



**REVISED**

**ELIZABETHTOWN  
COUNCIL  
REGULAR MEETING  
7:00 PM, Monday, June 5, 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 - 6.5.23.pdf](#)
4. SPECIAL RECOGNITIONS
  - 4.1 Special Recognition - Nathan Dowless  
Mayor Sylvia Campbell will make presentation to Nathan Dowless, former Director of the Bladen County Emergency Management.  
[Peak Agenda Attachment - Resolution - To Recognize Nathan Dowless - 6.5.23.pdf](#)
  - 4.2 Special Recognition - Town's Utilities Supervisor Don Edwards - Presentation by N.C. Rural Water Association  
Council is requested to listen to the presentation.
5. PUBLIC HEARINGS

- 5.1 PUBLIC HEARING: Proposed FY 2023-2024 General Fund and Utilities Fund Budgets Council is requested to follow the Public Hearing procedure below:

**HEARING PROCEDURE:**

- a) Open the hearing and call upon Town Manager Dane Rideout to present the information; and
- b) Solicit relevant public comments and information; and
- c) Close the hearing after receiving or not any public comments.

*(To Be Considered in Agenda Item #7.1)*

Peak Agenda Attachment - Public Hearing Notice - FY 2023-2024 Proposed Budget.pdf

- 5.2 PUBLIC HEARING: Zoning Ordinance Text Amendment for Article 6, Zoning Ordinance Districts - Case Number TA-23-001

Council is requested to follow the Public Hearing procedure 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.

*(To Be Considered in Agenda Item #7.2)*

**ATTACHMENTS REVISED**

Peak Agenda Attachment - Zoning Ordinance Text Amendment for Article 6 - 6.5.23.pdf

Peak Agenda Attachment - Letter of Recommendation - From Planning Board - Article 6 Amendment - 6.5.23.pdf

Peak Agenda Attachment - Revised Text Amendment - Article 6 Zoning Ord. - 6.5.23.pdf

- 5.3 PUBLIC HEARING: Zoning Ordinance Text Amendment for Article 7 - Case Number: TA-23-002

Council is requested to follow the Public Hearing procedure 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.

*(To Be Considered in Agenda Item #7.3)*

**ATTACHMENTS REVISED**

Peak Agenda Attachment - Zoning Ordinance Text Amendment for Article 7 - 6.5.23.pdf

Peak Agenda Attachment - Letter of Recommendation - From Planning Board - Article 7 Amendment - 6.5.23.pdf

Peak Agenda Attachment - Revised - Text Amendment - Article 7 - Zoning Ordinance - 6.5.23.pdf

6. PRESENTATIONS

- 6.1 Town Manager Update

Council is requested to hear the update.

7. ORDINANCES/RESOLUTIONS/PROCLAMATIONS

- 7.1 Budget Ordinance - FY 2023-2024 General Fund and Utilities Fund Budgets  
Council is requested to approve the Budget Ordinance.  
[Budget Ordinance - FY 2023 - 2024.docx](#)
- 7.2 Approval of the Zoning Ordinance Text Amendment for Article 6 (TA-23-001) **REVISED**  
Council is requested to approve/disapprove of the zoning text amendment request. **Council should use one (1) of the following statements when making a motion:**
- *A Statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
  - *A Statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
  - *A Statement approving the zoning amendment and containing at least all of the following:*
  - *A declaration that the approval is also deemed an amendment to the comprehensive plan. The Town Council shall not require any additional request or application for amendment to the comprehensive plan.*
  - *An explanation of the change in conditions the Town Council took into account in amending the Ordinance to meet the development needs of the community.*
  - *Why the action was reasonable and in the public interest.*
- 7.3 Approval of the Zoning Ordinance Text Amendment for Article 7 (TA-23-002) **REVISED**  
Council is requested to approve/disapprove of the zoning text amendment request. **Council should use one (1) of the following statements when making a motion:**
- *A Statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
  - *A Statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
  - *A Statement approving the zoning amendment and containing at least all of the following:*
  - *A declaration that the approval is also deemed an amendment to the comprehensive plan. The Town Council shall not require any additional request or application for amendment to the comprehensive plan.*
  - *An explanation of the change in conditions the Town Council took into account in amending the Ordinance to meet the development needs of the community.*
  - *Why the action was reasonable and in the public interest.*
- 7.4 Resolution #R-2023-11 - Surplus Property Declaration and Authorization to Sell Personal Property by Private Sale  
Council is requested to declare Police Vehicle as surplus property and authorize for Private Sale.  
[Surplus Property Form - 2016 Dodge Charger - Private Sale - 6.5.23.pdf](#)  
[Resolution - Disposition of 2016 Dodge Charger - Private Sale - Authorizing Town Manager to Handle - 6.5.23.docx](#)
- 7.5 Resolution #R-2023-12 - Surplus Property Declaration - 2011 Ford Expedition  
Council is requested to declare Police Vehicle as surplus property.

[Peak Agenda Attachment - Surplus Property Form - 2011 Ford Expedition - 6.5.23.pdf](#)

[Resolution - To Declare Surplus Property - 2011 Ford Expedition - Police Vehicle - Sale via GovDeals - 6.5.23.docx](#)

7.6 Resolution #R-2023-13 - Surplus Property Declaration - 4 Police Vehicle Light Bars

Council is requested to declare the 4 Police Light Bars as surplus.

[Surplus Property Form - 4 Police Vehicle Light Bars - 6.5.23.pdf](#)

[Resolution - Declaration of Surplus Property and Donation of 4 Police Vehicle Light Bars to BCC - 6.5.23.docx](#)

8. ADMINISTRATIVE MATTERS

8.1 Bid Award - Proposal for Administration Services - CDBG-NR #21-C-4026 Elizabethtown Community Center Project

Council is requested to make the bid award for Administration Services for the Community Center Project.

[Peak Agenda Attachment - RFP for Administration Services - CDBG-NR Community Center Project - 6.5.23.pdf](#)

[Peak Agenda Attachment - Revised Approval Letter from Dept. of Commerce - Admin. Services Award - 6.5.23.pdf](#)

8.2 Budget Amendment - #2023-03

Council is requested to approve the Budget Amendment for FY ending 6/30/23.

[Budget Amendment #2023-03 \(06-05-2023\).pdf](#)

8.3 Monthly Financial Report

Council is requested to approve the Monthly Financial Report.

[May 2023 Financial Summary.pdf](#)

9. OTHER BUSINESS

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

Council is requested to hear the reminders and announcements.

[Peak Agenda - Briefly - 6.5.23.docx](#)

[Peak Agenda Attachment - Department Head Update Report - June 5, 2023.pdf](#)

10. OPEN FORUM

10.1 Open Forum

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

[Sign-In Sheet - Open Forum - 6.5..23 TC Meeting .docx](#)

11. CLOSED SESSION

**THERE WILL BE NO CLOSED SESSION.**

11.1 Closed Session

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

## 12. ADJOURNMENT

### 12.1 Adjournment

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

# Memo

To: Mayor Sylvia Campbell  
Town Council Members  
H. Goldston Womble, Jr., Town Attorney

From: Dane Rideout, Town Manager

CC: Department Heads  
Press

Date: June 5, 2023

Re: Supplemental Agenda

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Supplemental agenda items provided below to correct the information contained in the Agenda that was provided on June 2<sup>nd</sup>.

**AGENDA ITEM #5.2 - PUBLIC HEARING**

Please see corrected #5.2 Attachments for this Public Hearing.  
*To Be Considered in Agenda Item #7.2.*

**AGENDA ITEM #5.3 - PUBLIC HEARING**

Please see corrected #5.3 Attachments for this Public Hearing.  
*To Be Considered in Agenda Item #7.3.*

**AGENDA ITEM #7.2 – Approval of the Zoning Ordinance Text Amendment for Article 6 (TA-23-001)**

**REQUEST: Council is requested to approve/disapprove of the zoning text amendment request.**

*Council should use one (1) of the following statements when making a motion:*

*4.6.4.5.1. A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*

*4.6.4.5.2. A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*

*4.6.4.5.3. A statement approving the zoning amendment and containing at least all of the following:*

*4.6.4.5.3.1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The Town Council shall not require any additional request or application for amendment to the comprehensive plan.*

*4.6.4.5.3.2. An explanation of the change in conditions the Town Council took into account in amending the Ordinance to meet the development needs of the community.*

*4.6.4.5.3.3. Why the action was reasonable and in the public interest.*

**AGENDA ITEM #7.3 – Approval of the Zoning Ordinance Text Amendment for Article 7 (TA-23-002)**

**REQUEST: Council is requested to approve/disapprove of the zoning text amendment request.**

*Council should use one (1) of the following statements when making a motion:*

*4.6.4.5.1. A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*

*4.6.4.5.2. A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*

*4.6.4.5.3. A statement approving the zoning amendment and containing at least all of the following:*

*4.6.4.5.3.1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The Town Council shall not require any additional request or application for amendment to the comprehensive plan.*

*4.6.4.5.3.2. An explanation of the change in conditions the Town Council took into account in amending the Ordinance to meet the development needs of the community.*

*4.6.4.5.3.3. Why the action was reasonable and in the public interest.*

**AGENDA ITEM #11 - CLOSED SESSION**

There will be no Closed Session.

**ZONING ORDINANCE TEXT AMENDMENT**  
**Presented to Town Council**  
**6/5/2023**  
**TA-23-001**

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**PROPOSED TEXT AMENDMENTS** (yellow highlighting indicates statutory changes; ~~strikethrough~~ indicates deletion)

Amend Article 6, Zoning Districts, as follows:

| PERMITTED USES                                              | R-A | R-40 | R-20 | R-15 | R-12M | R-12 | R-10 | O-I | C-1 | C-2 | CBD | L-I | H-I | B-C | Supplemental Regulations |
|-------------------------------------------------------------|-----|------|------|------|-------|------|------|-----|-----|-----|-----|-----|-----|-----|--------------------------|
| Ice cream Stand or Store                                    |     |      |      |      |       |      |      |     | P   | P   |     |     |     |     |                          |
| Itinerant Merchant, Transient Merchant, or Itinerant Vendor |     |      |      |      |       |      |      |     | PS  | PS  | PS  |     |     |     | Section 7.36             |

Amend Article 7, Supplemental Regulations, Section 7. Flea Markets as follows:

**SECTION 7.36: ~~FLEA MARKETS~~, TEMPORARY SALES**

**7.36.1. Flea Markets.**

**7.36.1.1.** Flea markets shall not exceed one-half (1/2) acre in size.

**7.36.1.2.** Hours of operation shall be established by the special use permit.

**7.36.1.3.** The sale of food for consumption on or off the premises will require approval by the Department of Health.

**7.36.1.4.** Permanent open-air flea markets are required to install and maintain fencing or landscaping along three (3) sides of the open market. A landscape plan describing both fencing and landscaping must be reviewed and approved by the Zoning Administrator.

**7.36.2. Itinerant Merchant, Transient Merchant, or Itinerant Vendor.**

**7.36.2.1.** Mobile units shall have written permission from property owner for each location at which the unit operates.

**7.36.2.2.** Mobile units shall not be located within 75 feet of the main entrance of the nearest restaurant or retailer during the posted hours of operation of the brick and mortar location.

**7.36.2.3.** Mobile units shall be located at least five feet from any fire hydrant, sidewalk, utility boxes, handicap ramps, and building entrances.

**7.36.2.4.** An annual zoning permit shall be obtained. Permits shall be issued for the period beginning July 1 and ending June 30 of each year. The permit shall be posted in a visible location on the mobile unit.

**7.36.2.5.** All mobile unit operators are responsible for the proper disposal of waste associated with operations. Town trash receptacles shall not be used for this purpose. Operator shall remove all waste prior to leaving each location or as needed to maintain the health and safety of the public.

**7.36.2.6.** All associated equipment and signage shall be located within three feet of the mobile unit.

**7.36.2.7.** No fire lanes, vehicular access, or pedestrian walkways may be obstructed or encroached upon by the mobile unit.

**7.36.2.8.** No amplified microphones or bullhorns shall be permitted as part of the mobile operation.

**7.36.2.9** Approved Town Events may not require permits fees.

Adopted this the 5th day of June, 2023.

\_\_\_\_\_  
Sylvia Campbell, Mayor

ATTEST:

\_\_\_\_\_  
Juanita Hester, Town Clerk

# **TOWN OF ELIZABETHTOWN**

## **PLANNING & COMMUNITY DEVELOPMENT**

### **MEMORANDUM**

**DATE:** June 5, 2023

**TO:** Mayor Sylvia Campbell

**FROM:** Bobby Kinlaw, Chairman  
Planning Board Members

**RE:** Petitioner: Town of Elizabethtown  
Case Number: TA-23-001  
Text Amendment Request – Amend Article 6, Zoning Districts and Amend  
Article 7, Supplemental Regulations, Section 7. Flea Markets

Pursuant to the Elizabethtown Zoning Ordinance, the Elizabethtown Planning Board considered the above-referenced Text Amendment application during a regular meeting on February 28, 2023.

After consideration of the information presented at the meeting, the Planning Board forwards to Town Council a recommendation to approve the Text Amendment Request to Amend Article 6, Zoning Districts and to Amend Article 7, Supplemental Regulations, Section 7, Flea Markets.

# ZONING ORDINANCE TEXT AMENDMENT

## Presented to Town Council

6/5/2023  
TA-23-002

**PROPOSED TEXT AMENDMENTS** (yellow highlighting indicates statutory changes; ~~strikethrough~~ indicates deletion)

Amend Article 6, Zoning Districts, as follows:

| PERMITTED USES          | R-A | R-40 | R-20 | R-15 | R-12M           | R-12            | R-10            | O-I | C-1 | C-2 | CBD | L-I | H-I | B-C | Supplemental Regulations |
|-------------------------|-----|------|------|------|-----------------|-----------------|-----------------|-----|-----|-----|-----|-----|-----|-----|--------------------------|
| Bed and Breakfast Homes | PS  | SS   | PS   | SS   | <del>SSPS</del> | <del>SSPS</del> | <del>SSPS</del> | PS  | PS  | PS  | PS  |     |     |     | Section 7.32             |
| Homestay                | PS  | SS   | PS   | SS   | PS              | PS              | PS              | PS  | PS  | PS  | PS  |     |     |     | Section 7.32             |
| Whole-house Lodging     | PS  | SS   | PS   | SS   | PS              | PS              | PS              | PS  | PS  | PS  | PS  |     |     |     | Section 7.32             |

Amend Appendix A, Definitions, as follows:

**Bed and Breakfast Establishment** An overnight lodging business located within a structure originally designed and built as a single-family residence. Overnight guest facilities are limited in number, and maximum stay by guests is restricted to seven (7) consecutive days. Meals may be provided to overnight guests only at no additional cost. Bed and Breakfast establishments are further divided into Bed and Breakfast Guest Homes and Bed and Breakfast Inns.

~~(A) A Bed and Breakfast Guest Home is an owner-occupied, single-family residential structure with accommodations for up to six (6) guest sleeping rooms.~~

~~(B) A Bed and Breakfast Inn has accommodations for up to twenty-three (23) persons in no more than twelve (12) guest sleeping rooms~~

**Homestay Lodging:** A business engaged in the rental of individual bedrooms within a dwelling unit that serves as a host's principal residence, that provides lodging for pay, for a maximum continuous period of 29 days, that does not serve food.

**Whole-house Lodging:** A business engaged in the rental of an entire dwelling unit that provides lodging for pay, for a maximum continuous period of 29 days and does not include the include serving of food.

#5.3

Amend Article 7, Supplemental Regulations, Section 7.32 Bed and Breakfast Homes, as follows:

**SECTION 7.32: BED AND BREAKFAST HOMES LODGING.**

**7.32.1.** All bed and breakfast, homestay, whole-house, and tourist home lodging shall be permitted only within a principal residential structure.

**7.32.2.** All bed and breakfast, homestay, whole-house, and tourist home lodging shall be located in a dwelling in which there is a resident owner or resident manager. Only a property owner may apply for a zoning permit. A zoning permit shall be assigned to each bed and breakfast, homestay, whole-house, and tourist home lodging unit.

**7.32.3.** In residential districts, food service shall be available only to guests and not the general public.

**7.32.4.** Signage shall be limited to one identification sign not to exceed four (4) square feet in area and four (4) feet in height.

**7.32.5.** A bed and breakfast shall have vehicular access to a subcollector or higher classified street.

**7.32.5.** Bed and breakfast, homestay, whole-house, and tourist home lodging shall not be located within 400 feet of one another.

**7.32.6.** Cooking facilities shall be prohibited in individual guest rooms.

**7.32.7.** The host shall issue a parking placard to each guest parking on site.

**7.32.8.** Guest parking shall be restricted to behind the plane of the front façade of the dwelling unit.

**7.32.9.** All property owners are responsible for ensuring compliance with all federal, state, and local laws, including but not limited to, North Carolina State Building Code, fire code, and environmental health regulations for the level of occupancy of the lodging.

***7.32.10. Additional Regulations for Bed and Breakfast Lodging.***

**7.32.10.1.** A Bed and Breakfast Guest home shall have a maximum number of six (6) guest rooms.

**7.32.10.2.** A Bed and Breakfast Inn shall have accommodations for up to twenty-three (23) persons in no more than twelve (12) guest sleeping rooms.

**7.32.10.3.** A bed and breakfast shall have vehicular access and shall be limited to a sub-collector or higher classified street.

***7.32.11. Additional Regulations for Homestay Lodging.***

**7.32.11.1.** The maximum number of guest rooms allowed shall be one less than the total number of bedrooms in the dwelling unit, not to exceed three guest rooms.

**7.32.11.2.** Written notice shall be posted inside each unit setting forth the following information:

**7.32.11.2.1.** The name and telephone number of the host/operator;

**7.32.11.2.2.** The address of the lodging, the maximum number of overnight occupants, and the day(s) established for garbage collection;

**7.32.11.2.3.** The non-emergency phone number of the Police Department;

**7.32.11.2.4.** That parties, events, classes, weddings, receptions, and other large gatherings are not permitted.

**7.32.11.2.5.** The host/operator shall ensure that all refuse is stored in appropriate container and set out for collection on the property collection day(s) and the carts are removed from the street on the scheduled collection day.

**7.32.12. Additional Regulations for Whole-House Lodging.**

**7.32.12.1.** A minimum of one (1) off-street parking space per bedroom shall be required.

**7.32.12.2.** If off-street parking is not available on-site, shared parking or rented space in a private lot may be used to satisfy the requirement.

**7.32.12.3.** A local operator shall be available 24 hours per day, within 25 miles of the subject property.

**7.32.12.4.** Written notice shall be posted inside each unit setting forth the following information:

**7.32.12.4.1.** The name and telephone number of the host/operator;

**7.32.12.4.2.** The address of the lodging, the maximum number of overnight occupants, and the day(s) established for garbage collection;

**7.32.12.4.3.** The non-emergency phone number of the Police Department;

**7.32.12.4.4.** That parties, events, classes, weddings, receptions, and other large gatherings are not permitted.

**7.32.12.4.5.** The host/operator shall ensure that all refuse is stored in appropriate container and set out for collection on the property collection day(s) and the carts are removed from the street on the scheduled collection day.

Adopted this the 5th day of June, 2023.

\_\_\_\_\_  
Sylvia Campbell, Mayor

ATTEST:

\_\_\_\_\_  
Juanita Hester, Town Clerk

# **TOWN OF ELIZABETHTOWN**

## **PLANNING & COMMUNITY DEVELOPMENT**

### **MEMORANDUM**

**DATE:** June 5, 2023

**TO:** Mayor Sylvia Campbell

**FROM:** Bobby Kinlaw, Chairman  
Planning Board Members

**RE:** Petitioner: Town of Elizabethtown  
Case Number: TA-23-002  
Text Amendment Request – Amend Article 6, Zoning Districts, Amend Appendix A, Definitions, and Amend Article 7, Supplemental Regulations, Section 7.32 Bed and Breakfast Homes.

Pursuant to the Elizabethtown Zoning Ordinance, the Elizabethtown Planning Board considered the above-referenced Text Amendment application during a regular meeting on February 28, 2023.

After consideration of the information presented at the meeting, the Planning Board forwards to Town Council a recommendation to approve the Text Amendment Request to Amend Article 6, Zoning Districts, Amend Appendix A, Definitions, and Amend Article 7, Supplemental Regulations, Section 7.32 Bed and Breakfast Homes.



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 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.

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**ATTACHMENTS:**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 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:**

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

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**ATTACHMENTS:**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 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.

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**ATTACHMENTS:**

Peak Agenda Attachment - Consent Agenda Documentation - 6.5.23.pdf



## June 5, 2023 Town Council Meeting Consent Agenda Items

- A. Proposed Agenda – Agenda considered *proposed* until approved by the Board.  
**ACTION RECOMMENDED: Approval**
- B. May 1, 2023 Noon Work Session Meeting Minutes  
**ACTION RECOMMENDED: Approval** ATTACH. #B
- C. May 1, 2023 Regular Meeting Minutes  
**ACTION RECOMMENDED: Approval** ATTACH. #C
- D. May 1, 2023 Closed Session Minutes  
**ACTION RECOMMENDED: Approval**  
*(Will Be Provided at the Evening Meeting)* ATTACH. #D
- E. Tax Releases  
**ACTION RECOMMENDED: Approval** ATTACH. #E
- F. Agreement for Professional Services - E.L. Robinson Engineering, Co. for Storm Drainage System at King Street  
**ACTION RECOMMENDED: Approval** ATTACH. #F
- G. FY 2023-2024 Town Council Meeting Dates  
**ACTION RECOMMENDED: Approval** ATTACH. #G
- H. FY 2023-2024 Holiday Schedule  
**ACTION RECOMMENDED: Approval** ATTACH. #H
- I. Grant Project Budget Amendment #49-01 Airport Runway & Apron Rehabilitation  
**ACTION RECOMMENDED: Approval** ATTACH. #I
- J. Memo from Finance Director Sharon Penny Reference Property & Commercial Insurance and Workers' Compensation Insurance  
**ACTION RECOMMENDED: Approval** ATTACH. #J

TOWN OF ELIZABETHTOWN

Noon Meeting

May 1, 2023

The Elizabethtown Town Council met for its noon work session on Monday, May 1, 2023 at 12:00 pm in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Paula Greene, Herman Lewis, Rich Glenn, Howell Clark Jr., Ricky Leinwand, 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 and Fire Chief Hollis Freeman. Department Head absent was Finance Director Sharon Penny.

Mayor Sylvia Campbell opened the meeting and called upon Mayor Pro Tem Rufus Lloyd to give the invocation.

Item #3.1: Approve Consent Agenda Items

This agenda item will be considered at the evening meeting.

Item #4.1: Special Recognitions:

With Mr. Fletcher Kemp being unable to attend, his nephew Council Member Rich Glenn accepted the Proclamation to recognize Mr. Kemp's 101<sup>st</sup> birthday on May 10<sup>th</sup>. Mayor Campbell read the Proclamation. Since Mr. Nathan Dowless is unable to attend the evening meeting, his recognition will be rescheduled.

Item #5.1: PUBLIC HEARING: Severn Peanut Company Incentive Agreement

Council will consider at the evening meeting.

Item #6.1: Proposed FY 2023-2024 General Fund and Water Fund Budget

Town Manager Dane Rideout noted that the CPI increased 6.5%, service, fuel, payroll, hospitalization, and insurance. The Town is comfortable with the revenue, will watch what the Town spends on purchases, interest positive and expected to come off the UAL list. Rates have been checked with LGC and SOG for water rates with Towns our size. Water rates will increase 5%, sewer 5%, trash 3%, 2 years left on contract with Waste Industries, no tax increase, increase in law enforcement 7%, health insurance up 5%, COLA 3%, Fire & Police Department below average, will use vacant positions to bring salaries higher. The budget has not increased significantly. There are no funds for storm water.

**ATTACH. #B**

Item #6.2: Town Manager Update

Town Manager Dane Rideout noted that the Osprey training at the Airport needs to happen on the North side of the runway. They are flying low so there will be a noise and abatement complaint.

Star Communication received a stop order on Friday, April 29, 2023 from the Town. They have cut several waterlines.

Mr. Mitch Taylor resigned April 26, 2023.

Sovereign Air has full coverage at the Airport.

July Town Council meeting will be July 10<sup>th</sup>.

Item #7.1: Proclamation -- To Proclaim June 4th as Tourette Syndrome Awareness Day in Town of Elizabethtown

Council will consider at the evening meeting.

Item #7.2: Proclamation -- To Recognize National Police Week -- May 15-21, 2023

This agenda item will be considered at the evening meeting.

Item #7.3: Resolution - #R-2023-08 -- Participation or Opt-Out of One Stop Voting for Municipal Election (October 19, 2023 -- November 4, 2023)

Council will consider at the evening meeting.

Item #8.1 Approval of Severn Peanut Company Incentive Agreement

This agenda item will be presented at the evening meeting.

Item 8.2: Bid Award -- Proposals for Professional Engineering Services -- CDBG-NR Sidewalk and Street Lighting Project

This agenda item will be considered at the evening meeting.

Item #8.3: Bid Award -- Proposals for Professional Surveying Services -- CDBG-NR Sidewalk and Street Lighting Project

Council will consider at the evening meeting.

Item #8.4: Written Order for L. Huntley/MainSyde & Huntley Farms Special Use Permit Approval

This agenda item will be considered at the evening meeting.

Item #8.5: Appointment of Mr. Tommy McKoy to Serve as the Chairman of the Board of Directors for the Community Center Project

Council will consider at the evening meeting.

Item 8.6: Monthly Financial Report

This agenda item will be presented at the evening meeting.

Item #9.1: "Briefly"

Town Manager will give the "briefly" at the evening meeting.

Item #10.1: OPEN FORUM

Town Planner Rusty Worley noted the Town of Elizabethtown and Curtis L Brown Jr. Airport will host an Aviation Summer Camp for students in grades 5-9 in June. The first class will be June 5-8<sup>th</sup> from 9:00 am – 2:30 pm. and the second class will be June 26-29<sup>th</sup>. The program will accept 30 students each session, there will be speakers, classes, navigation, weather and drones. Mr. Brian Campbell is the corporate sponsor.

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/Deputy Town Clerk

UNOFFICIAL

TOWN OF ELIZABETHTOWN  
Regular Meeting  
May 1, 2023

The Elizabethtown Town Council met for its regular meeting on Monday, May 1, 2023 at 7:00 pm in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Paula Greene, Herman Lewis, Rich Glenn, Howell Clark Jr., Ricky Leinwand, 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 and Fire Chief Hollis Freeman. Department Head absent was Finance Director Sharon Penny.

Mayor Sylvia Campbell opened the meeting and called to order. Mayor Campbell welcomed Paul R. Brown Leadership Academy Cadets. Mayor Campbell called upon Mayor Pro Tem Rufus Lloyd to give the invocation.

Item #3.1: Approve Consent Agenda Items

Council Member Rich Glenn, seconded by Mayor Pro Tem Rufus Lloyd, made a motion to recuse Council Member Howell Clark Jr. from Item N. Resolution #R-2023-09 – Application for NCDOT Rural Transformation Grant Fund – Ace Wrecker Property (Unanimous). Upon a motion by Council Member Rich Glenn, seconded by Council Member Ricky Leinwand, the Board unanimously approved the following Consent Items as presented: A. Proposed Agenda, B. April 3, 2023 Noon Work Session, C. April 3, 2023 Regular Meeting Minutes, D. April 3, 2023 Closed Session Minutes, E. Proclamation – Mr. Fletcher Kemp – 101<sup>st</sup> Birthday, F. Resolution #R-2023-07 – To Recognize Nathan Dowless, former Bladen County Director of Emergency Services (Supplemental Agenda- will be rescheduled), G. Proclamation – Proclaim June 4<sup>th</sup> as Tourette Syndrome Awareness Day, H. Proclamation – Recognize National Police Week – May 15-21, 2023, I. Grant Project Budget Amendment #11-02 Coronavirus State & Local Fiscal Recovery Funds, J. Grant Project Budget Amendment #63-01 Infrastructure for LWP Project, K. Capital Project Ordinance – Dewitt Street Water Tank Rehab. 071-00, L. Audit Contract – Thompson, Price, Scott, Adams & Co. PA For FY Ending 6/30/23, M. At Recommendation of Auditor, transfer Loan Balance to the Rehab of the Old Fire Department from General Fund to the Water/Sewer Fund, N. Resolution #R-2023-09 – Applicant for NCDOT Rural Transformation Grant Fund – Ace Wrecker Property.

**ATTACH. #C**

Item #4.1: Special Recognitions:

This item was presented at the Noon Work Session. Mayor Campbell noted that this is a milestone, and she hopes Mr. Fletcher Kemp has a wonderful birthday.

Item #5.1: PUBLIC HEARING: Severn Peanut Company Incentive Agreement

Mayor Sylvia Campbell opened the Public Hearing and called upon Mr. Chuck Heustess to present. Mr. Heustess noted that State incentives require a local match for 5 years, there will be job training, it is agriculture-related, will process peanut butter, will fix the building to expand production in the future. With there being no further comments, Mayor Campbell closed the Public Hearing.

Item #6.1: Proposed FY 2023-2024 General Fund and Water Fund Budget

This agenda item was presented at the Noon Work Session.

Item #6.2: Town Manager Update

Town Manager Dane Rideout noted that the Osprey training at the Airport needs to happen on the North side of the runway. They are flying lower than they should so there will be a noise and abatement complaint.

Star Communication received a stop order on Friday, April 29, 2023 from the Town. They have cut several waterlines. The Town Manager met with Star Communication on May 1, 2023 and laid out some guidelines.

Item #7.1: Proclamation – To Proclaim June 4th as Tourette Syndrome Awareness Day in Town of Elizabethtown

Mayor Sylvia Campbell read and presented the Proclamation to Wyatt Lanier to recognized June 4<sup>th</sup> as Tourette Syndrome Awareness Day in Town of Elizabethtown. Copy attached and incorporated herein by reference.

Item #7.2: Proclamation – To Recognize National Police Week – May 15-21, 2023

Mayor Campbell thanked Lt. Mark McMichael for his heroic efforts last week with the shooting near Leinwand Park. Copy attached and incorporated herein by reference.

Item # 7.3: Resolution - #R-2023-08 – Participation or Opt-Out of One Stop Voting for Municipal Election (October 19, 2023 – November 4, 2023)

Council Member Howell Clark Jr., seconded by Council Member Hernan Lewis, moved to approve the Town to participate in One-Stop Voting for the 2023 Municipal Election (Unanimous).

Item #8.1: Approval of Severn Peanut Company Incentive Agreement

Council Member Paula Greene, seconded by Council Member Ricky Leinwand, made a motion to approve Severn Peanut Company Incentive Agreement (Unanimous). Copy attached and incorporated herein by reference.

Item 8.2: Bid Award – Proposals for Professional Engineering Services – CDBG-NR Sidewalk and Street Lighting Project

Assistant Town Manager Pat DeVane recommends awarding the Professional Engineering Services to McGill Associates, upon receiving approval from the NC Department of Commerce. Council Member Howell Clark Jr., seconded by Mayor Pro Tem Rufus Lloyd, moved to approve Bid Award – Proposals for Professional Engineering Services – CDBG-NR Sidewalk and Street Lighting Project (Unanimous). Copy attached and incorporated herein by reference.

Item #8.3: Bid Award – Proposals for Professional Surveying Services – CDBG-NR Sidewalk and Street Lighting Project

Assistant Town Manager Pat DeVane recommends Walker Surveying since they are local and well-qualified. Council Member Ricky Leinwand, seconded by Council Member Rich Glenn, moved to approve Bid Award – Proposals for Professional Surveying Services – CDBG-NR Sidewalk and Street Lighting Project (Unanimous). Copy attached and incorporated herein by reference.

Item #8.4: Written Order for L. Huntley/MainSyde & Huntley Farms Special Use Permit Approval

Council Member Rich Glenn, seconded by Council Member Howell Clark Jr., made a motion to approve the Written Order for L. Huntley/MainSyde & Huntley Farms Special Use Permit Approval (Unanimous). Copy attached and incorporated herein by reference.

Item #8.5: Appointment of Mr. Tommy McKoy to Serve as the Chairman of the Board of Directors for the Community Center Project

Mayor Pro Tem Rufus Lloyd, seconded by Council Member Herman Lewis, moved to approve appointment of Mr. Tommy McKoy to serve as the Chairman of the Board of Directors for the Community Center Project (Unanimous).

Item 8.6: Monthly Financial Report

Town Manager Dane Rideout noted 84% of revenue is completed, expenditures are the same, taxes 97% and it looks good. Council Member Howell Clark Jr., seconded by Council Member Rich Glenn, moved to approve the Monthly Financial Report (Unanimous). Copy attached and incorporated herein by reference.

Item #9.1: "Briefly"

Town Manager briefed on the following:

Town Offices will be closed in observance of Memorial Day, May 29, 2023.

White Lake Water Festival Parade, May 20, 2023.

250<sup>th</sup> Civil War Era (1824-1873), May 6, 2023.

Kids Appreciation Day, May 13, 2023 from 10 a.m. – 2:00 p.m. behind the Municipal Building.

Aviation Summer Camp at Curtis L. Brown Jr. Airport for students in grades 5-9, June 5-8<sup>th</sup> and June 26-29<sup>th</sup> from 9:00 a.m. – 2:30 p.m.

**Item #10.1: OPEN FORUM**

Mrs. Rebekah Baxter thanked Mayor Campbell for her leadership and the City Council for their service. Mrs. Baxter noted that she grew up in Elizabethtown and was glad to be back home. Mrs. Baxter noted that on April 25, 2023 she was at Leinwand Park watching the game and heard gunshots. The officers arrived quickly, she thinks it is gang-related and she has zero tolerance for gangs. Mrs. Baxter noted there should be additional patrolling during the ball games.

Police Chief Tony Parrish noted that his staff is working with the Sheriff's Department and SBI.

**Item #11.1: Closed Session**

Council Member Howell Clark Jr., seconded by Council Member Rich Glenn, made a motion to enter into Closed Session for the purpose of NCGS 143-318.11(a)(3) – Attorney-Client Privilege (Unanimous).

**RETURN FROM CLOSED SESSION TO OPEN SESSION**

Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, moved to return to open session (Unanimous).

Mayor Sylvia Campbell noted there was no action taken.

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

\_\_\_\_\_  
Sylvia Campbell, Mayor

ATTEST:

\_\_\_\_\_  
Beverly Robinson, Admin Asst/CTC/Deputy Town Clerk

## MEMORANDUM

TO: Mayor and Town Council

FROM: Beverly Robinson, Certified Tax Collector *BR*

SUBJECT: Tax Releases

DATE: May 3, 2023

Tax Collector Beverly Robinson has requested the following tax releases:

|   |                                                             | Account No.             |
|---|-------------------------------------------------------------|-------------------------|
| 1 | <b>2020 Integrated Vehicle Leasing INC</b>                  | 0545085                 |
|   | Reason Tagged With NCDMV                                    |                         |
|   | Release Value \$37,050.00                                   |                         |
|   | Personal Property                                           |                         |
|   | Tax Released                                                | \$ 227.86               |
| 2 | <b>2021 Integrated Vehicle Leasing INC</b>                  | 0545085                 |
|   | Reason Tagged With NCDMV                                    |                         |
|   | Release Value \$ 35,200.00                                  |                         |
|   | Personal Property                                           |                         |
|   | Tax Released                                                | \$ 216.48               |
|   | Late List                                                   | \$ 21.65                |
| 3 | <b>2010 Georgia Jones</b>                                   | 5001353                 |
|   | Reason Over 10 Years                                        |                         |
|   | Release Value \$ 17,200.00                                  |                         |
|   | Real Property                                               |                         |
|   | Tax Released                                                | \$ 105.78               |
| 4 | <b>2011 Georgia Jones</b>                                   | 5001353                 |
|   | Reason Over 10 Years                                        |                         |
|   | Release Value \$ 17,200.00                                  |                         |
|   | Real Property                                               |                         |
|   | Tax Released                                                | <u>\$ 105.78</u>        |
|   | <b>Council is requested to grant the above tax releases</b> | <u><u>\$ 677.55</u></u> |

ATTACH. #E

This is an **Agreement** made effective on April 18, 2023 between Town of Elizabethtown [**Client**], having its principal place of business at 805 W Broad Street; Elizabethtown, NC 28337, and **E.L. Robinson Engineering Co.** and its subsidiaries and affiliates [**ELR**], a West Virginia corporation having its principal place of business at 5088 Washington Street, West; Charleston, WV 25313, and having an office located at 3362 Six Forks Road; Raleigh, NC 27616.

Client engages ELR to provide professional engineering services for support of the funding of the corrections to the storm drainage system along King Street [**Assignment**].

The location of the Assignment is within the Town of Elizabethtown [**Site**], North Carolina [**State**].

**Scope of the Assignment** is as follows: Apply for public grants and/or governmental agency construction loans for the reconstruction of the storm drainage system at King Street in project limits as described in the report prepared by W. K. Dixon.

**Assignment Duration:** Six (6) months from the date of contract execution

In consideration of the mutual promises herein, Client and ELR agree that the terms and conditions of this Agreement are the following:

## 1 SERVICES

- 1.1 **Scope.** ELR shall provide the Basic Services described above. ELR's obligations under this Agreement are solely for the benefit of Client and no other party is intended to benefit or have rights hereunder. ELR will provide Additional Services when authorized in writing by Client.
- 1.2 **Standard of Care.** ELR shall perform the professional engineering services under this Agreement at the level customary for competent and prudent engineers performing such services at the time and place where the services are provided [**Standard of Care**]. These services will be provided by licensed engineers and other professionals and individuals skilled in other technical disciplines, as appropriate.
- 1.3 **Instruments of Service.** ELR is responsible for the professional quality, technical accuracy, timely completion, and the coordination of all instruments of its service including designs, drawings, specifications, reports [**Service Instruments**] and other services provided under this Agreement.
- 1.4 **Indemnification.** ELR agrees to indemnify and hold Client harmless from all losses and damages resulting from ELR's failure to meet the Standard of Care. Client agrees to indemnify and hold ELR harmless from all losses and damages resulting from Client's negligent acts and willful misconduct.
- 1.5 **Subcontractors.** Any subcontractors and outside associates or consultants to be engaged by ELR under this Agreement are limited to those Client specifically approves during the performance of this Agreement.

## 2 CLIENT'S RESPONSIBILITIES

Unless stated otherwise in this Agreement, Client shall do the following in a timely manner:

- 2.1 **Client's Representative.** Designate a representative having authority to give instructions, receive information, define Client's policies, and make decisions with respect to the Assignment.
- 2.2 **Assignment Criteria.** Provide all criteria and information as to Client's requirements for the Assignment, including objectives, concepts, constraints, and performance requirements, and any budgetary limitations.
- 2.3 **Data.** Give ELR all available information, including previous reports and any other data in the possession of Client relative to the Assignment. ELR may rely on the accuracy and completeness of the supplied data.
- 2.4 **Access.** Arrange for ELR to enter upon public and private property as necessary.
- 2.5 **Review.** Examine the Service Instruments and render written decisions concerning the Service Instruments within a reasonable time.
- 2.6 **Expert Advice.** Provide legal, accounting, insurance or other necessary advisory services for the Assignment.

- 2.7 Permits.** Furnish approvals and permits from governmental authorities or other entities having jurisdiction over the Assignment and approvals from others as may be necessary for the timely completion of the Assignment.
- 2.8 Assignment Developments.** Give prompt written notice to ELR whenever Client observes or otherwise becomes aware of any development that affects the scope or timing of ELR's services.

### 3 PERIODS OF SERVICE

- 3.1 Time of Performance.** The parties anticipate the orderly and continuous progress of the Assignment within the period described above.
- 3.2 Delays.** If this Agreement specifies periods of time for performance of services or specific dates by which services are to be completed and if such periods or dates are exceeded through no fault of ELR, the compensation shall be subject to equitable adjustment.
- 3.3 Start of Performance.** ELR will start the Basic Services upon authorization by Client. Unless otherwise stated in this Agreement, signing of this Agreement by both Client and ELR will constitute such authorization. If Client elects to authorize ELR to proceed before signing this Agreement, ELR shall be paid as if the services had been performed after both parties signed the Agreement.
- 3.4 Completion of Performance.** For the purposes of final payment under Section 5, completion of ELR's services will occur upon delivery of the final report or the completion date described above, as appropriate.
- 3.5 Force Majeure.** If a force, event, or circumstance beyond ELR's control interrupts or delays ELR's performance, the time of performance of the Basic or Additional Services shall be equitably adjusted.

### 4 SECTION 5 - COMPENSATION

- 4.1 Basic Services.** Client shall pay ELR the Amount stated in invoices issued in accordance with Schedule A [Pricing Schedule] for actual work performed and Reimbursable Expenses Incurred during the period covered by the invoice. Invoices are due and payable within 30 days after receipt by Client. Client's payments shall be in the form and shall be sent to the ELR address as described in the Invoices.
- 4.2 Additional Services.** Client shall pay ELR for Additional Services actually performed pursuant to Client's authorization.
- 4.3 Litigation Services.** If Client requires ELR's services either as a witness in, or support of, litigation or other dispute resolution procedures between Client and a third party, ELR will provide such services in accordance with a Pricing Schedule for litigation services.
- 4.4 Delay or Termination.**
- 4.4.1** If Client delays the performance of, or payment for, services under this Agreement for more than 3 months for a reason(s) other than ELR's fault, ELR may suspend performance until it receives payment in full for services rendered and expenses incurred to the date of suspension.
- 4.4.2** If Client terminates this Agreement prior to completion of the Basic Services, ELR shall be paid in full for services rendered and expenses incurred to the date of termination, including reasonable demobilization and termination expenses.
- 4.5 Disputed Amounts.** If Client disputes an item(s) or amount(s) contained in an invoice, Client agrees to pay the balance of the undisputed invoiced amounts to ELR in accordance with Schedule A.
- 4.6 Collection.** Any reasonable attorneys' fees or other reasonable costs incurred by ELR in collection of delinquent amounts shall be paid by Client.

### 5 GENERAL CONSIDERATIONS

- 5.1 Changes.** By written notice at any time, Client may change the Basic Services, provided such changes are within the general scope of the services contemplated by this Agreement. In such event, an equitable adjustment both in the

compensation for and time of performance of the Agreement shall be made in writing prior to ELR's performing the changed services.

**5.2 Confidentiality.** ELR will hold secret and confidential all information designated by Client as confidential [Confidential Information]. ELR will not reveal Confidential Information to a third party unless:

- 5.2.1 Client consents in writing;
- 5.2.2 the information is or becomes part of the public domain;
- 5.2.3 ELR lawfully possessed the information before receipt from Client;
- 5.2.4 applicable law, regulation, court order or an agency of competent jurisdiction requires its disclosure; or
- 5.2.5 failure to disclose the information would pose an imminent and substantial threat to human health or the environment.

**5.3 Professional Service.** The Service Instruments furnished under this Agreement are the tangible results of ELR's professional services for the Assignment. ELR shall retain ownership and property interests in the Service Instruments.

**5.3.1 Reuse.** ELR does not represent the Service Instruments to be suitable for reuse by Client or others for extensions of the Assignment or on any other project. Any reuse without written verification or adaptation by ELR for the specific purpose intended is at Client's sole risk, without liability to ELR. Any such verification or adaptation will entitle ELR to compensation at rates to be agreed on by Client and ELR.

**5.3.2 CADD.** ELR may provide information related to the Service Instruments in computer-assisted design and drafting format [CADD] to Client. CADD is derived in part from computer software for which ELR is licensed. These licenses are not transferable. Any unlicensed reuse of CADD may subject the user to liabilities to the software licensor.

**5.4 Insurance.** ELR will maintain insurance against the following risks during the term of the Agreement:

- 5.4.1 workers compensation in statutory amounts and employer's liability for ELR's employees' Assignment-related injuries or disease;
- 5.4.2 general liability and automobile liability each in the amount of \$1,000,000 for personal injury or property damage to third parties which arises from ELR's performance under this Agreement; and
- 5.4.3 professional liability in the amount of \$1,000,000 for legal obligations arising out of ELR's failure to meet the Standard of Care.

**5.5 Interpretation.** This Agreement shall be interpreted in accordance with the laws of the State.

**5.6 Successors.** This Agreement is binding on the successors and assigns of Client and ELR. The Agreement may not be assigned in whole or in part to any third parties without the written consent of both Client and ELR.

**5.7 Independent Contractor.** ELR represents that it is an independent contractor and is not an employee of Client.

**5.8 Disputes.** If a dispute or complaint [Dispute] arises concerning this Agreement, Client and ELR will negotiate a resolution of the Dispute. Should negotiation be unsuccessful, up to three sessions of mediation of the Dispute by a mutually acceptable third party shall be attempted; with the costs equally shared by both parties. Following the third meeting or earlier if appropriate, the mediator shall report to the parties whether he/she believes the Dispute is resolvable through mediation. At that point, the parties may end the mediation and adjudicate the Dispute. If adjudicated, the laws of the State shall control both the action and the substantive issues unless required by law to be filed in a federal district court.

**5.9 Liability.** ELR's total liability to Client for any and all injuries, claims, losses, expenses, damages, or claim expenses arising out of this agreement from any cause or causes shall be \$100,000 or the total amount of ELR's fee for its services, whichever is greater. Such causes include but are not limited to ELR's negligent acts, errors or omissions, strict liability, breach of contract or breach of warranty (expressed or implied). Neither Client nor ELR shall be liable

to the other party for any special, indirect or consequential damages, whether caused or alleged to be caused by their negligence, strict liability, breach of contract or warranty under this Agreement.

**5.10 Notices.** Written notices may be delivered in person or by certified mail, by facsimile, or by courier. Such notices shall be effective upon the date of receipt by the party. Notices shall be delivered or sent to the designated representative of the other party at the address(s) given below the signature block of this Agreement. An address may only be changed by written notice.

**5.11 Entire Agreement.** This Agreement, including any schedules, attachments and referenced documents, is the entire agreement between Client and the ELR. Any prior or contemporaneous agreements, promises, negotiations or representations not expressly stated herein are of no force and effect. Any changes to this Agreement shall be in writing and signed by Client and ELR.

**5.12 Waivers and Severability.** A waiver or breach of any term, condition, or covenant by a party shall not constitute a waiver or breach of any other term, condition or covenant. If any court of competent jurisdiction declares a provision of this Agreement invalid, illegal, or otherwise unenforceable, the remaining provisions of the Agreement shall remain in full force and effect.

**5.13 Effective Date.** Unless otherwise provided within this Agreement, this Agreement is effective on the date shown on the cover page.

## 6 SPECIAL PROVISIONS

**6.1 Special Provisions.** This Agreement is subject to the following special provisions:

**6.1.1** ELR is authorized by the Client to apply for public grants and or loans under this agreement for this specific assignment.

**6.1.2 Construction Cost.** If the Service Instruments includes an estimate of the cost of constructing a facility [Construction Cost], ELR's opinion of probable Construction Cost is made on the basis of ELR's experience and qualifications and represents ELR's judgment as an experienced and qualified professional engineering firm, familiar with the construction industry. ELR does not guarantee that proposals, bids or actual Project cost will not vary from ELR's opinions of probable Construction Cost.

**Execution Authority.** This Agreement is a valid and authorized undertaking of Client and ELR. The representatives of Client and ELR who have signed below have been authorized to do so.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year shown on the cover page.

**TOWN OF ELIZABETHTOWN**

By \_\_\_\_\_

Title \_\_\_\_\_

Witness \_\_\_\_\_

Address for Giving Notices:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**E. L. ROBINSON ENGINEERING, Co.**

By \_\_\_\_\_

Title \_\_\_\_\_

Witness \_\_\_\_\_

Address for Giving Notices:

3362 Six Forks Road

Raleigh, NC 27609

Attn: Legal Department

**Schedule A**  
**Pricing Schedule**

- A.1 The Pricing Schedule consists of this page plus any of the following documents attached and made part of this Agreement:

Summary of Charges – Lump Sum of \$5,675.17 (Five Thousand Six Hundred Seventy-Five Dollars Seventeen Cents)

- A.2 **Reimbursable Expenses.** Except for certain in-house services, project expenses incurred with subcontractors and outside vendors will be invoiced at cost plus a fee to cover handling. These project expenses may include, but are not limited to: shipping charges; printing; supplies; equipment; traveling expenses; special insurance; licenses; permits; and subcontracted services.
- A.3 **Invoices.** ELR will submit invoices to Client for each month during which services were performed. Invoices may include carrying charges at 1.5% per month for delinquent payments outstanding over 30 days and applicable sales or value-added taxes.

Town of Elizabethtown  
Town Council Meeting Dates  
FY 2023 - 2024

July 10, 2023

August 7, 2023

September 11, 2023

October 2, 2023

November 6, 2023

December 4, 2023

January 8, 2024

February 5, 2024

March 4, 2024

April 1, 2024

May 6, 2024

June 3, 2024

June 24, 2024 (Close out meeting)

ATTACH. #G

FY 2023 – 2024 Holiday Schedule

| Holiday                | Observance Date            | Day of Week        |
|------------------------|----------------------------|--------------------|
| Independence Day       | July 4, 2023               | Tuesday            |
| Labor Day              | September 4, 2023          | Monday             |
| Columbus Day           | October 9, 2023            | Monday             |
| Veterans Day           | November 10, 2023          | Friday             |
| Thanksgiving           | November 23 & 24, 2023     | Thursday & Friday  |
| Christmas              | December 22, 25 & 26, 2023 | Fri., Mon., & Tue. |
| New Year's Day         | January 1, 2024            | Monday             |
| Martin Luther King Day | January 15, 2024           | Monday             |
| Presidents' Day        | February 19, 2024          | Monday             |
| Good Friday            | March 29, 2024             | Friday             |
| Memorial Day           | May 27, 2024               | Monday             |
| Juneteenth             | June 19, 2024              | Wednesday          |

ATTACH. #11

TOWN OF ELIZABETHTOWN  
GRANT PROJECT BUDGET AMENDMENT #49-01  
AIRPORT RUNWAY & APRON REHABILITATION

Be it ordained by the Elizabethtown Town Council that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

Section 2: The following amounts are appropriated for this project:

|                                    |           |           |           |
|------------------------------------|-----------|-----------|-----------|
| Administrative Expenses            | \$579     |           | \$579     |
| Preliminary Engineering & Planning | \$68,085  | (\$3,250) | \$64,835  |
| Engineering Services – Basic Fees  | \$198,336 | \$29,074  | \$227,410 |
| TOTAL APPROPRIATIONS               |           |           |           |

Section 3: The following revenues are anticipated to be available to complete this project:

|                                     |           |          |           |
|-------------------------------------|-----------|----------|-----------|
| General Fund Appropriation          | \$26,700  | \$2,583  | \$29,283  |
| NC DOT Aviation Grant (36244.4.9.2) | \$240,300 | \$23,241 | \$263,541 |
| Total REVENUE                       | \$267,000 | \$25,824 | \$292,824 |

Adopted this 5th day of June 2023

\_\_\_\_\_  
Sylvia B. Campbell, Mayor

\_\_\_\_\_  
Dane D. Rideout, Town Manager

\_\_\_\_\_  
Juanita Hester, Town Clerk

**ATTACH. #1**

TOWN OF  
ELIZABETHTOWN

805 West Broad Street  
Post Office 700  
Elizabethtown, NC 28337

TOWN MANAGER'S OFFICE

Office (910) 862-3979  
Fax (910) 862-7117  
[www.elizabethtownnc.org](http://www.elizabethtownnc.org)  
Email [drideout@elizabethtownnc.org](mailto:drideout@elizabethtownnc.org)

TO: Mayor, Sylvia Campbell  
Town Council Members

FROM: Sharon A Penny, Finance Director

RE: Property & Commercial Insurance  
Workers' Compensation Insurance

DATE: June 1, 2023

Lacy West Thomas Agency was the only company to submit a proposal for the property and commercial insurance policies. A breakdown of the different policies with a comparison to the current year premiums is attached. The request for quotes for the wind buyback policy could not be submitted until June 1. It will be next week before Lacy West Thomas Agency has the quotes back.

Without other quotes, the Town will have to renew the current property and commercial policies effective July 1, 2023, at a premium increase of 19.5%. When the quotes for the wind buy back policy are received, we ask that you give us permission to bind that coverage effective July 1, 2023, and give Council a report at the July 2023 meeting.

We received proposals from Lacy West Thomas Agency and the NC League of Municipalities for the workers' compensation insurance. The premium proposals are as follows:

|                             |          |                            |
|-----------------------------|----------|----------------------------|
| NC League of Municipalities | \$43,909 | increase of \$1,484 (3.5%) |
| Lacy West Thomas Agency     | \$50,236 |                            |

We recommend that the Town continue the workers' compensation insurance coverage through the NC League of Municipalities.

*"The mission of the Town of Elizabethtown is to deliver cost effective services that promote public health and safety and enhance the quality of life of all citizens."*

**ATTACH. #J**

Town of Elizabethtown  
Insurance Premium Comparison  
FY 23-24 vs. FY 22-23

|                                                                     | <u>Premium<br/>FY 23 - 24</u> | <u>Premium<br/>FY 22 - 23</u> | <u>Difference</u>           |
|---------------------------------------------------------------------|-------------------------------|-------------------------------|-----------------------------|
| Coverage through Lacy West Thomas:                                  |                               |                               |                             |
| Property                                                            | 38,668                        | 31,562                        | 7,106                       |
| Inland Marine (Equipment)                                           | 8,532                         | 7,786                         | 746                         |
| General Liability                                                   | 14,528                        | 13,414                        | 1,114                       |
| Employee Benefits Liability                                         | 191                           | 174                           | 17                          |
| Automobile Liability                                                | 19,683                        | 15,810                        | 3,873                       |
| Automobile Comprehensive                                            | 5,720                         | 4,479                         | 1,241                       |
| Public Employee Dishonesty                                          | 4,169                         | 1,930                         | 2,239                       |
| Police Professional Liability                                       | 6,633                         | 6,550                         | 83                          |
| Public Officials Liability                                          | 2,314                         | 2,114                         | 200                         |
| Excess Liability                                                    | 7,733                         | 6,855                         | 878                         |
| Employee Practices Liability                                        | 11,839                        | 10,491                        | 1,348                       |
| Cyber Security                                                      | <u>7,832</u>                  | <u>5,758</u>                  | <u>2,074</u>                |
|                                                                     | 127,842                       | 106,923                       | 20,919                      |
| Wind/Hail Buy Back (Waiting on quote from<br>Lacy West Thomas Ins.) | <u>                    </u>   | <u>4,539</u>                  | <u>                    </u> |
| Total Premium                                                       | <u>127,842</u>                | <u>111,462</u>                | <u>20,919</u>               |
| Coverage through NC League of Municipalities:                       |                               |                               |                             |
| Workers' Compensation                                               | <u>43,909</u>                 | <u>42,425</u>                 | <u>1,484</u>                |

Note: Lacy West Thomas Ins. Submitted a bid for the workers' com in amount of \$50,236

RECOMMENDATION: Stay with NCLM for the workers' compensation coverage.



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** SPECIAL RECOGNITIONS

**SUBJECT:** Special Recognition - Nathan Dowless

**BACKGROUND:** At the 7:00 p.m. Town Council meeting, Nathan Dowless, former Director of Bladen County Emergency Management, will be recognized for the great work he did while serving in this position. He has resigned and the Town wishes to show appreciation to Nathan.

**SUGGESTED ACTION:** Mayor Sylvia Campbell will make presentation to Nathan Dowless, former Director of the Bladen County Emergency Management.

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**ATTACHMENTS:**  
[Peak Agenda Attachment - Resolution - To Recognize Nathan Dowless - 6.5.23.pdf](#)



**RECOGNITION AND APPRECIATION FROM THE  
TOWN OF ELIZABETHTOWN MAYOR AND TOWN COUNCIL  
TO  
NATHAN DOWLESS**

**#R-2023-07**

**WHEREAS**, it seems fitting for the Town to recognize and express appreciation to Nathan Dowless, the Bladen County Director of Emergency Services, who is departing his position with the County; and

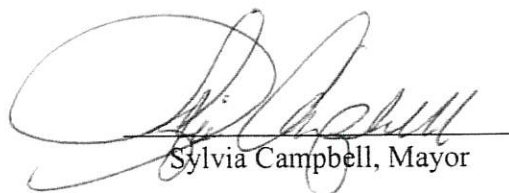
**WHEREAS**, Nathan was named the Bladen County Director of Emergency Services on July 10, 2019; and

**WHEREAS**, in this position, Nathan served the citizens of the local communities and Bladen County, as a whole, in an exemplary manner as he was responsible for overseeing functions of Emergency Management, Emergency Medical Services, GIS/E-911 addressing as well as Planning, Building Inspections and the Fire Marshall's office; and

**WHEREAS**, now that Nathan is departing from this position with the County, the Town of Elizabethtown wishes to recognize him for his leadership skills when handling and preparing for threatened incidents, fires, vehicle accidents, and/or hazardous weather conditions – all that have affected our communities in one way or the other; and

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town of Elizabethtown Mayor and Town Council Members do hereby extend appreciation to Nathan Dowless for his service to the Elizabethtown community as the Bladen County Director of Emergency Services. We wish him much success in his new endeavor!

This the 5<sup>th</sup> day of June, 2023.

  
Sylvia Campbell, Mayor



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** SPECIAL RECOGNITIONS

**SUBJECT:** Special Recognition - Town's Utilities Supervisor Don Edwards -  
Presentation by N.C. Rural Water Association

**BACKGROUND:** N.C. Rural Water Association would like to publicly recognize the Town's Water Operations for the Well Head Protection Plan. Don was instrumental in submitting a very thorough, complete and timely report. At the evening meeting, Rural Water Association would like to present a certificate to that effect.

**SUGGESTED ACTION:** Council is requested to listen to the presentation.

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**ATTACHMENTS:**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** PUBLIC HEARINGS

**SUBJECT:** PUBLIC HEARING: Proposed FY 2023-2024 General Fund and Utilities Fund Budgets

**BACKGROUND:** As required by NCGS, Council must conduct a Public Hearing at the first meeting in June, and such Public Hearing has been duly advertised. Council may adopt the budget at any time after the Public Hearing but no later than June 30th.

Town Council may wish to bring their budget document to the June 5th meeting.

**Copy of Public Hearing notice provided.**

**SUGGESTED ACTION:** Council is requested to follow the Public Hearing procedure below:

**HEARING PROCEDURE:**

a) Open the hearing and call upon Town Manager Dane Rideout to present the information:

and

b) Solicit relevant public comments and information; and

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

*(To Be Considered in Agenda Item #8.1)*

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**ATTACHMENTS:**

Peak Agenda Attachment - Public Hearing Notice - FY 2023-2024 Proposed Budget.pdf

# **TOWN OF ELIZABETHTOWN NOTICE OF PUBLIC HEARING**

"Bladen Journal"  
Publication Date:  
5/12/2023

This is notice to the public that the Town of Elizabethtown's FY 2023-2024 proposed budget has been submitted to the Elizabethtown Town Council and is available for public inspection. The proposed budget will be posted on the Town's website at [www.elizabethtown-nc.org](http://www.elizabethtown-nc.org). A Public Hearing for the FY 2023-2024 proposed budget is scheduled for Monday, June 5, 2023 at 7:00 p.m. in the Council Chamber of the Municipal Building located at 805 West Broad Street, Elizabethtown.  
Sylvia Campbell, Mayor



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

DATE: June 5, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARINGS

SUBJECT: PUBLIC HEARING: Zoning Ordinance Text Amendment for Article 6, Zoning Ordinance Districts - Case Number TA-23-001

BACKGROUND: Staff recommends approving this amendment to the Zoning Ordinance, Article 6, Zoning Ordinance Districts, to allow Itinerant Merchant, Transient Merchant, or Itinerant Vendor use in the C-1, C-2 and CBD zoning districts with supplemental standards.

**Provided are: Public Hearing Notice, Text Amendment for Zoning Ordinance, Article 6, Zoning Ordinance Districts, and the Planning Board Letter of Recommendation.**

SUGGESTED ACTION: Council is requested to follow the Public Hearing procedure 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.
- (To Be Considered in Agenda Item #8.2)*

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**ATTACHMENTS:**

Peak Agenda Attachment - Zoning Ordinance Text Amendment for Article 6 - 6.5.23.pdf  
Peak Agenda Attachment - Letter of Recommendation - From Planning Board - Article 6 Amendment - 6.5.23.pdf  
Peak Agenda Attachment - Revised Text Amendment - Article 6 Zoning Ord. - 6.5.23.pdf

**TOWN OF  
ELIZABETHTOWN  
NOTICE OF  
PUBLIC HEARINGS**

Proposed Text Amendment Requests, Town of Elizabethtown, North Carolina. Pursuant to NCGS 160A-364, 385 and 386, the Town of Elizabethtown will conduct two (2) public hearings for Text Amendment Requests on Monday, June 5, 2023 at 7:00 p.m. in the Elizabethtown Municipal Building. Town Council will consider the following:

**Text Amendment Request**

Petitioner: Town of Elizabethtown

Case Number: TA-23-001

Request: Amend Article 6, Zoning Ordinance Districts, to allow Itinerant Merchant, Transient Merchant, or Itinerant Vendor use in the C-1, C-2 and CBD zoning districts with supplemental standards.

**Text Amendment Request**

Petitioner: Town of Elizabethtown

Case Number: TA-23-002

Request: Amend Article 7, Zoning Ordinance, to include addition of homestay and whole-house lodging options as potential land uses. Also, inclusion of short-term lodging options in same zoning district as existing bed and breakfast land use with supplemental standards and to remove supplemental regulations from existing definition of a bed and breakfast use.

All interested citizens are invited to attend these hearings and present comments on the above petitions. Citizens desiring to speak are required to place their name on the sign-up sheets before agenda adoption. Changes may be made in the advertised proposal that reflect information presented at the hearing. Those who wish to view a copy of the text amendment applications may do so by contacting Planning Director Rusty Worley at (910) 862-2066, Ext. 2014.

"Bladen Journal"

Publication Date:

5/19/2023 &

5/26/2023

# **TOWN OF ELIZABETHTOWN**

## **PLANNING & COMMUNITY DEVELOPMENT**

### **MEMORANDUM**

**DATE:** May 30, 2023  
**TO:** Mayor Sylvia Campbell  
**FROM:** Bobby Kinlaw, Chairman  
Planning Board Members  
**RE:** Petitioner: Town of Elizabethtown  
Case Number: TA 23-001  
Text Amendment Request – Amend Article 6, Zoning Districts

Pursuant to the Elizabethtown Zoning Ordinance, the Elizabethtown Planning Board considered the above-referenced Text Amendment application during a regular meeting on February 28, 2023.

After consideration of the information presented at the meeting, the Planning Board forwards to Town Council a recommendation to approve the Text Amendment Request to Amend Article 6, Zoning Districts.

**ZONING ORDINANCE TEXT AMENDMENT**  
**Presented to Town Council**  
**6/5/2023**

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TA-23-001

**PROPOSED TEXT AMENDMENTS** (yellow highlighting indicates statutory changes; ~~strikethrough~~ indicates deletion)

Amend Article 6, Zoning Districts, as follows:

| PERMITTED USES                                              | R-A | R-40 | R-20 | R-15 | R-12M | R-12 | R-10 | O-I | C-1 | C-2 | CBD | L-I | H-I | B-C | Supplemental Regulations |
|-------------------------------------------------------------|-----|------|------|------|-------|------|------|-----|-----|-----|-----|-----|-----|-----|--------------------------|
| Ice cream Stand or Store                                    |     |      |      |      |       |      |      |     | P   | P   |     |     |     |     |                          |
| Itinerant Merchant, Transient Merchant, or Itinerant Vendor |     |      |      |      |       |      |      |     | PS  | PS  | PS  |     |     |     | Section 7.36             |

Adopted this the 5th day of June, 2023.

\_\_\_\_\_  
Sylvia Campbell, Mayor

ATTEST:

\_\_\_\_\_  
Juanita Hester, Town Clerk



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Public Hearing

**AGENDA SECTION:** PUBLIC HEARINGS

**SUBJECT:** PUBLIC HEARING: Zoning Ordinance Text Amendment for Article 7 - Case Number: TA-23-002

**BACKGROUND:** Staff recommends approving this amendment to the Zoning Ordinance, Article 7, to include addition of homestay and whole-house lodging options as potential land uses. Also, inclusion of short-term lodging options in same zoning district as existing bed and breakfast land use with supplemental standards and to remove supplemental regulations from existing definition of a bed and breakfast use.

**Provided are: Public Hearing Notice, Text Amendment for Article 7 and the Planning Board Letter of Recommendation.**

**SUGGESTED ACTION:** Council is requested to follow the Public Hearing procedure 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.

*(To Be Considered in Agenda Item #8.3)*

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**ATTACHMENTS:**

Peak Agenda Attachment - Zoning Ordinance Text Amendment for Article 7 - 6.5.23.pdf  
Peak Agenda Attachment - Letter of Recommendation - From Planning Board - Article 7 Amendment - 6.5.23.pdf



**TOWN OF  
ELIZABETHTOWN  
NOTICE OF  
PUBLIC HEARINGS**

Proposed Text Amendment Requests, Town of Elizabethtown, North Carolina. Pursuant to NCGS 160A-364, 385 and 386, the Town of Elizabethtown will conduct two (2) public hearings for Text Amendment Requests on Monday, June 5, 2023 at 7:00 p.m. in the Elizabethtown Municipal Building. Town Council will consider the following:

**Text Amendment Request**

Petitioner: Town of Elizabethtown

Case Number: TA-23-001

Request: Amend Article 6, Zoning Ordinance Districts, to allow Itinerant Merchant, Transient Merchant, or Itinerant Vendor use in the C-1, C-2 and CBD zoning districts with supplemental standards.

**Text Amendment Request**

Petitioner: Town of Elizabethtown

Case Number: TA-23-002

Request: Amend Article 7, Zoning Ordinance, to include addition of homestay and whole-house lodging options as potential land uses. Also, inclusion of short-term lodging options in same zoning district as existing bed and breakfast land use with supplemental standards and to remove supplemental regulations from existing definition of a bed and breakfast use.

All interested citizens are invited to attend these hearings and present comments on the above petitions. Citizens desiring to speak are required to place their name on the sign-up sheets before agenda adoption. Changes may be made in the advertised proposal that reflect information presented at the hearing. Those who wish to view a copy of the text amendment applications may do so by contacting Planning Director Rusty Worley at (910) 862-2066, Ext. 2014.

"Bladen Journal"

Publication Date:

5/19/2023 &

5/26/2023

# **TOWN OF ELIZABETHTOWN**

## **PLANNING & COMMUNITY DEVELOPMENT**

### **MEMORANDUM**

**DATE:** May 30, 2023

**TO:** Mayor Sylvia Campbell

**FROM:** Bobby Kinlaw, Chairman  
Planning Board Members

**RE:** Petitioner: Town of Elizabethtown  
Case Number: TA 23-002  
Text Amendment Request – Amend Article 7, Supplemental Regulations,  
Section 7. Flea Markets

Pursuant to the Elizabethtown Zoning Ordinance, the Elizabethtown Planning Board considered the above-referenced Text Amendment application during a regular meeting on February 28, 2023.

After consideration of the information presented at the meeting, the Planning Board forwards to Town Council a recommendation to approve the Text Amendment Request to Amend Article 7, Supplemental Regulations, Section 7. Flea Markets.

**ZONING ORDINANCE TEXT AMENDMENT**  
**Presented to Town Council**  
**6/5/2023**

---

TA-23-002

**PROPOSED TEXT AMENDMENTS** (yellow highlighting indicates statutory changes; ~~strikethrough~~ indicates deletion)

Amend Article 7, Supplemental Regulations, Section 7. Flea Markets as follows:

**SECTION 7.36: ~~FLEA MARKETS~~ TEMPORARY SALES**

**7.36.1. Flea Markets.**

**7.36.1.1.** Flea markets shall not exceed one-half (1/2) acre in size.

**7.36.1.2.** Hours of operation shall be established by the special use permit.

**7.36.1.3.** The sale of food for consumption on or off the premises will require approval by the Department of Health.

**7.36.1.4.** Permanent open-air flea markets are required to install and maintain fencing or landscaping along three (3) sides of the open market. A landscape plan describing both fencing and landscaping must be reviewed and approved by the Zoning Administrator.

**7.36.2. Itinerant Merchant, Transient Merchant, or Itinerant Vendor.**

**7.36.2.1.** Mobile units shall have written permission from property owner for each location at which the unit operates.

**7.36.2.2.** Mobile units shall not be located within 75 feet of the main entrance of the nearest restaurant or retailer during the posted hours of operation of the brick and mortar location.

Adopted this the 5th day of June, 2023.

\_\_\_\_\_  
Sylvia Campbell, Mayor

ATTEST:

\_\_\_\_\_  
Juanita Hester, Town Clerk



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** PRESENTATIONS

**SUBJECT:** Town Manager Update

**BACKGROUND:** Either Town Manager Dane Rideout or Assistant Manager Pat DeVane may be called upon to present updates and other important matters of the Town.

**SUGGESTED ACTION:** Council is requested to hear the update.

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**ATTACHMENTS:**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ORDINANCES/RESOLUTIONS/PROCLAMATIONS

**SUBJECT:** Budget Ordinance - FY 2023-2024 General Fund and Utilities Fund Budgets

**BACKGROUND:** As required by NCGS, the Public Hearing has been conducted. Therefore, Council may adopt the budget any time after the Public Hearing but no later than June 30th.

**Budget Ordinance copy provided.**

**SUGGESTED ACTION:** Council is requested to approve the Budget Ordinance.

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**ATTACHMENTS:**  
[Budget Ordinance - FY 2023 - 2024.docx](#)

**TOWN OF ELIZABETHTOWN  
BUDGET ORDINANCE  
FY 2023 - 2024**

***BE IT ORDAINED*** BY THE TOWN COUNCIL OF THE TOWN OF ELIZABETHTOWN,  
NORTH CAROLINA THAT:

Section 1: The following amounts are hereby appropriated to the fund set forth for the operation of the Town government and its activities for the fiscal year beginning July 1, 2023, and ending June 30, 2024, in accordance with the Chart of Accounts heretofore established for this Town:

| <b><u>GENERAL FUND</u></b>              | <b><u>AMOUNT</u></b>          |
|-----------------------------------------|-------------------------------|
| Governing Body                          | \$ 45,154.00                  |
| Administration                          | \$ 469,010.00                 |
| Finance                                 | \$ 239,400.00                 |
| Public Works                            | \$ 411,487.00                 |
| Public Facilities                       | \$ 119,526.00                 |
| Police                                  | \$ 1,385,020.00               |
| Fire                                    | \$ 927,976.00                 |
| Streets                                 | \$ 496,480.00                 |
| Powell Bill                             | \$ 190,000.00                 |
| Solid Waste                             | \$ 580,000.00                 |
| Planning                                | \$ 165,882.00                 |
| Recreation                              | \$ 110,650.00                 |
| Airport                                 | \$ 49,400.00                  |
| Special Appropriations                  | \$ 252,402.00                 |
| <b>TOTAL GENERAL FUND APPROPRIATION</b> | <b><u>\$ 5,442,387.00</u></b> |
|                                         |                               |
| <b><u>UTILITY FUND</u></b>              | <b><u>AMOUNT</u></b>          |
| Water                                   | \$ 930,508.00                 |
| Sewer                                   | \$ 854,223.00                 |
| Utility Appropriations                  | \$ 200,000.00                 |
| <b>TOTAL UTILITY FUND APPROPRIATION</b> | <b><u>\$ 1,984,731.00</u></b> |

Section 2: It is estimated, and therefore appropriated, that the following revenues will be made available to the respective funds for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

| <u>GENERAL FUND</u>               | <u>AMOUNT</u>                 |
|-----------------------------------|-------------------------------|
| Real Property Taxes               | \$ 1,692,500.00               |
| Business District Taxes           | \$ 40,500.00                  |
| Motor Vehicle Taxes               | \$ 190,000.00                 |
| Interest & Penalties on Taxes     | \$ 19,000.00                  |
| Franchise Taxes                   | \$ 290,000.00                 |
| Local Option Sales Tax            | \$ 792,000.00                 |
| Interest on Investments           | \$ 240,000.00                 |
| Powell Bill Funds                 | \$ 112,500.00                 |
| Other Revenue                     | \$ 1,701,159.00               |
| Transfer from Utility Fund        | \$ 100,000.00                 |
| Fund Balance Appropriated         | \$ 264,728.00                 |
| <b>TOTAL GENERAL FUND REVENUE</b> | <b><u>\$ 5,442,387.00</u></b> |

| <u>UTILITY FUND</u>               | <u>AMOUNT</u>                 |
|-----------------------------------|-------------------------------|
| Water Usage Charges               | \$ 835,000.00                 |
| Sewer Usage Charges               | \$ 1,011,131.00               |
| Late/Reconnect Fees               | \$75,000.00                   |
| Other Revenue                     | \$ 63,600.00                  |
| <b>TOTAL UTILITY FUND REVENUE</b> | <b><u>\$ 1,984,731.00</u></b> |

Section 3: There is hereby levied an Ad Valorem Tax of sixty-one and one-half cents (\$0.615) per one-hundred-dollar (\$100) valuation of taxable property for the purpose of raising a portion of the revenue listed in the General Fund appropriation in Section 2 of this Ordinance. This rate is based upon an estimated assessed valuation of \$276,259,167, for the Town of Elizabethtown and an estimated collection rate of 96.41%.

Section 4: Town Council approved a 10-cent Business Improvement District (BID) Tax that became effective July 1, 2010.

Section 5: The following Utility Rate charges are set forth to be effective:

### **RESIDENTIAL WATER RATES**

| <u>Consumption Gallons</u> | <u>Rate per Thousand Gallons</u> | <u>Out-of-Town<br/>Rate per Thousand Gallons</u> |
|----------------------------|----------------------------------|--------------------------------------------------|
| 0 – 2,000                  | \$12.32 flat rate                | \$30.46 flat rate                                |
| 2,001 – 3,499              | \$3.36 per 1,000 gallons         | \$8.41 per 1,000 gallons                         |
| 3,500 – 4,999              | \$4.31 per 1,000 gallons         | \$10.75 per 1,000 gallons                        |
| 5,000 – 7,999              | \$7.94 per 1,000 gallons         | \$19.85 per 1,000 gallons                        |
| 8,000 – 10,999             | \$9.09 per 1,000 gallons         | \$22.74 per 1,000 gallons                        |
| 11,000 – 16,999            | \$11.36 per 1,000 gallons        | \$28.39 per 1,000 gallons                        |
| 17,000 and above           | \$17.03 per 1,000 gallons        | \$42.59 per 1,000 gallons                        |
| Administrative Fee         | \$2.73 flat rate                 | \$7.04 flat rate                                 |

### **COMMERCIAL WATER RATES**

| <u>Consumption Gallons</u> | <u>Rate per Thousand Gallons</u> | <u>Out-of-Town<br/>Rate per Thousand Gallons</u> |
|----------------------------|----------------------------------|--------------------------------------------------|
| 0 – 50,000                 | \$3.86 per 1,000 gallons         | \$9.65 per 1,000 gallons                         |
| 50,001 – 100,000           | \$4.41 per 1,000 gallons         | \$11.03 per 1,000 gallons                        |
| 100,001 – 200,000          | \$4.97 per 1,000 gallons         | \$12.40 per 1,000 gallons                        |
| 200,001 – 500,000          | \$5.51 per 1,000 gallons         | \$13.79 per 1,000 gallons                        |
| 500,001 and above          | \$6.07 per 1,000 gallons         | \$15.16 per 1,000 gallons                        |
| Administrative Fee         | \$10.26 flat rate                | \$25.63 flat rate                                |

### **SPRINKLER WATER BILLS**

*Sprinkler Usage is Billed Quarterly*

| <u>Consumption Gallons</u> | <u>Rate per Thousand Gallons</u> | <u>Out-of-Town<br/>Rate per Thousand Gallons</u> |
|----------------------------|----------------------------------|--------------------------------------------------|
| 0 – 2,000                  | \$12.52 flat rate                | \$31.28 flat rate                                |
| 2,001 – 8,000              | \$3.97 per 1,000 gallons         | \$9.92 per 1,000 gallons                         |
| 8,001 – 11,000             | \$5.68 per 1,000 gallons         | \$14.20 per 1,000 gallons                        |
| 11,001 – 17,000            | \$7.94 per 1,000 gallons         | \$19.85 per 1,000 gallons                        |
| 17,001 and above           | \$15.88 per 1,000 gallons        | \$39.69 per 1,000 gallons                        |
| Administrative Fee         | \$2.87 flat rate                 | \$7.17 flat rate                                 |

### RESIDENTIAL SEWER RATES

| <u>Consumption Gallons</u> | <u>Rate per Thousand Gallons</u> | <u>Out-of-Town<br/>Rate per Thousand Gallons</u> |
|----------------------------|----------------------------------|--------------------------------------------------|
| 0 – 2,000                  | \$7.17 per 1,000 gallons         | \$17.91 per 1,000 gallons                        |
| 2,001 – 8,000              | \$7.72 per 1,000 gallons         | \$19.30 per 1,000 gallons                        |
| 8,001 – 25,000             | \$8.27 per 1,000 gallons         | \$20.67 per 1,000 gallons                        |
| 25,001 – 100,000           | \$8.82 per 1,000 gallons         | \$22.05 per 1,000 gallons                        |
| 100,001 – 1,000,000        | \$9.48 per 1,000 gallons         | \$23.71 per 1,000 gallons                        |
| 1,000,001 and above        | \$9.92 per 1,000 gallons         | \$24.81 per 1,000 gallons                        |
| Administrative Fee         | \$7.17 flat rate                 | \$17.91 flat rate                                |

### COMMERCIAL SEWER RATES

| <u>Consumption Gallons</u> | <u>Rate per Thousand Gallons</u> | <u>Out-of-Town<br/>Rate per Thousand Gallons</u> |
|----------------------------|----------------------------------|--------------------------------------------------|
| 0 – 2,000                  | \$5.95 per 1,000 gallons         | \$14.89 per 1,000 gallons                        |
| 2,001 – 8,000              | \$6.62 per 1,000 gallons         | \$16.54 per 1,000 gallons                        |
| 8,001 – 25,000             | \$7.17 per 1,000 gallons         | \$17.91 per 1,000 gallons                        |
| 25,001 – 100,000           | \$7.72 per 1,000 gallons         | \$19.30 per 1,000 gallons                        |
| 100,001 – 1,000,000        | \$8.27 per 1,000 gallons         | \$20.67 per 1,000 gallons                        |
| 1,000,001 and above        | \$8.82 per 1,000 gallons         | \$22.05 per 1,000 gallons                        |
| Administrative Fee         | \$9.92 flat rate                 | \$24.81 flat rate                                |

### GREASE TRAP FEES

|               |                   |
|---------------|-------------------|
| 900 Gallons   | Town Cost plus 5% |
| 1,000 Gallons | Town Cost plus 5% |
| 1,500 Gallons | Town Cost plus 5% |
| 2,000 Gallons | Town Cost plus 5% |
| Interceptors  | Town Cost plus 5% |

## OTHER UTILITY SYSTEM CHARGES

### Water & Sewer Extensions

|                                  |                    |
|----------------------------------|--------------------|
| Water Tap – ¾"                   | \$1,400.00         |
| Water Tap – 1"                   | \$1,500.00         |
| Water Tap – 2"                   | Town Cost plus 15% |
| Large Tap (Contractor Installed) | Town Cost plus 15% |
| Non-Standard Water Tap           | Town Cost plus 15% |
| Sprinkler Non-Main Tap ¾"        | \$800.00           |
| Sprinkler Non-Main Tap 1"        | \$900.00           |
| Sewer Tap – 4"                   | \$1,400.00         |
| Sewer Tap – 6"                   | \$1,500.00         |
| Non-Standard Sewer Tap           | Town Cost plus 15% |
| Industrial/Commercial Tap        | Town Cost plus 15% |
| Meter Replacement – ¾" & 1"      | \$300.00           |
| Meter Replacement – 2" e series  | Town Cost plus 15% |
| MTU Replacement                  | \$200.00           |
| Meter Lid Replacement            | \$45.00            |
| Meter Box Replacement            | \$90.00            |
| Meter/MTU Tampering              | \$200.00           |

Tap fees levied by this Section shall be considered development fees, applicable to all new service points, and must be paid in full prior to receiving the water/sewer service.

Section 6: Commercial utility customers who use greater than 1,000,000 gallons per month are entitled to a 6% discount if the monthly bill is paid within 10 days of printing.

Section 7: Utility deposits are to be charged at \$200 per residential renter or residential homeowner account. The deposit will be applied to the final bill when the account is closed. A deposit may be reduced 50% based upon good independent credit report provided by customer. Utility deposits for commercial/business accounts are to be charged at \$400. The deposit will be applied to the final bill when the account is closed. A deposit may be reduced 50% based upon good independent credit report provided by customer. Industrial/Institutional accounts to be \$1,350. The deposit will be applied to the final bill when the account is closed. A deposit may be reduced 50% based upon good independent credit report provided by customer.

Section 8: Residential/commercial delinquent fee accounts are to be \$30. Industrial accounts are to be 5% of bill owed. Disconnect/reconnect fee for nonpayment is to be \$100. After business hours, the reconnect fee is to be \$150.00.

Section 9: The Town of Dublin no longer pays a pro rata shared cost for wastewater treatment services; instead, Dublin pays a per unit cost that is regulated by contract dated March 23, 2007.

Section 10: A monthly residential solid waste fee of \$24.10 is to be charged for the purpose of residential solid waste collection and a \$4.20 per month/per cart Recycle fee. A \$7.40 per month charge is instituted for weekly leaf and limb pick-up. Any non-ordinance standard limbs, leaves or other demolition pickups are to be charged actual disposal cost. Also, requests for additional 90-gallon waste containers over the one (1) provided will be charged \$16.35 per month for each additional 90-gallon waste container.

Section 11: A minimum monthly industrial and commercial solid waste fee of \$27.30 per month is to be charged for one (1) 90-gallon cart with optional Limb/Leaves fee of \$8.40 per month and optional Recycle fee of \$4.20 per month/per cart. The following cost schedule applies for dumpster use per pick-up:

|                             |                             |
|-----------------------------|-----------------------------|
| 2 Yard Container = \$76.60  | 6 Yard Container = \$205.50 |
| 4 Yard Container = \$138.45 | 8 Yard Container = \$273.65 |

Section 12: There are Recycle Dumpsters available for the following monthly charge:

|                             |                             |
|-----------------------------|-----------------------------|
| 2 Yard Container = \$116.45 | 6 Yard Container = \$123.70 |
| 4 Yard Container = \$120.10 | 8 Yard Container = \$129.25 |

The Recycle Dumpsters will be dumped one time a week.

Section 13: The Town's vehicle tag fee is to be charged at \$5.00 per vehicle accounted for in the General Fund revenues that is now collected by the County and included on the Vehicle Tax Notices.

Section 14: To achieve a self-sufficient financial goal, the Town-controlled revenue generating service fee listing is attached effective 7/1/2023.

Section 15: Authorized trips in which employees or officials use a personal vehicle are to be reimbursed at the current reimbursement rate established by the IRS on a per mile basis or by actual gasoline receipt, as determined by the Town Manager. Lodging and meal reimbursements are to be reimbursed at the travel rates per the Joint Federal Travel Regulations (JFTR) or those exceptions approved by the Town Manager.

Section 16: A 3.00% employee salary 401(K) contribution shall be made for regular Town employees other than certified law enforcement employees, which are to receive a 5.0% salary 401(K) contribution.

Section 17: The Budget Officer is hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- a. He/She may transfer amounts between objects of expenditures within a department without limitation and without a report being required.
- b. He/She may transfer amounts not to exceed \$10,000 on any single transfer between departments of the same funds with an official report on such transfers at the next regular meeting of the Town Council.
- c. He/She may not transfer any amounts between funds for appropriation within another fund without approval from the Town Council.
- d. He/She may execute informal contracts of less than \$30,000 provided that the purchase, service or project improvement was previously included in a Town Council approved budget.

Section 18: Copies of this Budget Ordinance and accompanying document shall be furnished to the Town Clerk, Budget Officer, and other Department Heads of the Town of Elizabethtown to be kept on file by them for their direction in the disbursement of funds.

Section 19: The pay scale is as follows: (For all employees except Law Enforcement)

| GRADE | HIRING<br>RATE | MINIMUM  | MID<br>POINT | MAXIMUM  |
|-------|----------------|----------|--------------|----------|
| 3     | \$21,713       | \$22,798 | \$27,243     | \$32,773 |
| 4     | \$22,798       | \$23,938 | \$28,605     | \$34,413 |
| 5     | \$23,939       | \$25,136 | \$30,036     | \$36,132 |
| 6     | \$25,137       | \$26,394 | \$31,536     | \$37,935 |
| 7     | \$26,391       | \$27,711 | \$33,113     | \$39,836 |
| 8     | \$27,710       | \$29,096 | \$34,767     | \$41,825 |
| 9     | \$29,767       | \$31,255 | \$36,041     | \$43,915 |
| 10    | \$30,550       | \$32,078 | \$38,331     | \$46,112 |
| 11    | \$32,110       | \$33,716 | \$40,264     | \$48,417 |
| 12    | \$33,717       | \$35,402 | \$42,278     | \$50,838 |
| 13    | \$35,368       | \$37,136 | \$44,375     | \$53,381 |
| 14    | \$37,136       | \$38,993 | \$46,593     | \$56,050 |
| 15    | \$38,995       | \$40,945 | \$48,924     | \$58,853 |
| 16    | \$40,943       | \$42,990 | \$51,370     | \$61,797 |
| 17    | \$42,991       | \$45,141 | \$53,939     | \$64,886 |
| 18    | \$45,142       | \$47,399 | \$56,636     | \$68,130 |
| 19    | \$47,398       | \$49,768 | \$59,468     | \$71,537 |
| 20    | \$49,768       | \$52,256 | \$62,442     | \$75,115 |
| 21    | \$52,257       | \$54,870 | \$65,564     | \$78,870 |
| 22    | \$54,868       | \$57,611 | \$68,840     | \$82,812 |
| 23    | \$57,612       | \$60,493 | \$72,598     | \$87,583 |
| 24    | \$60,494       | \$63,519 | \$75,898     | \$91,302 |
| 25    | \$63,517       | \$66,693 | \$79,691     | \$95,865 |

Section 20: The Classification Plan for the Town of Elizabethtown shall be as follows (except for Law Enforcement):

| GRADE | CLASSIFICATION                                                                                                                       | FLSA<br>STATUS        |
|-------|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 6     | General Maintenance Worker I                                                                                                         |                       |
| 8     | Equipment Operator<br>Utility Technician I                                                                                           |                       |
| 9     | Administrative Support Specialist<br>General Maintenance Worker II                                                                   |                       |
| 10    | Utility Technician II                                                                                                                |                       |
| 11    | Administrative Assistant<br>Tax Collector<br>Firefighter                                                                             |                       |
| 12    | Police Records Clerk/HR Specialist<br>Equipment Mechanic<br>Fire Engineer<br>Public Works Supervisor<br>Parks Maintenance Supervisor |                       |
| 13    | Accountant<br>WWTP Operator I                                                                                                        |                       |
| 14    | Utility Maintenance Supervisor<br>Deputy Fire Chief                                                                                  |                       |
| 15    | Airport Manager<br>Finance Utilities Specialist                                                                                      | E                     |
| 16    | Town Clerk<br>Assistant Finance Director                                                                                             | E                     |
| 19    | WWTP Operator II                                                                                                                     |                       |
| 20    | Deputy Director of Public Works & Engineering<br>Director of Marketing & Communication                                               | E<br>E                |
| 22    | Director of Planning & Development                                                                                                   | E                     |
| 23    | Assistant Town Manager<br>Director of Public Works & Engineering<br>Finance Director<br>Fire Chief<br>Police Chief                   | E<br>E<br>E<br>E<br>E |

E – Exempt from Fair Labor Standards Act (FLSA) – Wage and Hour provisions

Section 21: The Classification Plan and pay scales are as follows for Law Enforcement:

| CLASS          | HIRING<br>RATE | YEARS OF EXPERIENCE |          |          |          |            |
|----------------|----------------|---------------------|----------|----------|----------|------------|
|                |                | Year 1              | Year 2   | Year 3   | Year 4   | Year<br>5+ |
| Police Officer | \$44,000       | \$44,660            | \$45,330 | \$46,010 | \$46,700 | \$47,401   |

|                | HIRING<br>RATE | MINIMUM  | MID<br>POINT | MAXIMUM  |
|----------------|----------------|----------|--------------|----------|
| Police Officer | \$44,000       | \$46,200 | \$49,254     | \$54,508 |
| Sergeant       | \$50,600       | \$53,130 | \$58,290     | \$65,980 |
| Lieutenant     | \$58,190       | \$61,100 | \$67,034     | \$75,878 |

The annual/starting salary will be adjusted for an officer/recruit that has received the following degrees:

AAS Degree + \$500      BA/BS Degree + \$1,000      Master's Degree + \$1,500

New law enforcement officers receive a \$2,000 sign-on bonus.

Upon introduction of this amended Ordinance by Council member \_\_\_\_\_  
and seconded by Council member \_\_\_\_\_, this ordinance is hereby  
adopted this the \_\_\_\_ day of June 2023.

Ayes:

Nays:

Absent:

\_\_\_\_\_  
Sylvia Campbell, Mayor

TOWN OF ELIZABETHTOWN  
SERVICE FEE LISTING  
FY 2023 - 2024

|                                                                                                       | <u>Fee Amount</u>    |
|-------------------------------------------------------------------------------------------------------|----------------------|
| ABC Permit Application                                                                                | \$75                 |
| Above/Underground Tank Removal                                                                        | \$75                 |
| Annexation Voluntary (up to 100 acres) +\$7 per prop owner to be notified                             | \$500                |
| Annexation Voluntary (>100 acres) +\$7 per prop owner to be notified                                  | \$1,000              |
| Appeal (Board of Adjustment Filing Fee) +\$7 per prop owner to be notified                            | \$250                |
| Appeal - Residential + \$7 per prop owner to be notified                                              | \$200                |
| Commercial +\$7 per prop owner to be notified                                                         | \$300                |
| Building Demolition - Bond (Non-licensed Contractors) (Refundable upon satisfactory final inspection) | \$500                |
| Building Demolition - Residential                                                                     | \$100                |
| Building Demolition - Commercial 0.1 - 10,000 sq. ft.                                                 | \$150                |
| 10,001 + sq. ft.                                                                                      | \$300                |
| Building Moving Permit (relocating a structure)                                                       | \$100                |
| Business Registration Fee                                                                             | \$25                 |
| Cemetery Plot Fees:                                                                                   |                      |
| Town Residents                                                                                        | \$600                |
| Non-Residents                                                                                         | \$800                |
| Grave Marking/Burial Permit                                                                           | \$75                 |
| Conditional Use Permit App.                                                                           | \$275                |
| Planned Unit Developments +\$7 per prop owner notification                                            |                      |
| Fewer than 100 lots or dwelling units                                                                 | \$500                |
| 100-500 lots or dwelling units                                                                        | \$750                |
| Over 500 lots or dwelling units                                                                       | \$1,000              |
| Credit Card use fee                                                                                   | \$2.50 per trans.    |
| Electronic Gaming Machine - Quarterly inspection per machine                                          | \$250 /insp./machine |
| Fingerprint Request                                                                                   | \$20                 |
| Fire Flow Test - Fire Hydrants                                                                        | \$150                |
| General Plan Review                                                                                   | \$100                |
| Hazardous Chemicals-Business                                                                          | \$50                 |
| Mapping Labor                                                                                         | \$30/hr.             |
| Parade Administrative Fee                                                                             | \$100                |
| Photocopies: Per Page                                                                                 | \$0.15               |
| Certified Copy: First Page                                                                            | \$7                  |

|                                                                               |                                        |
|-------------------------------------------------------------------------------|----------------------------------------|
| Additional Page for Cert. Copy                                                | \$3                                    |
| Residential Addition                                                          | \$25                                   |
| Sign Permit - Temporary (30 days)                                             | \$25                                   |
| Sign Permit - Permanent                                                       | \$2 sq.ft. of sign face<br>w/ \$75 min |
| Subdivision Application-Major                                                 | \$300                                  |
| Subdivision Application-Minor                                                 | \$200                                  |
| Subdivision Preliminary Review                                                | \$100                                  |
| Tents/Air Support Structures                                                  | \$35                                   |
| Text Amendment Application +\$7 per prop owner notified                       | \$400                                  |
| Tree Removal Permit                                                           | \$25                                   |
| Variance Request +\$7 per prop owner to be notified                           | \$400                                  |
| Vehicle Tag                                                                   | \$5                                    |
| Wireless Communication Facility Application (cell tower/antennae plan review) | \$500                                  |
| Working without a permit (Fine) = relevant permit                             | Double the Permit<br>Fee               |
| Yard Sale Permit                                                              | \$5                                    |
| <u>Zoning (Includes Certificate of Compliance/Occupancy):</u>                 |                                        |
| Accessory Uses/Buildings                                                      | \$125                                  |
| Residential Zoning Compliance                                                 | \$125                                  |
| Commercial Zoning Compliance                                                  | \$150                                  |
| Additions/Alterations: Residential                                            | \$125                                  |
| Commercial                                                                    | \$150                                  |
| New Residential Construction                                                  | \$150                                  |
| New Commercial Construction                                                   | \$250                                  |
| Manufactured Home - New or Used                                               | \$150                                  |
| Inspection - Certificate of Compliance                                        | Add to Permit<br>Upfront               |
| Short-Term Rentals (Annual Inspection Fee)                                    | \$100                                  |
| Itinerant Vendor Fees                                                         | \$250/Week                             |
| Food Trucks                                                                   | \$250/Year                             |
| Rezoning Application                                                          |                                        |
| Conventional Rezoning + \$7 per property owner notification                   | \$400                                  |
| Conditional District Rezoning +\$7 per property owner notification            |                                        |
| Residential                                                                   | \$400                                  |
| Commercial                                                                    | \$500                                  |

|                                                               |                   |
|---------------------------------------------------------------|-------------------|
| Special Use Permit Application                                |                   |
| Residential                                                   | \$400             |
| Commercial                                                    | \$400             |
| Subdivision Exempt Plat Review                                | \$50              |
| Zoning Ordinance Violation Penalties                          | \$75/Business Day |
|                                                               |                   |
| <u>Recreation &amp; Park Fees (Residents):</u>                |                   |
| Tory Hole Picnic Shelter                                      | 4 hrs. -\$100     |
| Tory Hole Amphitheater                                        | 4 hrs. -\$100     |
| Tory Hole Wedding Package - (4 hrs. Fri/Sat & 8 hrs. Sat/Sun) | 400               |
| Lloyd Park Shelter                                            | 4 hrs. -\$75      |
| Brown's Landing Picnic Shelter                                | 4 hrs. -\$100     |
| Johnson Park Picnic Shelter                                   | 4 hrs. -\$75      |
| Brown's Creek Bike Park                                       | \$500 per day     |
| Martin Luther King, Jr. Park                                  | Delete            |
| Town Hall Soccer Field                                        | 4 hrs. -\$100     |
|                                                               |                   |
| <u>Recreation &amp; Park Fees (Non-Residents):</u>            |                   |
| Tory Hole Picnic Shelter                                      | 4 hrs. - \$125    |
| Tory Hole Amphitheater                                        | 4 hrs. - \$125    |
| Tory Hole Wedding Package - (4 hrs. Fri/Sat & 8 hrs. Sat/Sun) | \$450             |
| Lloyd Park Shelter                                            | 4 hrs. - \$80     |
| Brown's Landing Picnic Shelter                                | 4 hrs. - \$125    |
| Johnson Park Picnic Shelter                                   | 4 hrs. - \$80     |
| Brown's Creek Bike Park                                       | \$500 per day     |
| Martin Luther King, Jr. Park                                  | Delete            |
| Town Hall Soccer Field                                        | 4 hrs. - \$100    |
|                                                               |                   |
| Farmers Market - half day                                     | \$350             |
|                                                               |                   |
| <u>Water/Sewer Fees:</u>                                      |                   |
| Water Tap - ¾"                                                | \$1,400           |
| Water Tap - 1"                                                | \$1,500           |
| Water Tap - 2"                                                | Town Cost + 15%   |
| Large Tap fee (contractor installed)                          | Town Cost + 15%   |
| Non-standard Water Tap                                        | Town Cost + 15%   |
| Sprinkler - Non-Main Tap ¾"                                   | \$800             |

|                                                 |                 |
|-------------------------------------------------|-----------------|
| Sprinkler – Non-Main Tap 1"                     | \$900           |
| Sewer Tap 4"                                    | \$1,400         |
| Sewer Tap 6"                                    | \$1,500         |
| Non-standard Sewer Tap                          | Town Cost + 15% |
| Industrial/Commercial Tap                       | Town Cost + 15% |
|                                                 |                 |
| Meter Replacement:                              |                 |
| 3/4" & 1"                                       | \$300           |
| 2" e-series                                     | Town Cost +15%  |
| MTU Replacement                                 | \$200           |
| Meter Lid Replacement                           | \$45            |
| Meter Box Replacement                           | \$90            |
| Meter/MTU Tampering                             | \$200           |
|                                                 |                 |
| <i>Utility Deposits:</i>                        |                 |
| Residential Renter/Homeowner                    | \$200           |
| Commercial/Business                             | \$400           |
| Industrial                                      | \$1,350         |
| <u>Other: Return Check/Draft Fee</u>            | \$35            |
| Delinquent Account Fee                          | \$30            |
| Reconnection Service Fee                        | \$100           |
| After Business Hour Reconnect                   | \$150           |
|                                                 |                 |
| <i>Fire Service Fees:</i>                       |                 |
| <u>Fire Inspections:</u>                        |                 |
| -Fire Inspection 0-5000 sq. ft.                 | \$50.00         |
| -Fire Inspection 5001-15,000 sq. ft.            | \$75.00         |
| -Fire Inspection 15,001-50,000 sq. ft.          | \$125.00        |
| -Fire Inspection 50,001-100,000 sq. ft.         | \$175.00        |
| Fire Inspection > 100,000 sq. ft.               | \$250.00        |
| Follow Up- Inspection (if violations corrected) | No Charge       |
| 1st Re-Inspection (if violations not corrected) | \$45.00         |
| 2nd Re-Inspection (if violations not corrected) | \$65.00         |
| 3rd Re-Inspection (if violations not corrected) | \$85.00         |
| Continual Non-Compliance                        | \$100.00/ Day   |
|                                                 |                 |
| <u>Hazardous Materials Response:</u>            |                 |
| a. Personnel and equipment                      | \$250.00/hr.    |
| b. Supplies & materials                         | cost plus 15%   |

|                                                               |               |
|---------------------------------------------------------------|---------------|
| <u>Motor Vehicle Crash Response (Non-district Residents):</u> |               |
| a. Personnel and equipment                                    | \$250.00/hr.  |
| b. Supplies & materials                                       | cost plus 15% |
|                                                               |               |
| <u>False Fire Alarms (Per Calendar Year):</u>                 |               |
| a. Third false alarm - residential                            | \$50.00       |
| b. Fourth false alarm - residential                           | \$75.00       |
| c. Fifth or more false alarm - residential                    | \$100 each    |
| (Add \$50.00 each occurrence for commercial property)         |               |
|                                                               |               |
| <u>Fire Protection Plans Review:</u>                          |               |
| -Plans review 0-5,000 sq. ft.                                 | \$100.00      |
| -Plans review 5,001-15,000 sq. ft.                            | \$125.00      |
| -Plans review 15,001-50,000 sq. ft.                           | \$150.00      |
| -Plans review 50,001-100,000 sq. ft.                          | \$225.00      |
| -Plans Review > 100,000 sq. ft.                               | \$300.00      |
|                                                               |               |
| <u>911 Addressing:</u>                                        |               |
| -Non-visible house/business numbers                           |               |
| -first offense                                                | warning       |
| -subsequent non-compliance                                    | \$50.00       |
|                                                               |               |
| <u>Operational Permits:</u>                                   |               |
| -Fire lane parking violation                                  | \$50.00       |
| -Temporary tents                                              | \$45.00       |
| -Fireworks/explosives tents                                   | \$65.00       |
| -Standpipes                                                   | \$45.00       |
| -Carnivals/fairs/events                                       | \$65.00       |
| -Flammable liquid tanks                                       | \$65.00       |
| -Hazardous materials storage                                  | \$100.00      |
| -Pyrotechnic shows                                            | \$65.00       |
| -Spray booths/dipping                                         | \$65.00       |
| -Automatic fire extinguishing systems                         | \$65.00       |
| -Compressed gas storage                                       | \$65.00       |
| -Fire alarm/detection systems                                 | \$65.00       |
| -Fire pumps                                                   | \$65.00       |
|                                                               |               |
| <u>Car Seat Install for Court System</u>                      | \$75.00       |



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ORDINANCES/RESOLUTIONS/PROCLAMATIONS

**SUBJECT:** Approval of the Zoning Ordinance Text Amendment for Article 6 (TA-23-001)

**BACKGROUND:** Planning Director Rusty Worley may be called upon to answer questions that Town Council may have.

**SUGGESTED ACTION:** Council is requested to approve/disapprove of the zoning text amendment request. ***Council should use one (1) of the following statements when making a motion:***

- *A Statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
- *A Statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
- *A Statement approving the zoning amendment and containing at least all of the following:*
  - *A declaration that the approval is also deemed an amendment to the comprehensive plan. The Town Council shall not require any additional request or application for amendment to the comprehensive plan.*
  - *An explanation of the change in conditions the Town Council took into account in amending the Ordinance to meet the development needs of the community.*
  - *Why the action was reasonable and in the public interest.*

---

**ATTACHMENTS:**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ORDINANCES/RESOLUTIONS/PROCLAMATIONS

**SUBJECT:** Approval of the Zoning Ordinance Text Amendment for Article 7 (TA-23-002)

**BACKGROUND:** Planning Director Rusty Worley may be called upon to answer questions that Town Council may have.

**SUGGESTED ACTION:** Council is requested to approve/disapprove of the zoning text amendment request. ***Council should use one (1) of the following statements when making a motion:***

- *A Statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
- *A Statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.*
- *A Statement approving the zoning amendment and containing at least all of the following:*
  - *A declaration that the approval is also deemed an amendment to the comprehensive plan. The Town Council shall not require any additional request or application for amendment to the comprehensive plan.*
  - *An explanation of the change in conditions the Town Council took into account in amending the Ordinance to meet the development needs of the community.*
  - *Why the action was reasonable and in the public interest.*

---

**ATTACHMENTS:**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Resolution

**AGENDA SECTION:** ORDINANCES/RESOLUTIONS/PROCLAMATIONS

**SUBJECT:** Resolution #R-2023-11 - Surplus Property Declaration and Authorization to Sell Personal Property by Private Sale

**BACKGROUND:** Town Manager Dane Rideout may be called upon to present this agenda item. With the 2016 Police vehicle being declared as surplus property, the plan will be for the Town Manager to sell by private sale to Harrells Christian Academy. The provided resolution, upon approval by Town Council, will authorize the Town Manager to sell this vehicle by private sale to Harrells Christian Academy for \$2,500.00.

**Surplus Property Form and Resolution copy provided.**

**SUGGESTED ACTION:** Council is requested to declare Police Vehicle as surplus property and authorize for Private Sale.

---

### ATTACHMENTS:

Surplus Property Form - 2016 Dodge Charger - Private Sale - 6.5.23.pdf

Resolution - Disposition of 2016 Dodge Charger - Private Sale - Authorizing Town Manager to Handle - 6.5.23.docx

**DISPOSITION OF TOWN OF ELIZABETH TOWN PROPERTY**

Requesting Department Police

Vehicle or Equipment: PATROL CAR

Year / Model / Make: 2016 DODGE CHARGER

Serial Number: 2C3CDXAG6GH122443

Present Mileage: 109,185

Estimated Value: 16,000

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

VEHICLE HAS A PUSH BAR  
ON THE FRONT OF IT.

Recommended minimum disposition price (optional): \$ \_\_\_\_\_

By: AT Parnell

Date: 5/26/23

**TOWN OF ELIZABETHTOWN**  
**Resolution Authorizing the Disposition of**  
**Certain Personal Property by Private Sale**

**#R-2023-11**

**WHEREAS**, the Town Council of the Town of Elizabethtown desires to dispose of certain surplus property of the Town of Elizabethtown;

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

- (1) The following described property is hereby declared to be surplus to the needs of the Town of Elizabethtown:

*One 2016 Dodge Charger, VIN #2C3CDXAG6GH122443, Mileage 109,185,  
Estimated Value of \$16,000*

- (2) Town Manager Dane Rideout is authorized to dispose of the 2016 Dodge Charger by Private Sale to Harrells Christian Academy for \$2,500.00.
- (3) The Town Clerk shall publish notice summarizing this Resolution in accordance with NCGS 160A-267.
- (4) The sale may be consummated not earlier than 10 days from the date of publication.

Adopted this the 5<sup>th</sup> day of June, 2023.

---

Sylvia Campbell, Mayor



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Resolution

**AGENDA SECTION:** ORDINANCES/RESOLUTIONS/PROCLAMATIONS

**SUBJECT:** Resolution #R-2023-12 - Surplus Property Declaration - 2011 Ford Expedition

**BACKGROUND:** The Police Department has a 2011 Ford Expedition that is no longer a reliable vehicle to use on the road. Therefore, the vehicle needs to be declared surplus property. This vehicle will be sold via [www.GovDeals.com](http://www.GovDeals.com).

**Surplus Property Form and Resolution copy provided.**

**SUGGESTED ACTION:** Council is requested to declare Police Vehicle as surplus property.

---

**ATTACHMENTS:**

Peak Agenda Attachment - Surplus Property Form - 2011 Ford Expedition - 6.5.23.pdf  
Resolution - To Declare Surplus Property - 2011 Ford Expedition - Police Vehicle - Sale via GovDeals - 6.5.23.docx

**DISPOSITION OF TOWN OF ELIZABETH TOWN PROPERTY**

Requesting Department Police

Vehicle or Equipment: SUV

Year / Model / Make: 2011 FORD EXPEDITION

Serial Number: 1FMJH1F54BEF46691

Present Mileage: 150,620

Estimated Value: \$ 4,700

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

VEH HAS 150K + miles  
AND IS STARTING TO HAVE  
MAINTENANCE ISSUES.

Recommended minimum disposition price (optional): \$ 3,700

By: AT Parniel

Date: 5/25/23

**TOWN OF ELIZABETHTOWN**

**Resolution Authorizing Sale of Personal Property by Internet Auction**

**RESOLUTION #R-2023-12**

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:

*2011 Ford Expedition, VIN #1FMJU1F54BEF46691, 150,620 Miles, Estimated Value \$4,700*

Now, therefore, be it resolved, by the Elizabethtown Town Council that the Town Manager or his designee (Greg Taylor, Facilities & Public Works Manager) is authorized to sell at electronic auction @ [www.GovDeals.com](http://www.GovDeals.com), the surplus property above-described per the terms and conditions as specified in the GovDeals.com 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 5<sup>th</sup> day of June, 2023.

---

Sylvia Campbell, Mayor

ATTEST:

---

Juanita Hester, Town Clerk



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Resolution

**AGENDA SECTION:** ORDINANCES/RESOLUTIONS/PROCLAMATIONS

**SUBJECT:** Resolution #R-2023-13 - Surplus Property Declaration - 4 Police Vehicle Light Bars

**BACKGROUND:** The Police Department has 4 Police Vehicle Light Bars that no longer fit the current fleet of patrol vehicles. Police Chief Tony Parrish wishes to donate these light bars to the Bladen Community College BLET Program. This donation in accordance with NCGS 160A-280.

**Surplus Property Form and Resolution copy provided.**

**SUGGESTED ACTION:** Council is requested to declare the 4 Police Light Bars as surplus.

---

#### ATTACHMENTS:

[Surplus Property Form - 4 Police Vehicle Light Bars - 6.5.23.pdf](#)

[Resolution - Declaration of Surplus Property and Donation of 4 Police Vehicle Light Bars to BCC - 6.5.23.docx](#)

## DISPOSITION OF TOWN OF ELIZABETHTOWN PROPERTY

Requesting Department: Police

Vehicle or Equipment: 4 Police Light bar's

Year / Model / Make: SX8BBBB/Whelen

Serial Number: N077956, N075967, N091621, N64909

Present Mileage: N/A

Estimated Value: 2500

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

Vehicle Specific Equipment that no longer fit our current fleet of patrol vehicles.

Recommended minimum disposition price (optional):

Donation to Bladen Community College BLET Program

BY:

AT Parnis

DATE:

5/26/23

**TOWN OF ELIZABETHTOWN**

**RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND  
APPROVING DONATION PURSUANT TO NCGS 160A-280**

**#R-2023-13**

**WHEREAS, NCGS 160A-280 grants local government the authority to donate to another government agency or a nonprofit corporation, any personal property that the Town Council deems surplus, obsolete, or unused; and**

**WHEREAS, Police Chief Tony Parrish does request that the below-described property be declared surplus and donated to the Bladen Community College BLET Program:**

*Four (4) Police Vehicle Light Bars, SX8BBBB/Whelen, Serial Numbers  
N077956, N075967, N091621, and N64909, Estimated Value of \$2,500*

**WHEREAS, pursuant to the provisions of NCGS 160A-280, the Town of Elizabethtown Town Council has caused a public notice of this proposed donation to be posted at least five (5) days prior to the adoption of this Resolution approving the donation.**

**NOW, THEREFORE, BE IT RESOLVED by the Town of Elizabethtown Town Council that the above-described property be declared surplus to the needs of the Town of Elizabethtown and donation of the surplus property be made to the Bladen Community College BLET Program.**

**Adopted this the 5th day of June, 2023.**

---

**Sylvia Campbell, Mayor**

**ATTEST:**

---

**Juanita Hester, Town Clerk**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ADMINISTRATIVE MATTERS

**SUBJECT:** Bid Award - Proposal for Administration Services - CDBG-NR #21-C-4026 Elizabethtown Community Center Project

**BACKGROUND:** Planning Director Rusty Worley may be called upon to present this agenda item. For the Community Center grant project, there was only one proposal received. Provided letter from N.C. Department of Commerce grants approval for acceptance of the one proposal received from Insight Planning and Development.

**Copy of the RFP Notice, proposal from Insight Planning and Development and approval of award letter from N.C. Department of Commerce provided.**

**SUGGESTED ACTION:** Council is requested to make the bid award for Administration Services for the Community Center Project.

---

### ATTACHMENTS:

Peak Agenda Attachment - RFP for Administration Services - CDBG-NR Community Center Project - 6.5.23.pdf

Peak Agenda Attachment - Revised Approval Letter from Dept. of Commerce - Admin. Services Award - 6.5.23.pdf

**Town of Elizabethtown**  
**REQUEST FOR PROPOSALS FOR GRANT ADMINISTRATION SERVICES**  
***Re-Advertisement – Proposals Due April 14, 2023***

The Town of Elizabethtown is seeking professional services for the administration of a Community Development Block Grant (CDBG) application in the Neighborhood Revitalization program offered by the NC Department of Commerce. The project is anticipated to include housing-related activities as developed during the application process. The grant request is anticipated to be an amount up to \$2,575,000.00. The project is expected to take place over 30 months. Professional services will be contingent upon successful award of the grant project.

The Town of Elizabethtown is soliciting proposals for grant administration services to assist the Town of Elizabethtown in the administration and management of this project in compliance with all applicable requirements under the North Carolina State CDBG Program. The fee for administration services and service delivery will be paid with CDBG funds.

**Scope of Services:**

Grant Administration Services shall include, but are not limited to, standard tasks necessary for the implementation of the project in conformance with the following CDBG compliance areas:

1. Environmental Review Preparation and Release of Funds and other Funding Conditions.
2. Citizen Participation Plan.
3. Equal Employment and Procurement Plan/Policy.
4. Section 3 Plan.
5. Section 504 Plan, including grievance procedure.
6. Language Access Plan.
7. Code of Conduct Policy.
8. Excessive Force Policy (Section 519 of Public Law 101-144).
9. Labor Standards, as necessary.
10. Assistance with procurement of other professional services.
11. Setting up and managing official records.
12. Assistance in conducting all necessary public hearings/meetings.
13. Completion of all required reports and documentation, including annual performance reports.
14. Assistance with financial reimbursement forms.
15. Preparation of grant close-out documents.

The services will not include the disbursement or accounting of funds distributed by the Town of Elizabethtown's financial officer, legal advice, fiscal audits, or assistance with activities not related to the CDBG project.

**Submission Requirements:**

Submissions provided to the Town of Elizabethtown shall include at a minimum:

1. Experience with similar CDBG-NR grant administration; experience with HUD requirements. Proposal must identify the firm name, address, phone number and primary contact. Include at least three (3) references.
2. Qualifications, knowledge, and technical expertise with administration of CDBG Grant Programs. Include résumés of individuals performing key functions.
3. Capacity to perform required tasks in a timely manner according to the Town of Elizabethtown's grant administration deadlines, given current workload and staff.

4. **Cost of Services:** Indicate hourly rates and not-to-exceed fee.
5. **Documentation of compliance with state and federal debarment/eligibility requirements.**
6. **Documentation of Section 3 business status and/or disadvantaged small business.**

**Proposal Evaluation Criteria:**

Respondents will be evaluated according to the following factors:

- |                                                                        |           |
|------------------------------------------------------------------------|-----------|
| 1. General Qualifications, Competence, and Reputation of Firm          | 20 points |
| 2. Prior CDBG Housing Grant Experience of Firm                         | 20 points |
| 3. Qualifications, Knowledge, and Technical Expertise of Key Personnel | 25 points |
| 4. Availability and Capacity of the Consultant                         | 15 points |
| 5. Schedule of Fees                                                    | 10 points |
| 6. Debarment Compliance and Eligibility Requirements                   | 5 points  |
| 7. Section 3 business status/Verified disadvantaged small business     | 5 points  |

The above information should be submitted no later than April 14, 2023 by 5:00 pm to 805 West Broad Street, Elizabethtown, NC 28337. For more information, you may also contact Rusty Worley, 910-862-3979.

Upon completion of the review, a recommendation will be made to the Town of Elizabethtown's Council for approval.

The Town of Elizabethtown is an Equal Opportunity Employer and invites the submission of proposals from small and minority and women-owned firms, historically underutilized businesses, and certified/registered Section 3 business concerns.

This information is available in Spanish and any other language upon request. Please contact Rusty Worley or at 805 West Broad Street, Elizabethtown NC 28337 for accommodations for this request.

*Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con Rusty Worley, 910-862-3979 ext 2014 o en 805 West Broad Street, Elizabethtown NC 28337 de alojamiento para esta solicitud.*





NC DEPARTMENT  
of COMMERCE  
RURAL ECONOMIC  
DEVELOPMENT

Roy Cooper  
GOVERNOR

Machelle Sanders  
SECRETARY

Kenny Flowers  
ASSISTANT SECRETARY

June 2, 2023

The Honorable Sylvia Campbell, Mayor  
Town of Elizabethtown  
Post Office Box 700  
Elizabethtown, North Carolina, 28337

Subject: Sole Source for Administrative Services  
CDBG Number: **21-C-2046 (NR)**, Grant Number Corrected

Dear Mayor Campbell:

The North Carolina Department of Commerce / Rural Economic Development Division (REDD) is in receipt of the Town of Elizabethtown's request dated April 17, 2023, concerning the Town's effort to procure Administrative Services for your Community Development Block Grant project, 21-C-2046(NR).

Based on the submitted information, the Town has properly procured Administrative Services. Based on our review, the Town advertised three times and received one proposal. Effective **May 19, 2023**, the Town may award a contract to the one contractor, Insight Planning and Development for Administrative Services, for the referenced grant.

Should you have any questions, please contact Vivian Schweizer, Grants Management Representative at 919-814-4730 or [vivian.schweizer@commerce.nc.gov](mailto:vivian.schweizer@commerce.nc.gov).

Sincerely,

Valerie D. Moore Fegans  
Director  
Community Development Block Grant (CDBG) Program

VDMF/VSS

cc: Dane Rideout, Town Manger  
Sharon Penny, Finance Director  
Tammy Daniels, The Adams Company  
Vivian Schweizer, Grants Management Representative, NC Commerce



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ADMINISTRATIVE MATTERS

**SUBJECT:** Budget Amendment - #2023-03

**BACKGROUND:** Finance Director Sharon Penny brings forth a Budget Amendment. She may be called upon to present this agenda item.

**Copy of Budget Amendment provided.**

**SUGGESTED ACTION:** Council is requested to approve the Budget Amendment for FY ending 6/30/23.

---

**ATTACHMENTS:**

[Budget Amendment #2023-03 \(06-05-2023\).pdf](#)

**TOWN OF ELIZABETHTOWN**  
**BUDGET AMENDMENT #2023-03**  
**June 5, 2023**

| <u>Account Number</u> | <u>Description</u>                             | <u>Amount</u>       | <u>Justification</u>                |
|-----------------------|------------------------------------------------|---------------------|-------------------------------------|
| <b>Revenue</b>        |                                                |                     |                                     |
| 10-3500-331           | Miscellaneous Revenue                          | \$ 6,000.00         | Grant for Summer Aviation Camp      |
| 10-3500-312           | Kids Appreciation Day Revenue                  | \$ 1,772.00         | Donations for Kids Appreciation Day |
| 10-3900-319           | Fund Balance Appropriated - Kids Apprec. Day   | \$ 4,396.81         |                                     |
| 10-3500-325           | Donations - 250th Anniversary                  | \$ 2,650.00         | Donations for 250th Anniversary     |
| 10-3000-301           | Interest/Penalties - Taxes                     | \$ 6,500.00         |                                     |
| 10-3000-4XX           | Ad Valorem Taxes (2019-2021)                   | \$ 7,706.00         |                                     |
| 10-3000-422           | Ad Valorem Taxes (2022)                        | \$ 33,778.00        |                                     |
| 10-3300-310           | Planning/Zoning Fees                           | \$ 1,144.00         |                                     |
| 10-3300-338           | Cemetery Lot Sales                             | \$ 8,000.00         |                                     |
| 10-3500-330           | Commissions & Royalties                        | \$ 4,772.00         | Increase in T-Mobile Site Fee       |
|                       | <b>TOTAL</b>                                   | <b>\$ 76,718.81</b> |                                     |
| <b>Expenditures</b>   |                                                |                     |                                     |
| 10-6150-300.01        | Airport - Aviation Camp Expenses               | \$ 6,000.00         |                                     |
| 10-4310-201           | Police - Kids Appreciation Day Expenses        | \$ 6,168.81         |                                     |
| 10-4110-300           | Gov. Body - 250th Anniversary Celebration Exp. | \$ 2,650.00         |                                     |
| 10-4130-398           | Contracted Services - Audit                    | \$ 1,900.00         | Line Underbudgeted                  |
| 10-4145-331           | Public Works - Electricity                     | \$ 5,000.00         | Line Underbudgeted                  |
| 10-4190-253           | Public Facilities - Supplies: Parts            | \$ 15,000.00        | Line Underbudgeted                  |
| 10-4510-253           | Streets - Supplies: Parts                      | \$ 15,000.00        | Line Underbudgeted                  |
| 10-4510-331           | Streets - Electricity                          | \$ 10,000.00        | Line Underbudgeted                  |
| 10-4910-200           | Planning - Operations & Services               | \$ 15,000.00        | Economic Development Activities     |
|                       | <b>TOTAL</b>                                   | <b>\$ 76,718.81</b> |                                     |

DULY ADOPTED this 5th day of June 2023 by the Elizabethtown Town Council at Elizabethtown, North Carolina

Sylvia Campbell, Mayor

Dane D. Rideout, Town Manager/Budget Officer

ATTEST:

Juanita Hester, Town Clerk



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 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 May 2023. Mrs. Penny may be called upon to present this agenda item.

**Copy of Financial Report provided.**

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

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**ATTACHMENTS:**  
[May 2023 Financial Summary.pdf](#)

# ELIZABETHTOWN as of May 31, 2023

## BUDGET & FINANCE SNAPSHOT

### FISCAL YEAR 2022-2023 REVENUES

92% YEAR COMPLETED

| Revenue Sources                 | Fiscal Year Budget | Actual Y-T-D as of 5-31-2023 | % of Budget  |
|---------------------------------|--------------------|------------------------------|--------------|
| <b>GENERAL FUND</b>             |                    |                              |              |
| Ad Valorem & BID Taxes          | 1,731,500          | 1,795,923.27                 | 103.7%       |
| Vehicle Taxes                   | 185,000            | 160,885.67                   | 87.0%        |
| Local Option Sales Taxes        | 700,000            | 572,002.89                   | 81.7%        |
| Utility Franchise Taxes         | 290,000            | 153,952.83                   | 53.1%        |
| ABC Revenue                     | 205,000            | 178,750.00                   | 87.2%        |
| Powell Bill                     | 114,000            | 112,570.43                   | 98.7%        |
| Street Improvement Project Loan | 1,275,128          | 1,275,127.89                 | 100.0%       |
| Bladen Fire District            | 206,000            | 195,709.00                   | 95.0%        |
| Solid Waste fees                | 1,067,000          | 1,024,921.91                 | 96.1%        |
| Permits & Fees                  | 33,748             | 28,211.50                    | 83.6%        |
| FEMA reimbursement              | 0                  | 0.00                         | 0.0%         |
| Rental Income                   | 104,000            | 100,307.28                   | 96.4%        |
| Salary & Admin. Reimbursements  | 79,669             | 56,763.29                    | 71.2%        |
| Miscellaneous Revenues          | 325,993            | 325,028.41                   | 99.7%        |
| Federal ARPA Funding            | 542,892            | 542,892.67                   | 100.0%       |
| General Fund Balance Approp.    | 560,305            |                              | 0.0%         |
| <b>TOTAL GENERAL FUND</b>       | <b>7,420,235</b>   | <b>6,523,047.04</b>          | <b>87.9%</b> |
| <b>WATER FUND</b>               |                    |                              |              |
| Water fees                      | 792,570            | 731,935.51                   | 92.3%        |
| Sewer fees                      | 956,820            | 885,093.02                   | 92.5%        |
| Miscellaneous Revenue           | 135,200            | 159,636.48                   | 118.1%       |
| Utility Fund Balance Approp.    | 0                  |                              | 0.0%         |
| <b>TOTAL WATER FUND</b>         | <b>1,884,590</b>   | <b>1,776,665.01</b>          | <b>94.3%</b> |

#### FINANCIAL REPORT

As indicated in the table to the left, Elizabethtown has received \$6,523,047 of its General Fund budgeted revenues during the reporting period, which began July 1, 2022. \$1,776,665 of the Water Fund budgeted revenues has also been received. As of May 31, 2023, 98% of the current year for property tax assessment has been collected.

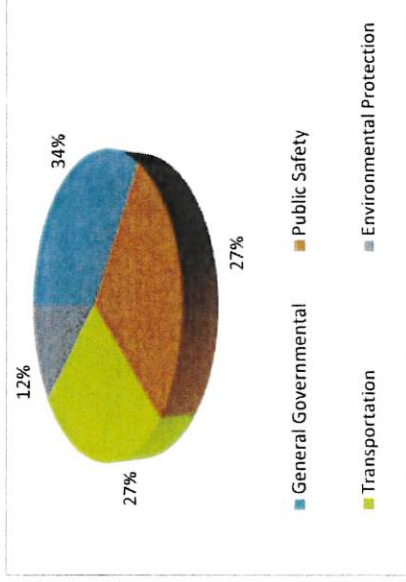
The total percentage of revenue received in the general fund and the water/sewer fund combined is 89%.

# BUDGET & FINANCE SNAPSHOT

## FISCAL YEAR 2022-2023 EXPENDITURES

| Department                      | Fiscal Year Budget | Actual Y-T-D as of 5-31-2023 | % of Budget  |
|---------------------------------|--------------------|------------------------------|--------------|
| Governing Body                  | 84,200             | 79,227.69                    | 94.1%        |
| Administration                  | 687,862            | 598,394.18                   | 87.0%        |
| Finance                         | 281,400            | 246,610.00                   | 87.6%        |
| Public Works                    | 486,962            | 368,602.97                   | 75.7%        |
| Technology                      | 55,000             | 45,453.90                    | 82.6%        |
| Public Facilities               | 133,850            | 129,974.49                   | 97.1%        |
| Police                          | 1,548,446          | 1,296,915.56                 | 83.8%        |
| Fire                            | 960,234            | 856,170.01                   | 89.2%        |
| Streets                         | 635,869            | 592,041.50                   | 93.1%        |
| Powell                          | 131,000            | 18,858.82                    | 14.4%        |
| Street Improvement Project      | 1,275,128          | 282,246.88                   | 22.1%        |
| Solid Waste                     | 570,000            | 402,873.61                   | 70.7%        |
| Planning & Economic Develop.    | 139,102            | 128,669.93                   | 92.5%        |
| Recreation                      | 86,000             | 74,593.53                    | 86.7%        |
| Farmers' Market                 | 50,300             | 5,353.00                     | 0.0%         |
| Airport                         | 111,369            | 117,974.89                   | 105.9%       |
| Special Appropriations          | 183,513            | 118,605.62                   | 64.6%        |
| <b>GENERAL FUND TOTAL</b>       | <b>7,420,235</b>   | <b>5,362,566.58</b>          | <b>72.3%</b> |
| <b>WATER FUND</b>               |                    |                              |              |
| Water                           | 846,404            | 674,559                      | 79.7%        |
| Sewer                           | 938,186            | 780,708                      | 83.2%        |
| Tank Maintenance & Transfer Out | 100,000            | 91,667                       | 91.7%        |
| <b>WATER FUND TOTAL</b>         | <b>1,884,590</b>   | <b>1,546,933.09</b>          | <b>82.1%</b> |

|                                          |             |                  |
|------------------------------------------|-------------|------------------|
| <b>REVENUE OVER/(UNDER) EXPENDITURES</b> |             |                  |
| GENERAL FUND                             | 0 \$        | 1,160,480        |
| WATER FUND                               | 0 \$        | 229,732          |
| <b>TOTAL COMBINED FUNDS</b>              | <b>0 \$</b> | <b>1,390,212</b> |



As of May 31, 2023, Elizabethtown has expended \$5,362,567 of this fiscal year's \$6.9 million General Fund operating budget and \$1,546,933 from it's Water Fund budget. The total expenditures for the combined funds equate to approximately 74% 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.



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 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 Department Update Report.

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

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### ATTACHMENTS:

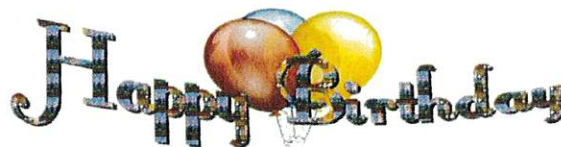
[Peak Agenda - Briefly - 6.5.23.docx](#)

[Peak Agenda Attachment - Department Head Update Report - June 5, 2023.pdf](#)

To: Mayor and Town Council  
From: Dane Rideout, Town Manager  
Subject: "Briefly"  
Date: June 5, 2023

The following items are provided as information to Council:

- The Department Head Update Report for June 5, 2023 is provided as a separate attachment.
- The Airport Commission will be meeting on Tuesday, June 13, 2023 at 7:30 a.m. at the Airport Terminal Building.
- In observance of Juneteenth Day, the Town offices will be closed on Monday, June 19, 2023.
- The Chamber Member Breakfast is scheduled for June 20<sup>th</sup> at 8:00 a.m. at the Farmer's Market.
- A Special Called Town Council Meeting is being scheduled for Friday, June 23, 2023 at Noon. At this time, the purposes will be to conduct Public Hearings for three Rezone Requests, a Final Budget Amendment, make bid award for the Design/Build service for the Community Center project and make bid award for Airport Runway & Apron Pavement Rehabilitation project.
- In observance of Independence Day, the Town offices will be closed on Monday, July 3, 2023.
- The rescheduled date for the July Town Council meeting is Monday, July 10, 2023.



**FOR THE MONTH OF JUNE**

06/04 – Connie Holland – Utilities Specialist  
06/09 – Terri Dennison – Director of Comm.& Marketing  
06/19 – Charles Melvin, Firefighter  
06/26 – Cara Bryant, Police Officer



Department Head Updates

June 2023

## **COMMUNICATION AND MARKETING**

*Terri Dennison*

### **250<sup>TH</sup> ANNIVERSARY EVENT CELEBRATED THE CIVIL WAR ERA**



The Civil War Era (1824-1873) was celebrated on May 6 with displays on naval stores from Turnbull Creek Education Forest and stories about the Underground Railroad, meaning of quilt squares and the major landowners of Elizabethtown during that era. The Rusty Dusty String Band entertained the crowd with bluegrass music.



Elizabethtown Mayor Sylvia Campbell presents a 250<sup>th</sup> Anniversary Commemorative coin to Major General Christopher LaNeve, Commander General of the 82<sup>nd</sup> Airborne after he spoke at the Committee of 100 Annual Meeting.

### **ELIZABETHTOWN BASED BUSINESSES PARTICIPATE IN CAREER EXPO AT EAST BLADEN HS**



Several Elizabethtown based businesses joined the Elizabethtown-White Lake Area Chamber of Commerce at the Career Expo at East Bladen High School where they had the opportunity to talk to the students about career opportunities available in Bladen County. Elizabethtown's Director of Communications and Marketing, Terri Dennison.

## **TWO AREA BUSINESSES CELEBRATE NEW ADDITIONS TO THEIR BUSINESSES**



The Chamber of Commerce hosted two ribbon cuttings in May. Billy Augustine opened the Upper Deck and Grill at the Vineyard Golf Course, offering both eat-in and take-out meals. Charlie Daniel's widow and son were on hand for the Grand Opening of the Charlie Daniel's Gallery at Goldston's Beach at the Grand Regal.

## **WHITE LAKE AND ELIZABETHTOWN BENEFIT FROM EXTENDED COVERAGE OF THE WHITE LAKE WATER FESTIVAL ON WECT-6**



For weeks leading up to the White Lake Water Festival, Terri Dennison worked with WECT-TV6 and their Highway 6 program to schedule interviews prior to and during the Water Festival, even being interviewed herself. A new story was aired every day leading up to Friday when the news was broadcast live from Goldston's Beach. In general, the consensus is that the coverage brought new visitors to the area over the weekend. The crowds were large on Friday despite the weather, and Saturday's concert crowd is said to be one of the best. The Elizabethtown Inn even saw visitors the weekend after because of the exposure.

## **FIRE DEPARTMENT**

*Hollis Freeman*



- **Call Report for May**
- Total Structure Fires- 2
- Total Other Fires- 7
- EMS Calls- 36
- Special Responses- 0
- Service Calls- 4
- Other Incidents- 13
- Total Calls for May- 62
- Fire Hydrants Tested- 44
- Fire Inspections Completed- 14
- Total Training Hours Completed by All- 278 Hours

## **POLICE DEPARTMENT**

*Tony Parrish*

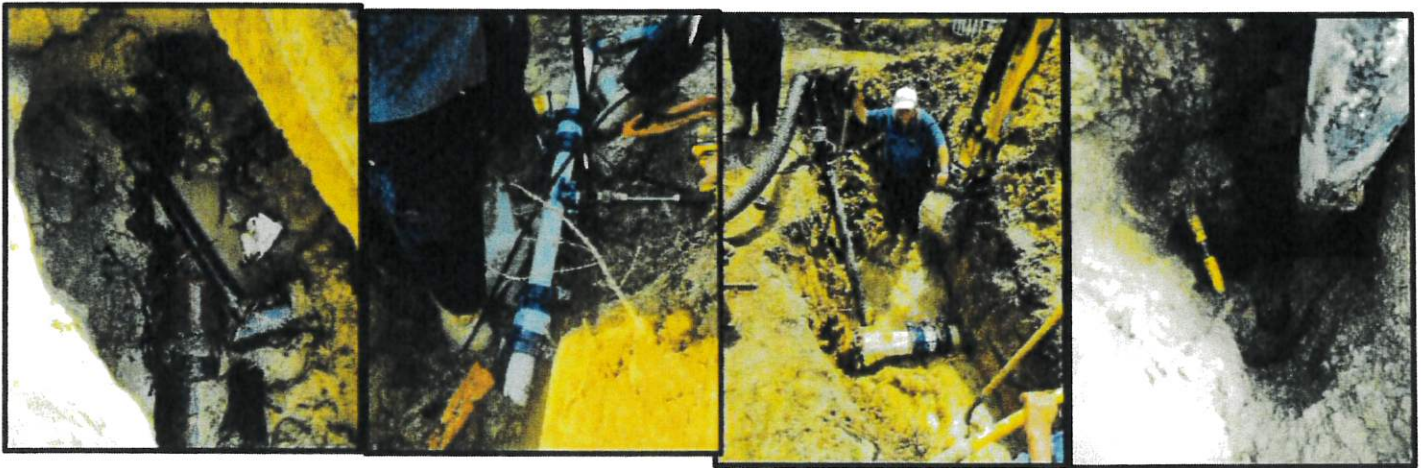
| Stats for 4/24 – 5/28 |     |
|-----------------------|-----|
| Calls for Service     | 545 |
| Reports Taken         | 98  |
| Arrests               | 25  |
| Traffic Collisions    | 18  |
| Traffic Citations     | 45  |
| Warning Tickets       | 11  |

Flock ALPR Cameras results for this period:

1. Detectives identified a car used by the suspect in a fraud case. Arrest made.

**Utility Services – Water & Sewer - Don Edwards, Ricky Smith, Jerimey Sykes, Sherry Lanier & Nicholas Kauffman**

All routine daily sampling, testing, monitoring, and documentation requirements were completed for both the drinking water and wastewater conveyance operations. Staff responded to 3 trouble calls ranging from tap installations to sinkholes on Dunham Street at the hospital. There was a total of 3 leak repairs in the drinking water system. ±195 manual meter reads for billing, several re-reads of meters for billing and 35 Cut-offs/Cut-ons related to the billing operations. Additionally, Star Communications has been very active installing fiber optic transmission lines throughout the west side Elizabethtown. All this activity has significantly increased our efforts to locate existing infrastructure so Star's contractors can progress. Through the improved communications efforts there has been a reduction in negative impacts. We will continue to work to reduce those impacts as much as possible.



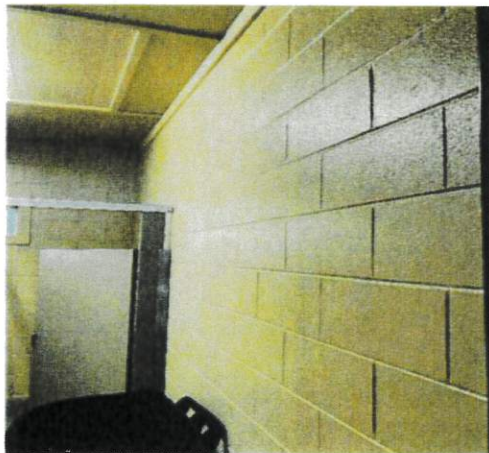
**Wastewater Treatment Plant - Hugh Bledsoe**

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

- Continued sludge thickening to reduce hauling expenses.
- Pulled annual sludge samples for lab testing as required, making plans to haul starting the first week in June.
- Completed and submitted monthly discharge monitoring reports to NCDEQ for April, no violations.
- Pulled quarterly Toxicity samples for testing by contract lab.
- Assisted NCDEQ staff with PFAS sampling in our influent, effluent and sludge.
- Attended virtual SCADA training held by Dorsett Technologies.
- Currently experiencing bleach feed pump issues, need a new pump as soon as possible to avoid Fecal Coliform violations in our effluent stream.

### **Facilities Management – Greg Taylor**

During the month of May, Greg had to replace a broken commode at the Crisis Center outside bathrooms and repair a broken stall door. He also assisted Cross comfort solutions with replacing the evaporator coil on an HVAC unit at the Farmers market for Burney's Sweets and more. The airport also received some upgrades to its HVAC system with new thermostats from Pelican which will help Greg monitor and schedule the HVAC. Scheduling will help with monthly costs by cutting down on unnecessary HVAC run times when the building is not occupied. The control room at the Wastewater treatment plant also received a new PTAC (HVAC) unit due to an outdated unit that was nonrepairable. Greg also replaced a lighting contactor that controlled the lights on Broad St. in front of Town Hall due to them intermediately cutting on and off. Duncan Painting was brought in to repaint the bathrooms at Tory Hole Park as well as the back door at Townhall. Greg also completed minor repairs to other public buildings from lights to plumbing and helped the water department bring the lift station on airport road back online.



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

The public works department has continued to work diligently on keeping the parks mowed as well as getting MLK ready for the groundbreaking. During the groundbreaking ceremony they assisted with traffic control. They have also had to clean mud and debris from the boat landing at Lock and Dam from the flooding and are working on putting up a fence near the parking area. They cleaned up a tree that fell near one of the lift stations on Hardwood St. There have been several Palms replaced on Broad St. and weeding of the flower beds at town hall which is a never-ending job, LT and Nate also put out mulch around some trees at Greens Lake. Walter has also worked on cleaning and sweeping the streets and assisted with brush hogging.

**Fleet Maintenance - Tracy Priest**

Mr. Priest serviced 7 mowers, 2 small equipment item and other equipment, 6 large pieces of equipment, 6 Police Vehicles, 0 Fire Department Vehicle, 7 Public Works Vehicles, 3 Admin Vehicles and various other tasks as assigned.

**Janitorial Services – Existing In-House Staff**

Janitorial responsibilities are transitioning back in-house personnel.

**TOWN CLERK**

**Juanita Hester**

- 5/1/2023 – Administered Oath of Office to Police Officer Aaron Christopher Reyes.
- 5/15/2023 – Administered Oath of Office to Police Officer Ethan Lane Hales.
- 5/7/23 – Received Public Records Request from Angel Tormis, SteepSteel, LLC – Request for all active leases/licenses for cell towers, rooftop antennas, or other wireless installations on property owned or managed by the TOE, NC along with 24 months of associated payment histories. Applicable information was prepared and provided.
- 5/11/2023 – Received Public Records Request from Deltek for documents related to the Runway & Apron Pavement Rehabilitation project. Clerk provided the Bid Advertisement copy to fulfill the request.
- Clerk prepared the Memorial Day Holiday Notice for distribution and posting.
- The follow-up and distribution of documents approved at the May 1, 2023 Town Council meeting were handled by the Clerk.
- Clerk prepared the 5/1/23 Closed Session Meeting minutes.
- Clerk handled the publication of the three (3) Public Hearing Notices for the June 5, 2023 Town Council meeting.
- Weekly Friday Memos were prepared by the Clerk and distributed to Town Council and Department Heads.
- Prepared 6/5/23 Staff Meeting Outline for Manager review.
- In coordination with the Manager, the Clerk prepared the June 5, 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 material had been posted for their information.
- For the Live Work Play Campus Infrastructure project, during the month of May and in conjunction with the Manager, the Clerk assisted with providing the EDA office with responses

and Certified Mail receipt documentation needed to fulfill the EDA funding request for additional information.

- Clerk continued research for response to Insight questions reference annexation of Industrial Park properties.
- On 5/15/2023, Clerk made notification to Mrs. Theresa Lloyd at Paul R. Brown Leadership Academy of Town Council's June 5, 2023 Town 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 Colors and Pledge of Allegiance.

**Town Planner**  
**Rusty Worley**

The Community Center RFP received 4 firms for the design/build contractor for the project. Bids have not been opened due to the fact having to re-advertise for the administration services RFP since only 1 has been received and has been advertised 2 times and waiting on Department of Commerce advisement. Department of Commerce has approved the single source bid for Insight Corporation for Administration of the Grant.

The Town staff is meeting with NCDEQ at the Accent Dye location to determine the next steps to remediate the property. The DEQ does not want to engage at this time.

The following text amendments have been approved by the Planning Board and will be presented at the June Council meeting.

- Short Term Rentals
- Mobile Rental Business

**Rezoning Applications Approved by Planning Board:**

|                |                              |            |
|----------------|------------------------------|------------|
| J'Mela Newkirk | 103 McDowell Rd              | R20 to R12 |
| Staff          | Aviation Parkway (Cape Fear) | HI to OI   |
| Staff          | 1805 West Broad Street       | R12 to R20 |

**Violations:**

|                           |                    |           |
|---------------------------|--------------------|-----------|
| James Jones               | 415 Harwood Street | Corrected |
| Southern Charm Properties | 604 Queen Court    | Corrected |

**Live Work Play:**

The Master Plan for the project is 70% complete, the marketing firm has been procured, engineering firm for streets, water and sewer have been procured. The residential housing is in the process of design along with amenities. The site work has been started for Cape Fear Valley Urgent Care. The design work is

being done for the distillery and housing should begin late summer. The staff is working on a 12,000 & 24,000 sq ft hangar on the corporate airpark.

**Project Almond:**

Site Selected and working with Bladen Blooming for Building Design approximately 78,000 sq feet and cost estimates.

|                      |   |
|----------------------|---|
| Zoning Permit Issued | 8 |
|----------------------|---|

|                                 |   |
|---------------------------------|---|
| Certificate of Occupancy Issued | 2 |
|---------------------------------|---|



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 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 Sign-In Sheet for Open Forum provided.**

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

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**ATTACHMENTS:**  
[Sign-In Sheet - Open Forum - 6.5..23 TC Meeting .docx](#)



## TOWN OF ELIZABETHTOWN

### Open Forum Session

*June 5, 2023 Regular Meeting*

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

### Sign-In Sheet

| Name | Address | Phone # | Topic of Concern |
|------|---------|---------|------------------|
|------|---------|---------|------------------|

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## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** CLOSED SESSION

**SUBJECT:** Closed Session

**BACKGROUND:**

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

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**ATTACHMENTS:**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** June 5, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ADJOURNMENT

**SUBJECT:** Adjournment

**BACKGROUND:**

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

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**ATTACHMENTS:**