon Penny for further handling. The second request was from SmartProcure for Purchasing Records for period of 10/20/2022 to current. Such was prepared by Admin. Assistant/Certified Tax Collector Beverly Robinson for submission to SmartProcure.
- The follow-up and distribution of documents approved at the January 9, 2023 Town Council meeting were handled by the Clerk.
- On January 11th, the Town Clerk assisted Mayor Pro Tem Rufus Lloyd, the Town's Voting Delegate, with electronic voting for the NCLM's 2023-2024 Legislative Goals.
- In preparation of the MLK Parade, the Clerk made purchase for the candy for Town Council's use.
- The Martin Luther King Holiday notice was posted and distributed.
- Assisted with obtaining RSVP's from Town Council for the Chamber of Commerce's 1/19/23 Annual Meeting and Awards Banquet.
- The weekly Friday Memos were prepared by the Clerk and distribution made to Town Council and Department Heads.
- For the February 6, 2023 Town Council meeting, Clerk prepared the Staff Meeting outline for the Manager's review.
- In coordination with the Manager, the Clerk prepared the February 6, 2023 Town Council meeting agenda material, posted the information to the Town's webpage and made distribution to Town Council and Department Heads. In addition, the Clerk made notification to the Press that agenda had been posted for their information.
- During the month of January, the Clerk worked with Assistant Town Manager Pat DeVane in the preparation of two cemetery deeds.
- Clerk prepared and had posted on Town's webpage, as well as published in the "Bladen Journal", the Public Hearing Notice for the CDBG-NR Grant in preparation of the February 6, 2023 Town Council meeting.
- On January 20, 2023, the Clerk made notification to Mrs. Theresa Lloyd at Paul R. Brown Leadership Academy of Town Council's 2/6/23 regular meeting at 7:00 p.m. so that arrangements may be made for the Cadets to be available at the Council meeting for presentation of the Colors and Pledge of Allegiance.

Town Planner

Rusty Worley

- The Town has closed on the Robert McKoy Property and is taking bids to demo the site. Demo bids will be presented at February Council meeting.
- Wattie McKoy property has been closed and is being combined with the other properties for the community center
- Staff will be developing new ordinances for the following
 - Short Term Rentals
 - Mobile Rental Business
 - Vicious Dog Ordinance

- Fence Ordinance
- Commercial Vehicle Parking in Residential
- Insight Incorporate has started the annexation for the Industrial Park. The previous annexations were not completed with a survey and proper recordation of the metes for an update city limit description. We are in the process of completing the metes and bounds with the new area added to that description. All the documentation has been completed for the annexation and should take several months to complete.
- Community Center RFQ is completed and waiting on submissions from contractors for the design build portion of the community center.
- Carolina Urgent Care has been issued a Certificate of Occupancy and is planning on opening in the Month of February, 2023.
- Parcel 45001 at 1805 W Broad Street was discovered by staff as being zoned R12, the surrounding property is zoned R20. The property has recently been sold to Lamorris Cromartie, staff is recommending that the property be rezoned to R20.
- Letter has been sent to Clarence Robinson has been sent a letter (attached) notifying him that the parking lot at MLK Park will be closed March 10, 2023 until.
- The Town has applied for an ACE Grant from the North Carolina Department of Aviation, if awarded this would allow the Town to sponsor two aviation related summer camps at the airport focusing on Aviation and Drones.

Zoning Permit Issued	18
Certificate of Occupancy Issued	4

<u>Investigations:</u>	<u>Nature</u>	<u>Condition</u>
605 Swanzy Street	RV used as Residence	Non-Complaint
415 Harwood Street	Accessory Structure	Non-Complaint
2215 Murray Street	Abandon Mobile Homes	No Response
604 Queen Ct	Overgrown Lot	New Owner



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: OPEN FORUM

SUBJECT: Open Forum

BACKGROUND: Three (3) Minutes Per Citizen.....Should State Name/Address.
Copy of Open Forum Sign-In Sheet provided.

SUGGESTED ACTION: Council is requested to listen to any public concerns or comments received.

ATTACHMENTS:

Sign-In Sheet - Open Forum - 2.6.23 TC Meeting .docx



TOWN OF ELIZABETHTOWN

Open Forum Session

February 6, 2023 Regular Meeting

Citizens will be allowed three (3) minutes to speak.

Sign-In Sheet

<u>Name</u>	<u>Address</u>	<u>Phone #</u>	<u>Topic of Concern</u>
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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Discussion Item

AGENDA SECTION: CLOSED SESSION

SUBJECT: Closed Session

BACKGROUND: Closed Session is needed in accordance to NCGS 143-318.11(a)(3) - Attorney-Client Privilege and NCGS 143-318.11(a)(4) - Economic Development.

SUGGESTED ACTION: Mayor Sylvia Campbell will entertain a motion and a second to enter into Closed Session for the purposes of NCGS 143-318.11(a)(3) - Attorney-Client Privilege and NCGS 143-318.11(a)(4) - Economic Development.

ATTACHMENTS:



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COUNCIL AGENDA ITEM REPORT

DATE: February 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADJOURNMENT

SUBJECT: Adjournment

BACKGROUND:

SUGGESTED ACTION: Mayor Campbell will entertain a motion and a second to adjourn.

ATTACHMENTS: