



**ELIZABETHTOWN  
COUNCIL  
RESCHEDULED MEETING**  
7:00 PM, Monday, September 11, 2023

1. OPENING AND CALL TO ORDER  
Mayor Sylvia Campbell
  - 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 - Consent Agenda Documentation - 9.11.23.pdf](#)
4. ORDINANCES/RESOLUTIONS/PROCLAMATIONS
  - 4.1 Resolution - #R-2023-16 - To Opt-Out of One-Stop Voting for the 2023 Municipal Election  
Council is requested to approve the resolution.  
[Resolution - To Opt-Out of One-Stop Voting for the 2023 Municipal Election - 9.11.23.docx](#)
  - 4.2 Resolution - #R-2023-17 - Approval for Submission of Grant Application for Stormwater Construction Project and Applicable \$5,000 Fee  
Council is requested to make approval of Grant Application in the Fall for Stormwater Construction Project as well as approval of applicable \$5,000 Fee.  
[Resolution - Elizabethtown LASII Stormwater Construction Project - 9.11.23.docx](#)
  - 4.3 Resolution #R-2023-18 - Surplus Property Disposition - Two Trailers and Bucket for JCB  
Council is requested to approve the Resolution.  
[Peak Agenda - Surplus Property Disposition - Public Works Dept. - Two Trailers and Bucket for JCB - 9.11.23.pdf](#)
5. PRESENTATIONS

- 5.1 Town Manager Update  
Council is requested to hear the updates.

## 6. ADMINISTRATIVE MATTERS

- 6.1 CDBG-NR - 2022 Program Policies for the Elizabethtown Community Center Project  
Council is requested to adopt the 2022 CDBG-NR policies package.  
[2022 CDBG-NR Policies Package - Community Center Project - 9.11.23.pdf](#)
- 6.2 Agreement Amendment No. 1 and Amendment to the Grant Project Ordinance from The Adams Company for 2020 CDBG-NR Administrative and Housing Services  
Council is requested to approve Agreement Amendment No. 1 and the Amendment to the Grant Project Ordinance.  
[Peak Agenda - Agreement Amendment No. 1 - CDBG-NR - The Adams Company - 9.11.23.pdf](#)  
[Peak Agenda - CDBG-NR Project Amendment Clarification of Administrative Services - \\$92K - 9.11.23.pdf](#)  
[Peak Agenda - CDBG-NR Grant Project Ordinance Amendment - The Adams Company - 9.11.23.pdf](#)
- 6.3 Monthly Financial Report  
Council is requested to approve the Monthly Financial Report.  
[August 2023 Financial Summary.xlsx](#)

## 7. OTHER BUSINESS

- 7.1 "Briefly" (*Reminders and announcements are made at this time*)  
Council is requested to hear the reminders and announcements.  
[Peak Agenda Revised - Briefly - 9.11.23.pdf](#)  
[Peak Agenda - Department Head Update Report - 9.11.23.pdf](#)

## 8. OPEN FORUM

- 8.1 Open Forum  
Council is requested to listen to any public concerns or comments received.  
[Sign-In Sheet - Open Forum - 9.11.23 Rescheduled TC Meeting.docx](#)

## 9. ADJOURNMENT

- 9.1 Adjournment  
Mayor Campbell will entertain a motion and a second to adjourn.



# Item Cover Page

## COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 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:** September 11, 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:** September 11, 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 - Consent Agenda Documentation - 9.11.23.pdf](#)



**September 11, 2023 Rescheduled Town Council Meeting  
Consent Agenda Items**

- A. Proposed Agenda – Agenda considered *proposed* until approved by the Board.  
**ACTION RECOMMENDED: Approval**
- B. August 7, 2023 Noon Work Session Minutes **ATTACH. #B**  
**ACTION RECOMMENDED: Approval**
- C. August 7, 2023 Regular Meeting Minutes **ATTACH. #C**  
**ACTION RECOMMENDED: Approval**
- D. August 7, 2023 Closed Session Meeting Minutes **ATTACH. #D**  
**ACTION RECOMMENDED: Approval**  
**(TO BE PROVIDED AT EVENING MEETING)**
- E. Tax Releases **ATTACH. #E**  
**ACTION RECOMMENDED: Approval**

UNOFFICIAL

TOWN OF ELIZABETHTOWN  
Noon Meeting  
August 7, 2023

The Elizabethtown Town Council met for its Noon work session on Monday, August 7, 2023, in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Howell Clark Jr., Rich Glenn, Paula Greene, Ricky Leinwand and Herman Lewis, Town Manager Dane Rideout and Town Attorney Goldston Womble. Department Heads in attendance included Police Chief Tony Parrish, Assistant Town Manager Pat DeVane, Planning Director Rusty Worley, Director of Communications & Marketing Terri Dennison, Maintenance Supervisor Greg Taylor, Town Clerk Juanita Hester and Fire Chief Hollis Freeman. Absent: Finance Director Sharon Penny and Public Works Engineering Director Stephen Duffy. No representatives from the Press attended the Noon meeting.

Item #1.1: Opening and Call to Order

Mayor Sylvia Campbell opened the meeting and welcomed everyone. Mayor Campbell welcomed Mr. & Mrs. Keith Woods from Stokes County visiting Elizabethtown. Mr. Woods is a County Commissioner. The Mayor 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 Recognition: Dana Melvin Mills, Tammy Elliott, Yolanda Freeman and Amy Stephens (Aviation Camp Student Groups Volunteers) – Presentations to be made at the Noon Work Session

Planning Director Rusty Worley presented each one with a Certificate of Appreciation for outstanding services provided as a Student Group Volunteer at the 2023 Aviation Summer Camps held at the Curtis L. Brown, Jr. Airfield from June 5-9 & June 26-30, 2023. Mr. Worley noted that this was the first Aviation Camp and the largest in the State. Mr. Brian Campbell and Bladen County Schools partnered with the Aviation Camp. They were a huge benefit to the community and school.

Town Manager Dane Rideout recognized Mr. Don Edwards, Ricky Smith, Jeremey Sykes and Mrs. Sherry Lanier for the great work on Martin Luther King Drive. A water hydrant was damaged and the system had to be drained to repair it. They were able to repair the leak without turning any water off. Mr. Rideout thanked them for what they do every day.

**ATTACH. #B**

Item #5.1: Public Hearing – To Acknowledge Annexation of Territory to the Corporate Limits – Town of Elizabethtown

This agenda item will be considered at the evening meeting.

Item #6.1: Town Manager Update

Assistant Town Manager Pat DeVane noted that the Cape Fear River bridge closure on August 2, 2023 went smoothly, the bridge is on schedule to be completed by May 2024, lots of work to do and NCDOT is waiting on steel for the lights. Fog seal will start in November with Riley Paving. CDBG bid opening is August 8, 2023 for the third house.

Town Manager Dane Rideout noted that the Town is still waiting on the Environmental report for the Community Center project.

Item 7.1: Resolution #R-2023-15 - To Acknowledge Annexation of Territory to the Corporate Limit

Town Manager noted this is to clean up the metes and bounds. Council will consider at the evening meeting.

Item 8.1: One-Stop Voting for Municipal Election

Town Manager Dane Rideout noted that the other towns in Bladen County are not participating in One-Stop voting. If the Town participates, the cost will be on the Town. Council will consider at the evening meeting.

Item #8.2: Approve Funding for the Construction of a Cemetery Access Road Adjacent to Airport

Town Manager Dane Rideout noted that there are 4 cemeteries (Davis, Raynor, Kemp and McKoy) that the Airport will need to provide access to. The millings from the runway will be used for the access road, it will cost \$8,000.00 and there will be controlled access for security due to vandalism. This agenda item will be considered at the evening meeting.

Item #8.3: Fuel Farm Repair at Curtis L. Brown, Jr. Airfield

Town Manager Dane Rideout noted that the pumps should have been maintained in the past. The pumps will be shut down for 2 weeks for repairs. Council will consider at the evening meeting.

Item #8.4: Monthly Financial Report

Council will consider at the evening meeting.

Item #9.1: "Briefly"

Town Manager briefed on the following:

Met with DEQ at Accent Dye but could not get on the site, EPA is now involved, and they will get the site cleaned up.

There is a stormwater issue but there are no funds for stormwater. McLeod Apartments, Bladen Medical, Cape Fear Valley Hospital, Health Department, Division on Aging flows to a 24-inch pipe that has eroded. This caused the McLeod Apartment building to start sinking. The tenants had to be evacuated.



Sovereign Air is working with a company named Tar Heel Community that wants to bring an Air Show to Elizabethtown November 2024. Asking that the Town postpone the Pork & Beats Festival.

With no further business to conduct, Council Member Herman Lewis., seconded by Mayor Pro Tem Rufus Lloyd, moved to adjourn (Unanimous).

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Sylvia Campbell, Mayor

ATTEST:

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Beverly Robinson, Admin Asst/CTC/Deputy Town Clerk

TOWN OF ELIZABETHTOWN  
August 7, 2023 Regular Meeting

The Elizabethtown Town Council met for its regular meeting on Monday, August 7, 2023, in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Howell Clark Jr., Rich Glenn, Paula Greene, Ricky Leinwand and Herman Lewis, Town Manager Dane Rideout and Town Attorney Goldston Womble. Department Heads in attendance included Police Chief Tony Parrish, Assistant Town Manager Pat DeVane, Director of Communications & Marketing Terri Dennison, Town Clerk Juanita Hester and Fire Chief Hollis Freeman. Absent: Finance Director Sharon Penny, Public Works/Engineering Director Steve Duffy and Planning Director Rusty Worley (attending Bladen County Board of Commissioner's meeting and present for Closed Session). No representatives from the Press attended the Evening meeting.

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

Item #3.1: Approve Consent Agenda Items

Upon a motion by Council Member Rich Glenn, seconded by Council Member Howell Clark Jr., the Board unanimously approved the following Consent Items as presented: A. Proposed Agenda, B. July 10, 2023 Rescheduled Noon Work Session Minutes, C. July 10, 2023 Rescheduled Meeting Minutes, D. Unpaid Fiscal Years' Tax Collection Report and Order.

Item #4.1: Special Recognition: Dana Melvin Mills, Tammy Elliott, Yolanda Freeman and Amy Stephens (Aviation Camp Student Groups Volunteers) – Presentations to be made at the Noon Work Session

This agenda item was presented at the Noon meeting.

Item #5.1: Public Hearing – To Acknowledge Annexation of Territory to the Corporate Limits – Town of Elizabethtown

Mayor Sylvia Campbell opened the Public Hearing then called upon Town Manager Dane Rideout to present. Mr. Rideout noted that the County wants the property at the Industrial Park to be annexed. This annexation process to include the Corporate Limits will complete the Industrial Park Annexation. No one signed up to speak, therefore, Mayor Campbell closed the Public Hearing.

Item #6.1: Town Manager Update

Assistant Town Manager Pat DeVane noted that the Cape Fear River bridge closed on August 2, 2023 to replace the girders, steel to arrive, demo of old bridge started and the new bridge will open in May 2024. Meeting with Highland Paving about the city streets on the east end of Town. Bid opening August 8, 2023 for the third house rehabilitation CDBG-NR project.

Item 7.1: Resolution #R-2023-15 - To Acknowledge Annexation of Territory to the Corporate Limits

Council Member Rich Glenn, seconded by Council Member Herman Lewis, moved to approve Resolution #R-2023-15 – To Acknowledge Annexation of Territory to the Corporate Limits (Unanimous). Copy attached and incorporated herein by reference.

Item 8.1: One-Stop Voting for Municipal Election

Town Manager Dane Rideout noted that the other towns in Bladen County are not participating in One-Stop voting. If the Town participates, the cost will be on the Town. Council Member Paula Greene, seconded by Council Member Herman Lewis, made a motion to opt out of One-Stop Voting for Municipal Elections (Unanimous).

Item #8.2: Approve Funding for the Construction of a Cemetery Access Road Adjacent to Airport

Town Manager Dane Rideout noted that a road will go through the Airport property. When DOT puts the road in, the millings from the runway project will be used for the access road, it will cost less than \$8,000.00. Council Member Herman Lewis, seconded by Mayor Pro Tem Rufus Lloyd, made a motion to approve Funding for the Construction of a Cemetery Access Road Adjacent to Airport (Unanimous). Map copy attached and incorporated herein by reference.

Item #8.3: Fuel Farm Repair at Curtis L. Brown, Jr. Airfield

Council Member Howell Clark Jr, seconded by Council Member Herman Lewis, made a motion to recuse Mayor Sylvia Campbell from this agenda item (Unanimous). Town Manager Dane Rideout noted that this is a safety issue, emergency repairs, hoses, pump, \$33,000.00 in maintenance. Campbell Oil helped get the cost down. The Town will rent a truck to refuel the planes when the Airport is closed for 60-90 days. Council Member Howell Clark Jr. seconded by Council Member Rich Glenn, made a motion to approve Fuel Farm Repair at Curtis L. Brown, Jr. Field (Unanimous). Copy attached and incorporated herein by reference.

Item #8.4: Monthly Financial Report

Town Manager Dane Rideout noted the insurance increased 20% higher, revenues and expenditures are on track. Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, 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:

The Aviation camp is the largest in the nation.

Congrats to the Water Department for the repair of the fire hydrant in Newtown.

Town offices closed September 4, 2023 in observance of Labor Day.  
Sunset Jam Concerts August 11 and August 18, 2023 from 6-9 pm at the Farmers Market.  
Mayor Pro Tem Rufus Lloyd and Council Member Howell Clark Jr. celebrating birthdays this month.

Item #10.1: Open Forum

Mr. Bo Barefoot noted that the wrestling on August 3, 2023 was fantastic. Bladen Builders were the sponsor of the event. We have free events at the Farmers Market such as line dancing, individual concerts and movie night. The sandwich shop is up 15.6%, coffee shop up 6.4% doing good.

Item 11.1: Closed Session

Council Member Howell Clark Jr., seconded by Council Member Rich Glenn, made a motion to enter into closed session in accordance with NCGS 143-318.11(a)(4) – Economic Development (Unanimous).

RETURN FROM CLOSED SESSION TO OPEN SESSION

Council Member Howell Clark, Jr., seconded by Council Member Rich Glenn, moved to leave Closed Session and to return to Open Session (Unanimous).

Item #12.1: Offer to Purchase – Aircraft Hangar #6 at the Elizabethtown Industrial Park

In Open Session, Town Attorney Goldston Womble presented the Airplane Hangar Sale/Purchase Agreement. Agreement copies were provided to each Council Member.

At this time, a motion was made by Council Member Howell Clark, Jr., seconded by Council Member Rich Glenn, to recuse Mayor Sylvia Campbell for this agenda item (Unanimous).

Council Member Howell Clark, Jr., seconded by Council Member Herman Lewis, moved to approve the Airplane Hangar Sale/Purchase Agreement as set forth and authorized Town Manager Dane Rideout to execute related documents for the hangar purchase, pending a favorable appraisal is received justifying the sale price (Unanimous). Copy attached and incorporated herein by reference.

After the presentation and vote was taken for the Airplane Hangar Sale/Purchase, Mayor Sylvia Campbell returned to Open Session.

With there being no further business to conduct, Council Member Howell Clark, Jr., seconded by Council Member Rich Glenn, moved to adjourn the meeting (Unanimous).

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

ATTEST:

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

## MEMORANDUM

Mayor and Town Council

Beverly Robinson, Certified Tax Collector *BR*

Tax Releases

August 11, 2023

Tax Collector Beverly Robinson has requested the following tax releases:

|   |                                                             | <u>Account No.</u>        |
|---|-------------------------------------------------------------|---------------------------|
| 1 | <b>2023 Wattie McKoy</b>                                    | 5001936                   |
|   | Reason Government Property TOE                              |                           |
|   | Release Value \$2,330.00                                    |                           |
|   | Real Property                                               |                           |
|   | Tax Released                                                | \$ 14.33                  |
| 2 | <b>2023 Jerry Tatum</b>                                     | 5013677                   |
|   | Reason Only 3.00 Acres In City                              |                           |
|   | Release Value \$ 185,302.00                                 |                           |
|   | Real Property                                               |                           |
|   | Tax Released                                                | \$ 1,139.61               |
| 3 | <b>2018-2021 Dennis Hester</b>                              | 5013465                   |
|   | Reason Sold Airplane in 2017                                |                           |
|   | Release Value \$ 80,000.00 (\$20,000.00 per year)           |                           |
|   | Personal Property                                           |                           |
|   | Tax Released                                                | \$ 492.00                 |
|   | Late List                                                   | \$ 36.90                  |
| 4 | <b>2023 Carl Jones</b>                                      | 5012581                   |
|   | Reason Veteran Exemption                                    |                           |
|   | Release Value \$ 45,000.00                                  |                           |
|   | Real Property                                               |                           |
|   | Tax Released                                                | <u>276.75</u>             |
|   | <b>Council is requested to grant the above tax releases</b> | <u><u>\$ 1,959.59</u></u> |

### DISCOVERY

**2023 US Bank National Associates**  
**Corrections in assets for 2023**  
**Old Value \$102,188.00**  
**New Value \$111,251.00**  
**Taxes \$55.73**  
**Personal Property**

**ATTACH. #E**





## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Resolution

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

**SUBJECT:** Resolution - #R-2023-16 - To Opt-Out of One-Stop Voting for the 2023 Municipal Election

**BACKGROUND:** Board of Elections Director Chris Williams has requested that the Town submit a Resolution for the Town's decision to Opt-Out of One-Stop Voting for the 2023 Municipal Election.

**Resolution copy provided.**

**SUGGESTED ACTION:** Council is requested to approve the resolution.

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**ATTACHMENTS:**

Resolution - To Opt-Out of One-Stop Voting for the 2023 Municipal Election - 9.11.23.docx

**TOWN OF ELIZABETHTOWN**  
**RESOLUTION TO OPT-OUT OF ONE-STOP VOTING AND ABSENTEE BY MAIL**  
**FOR THE 2023 MUNICIPAL ELECTION**

**# R-2023-16**

**WHEREAS, it is noted that municipal elections are very important to the people of the Town of Elizabethtown, N.C.; and**

**WHEREAS, in an effort to save costs involved with municipal elections, it is in the best interest of Town Council to consider opting-out of One-Stop Voting and Absentee by Mail for the 2023 Municipal Election in Elizabethtown which will mean Election Day Only voting; and**

**NOW, THEREFORE, BE IT RESOLVED, that the Town of Elizabethtown Town Council voted unanimously on September 11, 2023 to opt-out of One-Stop Voting and Absentee by Mail for the 2023 Municipal Election; and**

**BE IT FURTHER RESOLVED, that a copy of this Resolution be included in the meeting minutes of the proceedings of the Elizabethtown Town Council held this date, and a copy be submitted to the Bladen County Board of Elections for appropriate distribution.**

**Adopted this the 11<sup>th</sup> day of September, 2023.**

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**Sylvia Campbell, Mayor**

**ATTEST:**

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**Juanita Hester, Town Clerk**



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Resolution

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

**SUBJECT:** Resolution - #R-2023-17 - Approval for Submission of Grant Application for Stormwater Construction Project and Applicable \$5,000 Fee

**BACKGROUND:** Director of Public Works/Engineering Services Steve Duffy may be called upon to present this agenda item. The WithersRavenel Engineering Firm can prepare and submit a grant application in the Fall for the Stormwater Construction Project. Their fee is \$5,000.

**Resolution copy provided.**

**SUGGESTED ACTION:** Council is requested to make approval of Grant Application in the Fall for Stormwater Construction Project as well as approval of applicable \$5,000 Fee.

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**ATTACHMENTS:**

Resolution - Elizabethtown LASII Stormwater Construction Project - 9.11.23.docx

**RESOLUTION BY GOVERNING BODY OF APPLICANT**

Resolution #R-2023-17

WHEREAS, The Town of Elizabethtown has need for and intends to construct a project described as Elizabethtown LASII Stormwater Construction Project, and

WHEREAS, The Town of Elizabethtown intends to request State loan and/or grant assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF ELIZABETHTOWN:**

That Town of Elizabethtown, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Elizabethtown to make a scheduled repayment of the loan, to withhold from the Town of Elizabethtown any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Dane Rideout, Town Manager, the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 11<sup>th</sup> day of September 2023 at Elizabethtown, North Carolina.

**TOWN OF ELIZABETHTOWN, N.C.**

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

## **CERTIFICATION BY THE RECORDING OFFICER**

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The undersigned duly qualified and acting Town Clerk of the Town of Elizabethtown does hereby certify:  
That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of  
an application with the State of North Carolina, as regularly adopted at a legally convened meeting of  
the Town Council duly held on the 11th day of September, 2023; and, further, that such resolution has  
been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I  
have hereunto set my hand this 12<sup>th</sup> day of September, 2023.

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(Signature of Recording Officer)

Town Clerk

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(Title of Recording Officer)





## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Resolution

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

**SUBJECT:** Resolution #R-2023-18 - Surplus Property Disposition - Two Trailers and Bucket for JCB

**BACKGROUND:** Director of Public Works and Engineering Services Director Steve Duffy may be called upon to present this agenda item. The following items at Public Works are being declared as surplus property for disposal via GOVDEALS.com: 1991 Hudson Trailer, 1997 International Trailer and Bucket for JCB - 10-1/2".

**Copy of Resolution and Surplus Property Forms provided.**

**SUGGESTED ACTION:** Council is requested to approve the Resolution.

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### ATTACHMENTS:

Peak Agenda - Surplus Property Disposition - Public Works Dept. - Two Trailers and Bucket for JCB - 9.11.23.pdf

**TOWN OF ELIZABETHTOWN**

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

**RESOLUTION #R-2023-18**

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:

*1991 Hudson Trailer, Serial #775812122223062, 40-Ton – 24’;  
1997 International Trailer, Serial #12FUF0812VB001269, 8’ x 5’; and  
Bucket for JCB – 10-1/2”.*

Now, therefore, be it resolved, by the Elizabethtown Town Council that the Town Manager or his designee (Greg Taylor, Facilities and 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 11<sup>th</sup> day of September, 2023.

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Sylvia Campbell, Mayor

**ATTEST:**

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Juanita Hester, Town Clerk

DISPOSITION OF TOWN OF ELIZABETH TOWN PROPERTY

Requesting Department Public Works

Vehicle or Equipment: 40 ton 24' trailer

Year / Model / Make: 91 Hudson trailer

Serial Number: 775812122223062

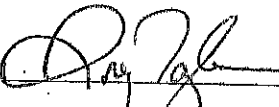
Present Mileage: \_\_\_\_\_

Estimated Value: \$5000

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

We no longer use this trailer. If  
we need something hauled that requires  
this size trailer we can have it  
hauled cheaper than the upkeep required  
on this trailer.

Recommended minimum disposition price (optional): \$ 5000

By: 

Date: July 10, 2023

DISPOSITION OF TOWN OF ELIZABETHTOWN PROPERTY

Requesting Department

Public Works

Vehicle or Equipment:

Trailer 8'x5'

Year / Model / Make:

1997 international trailer

Serial Number:

1ZFUE0812VB001269

Present Mileage:

N/A

Estimated Value:

\$300 to \$500

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

Trailer is too small and no longer

serves a purpose.

Recommended minimum disposition price (optional): \$ 300

By:

[Signature]

Date:

8-25-23

DISPOSITION OF TOWN OF ELIZABETHTOWN PROPERTY

Requesting Department Public Works

Vehicle or Equipment: Bucket for JCB 10 1/2"

Year / Model / Make: Unknown

Serial Number: N/A

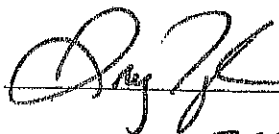
Present Mileage: N/A

Estimated Value: \$250 to \$400

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

No longer have a JCB Loader.

Recommended minimum disposition price (optional): \$ 250

By: 

Date: 8-25-23



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** PRESENTATIONS

**SUBJECT:** Town Manager Update

**BACKGROUND:** Either Town Manager Dane Rideout or Assistant Town 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 updates.

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**ATTACHMENTS:**





# Item Cover Page

## COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ADMINISTRATIVE MATTERS

**SUBJECT:** CDBG-NR - 2022 Program Policies for the Elizabethtown Community Center Project

**BACKGROUND:** Planning Director Rusty Worley presents the CDBG-NR 2022 Policies Package for the Elizabethtown Community Center project. These documents are in accordance with established state and federal administrative guidelines. Jessie Miars, Compliance/Environmental Specialist, with Insight plans to attend the Council meeting. She will be available to answer any questions that Council may have regarding the provided CDBG-NR documents.

**A copy of the resolutions, guidelines, plans and policies are provided.**

**SUGGESTED ACTION:** Council is requested to adopt the 2022 CDBG-NR policies package.

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**ATTACHMENTS:**

[2022 CDBG-NR Policies Package - Community Center Project - 9.11.23.pdf](#)

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Resolution Approving Administrative Guidelines and Policies**

WHEREAS, the Town of Elizabethtown wishes to carry out its Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Elizabethtown Town Council hereby collectively adopts the following resolutions, guidelines, plans and policies, and resolves that they be utilized during the administration of the Elizabethtown 2022 CDBG-NR Program:

1. Project Budget Ordinance
2. Financial Management Resolution
3. Citizen Participation Plan
4. Residential Anti-displacement and Relocation Assistance Plan
5. Local Jobs Initiative (Section 3) Plan
6. Code of Conduct
7. Fair Housing Policy
8. Excessive Force Policy
9. Procurement Standards Policy/Plan
10. Equal Opportunity Plan
11. Language Assistance Plan (Providing Meaningful Communication with Persons with Limited English Proficiency)
12. Recipient's Plan to Further Fair Housing

Adopted this 11<sup>th</sup> day of September 2023.

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Sylvia Campbell, Mayor

ATTEST:

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Juanita Hester, Town Clerk

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM  
Project Budget Ordinance**

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

**Section 1.** The project authorized is the 2022 Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program described in the work statement contained in the grant agreement and funding approval (Grant #21-C-4018) between the Town of Elizabethtown and the North Carolina Department of Commerce, Rural Economic Development Division. This project is more familiarly known as the Elizabethtown Community Center Program.

**Section 2.** The Town of Elizabethtown staff is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

**Section 3.** The following revenues and resources are anticipated to be available to complete the project activities:

**2022 Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Project**

|                   |                           |
|-------------------|---------------------------|
| Total Grant Award | <u><b>\$2,575,000</b></u> |
|-------------------|---------------------------|

**Section 4.** The following amounts are appropriated for the project activities:

**2022 Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Project**

|                |                           |
|----------------|---------------------------|
| Project Budget | <u><b>\$2,575,000</b></u> |
|----------------|---------------------------|

**Section 5.** The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Department of Commerce required by the grant agreement(s) and federal and state regulations.

**Section 6.** Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Department of Commerce in an orderly and timely manner.

**Section 7.** The Grant Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

**Section 8.** The Grant Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this Council.

Section 9. Copies of this grant project ordinance shall be made available to the Grant Finance Officer for direction in carrying out this project.

Adopted this 11<sup>th</sup> day of September 2023.

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

ATTEST:

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

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Financial Management Resolution**

WHEREAS, the Town of Elizabethtown has received Community Development Block Grant Neighborhood Revitalization (CDBG-NR) funding in the amount of \$2,575,000; and

WHEREAS, the North Carolina Administrative Code regulations require that the Town designate a Grant Finance Officer and a depository for CDBG-NR funds;

NOW, THEREFORE, the Elizabethtown Town Council hereby resolves the following:

- (1) Sharon Penny, Town Finance Director, will serve as Grant Finance Officer, and will be responsible for financial management of the program according to the requirements of the North Carolina Administrative Code and North Carolina General Statute requirements.
- (2) First Bank in Elizabethtown, NC, is hereby designated as the official depository for revenues budgeted for the CDBG-NR Program.

Adopted this 11<sup>th</sup> day of September 2023.

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

ATTEST:

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

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**

**Citizen Participation Plan**

Rural Economic Development Division  
North Carolina Department of Commerce

**Grantee:** Town of Elizabethtown

**Recipient's Address:** 805 West Broad Street, Elizabethtown, NC 28337

**Contact Person:** Rusty Worley, Planning and Zoning Director

**Contact Email:** [rworley@elizabethtownnc.org](mailto:rworley@elizabethtownnc.org)

**Contact Phone #:** (910) 862-2066

**TDD#:** Relay North Carolina TT#1-800-735-2962

*The primary goal of the Citizen Participation Plan is to provide citizens, especially low and moderate income citizens of the community where CDBG-funded activities will take place, an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects.*

*The Citizen Participation Plan is required by Section 104(a)(2) of the Housing and Community Development Act and by regulations at 24 CFR 570.486(a)(6).*

*The plan is vitally important to the success of CDBG-funded activities undertaken by local governments. Compliance with the plan reduces the number of legal challenges and citizen complaints against the local government recipient.*

**1. INTRODUCTION**

The Town of Elizabethtown has designed this community-wide Citizen Participation Plan to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) program. This Plan is an essential element of the Town's present and future community development process and has been developed to comply with the regulations and requirements of the CDBG program as administered by the North Carolina Department of Commerce – Rural Economic Development Division (REDD) and the Department of Housing and Urban Development (DHUD).

The primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of the Town's CDBG program(s). The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes, residents of blighted neighborhoods, and residents of areas where community development funds are utilized.

Citizens are encouraged to participate in all phases of the CDBG program(s) and will be provided full access to program information. However, final responsibility and authority for the development and implementation of CDBG program(s) will lie with the Town.

## **2. SCOPE OF PARTICIPATION**

The Town will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation, and assessment of all CDBG program(s) undertaken by the Town. Local officials will make every effort to involve citizens in all phases of the development, implementation, and assessment of community development programs including, but not limited to, the following phases:

- a. identification and assessment of housing and community development needs; determination of CDBG project(s) and documentation; and the development of CDBG application(s);
- b. changes and/or amendments to approved CDBG projects; and
- c. assessment of CDBG program performance.

All phases of the community development process will be conducted by local officials in an open manner. Citizens of the Town are encouraged to participate at all levels and will be given access to program information during each phase of any CDBG program as outlined herein.

## **3. CITIZEN PARTICIPATION CONTACT PERSON**

Rusty Worley, Planning and Zoning Director, has been designated Citizen Participation Coordinator by the Elizabethtown Town Council and will serve as the contact person for all matters concerning citizen participation activities. This person shall be responsible for overseeing citizen participation throughout the community development process and the implementation of all citizen participation activities and functions, except those which may be specifically delegated to other parties by this Plan.

The specific duties and responsibilities of the Citizen Participation Coordinator shall include, but not necessarily be limited to: disseminating information concerning proposed projects and the status of current project activities; coordinating various groups which may be participating in the community development process; receiving written comments; serving as a vehicle by which ideas, comments, and proposals from local residents may be transmitted to local officials and/or program staff; and monitoring the citizen participation process and proposing such amendments to the Citizen Participation Plan as may be necessary.

The Citizen Participation Coordinator may be contacted at the Elizabethtown Town Hall, 805 West Broad Street, Elizabethtown, NC, at (910) 862-2066 during regular business hours. All questions concerning citizen participation in the community development process should be addressed to the Citizen Participation Coordinator.

## **4. TECHNICAL ASSISTANCE**

Town of Elizabethtown staff shall provide technical assistance to individual citizens and citizen groups, especially those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation, and assessment of CDBG program(s).

Such technical assistance is intended to increase citizen participation in the community development decision making process and to ensure that such participation is meaningful. Technical assistance shall also be utilized to foster public understanding of CDBG program requirements.



Technical assistance shall be provided on request and may include, but not necessarily be limited to: interpreting the CDBG program and its rules, regulations, procedures and/or requirements; providing information and/or materials concerning the CDBG program; and assisting low and moderate income citizens and residents of blighted neighborhoods to develop statements of views, identify their needs, and develop activities and proposals for projects which, when implemented, will resolve those needs.

Technical assistance may be obtained by contacting the Citizen Participation Coordinator.

## **5. PUBLIC HEARINGS**

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the views and proposals of all citizens, especially low and moderate income persons and residents of areas where CDBG activities are proposed or ongoing.

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to voice opinions and offer proposals concerning the development and performance of CDBG programs. Local officials will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific CDBG project to the governing body at any regularly scheduled meeting.

### ***5.1 Public Hearing Times and Locations***

*NOTE: In the event social distancing guidelines are imposed, in-person attendance at public hearings and Town Council meetings may be limited. Citizens are urged to follow the guidelines as posted on the Town's website as well as in published notices for attendance instructions – whether in-person or through virtual media.*

All public hearings will be held at times and locations which will be accessible to all citizens, especially persons of low and moderate incomes, and residents of blighted neighborhoods and CDBG project areas.

Public hearings will be scheduled for convenient times as determined by the Town. Public hearings may be held at any site which, in the opinion of the Town, provides adequate access for citizen participation.

Hearings will normally be held at the Elizabethtown Town Hall, 805 West Broad Street, Elizabethtown, NC, unless an alternate location is specified. This site is centrally located and generally accessible to all citizens. This building is also accessible to persons with disabilities. Hearings may, however, at the option of the Town, be held at an alternate location to be specified in the public hearing notice(s).

## **5.2      *Application Public Hearings***

One public hearing shall be held during any CDBG program fiscal year prior to the submission of an application to REDD for CDBG assistance. The primary purposes of the public hearing shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the CDBG program and to present for public comment and review the program activities which have been selected by the Town to resolve the identified needs.

An application public hearing will be held during the initial stage of program development to discuss items regarding community development and housing needs, the CDBG program, and the application process. The objective of citizen participation at this stage is to provide meaningful, community-wide citizen input into the decision-making process during the assessment of community needs and the consideration of priorities and options associated with the development and submission of a CDBG application. Local officials will also entertain proposals and comments from citizens concerning community development activities at this hearing.

This hearing will normally serve to discuss and review the information appropriate for all applications submitted by the Town during any fiscal year. Additional changes in community development or housing needs in the community as determined by local officials can be addressed by a community meeting where citizens can share their comments prior to the submission of other CDBG applications late in the fiscal year.

Citizens will be provided with information concerning the CDBG program at this public hearing. Such information shall include, but not necessarily be limited to: the goals and objectives of the CDBG program; the total amount of CDBG funds available for the fiscal year and for the funding round; the role of citizens in program planning, implementation, and assessment; the range of activities which may be undertaken; the process to be followed in developing a CDBG application; a statement that 100 percent of the CDBG funds will be used to benefit low-to-moderate income people; the schedule of meetings and hearings; location where the application can be reviewed; activities previously funded in the Town through the CDBG program; an identification of projects which could result in the relocation of area residences or businesses and the actions that would be undertaken if such relocation were necessary; and provision of contact information such as address, telephone number, and dates for submitting complaints or grievances by citizens. Furthermore, the effectiveness of the Citizen Participation Plan in allowing citizen participation in the community development process and potential changes and/or amendments to the Plan shall also be discussed at this meeting.

The Town may, at the option of local officials, review multiple CDBG project applications at one hearing when more than one application is to be submitted during the same fiscal year. Each such hearing shall be held prior to, and in preparation for, the application's approval by the Town.

A second objective of citizen participation during this stage is to inform citizens of the proposed project activities to be included in a CDBG application(s) and to solicit comments from citizens concerning these activities.

Citizens attending this hearing will be provided with information concerning the CDBG project(s) proposed including, but not necessarily limited to: the project application(s) to be submitted and the applicable CDBG fund; specific project activities to be included; the location of the project activities; the approximate cost estimate for the

proposed activities; the estimate of local match required; the impact of the project on low and moderate income persons; and the approximate application submittal date.

### **5.3      *Amendment Public Hearings***

The Town will assure the opportunity for citizen participation during the implementation of any CDBG program(s) when changes to the project are under consideration by the Town. Citizen participation shall be obtained and considered in any amendments to a CDBG program which involves changes in dollar amount spent on any activity, changes in program beneficiaries, changes in the location of approved activities, addition to or deletion of project activities, and major budget shifts between approved activities.

To ensure adequate opportunity for citizen participation during CDBG programs, the Town shall hold a public hearing on all formal amendments which require REDD approval. For "local" amendments and changes for which REDD approval is not required, input from citizens concerning changes or amendments will be received at regularly scheduled Town meetings where such changes or amendments are considered.

### **5.4      *Assessment of Performance Public Hearings***

Citizens of the Town will be provided with the opportunity to comment on the performance of local officials, the Town staff, consultants, engineers, and contractors, and the actual use of CDBG funds during the implementation of a CDBG program. Citizens will also be requested to assess the performance of the Town in resolving identified community development and housing needs and in achieving its community development goals and objectives. Ongoing community assessment of the effectiveness of the community development process is considered essential to the success of the CDBG program.

At the conclusion of each CDBG project, a public hearing will be held to review program activities and to assess program performance. This hearing shall be held prior to the submission of the Closeout Performance Report and any other required closeout documents to REDD for a CDBG project. This hearing will be used to ensure community-wide participation in the evaluation of the CDBG program.

### **5.5      *Additional Hearings***

Other public hearings may be held as deemed necessary by the Town in order to inform citizens of community development project(s) and activities, and to solicit citizen opinions and comments. All additional hearings shall comply with the requirements set forth in this Plan.

### **5.6      *Limited English Proficiency Residents***

The Town has followed the guidance provided in the Language Access Plan to determine the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

### **5.7     *Public Hearing Notice***

Notice of public hearings must be published in a local newspaper of general circulation in a non-legal section of the paper at least ten (10) days prior to the hearing date but no more than 25 days prior to the meeting date. Each notice of a hearing shall include the time, date, place, and topics and procedures to be discussed.

### **5.8     *Accessibility to Low and Moderate Income Persons***

The public hearing procedures outlined herein are designed to promote participation by low and moderate income citizens as well as residents of blighted neighborhoods and CDBG project areas in any public hearing(s). Local officials may take additional steps to further promote participation by such groups or to target program information to these persons should officials feel that such persons may otherwise be excluded or should additional action be deemed necessary. Activities to promote additional participation may include: posting of notices in blighted neighborhoods and in places frequented by low and moderate income persons, and holding public hearings in low and moderate income neighborhoods or areas of existing or proposed CDBG project activities.

### **5.9     *Accessibility to Persons with Disabilities***

The locations of all public hearings as described herein shall be made accessible to persons with disabilities. The Town shall provide a sign language interpreter whenever the Citizen Participation Coordinator is notified in advance that one or more deaf persons will be in attendance. The Town shall provide a qualified reader whenever the Citizen Participation Coordinator is notified in advance that one or more visually impaired persons will be in attendance. Additionally, the Town shall provide reasonable accommodations whenever the Citizen Participation Coordinator is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

## **6.     PROGRAM INFORMATION**

Citizens will be provided full access to CDBG program information during all phases of a CDBG project. Local officials of the Town shall make reasonable effort to assure that CDBG program information is available to all citizens, especially those of low and moderate incomes and those residing in blighted or Limited English Proficiency neighborhoods and/or CDBG project areas.

To facilitate citizen access to CDBG program information, the Citizen Participation Coordinator will keep all documents related to a CDBG program on file in the Elizabethtown Town Hall, 805 West Broad Street, Elizabethtown, NC. Information from the project files shall be made available for examination and duplication, on request, during regular business hours. CDBG program information and materials concerning specific CDBG projects will be available and distributed to the public at the regularly scheduled public hearings as outlined in this Plan. Furthermore, information concerning any CDBG project will be available at regularly scheduled Town Council meetings where the program is discussed.

Materials to be made available shall include, but are not necessarily limited to: the Citizen Participation Plan; records of public hearing; mailings and promotional materials; prior CDBG program applications; letters of approval; grant agreements; the environmental review record; financial and procurement records; project design and construction specifications; labor standards materials; performance and evaluation reports; other reports required

by the REDD and/or the DHUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received concerning the community development program and written responses from the Town; and copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG program.

In no case shall the Town disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the Town shall not disclose any information which may, in the opinion of the Mayor, be deemed of a confidential nature.

## 7. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

The public hearings scheduled, as described in this Citizen Participation Plan, are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views and proposals on all aspects of a community development program at the public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the Town.

Any citizen or citizens' group desiring to comment or object to any phase of the planning, development or approval of the application for CDBG funds, or to the implementation of any CDBG program, should submit such comments or objections in writing to the Mayor. Should, after a reasonable period, a party believe that his/her comment or complaint has not been properly addressed or considered by the Mayor, then the aggrieved party may appeal his/her case to REDD.

Local officials shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. Should the Town be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to REDD.

Citizens may, at any time, contact REDD and/or DHUD directly to register comments, objections, or complaints concerning the Town's CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting REDD or DHUD.

All comments or complaints submitted to REDD or DHUD shall be addressed in writing to:

NC Department of Commerce  
Rural Economic Development Division OR  
4346 Mail Service Center  
Raleigh, North Carolina 27699-4346

U.S. Department of Housing and Urban Development  
Community Planning and Development Division  
Greensboro Field Office  
1500 Pinecroft Road  
Greensboro, NC 27407

Records of all comments, objections and/or complaints by citizens concerning the Town's CDBG program and subsequent action taken in response to those comments shall be maintained on file at the Town and shall be made available for public inspection upon request.

**8. AMENDMENTS**

The Town may, from time to time, modify the provisions outlined herein through amendment to this Citizen Participation Plan. It shall be the policy of the Town to periodically review and discuss the effectiveness of this Citizen Participation Plan in allowing citizen participation in the community development process and in helping to meet the community development needs and goals identified by the citizens of the Town. To this end, the effectiveness of the Plan will be discussed at public hearings held in conjunction with the community development program as discussed herein and potential amendments to the Plan will be reviewed at this time.

Amendments to the Plan will be made as necessary. All amendments shall be approved by resolution of the Town and shall be incorporated into this Plan.

**9. AUTHORITY**

No portion of this Citizen Participation Plan shall be construed to restrict the responsibility and authority of the elected officials of the Town in the development, implementation, and execution of any Community Development Block Grant program.

Adopted this 11<sup>th</sup> day of September 2023.

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

ATTEST:

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

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Residential Anti-Displacement and Relocation Assistance Plan**

This Residential Anti-displacement and Relocation Assistance Plan is prepared by the Town of Elizabethtown, North Carolina, in accordance with the Housing and Community Development Act of 1974, as amended (the "Act"), and HUD regulations at 24 CFR 42.325.

**A. Minimize Displacement**

Consistent with the goals and objectives of activities assisted under the Act, the Town of Elizabethtown will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units (especially those units which are "lower-income dwelling units" (as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.
- Attempt to locate comparable replacement housing in or near the neighborhood where demolition activities occur to further minimize neighborhood disruption caused by the clearance activities.
- Avoid demolition of occupied severely deteriorated residential structures where possible through substantial rehabilitation as opposed to clearance.
- Rehabilitate vacant, occupiable residential structures as affordable housing for displaced tenants to minimize neighborhood disruption caused by clearance activities.

**B. Relocation Assistance to Displaced Persons**

The Town will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under this Program, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.



### **C. One-for-One Replacement of Lower-Income Dwelling Units**

The Town will replace all occupied and vacant occupable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under this Program in accordance with 24 CFR 42.375.

Before entering into a contract committing the Town of Elizabethtown to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the Town will make public by publishing notice in the Bladen Journal newspaper, and submit to the North Carolina Rural Economic Development Division (REDD) the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. *NOTE: See D, below.*
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the Town will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

### **D. Replacement Not Required Based on Unit Availability**

Under 24 CFR 42.375(d), the Town may submit a request to the State (REDD) for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of

vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

#### **E. Contacts**

The Planning, Zoning, and Community Development Department (910-862-2066) is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. The Planning, Zoning, and Community Development Department (910-862-2066) is responsible for ensuring that relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use are provided.

Adopted this 11<sup>th</sup> day of September 2023.

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Sylvia Campbell, Mayor

ATTEST:

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Juanita Hester, Town Clerk

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**

**Local Jobs Initiative (Section 3) Plan**

**Local Economic Benefit for Low- and Very Low-Income Persons**

**September 11, 2023 – September 10, 2026**

**I. APPLICATION AND COVERAGE OF POLICY**

The Town of Elizabethtown is committed to the policy that, to the greatest extent possible, opportunities for training and employment should be given to lower income residents of the community development project area and contracts for work in connection with federally assisted community development projects should be awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban Development Act of 1968. The Town has developed and hereby adopts the following Plan.

The Town will comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended (24 CFR Part 135), all regulations issued pursuant thereto by the Secretary of Housing and Urban Development and all applicable rules and orders of the Department issued thereunder.

This Section 3 covered project area for the purposes of this grant program shall include the Town and portions of the immediately adjacent area.

The Town will be responsible for implementation and administration of the Section 3 plan. In order to implement the Town's policy of encouraging local residents and businesses to participate in undertaking community development activities, the Town will follow this Section 3 plan which describes the steps to be taken to provide increased opportunities for local residents and businesses.

This Section 3 Plan shall apply to services needed in connection with the grant, including but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.

When in need of a service, the Town will identify suppliers, contractors, or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories, and Small Business Administration local offices. Word-of-mouth recommendation shall also be used as a source.

The Town will include the Section 3 clause and this plan in all contracts executed under this Community Development Block Grant (CDBG) Program. Where necessary, listings from any agency noted above shall be included as well as sources of subcontractors and suppliers. The Section 3 Plan shall be mentioned in the pre-bid meetings and preconstruction meetings.

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the NCWorks Career Center-Bladen County shall be notified and referred to the contractor.

Each construction contract under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in the project, prior to any contracting, major purchases or hiring, the Town will develop a listing of jobs, supplies, and contracts likely to be utilized during the project. The Town will then advertise the pertinent information regarding the project including all Section 3 required information. The Town will send the bid information to the Rural Economic Development Division (REDD) in order for REDD to distribute information through its list-serve notification.

## **II. AFFIRMATIVE ACTIONS FOR RESIDENT AND BUSINESS PARTICIPATION**

The Town will take the following steps to assure that low-income residents and businesses within the community development project area and within the Town are used whenever possible:

- List jobs through the NC Historically Underutilized Business (HUB) Office;
- Refer potential employees and businesses to various state and local agencies for development and training assistance;
- Place qualified residents and businesses on solicitation lists;
- Assure that residents and businesses are solicited whenever they are potential sources of contracts, services, or supplies.

The Town will place a display advertisement in the local newspaper containing the following information:

- i. A brief description of the project.
- ii. A listing of jobs, contracts, and supplies likely to be utilized in carrying out the project.
- iii. An acknowledgement that under Section 3 of the Housing and Community Development Act, local residents and businesses will be utilized for jobs, contracts, and supplies in carrying out the project to the greatest extent feasible.
- iv. A location where individuals interested in jobs or contracts can register for consideration.
- v. A statement that all jobs will be listed and hiring will be done through the local office of the North Carolina Employment Security Commission; a statement that all contracts will be listed with the North Carolina Division of Purchase and Contracts; and a statement that potential employees and businesses may seek development and training assistance through various state and local agencies, for which the Town will maintain a list for individuals and business concerns inquiring information.

Low-income residents and businesses will be informed and educated regarding employment and procurement opportunities in the following ways:

- i. Advertisement in the local newspaper.
- ii. Posting of Section 3 Plan at the Elizabethtown Town Hall.
- iii. Town Council meetings when project activities and schedules are discussed.
- iv. Notification to other agencies that provide services to low-income people.

The Town will, to the greatest extent feasible, utilize lower income area residents as trainees and employees:

1. Encourage construction contractors to hire local area residents;
2. Encourage public works contractors to hire local area residents.

The Town will, to the greatest extent feasible, utilize businesses located in or owned in substantial part by persons residing in the area, and will:

1. Contract with local contractors to perform construction activities.
2. Encourage public improvement contractors to hire local residents for site clearance work, hauling materials, and performing other site improvements.
3. Encourage all contractors to purchase supplies and materials from the local hardware and supply stores.

### III. RECORDS AND REPORTS

The Town will maintain such records and accounts and furnish such information and reports as are required under the Section 3 regulations and will permit authorized representatives of REDD and federal agencies access to books, records, and premises for purposes of investigation in connection with a grievance or to ascertain compliance with this Section 3 Plan.

The Town shall report annually the Section 3 numbers using the form HUD 60002 to REDD at the end of the calendar year as part of the Annual Performance Report (APR).

### IV. MONITORING COMPLIANCE

The Town may require each applicable contractor to provide a copy of the Section 3 Plan and will monitor compliance during the performance of the contract. Copies of all advertisements, notices, and published information will be kept to document the implementation of the plan.

### V. COMPLAINTS CONTACT

In case of any complaint received from the general public with regard to Section 3 compliance, the main contact is:

Rusty Worley, Planning and Zoning Director  
Town of Elizabethtown  
805 West Broad Street  
Elizabethtown, NC 28337  
Telephone: (910) 862-2066, Email: [rworley@elizabethtownnc.org](mailto:rworley@elizabethtownnc.org)

Adopted this 11<sup>th</sup> day of September 2023.

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Sylvia Campbell, Mayor

ATTEST:

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Juanita Hester, Town Clerk

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Policy Concerning Code of Conduct for Officers, Employees or Agents**

**BE IT RESOLVED BY THE ELIZABETHTOWN TOWN COUNCIL:**

**Section 1: No employee, officer, or agent of the Town of Elizabethtown shall knowingly solicit or accept any form of gratuity from any person, firm, or organization whereby such gratuity shall in any way persuade or affect the outcome of the award of any contract of which any part is supported by federal funds.**

**Section 2: No employee, officer, or agent of the Town of Elizabethtown shall participate in the selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when the employee, officer or agent, member of his/her immediate family, his/her partner, or an organization which employs, or is about to employ, any of the above individuals, has a financial or other interest in the firm selected for award.**

**Section 3: No employee, officer, or agent of the Town of Elizabethtown shall solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.**

**Section 4: If any employee, officer, or agent shall knowingly violate any of the provisions of this policy, such employee, officer, or agent will be subject to such disciplinary measures as may be deemed appropriate by the Elizabethtown Town Council or Planning and Zoning Director including, but not limited to, suspension without pay, demotion, or dismissal.**

**Section 5: If any contractor or his agent violates any provision of this policy, such violation will constitute grounds for action deemed appropriate by the Planning and Zoning Director including, but not limited to, withdrawal from consideration of any proposal or bid submitted by such contractor, withdrawal of award, or rescission of contract.**

**This policy shall become effective from and after its adoption by the Elizabethtown Town Council in an open meeting.**

**If any part of this policy shall be found to be in conflict with any federal or State of North Carolina law, then that portion of the policy can be amended to comply with the federal or state law without affecting the validity of the other portions.**

**Adopted this 11<sup>th</sup> day of September 2023.**

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

**ATTEST:**

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

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Fair Housing Policy**

WHEREAS, the Town of Elizabethtown desires that the citizens of the Town be afforded the opportunity to attain the national objective of a decent, safe, and sound living environment; and

WHEREAS, the Town of Elizabethtown deplores discrimination in the provision of housing on the basis of race, religion, color, creed, sex, national origin, young children in a family, or handicapping conditions; and

WHEREAS, the Town of Elizabethtown desires that every citizen be afforded the opportunity to select a home of his or her choice; and

WHEREAS, the Town of Elizabethtown wishes to ensure that programs and activities undertaken by the Town relating to housing and urban development be administered in a manner to affirmatively further fair housing as required by Title VIII of the Civil Rights Act of 1968, as amended; 24 CFR 107, Nondiscrimination and Equal Opportunity in Housing under Executive Order 11063; and the North Carolina State Fair Housing Act, NCGS, Chapter 41A;

NOW, THEREFORE, to accomplish the above, the Town does adopt the following procedures for receiving and resolving housing discrimination complaints:

1. Any person or persons wishing to file a complaint of housing discrimination in the Town of Elizabethtown may do so by informing the Planning and Zoning Director at (910) 862-2066, or NC Human Relations Commission (919) 733-7996, TDD# (919) 733-7996 (or Relay North Carolina TT# 1-800-735-2962) of the facts and circumstances of the alleged discriminatory act or practice.
2. Upon receiving a housing discrimination complaint, the Planning and Zoning Director shall inform the North Carolina Human Relations Commission about the complaint within ten (10) calendar days. The Town shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
3. The Town of Elizabethtown shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints which are based upon events occurring in the Town.
4. The Planning and Zoning Director shall publicize within the Town that he is the local official to contact with housing discrimination complaints.

Adopted this 11<sup>th</sup> day of September 2023.

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

ATTEST:

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

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**

**Excessive Force Policy**

**September 11, 2023 – September 10, 2026**

The Town of Elizabethtown hereby adopts an Excessive Force Policy that is in accordance with the applicable State of North Carolina and Federal Regulations, i.e., Section 519 of Public Law 101-144, (1990 HUD Appropriations Act) requiring units of government receiving CDBG funds to adopt and enforce Excessive Force Provision. The Town, as the recipient of Federal and/or State CDBG-NR Grant Funds, acknowledges its responsibility to and will adhere to the aforesaid NC State and Federal Excessive Force Regulations.

The use of excessive force is any degree of physical action beyond mere restraint. The use of physical force shall be restricted to the amount of force which is reasonable and apparently necessary to effect a lawful arrest or in defense of self or others.

Striking or any form of restraint in which injury occurs shall be considered use of force. Additionally, the pointing of any firearm directly at any person shall be deemed use of force.

Mere restraint is defined as physically overpowering without striking or using weapons. Scuffling, holding, tackling, etc., may or may not be mere restraint, depending upon the circumstances. Whenever doubt exists as to whether the level of restraint used constitutes use of force, the immediate supervisor will be notified of the incident and will make a determination.

More particularly, the Town adopts and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any and all individuals engaged in non-violent civil rights demonstrations, and is adopting and will enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within the Town of Elizabethtown.

Adopted this 11<sup>th</sup> day of September 2023.

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Sylvia Campbell, Mayor

ATTEST:

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Juanita Hester, Town Clerk



**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Procurement Standards Policy/Plan**

**Policy**

The Town of Elizabethtown will comply with the terms and conditions of Federal and/or State funding that is awarded and accepted, including but not limited to, the terms and conditions of Grant Contract, Title 2 CFR Part 200, and HUD implementing regulations contained in 24 CFR Section 570.489(g) which are incorporated by reference and included herein to the extent of its applicability. The Town, as the recipient of Federal and/or State CDBG-NR funds, acknowledges its responsibility to and will adhere to the aforesaid North Carolina State and Federal Procurement Policies.

The Town of Elizabethtown will, to the extent applicable, follow methods of procurement, procure by contracting with small, minority firms, women's business enterprises, and labor surplus area firms. Additionally, the Town will demonstrate contract cost and price awareness, and adhere to awarding agency review provisions (Title 2 CFR Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts under Federal Awards).

**Plan**

All procurement of goods and services by the Town with CDBG-NR grant funds shall be accomplished in accordance with the regulations of **Procurement Standards**. Where applicable, Recipient shall follow the procurement standards established in the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (2 CFR Part 200) and HUD implementing regulations contained in 24 CFR Section 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. In addition, all purchase orders and contracts shall include any clauses required by Federal Statutes, Executive Orders, and implementing regulations including the Section 3 clause, per 24 CFR 570.489 (g) and 24 CFR 135.38, or the North Carolina General Statutes applying to procurement in general by the North Carolina municipalities and counties.

When the Federal and State regulations are different, the more restrictive regulations shall apply to the procurement in question. Additionally, the Town will adhere to the following guidelines during procurement of goods and services with Federal funds:

- In all cases where goods or services are procured on the basis of one bid or proposal received, the Town will follow established principles included in OMB Circular A 87 to verify the reasonable cost of the procurement and shall contact the State agency supervising the grant program before making any contract award on the basis of non-competitive negotiation.
- Underutilized businesses, including women-owned and minority-owned enterprises, shall be included on bidders' or professional services' lists maintained by the Town, and such firm(s) shall be solicited for all competitive negotiations, small purchases, and informal and formal bids when such firms are potential competitive sources for goods and services.

- The Town shall develop a written scope of work for each service to be awarded on the basis of *competitive negotiation*, which shall include descriptions of tasks to be completed, project timetables, and outline of fee proposal requirements. The statement of work shall also include a written selection procedure. All *competitive negotiations* shall be awarded strictly on the basis of written selection procedures, and cost shall not be the sole nor more important factor in selection of services through the use of *competitive negotiations*.
- Prior to any contract award, the Town shall verify the contractor's eligibility to participate in a federally-assisted program.
- No consultant or bidder shall assist in the evaluation of proposals or bid packages for contracts in which that consultant or bidder has an indirect or direct interest. The Town shall adhere to all applicable Federal and State conflict of interest regulations in making contract awards.
- The Town shall request references, or check references, of contractors or firms who are awarded contracts with Federal grant funds and will request a written warranty for all goods and services provided through small purchase requests.
- The Town shall not award any contract for federally-assisted projects on a contingency or cost plus percentage of cost basis.

Adopted this 11<sup>th</sup> day of September 2023.

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Sylvia Campbell, Mayor

ATTEST:

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Juanita Hester, Town Clerk

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Equal Opportunity Plan**

**A. Equal Housing Opportunity Plan**

*Civil Rights Act of 1964*

The Civil Rights Act of 1964 prohibits all racial discrimination in the sale or rental of property.

*The Fair Housing Act*

The Fair Housing Act declares a national policy of fair housing throughout the United States, making illegal any discrimination in the sale, lease, or rental of housing, or making housing otherwise unavailable, because of race, color, religion, sex, handicap, familial status, or national origin.

*Executive Order 12892, Equal Opportunity in Housing*

Executive Order 12892, as amended (Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing), provides that programs and activities relating to housing and urban development (including any Federal agency having regulatory or supervisory authority over financial institutions) shall be administered in a manner to further affirmatively the purposes of the Act and shall cooperate with the Secretary of Housing and Urban Development, who shall be responsible for exercising leadership in furthering the design and delivery of Federal programs and activities.

The Town of Elizabethtown shall eliminate housing discrimination and achieve diverse, inclusive communities by leading the Town in the enforcement, administration, and public understanding of federal fair housing policies and laws.

The Town shall include the Equal Housing Opportunity logo and/or the phrase affirming Equal Opportunity in Housing on all the CDBG-NR documents intended to be shared with the public.

The Town shall post in public buildings and the CDBG-NR project area the Equal Housing Opportunity posters and/or additional information the local government has prepared to inform the community with the Equal Housing Opportunity policies and laws.

**B. Equal Employment Opportunity Plan**

The Town of Elizabethtown maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment.

In furtherance of this policy, the Town prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified,

assisted or participated in any manner in a hearing, proceeding, or investigation of employment discrimination. The Town shall strive for greater utilization of all persons by identifying previously underutilized groups in the workforce, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development, and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and affirmative action measures is hereby assigned to the Planning and Zoning Director to assist in the implementation of this policy statement.

The Town is committed to this policy and is aware that with its implementation, the Town will receive positive benefits through the greater utilization and development of all its human resources.

The Town shall include the Equal Employment Opportunity logo and/or the phrase affirming Equal Employment Opportunity on all the CDBG-NR documents intended to be shared with the staff and the public.

The Town shall obtain commitment from contractors that they will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment. Contractors will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Town shall obtain commitment from contractors that will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are *bona fide* occupation qualifications for employment.

Adopted this 11<sup>th</sup> day of September 2023.

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Sylvia Campbell, Mayor

ATTEST:

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Juanita Hester, Town Clerk

**TOWN OF ELIZABETHTOWN 2022 CDBG NEIGHBORHOOD REVITALIZATION (CDBG-NR) PROGRAM**  
**Providing Meaningful Communication with Persons with Limited English Proficiency**

Elizabethtown, North Carolina  
Effective September 11, 2023 to September 10, 2026

*The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with Limited English Proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color, or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.*

**POLICY:**

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by **the Town of Elizabethtown** will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

**DEFINITIONS:**

**Limited English Proficient (LEP) individual** – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.

**Vital Documents** – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program, notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.

**Title VI Compliance Officer:** The person or persons responsible for administering compliance with the Title VI LEP policies.

**Substantial number of LEP:** 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

**PROCEDURES:**

**1. IDENTIFYING LEP PERSONS AND THEIR LANGUAGE**

**The Town of Elizabethtown** will promptly identify the language and communication needs of the LEP person. Staff will use a language identification card (or “I speak cards,” <http://www.lep.gov/resources/ISpeakCards2004.pdf>) and LEP posters to determine the language. In addition, when records are kept of past interactions with individuals or family members, the language used to communicate with the LEP person will be included as part of the record.

## 2. OBTAINING A QUALIFIED INTEPRETER

List the current name, office telephone number, office address, and email address of the Title VI compliance officer:

Juanita Hester, Town Clerk  
Town of Elizabethtown  
805 West Broad Street  
Elizabethtown, NC 28337  
[jhester@elizabethtownnc.org](mailto:jhester@elizabethtownnc.org)  
(910) 862-2066

### Check all methods that will be used:

\_\_\_\_\_ Maintaining an accurate and current list showing the language, phone number and hours of availability of bilingual staff (*provide the list*):

\_\_\_\_\_ Contacting the appropriate bilingual staff member to interpret, in the event that an interpreter is needed, if an employee who speaks the needed language is available and is qualified to interpret;

☒ Obtaining an outside interpreter if a bilingual staff or staff interpreter is not available or does not speak the needed language.

The Town of Elizabethtown will utilize either Bladen County employees through contractual services, or Fluent Language Solutions, Inc., or Castillo Language Services, Inc., for outside interpreter services.

☒ Have/has agreed to provide qualified interpreter services. The agency's (or agencies') telephone number(s) is/are

Fluent Language Solutions, Inc.  
(704) 532-7446.  
Standard services are provided Monday – Friday from 8:00 am to 5:00 pm.

Castillo Language Services, Inc.  
(252) 329-1121  
Standard services are provided Monday – Friday from 8:00 am to 5:00 pm., or after-hours as arranged.

\_\_\_\_\_ Other (*describe*):

**All staff will be provided notice of this policy and procedure, and staff that may have direct contact with LEP individuals will be trained in effective communication techniques, including the effective use of an interpreter.**

Some LEP persons may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the LEP person will not be used as interpreters unless specifically requested by that individual and **after** the LEP person has understood that an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the LEP person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy, and conflict of interest should be considered. If the family member or friend is not competent or appropriate for any of these reasons, competent interpreter services will be provided to the LEP person.

Children and other residents will **not** be used to interpret, in order to ensure confidentiality of information and accurate communication.



### 3. PROVIDING WRITTEN TRANSLATIONS

- i. **The Town of Elizabethtown** will set benchmarks for translation of vital documents into additional languages. *(please ensure to keep records of those documents that apply to your agency)*
- ii. When translation of vital documents is needed, **the Town of Elizabethtown** will submit documents for translation into frequently-encountered languages.
- iii. Facilities will provide translation of other written materials, if needed, as well as written notice of the availability of translation, free of charge, for LEP individuals.

### 4. PROVIDING NOTICE TO LEP PERSONS

**The Town of Elizabethtown** will inform LEP persons of the availability of language assistance, free of charge, by providing written notice in languages LEP persons will understand. Example: The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**

All interpreters, translators, and other aids needed to comply with this policy shall be provided without cost to the person being served, and individuals and their families will be informed of the availability of such assistance free of charge.

At a minimum, notices and signs will be posted and provided in intake areas and other points of entry, including but not limited to the main lobbies, waiting rooms, etc.

#### **Town Hall Bulletin Board, Lobby**

Notification will also be provided through one or more of the following: outreach documents, telephone voice mail menus, local newspapers, radio and television stations, and/or community-based organizations:

**Outreach documents; local newspaper (Bladen Journal); town website.**

### 5. MONITORING LANGUAGE NEEDS AND IMPLEMENTATION

On an ongoing basis, **the Town of Elizabethtown** will assess changes in demographics, types of services, or other needs that may require reevaluation of this policy and its procedures. In addition, **the Town of Elizabethtown** will regularly assess the efficacy of these procedures, including but not limited to mechanisms for securing interpreter services, complaints filed by LEP persons, feedback from residents and community organizations, etc.

#### **I. Compliance Procedures, Reporting and Monitoring**

##### **A. Reporting**

The agency will complete an annual compliance report and send this report to NC Department of Commerce; Rural Economic Development (REDD) and/or other state agencies as necessary. (Format will be supplied by REDD)

##### **B. Monitoring**

The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system proposed by the local government. These reports will be maintained and stored by the Title VI Compliance Officer and will be provided to the REDD upon request.

The agency will cooperate, when requested, with special review by the REDD.

## II. Applicant/Recipient Complaints of Discriminatory Treatment

### A. Complaints

The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee, and briefly describe the alleged violation of this policy. The form can be found at <http://www.nccommerce.com/rd/community-assistance/investment-assistance/forms-resources/compliance-plans-and-templates/limited-english-proficiency>.

The agency will maintain records of any complaints filed, the date of filing, actions taken, and resolution.

The agency will notify the appropriate section within REDD of complaints filed, the date of filing, actions taken, and resolution. This information will be provided within 30 days of resolution.

### B. Resolution of Matter

If the matter cannot be resolved by informal means, the individual will be informed of his or her right to appeal further to REDD. This notice will be provided in the primary language of the individual with Limited English Proficiency.

The REDD Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.

If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.

If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency. If not resolved by REDD, then complaint will be forwarded to Department of Justice (DOJ), Department of Housing and Urban Development (HUD) Field Office.

SUBMITTED AND ADOPTED BY:

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

\_\_\_\_\_  
September 11, 2023  
Date

HUD PORTAL LEP:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/promotingfh/lep-faq](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh/lep-faq)



## **Recipient's Plan to Further Fair Housing**

**Grantee: Town of Elizabethtown**

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**Recipient's Address: 805 West Broad Street, Elizabethtown, NC 28337**

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**Contact Person:**

**Contact Phone #:**

**Rusty Worley, Planning and Zoning Director**

**910-862-2066**

**Contact Email:**

**TDD #: Relay North Carolina**

**rworley@elizabethtownnc.org**

**TT#800/735-2962 or 7-1-1**

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- I. Indicate if the Recipient will be affirmatively furthering fair housing for the first time or has implemented specific activities in the past.**

First Time \_\_\_\_\_

Past Activities   X  

- II. Identify and analyze obstacles to affirmatively furthering fair housing in recipient's community. (Use additional pages as necessary)**

1. Citizens of the Town of Elizabethtown may not be aware of current federal and state fair housing law or what constitutes an unfair housing practice.
2. Possible lack of coordination between housing-related groups and organizations in the public and private sector. Local housing-related businesses may not be aware of their responsibilities to comply with provisions of fair housing law; or may not be aware of opportunities to participate in agreements to affirmatively further fair housing.
3. Low-income families may not be aware of housing assistance available to them in the Town of Elizabethtown.
4. Citizens and housing-related businesses may be unaware of Title VIII requirements included in the Fair Housing Amendments Act of 1988.
5. A significant portion of the housing stock in Elizabethtown is substandard.
6. Housing ownership opportunities are limited for low- and moderate-income persons. Where housing opportunities exist, extensive credit counseling and homeownership classes are required to prepare them for ownership eligibility.
7. Insufficient inventories of standard, affordable housing units to provide LMI persons, protected under Title VIII, reasonable numbers of housing choices in locations outside traditional areas of LMI and/or minority concentrations.

**III. Will the above activities apply to the total municipality or county?**

Yes   X   No       

**If no, provide an explanation.**  
(Use additional pages as necessary)

**IV. Briefly describe the quarterly activities that the recipient will undertake over the active period of the grant to affirmatively further fair housing in their community. A time schedule and estimated cost for implementation of these activities must be included. *Activities must be scheduled for implementation at least on a quarterly basis.* (Use attached table)**

**Grantee Name: Town of Elizabethtown**

| Quarterly Fair Housing Activity                                                                                                       | Months          | Year        | Estimated Cost | Actual Cost  |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------|----------------|--------------|
| <i>Example: Establish FH policy, Complaint Procedure</i>                                                                              | <i>Jan-Mar.</i> | <i>20xx</i> | <i>\$xxxx</i>  | <i>\$xxx</i> |
| Prepare and adopt Fair Housing Policy and Recipient's Plan to Further Fair Housing.                                                   | Jul-Sep         | 2023        | \$250.00       |              |
| Publish Fair Housing Notice (Policy & Complaint Procedure) in the local newspaper; post FH Policy & Complaint Procedure at Town Hall. | Oct-Dec         | 2023        | \$400.00       |              |
| Prepare housing resource manual for public reference and post at Town Hall; prepare fair housing proclamation for adoption in April.  | Jan-Mar         | 2024        | \$200.00       |              |
| Adopt "April is Fair Housing Month" proclamation.                                                                                     | Apr-Jun         | 2024        | \$100.00       |              |
| Post/distribute HUD fair housing outreach posters/brochures at Town Hall.                                                             | Jul-Sep         | 2024        | \$450.00       |              |
| Conduct a Housing Counseling Session/Fair Housing Workshop.                                                                           | Oct-Dec         | 2024        | \$100.00       |              |
| Post fair housing complaint procedure on Town website.                                                                                | Jan-Mar         | 2025        | \$200.00       |              |
| Prepare fair housing brochure with local contact information and post copies in Town Hall.                                            | Apr-Jun         | 2025        | \$200.00       |              |

**V. Describe recipient's method of receiving and resolving housing discrimination complaints. This may be either a procedure currently being implemented or one to be implemented under this CDBG grant. Include a description of how the recipient informs the public about the complaint procedures. (Use additional pages as necessary)**

- 1) Any person or persons wishing to file a complaint of housing discrimination in the Town of Elizabethtown may do so by informing the Planning and Zoning Director at (910) 862-2066, or the NC Human Relations Commission (919) 807-4420, Fax (919) 807-4435, Toll-Free 1-866-324-7474, of the facts and circumstances of the alleged discriminatory acts or practice.
- 2) Upon receiving a housing discrimination complaint, the Planning and Zoning Director shall acknowledge the complaint within 10 days in writing and inform the Department of Commerce, Rural Economic Development Division and the North Carolina Human Relations Commission about the complaint. The Town shall then assist the Commission and the complainant in filing an official written housing discrimination complaint with the Commission, pursuant to the State Fair Housing Act and Title VIII.
- 3) The Town shall offer assistance to the Commission in the investigation and conciliation of all housing discrimination complaints which are based on events occurring in the Town of Elizabethtown.
- 4) The Planning and Zoning Director shall publicize within the Town that he is the local official to contact with housing discrimination complaints.

**Approved By:**

|                                    |           |                           |
|------------------------------------|-----------|---------------------------|
| <u>Sylvia Campbell, Mayor</u>      |           | <u>September 11, 2023</u> |
| Name and Title of                  | Signature | Date                      |
| Chief Elected or Executive Officer |           |                           |



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ADMINISTRATIVE MATTERS

**SUBJECT:** Agreement Amendment No. 1 and Amendment to the Grant Project Ordinance from The Adams Company for 2020 CDBG-NR Administrative and Housing Services

**BACKGROUND:** Assistant Town Manager Pat DeVane may be called upon to present this agenda item. With the Town having selected another firm to perform technical street lighting and sidewalk-related services for the CDBG-NR project, such constitutes an amendment to The Adams Company CDBG-NR Agreement with the Town. In addition, an Amendment is provided to the Grant Project Ordinance that was adopted in May 2021 to reflect the additional funds.

**Copy of Agreement Amendment, Clarification from The Adams Company for Administrative Services Lump Sum Payment and Grant Project Ordinance Amendment provided.**

**SUGGESTED ACTION:** Council is requested to approve Agreement Amendment No. 1 and the Amendment to the Grant Project Ordinance.

---

#### ATTACHMENTS:

Peak Agenda - Agreement Amendment No. 1 - CDBG-NR - The Adams Company - 9.11.23.pdf

Peak Agenda - CDBG-NR Project Amendment Clarification of Administrative Services - \$92K - 9.11.23.pdf

Peak Agenda - CDBG-NR Grant Project Ordinance Amendment - The Adams Company - 9.11.23.pdf

**AGREEMENT AMENDMENT NO. 1  
FOR  
2020 CDBG-NR ADMINISTRATIVE AND HOUSING SERVICES  
BETWEEN  
THE TOWN OF ELIZABETHTOWN  
AND  
THE ADAMS COMPANY, INC.**

**THIS AGREEMENT AMENDMENT NO. 1**, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the Town Council of the Town of Elizabethtown for itself and its successors and assigns, hereinafter referred to as the OWNER, and The ADAMS COMPANY, Inc., North Carolina for itself and its successors and assigns, hereinafter referred to as the CONSULTANT:

**WHEREAS**, the OWNER was previously funded a \$750,000 grant (# 19-C-3126) under the North Carolina 2020 Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Program; and

**WHEREAS**, \$200,000 of additional funds were awarded to the Town to bring the total CDBG-NR project to \$950,000; and

**WHEREAS**, the Town has selected another firm to perform technical street lighting and sidewalk related services;

**NOW, THEREFORE**, the OWNER and the CONSULTANT hereby amend the original AGREEMENT dated April 19, 2021 and subsequent AGREEMENT AMENDMENTS by changing the following Sections:

**SECTION B - ADMINISTRATIVE AND TECHNICAL SERVICES**

*(Revise the following paragraphs to read as shown below)*

2. Prepare plans, specifications, and contract documents for all housing rehabilitation/reconstruction and demolition contracts.
3. Work as the OWNER'S Representative with respect to all housing acquisition, relocation, reconstruction, and rehabilitation activities required for the project. Review all bids, make recommendations for awards, review and approve pay requests, prepare or review change orders, and close out contracts.
4. Provide grant administration services for housing rehabilitation/reconstruction, demolition, and street lighting and sidewalk activities to ensure compliance with CDBG rules and budget.

**SECTION D - COMPENSATION FOR SERVICES**

*(Revise the following paragraphs to read as shown below)*

1. The OWNER shall compensate the CONSULTANT for basic administrative services the lump sum of Ninety Two Thousand and no/100 dollars (\$92,000.00). Payment for administrative services shall be correlated with the total grant funds expended as a percentage of the total grant award (less administrative fees). Amounts shall be invoiced monthly.
3. Deleted

THE OWNER AND THE CONSULTANT hereby agree to the full performance of the covenants contained herein and that all other portions of the original AGREEMENT remain in full force and effect.

IN WITNESS WHEREOF they have executed this Agreement on the date and year first above written.

TOWN OF ELIZABETHTOWN

ATTEST:

OWNER:

By \_\_\_\_\_

By \_\_\_\_\_

Typed Name Juanita Hester

Typed Name Sylvia Campbell

Title Town Clerk

Title Mayor

(SEAL)

This instrument has been approved as required by  
the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Finance Officer                      Date

THE ADAMS COMPANY, INC.

ATTEST:

CONSULTANT:

By \_\_\_\_\_

By \_\_\_\_\_

Typed Name Tammy Daniels

Typed Name Joshua E. Outlaw

Title Notary

Title President

(SEAL)

## Juanita Hester

---

**From:** Joshua Outlaw <adamsco.josh@gmail.com>  
**Sent:** Friday, September 8, 2023 11:15 AM  
**To:** Pat Devane  
**Cc:** Juanita Hester  
**Subject:** RE: CDBD Project Amendment

The original project had \$75k in the administration budget item; however, our original admin agreement was for \$72k, leaving \$3k to allow the town to be reimbursed for some expenses (typically newspaper ads).

The additional funds included \$20k in admin which is what's added to our contract with the amendment (for the total of \$92k). The \$3k difference is for town expenses and remains unchanged.

**From:** Pat Devane [mailto:pdevane@elizabethtownnc.org]  
**Sent:** Friday, September 8, 2023 8:57 AM  
**To:** Joshua Outlaw <adamsco.josh@gmail.com>  
**Cc:** Juanita Hester <jhester@elizabethtownnc.org>  
**Subject:** CDBD Project Amendment

Josh, looking at old information, your fee at one point in time was 95K ..... so, are we going with \$92K now? This was a November 2022 use of funds chart.

Patrick B. DeVane  
Assistant Town Manager  
Town of Elizabethtown  
PO Box 700  
Elizabethtown, NC 28337  
910-862-2066 Office  
910-874-5014 Cell



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**Be Advised:** This email originated from outside of the Town of Elizabethtown's network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**GRANT PROJECT ORDINANCE AMENDMENT  
2020 CDBG-NR PROGRAM  
TOWN OF ELIZABETHTOWN**

Be it ordained by the Elizabethtown Town Council that, Section 3 and Section 4 of the Grant Project Ordinance for the 2020 Elizabethtown CDBG-NR Program adopted on May 3, 2021 be hereby amended as follows:

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

|                                   |              |
|-----------------------------------|--------------|
| Community Development Block Grant | \$950,000.00 |
| TOTAL                             | \$950,000.00 |

Section 4. The following amounts are appropriated for the project:

|                             |              |
|-----------------------------|--------------|
| C-1 Rehabilitation          | \$510,000.00 |
| C-1 Pedestrian Improvements | \$345,000.00 |
| C-1 Administration          | \$95,000.00  |
| TOTAL                       | \$950,000.00 |

All other conditions and terms associated with the original Ordinance shall not be affected or changed.

Ordinance Amendment adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Sylvia Campbell, Mayor  
Name, Title





## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 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 August 2023. Mrs. Penny may be called upon to present this agenda item.

**Copy of Monthly Financial Report provided.**

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

---

**ATTACHMENTS:**

[August 2023 Financial Summary.xlsx](#)

# ELIZABETHTOWN as of August 31, 2023

## BUDGET & FINANCE SNAPSHOT

### FISCAL YEAR 2023-2024 REVENUES

| Revenue Sources                 | Fiscal Year Budget  | Actual Y-T-D as of 8-31-2023 | % of Budget  | Prior Year Actual-to-Date 8-31-22 |
|---------------------------------|---------------------|------------------------------|--------------|-----------------------------------|
| <b>GENERAL FUND</b>             |                     |                              |              |                                   |
| Ad Valorem & BID Taxes          | 1,734,500.00        | 903,448.13                   | 52.1%        | 741,741.89                        |
| Vehicle Taxes                   | 190,000.00          | 0.00                         | 0.0%         | 0.00                              |
| Local Option Sales Taxes        | 792,000.00          | 0.00                         | 0.0%         | 0.00                              |
| Utility Franchise Taxes         | 290,000.00          | 0.00                         | 0.0%         | 0.00                              |
| ABC Revenue                     | 105,000.00          | 0.00                         | 0.0%         | 0.00                              |
| Powell Bill                     | 112,500.00          | 0.00                         | 0.0%         | 0.00                              |
| Street Improvement Project Loan | 0.00                | 0.00                         | 0.0%         | 0.00                              |
| Bladen Fire District            | 246,909.00          | 10,250.00                    | 4.2%         | 110,500.67                        |
| Solid Waste fees                | 1,146,400.00        | 192,035.73                   | 16.8%        | 182,511.39                        |
| Permits & Fees                  | 34,850.00           | 6,696.00                     | 19.2%        | 5,588.00                          |
| Rental Income                   | 100,800.00          | 8,984.26                     | 8.9%         | 8,529.06                          |
| Interest Income                 | 240,000.00          | 52,712.98                    | 22.0%        | 14,981.07                         |
| Salary & Admin. Reimbursements  | 141,900.00          | 4,252.77                     | 3.0%         | 7,683.37                          |
| Miscellaneous Revenues          | 42,800.00           | 8,455.27                     | 19.8%        | 12,920.72                         |
| Federal ARPA Funding            | 0.00                | 0.00                         | 0.0%         | 157,410.59                        |
| General Fund Balance Approp.    | 264,728.00          | 0.00                         | 0.0%         | 0.00                              |
| <b>TOTAL GENERAL FUND</b>       | <b>5,442,387.00</b> | <b>1,186,835.14</b>          | <b>21.8%</b> | <b>1,241,866.76</b>               |
| <b>WATER FUND</b>               |                     |                              |              |                                   |
| Water fees                      | 835,000.00          | 151,803.20                   | 18.2%        | 145,708.77                        |
| Sewer fees                      | 1,011,131.00        | 170,255.67                   | 16.8%        | 153,820.06                        |
| Miscellaneous Revenue           | 138,600.00          | 27,539.76                    | 19.9%        | 27,660.33                         |
| Utility Fund Balance Approp.    | 0.00                | 0.00                         | 0.0%         | 0.00                              |
| <b>TOTAL WATER FUND</b>         | <b>1,984,731.00</b> | <b>349,598.63</b>            | <b>17.6%</b> | <b>327,189.16</b>                 |

## BUDGET & FINANCE SNAPSHOT

### FISCAL YEAR 2023-2024 EXPENDITURES

| Department                      | Fiscal Year Budget  | Actual Y-T-D as of 8-31-2023 | % of Budget  | Prior Year Actual-to-Date 8-31-22 |
|---------------------------------|---------------------|------------------------------|--------------|-----------------------------------|
| Governing Body                  | 45,154.00           | 5,850.98                     | 13.0%        | 5,560.36                          |
| Administration                  | 469,010.00          | 96,330.79                    | 20.5%        | 84,135.81                         |
| Finance                         | 239,400.00          | 44,849.86                    | 18.7%        | 38,682.84                         |
| Public Works                    | 411,487.00          | 120,782.53                   | 29.4%        | 107,780.04                        |
| Public Facilities               | 119,526.00          | 14,996.56                    | 12.5%        | 43,666.83                         |
| Police                          | 1,385,020.00        | 242,758.25                   | 17.5%        | 227,832.01                        |
| Fire                            | 927,976.00          | 169,017.70                   | 18.2%        | 185,220.42                        |
| Streets                         | 496,480.00          | 40,323.33                    | 8.1%         | 92,810.10                         |
| Powell                          | 190,000.00          | 31,902.82                    | 16.8%        | 0.00                              |
| Street Improvement Project      | 0.00                | 0.00                         | 0.0%         | 0.00                              |
| Solid Waste                     | 580,000.00          | 48,493.05                    | 8.4%         | 47,478.06                         |
| Planning & Economic Develop.    | 165,882.00          | 27,779.03                    | 16.7%        | 18,070.44                         |
| Recreation                      | 110,650.00          | 21,192.03                    | 19.2%        | 16,783.07                         |
| Farmers' Market                 | 0.00                | 1,107.50                     | 0.0%         | 0.00                              |
| Airport                         | 49,400.00           | 29,965.98                    | 60.7%        | 10,410.73                         |
| Special Appropriations          | 252,402.00          | 48,000.00                    | 19.0%        | 0.00                              |
| <b>GENERAL FUND TOTAL</b>       | <b>5,442,387.00</b> | <b>943,350.41</b>            | <b>17.3%</b> | <b>878,430.71</b>                 |
| <b>WATER FUND</b>               |                     |                              |              |                                   |
| Water                           | 930,508.00          | 149,330.21                   | 16.0%        | 177,534.75                        |
| Sewer                           | 854,223.00          | 123,150.38                   | 14.4%        | 150,458.30                        |
| Tank Maintenance & Transfer Out | 200,000.00          | 16,666.70                    | 8.3%         | 16,667.00                         |
| <b>WATER FUND TOTAL</b>         | <b>1,984,731.00</b> | <b>289,147.29</b>            | <b>14.6%</b> | <b>344,660.05</b>                 |

#### REVENUE OVER/(UNDER) EXPENDITURES

|                             |             |                   |                   |
|-----------------------------|-------------|-------------------|-------------------|
| GENERAL FUND                | 0.00        | 243,484.73        | 363,436.05        |
| WATER FUND                  | 0.00        | 60,451.34         | (17,470.89)       |
| <b>TOTAL COMBINED FUNDS</b> | <b>0.00</b> | <b>303,936.07</b> | <b>345,965.16</b> |





## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 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.

**"Briefly" Items and Department Head Update Report attached.**

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

---

### ATTACHMENTS:

[Peak Agenda Revised - Briefly - 9.11.23.pdf](#)

[Peak Agenda - Department Head Update Report - 9.11.23.pdf](#)

To: Mayor and Town Council  
From: Dane Rideout, Town Manager  
Subj: "Briefly"  
Date: September 11, 2023 Rescheduled Meeting

The following items are provided as information to Council:

- The Department Head Update Report is provided as a separate attachment.
- There is scheduled an Elizabethtown Recreation Commission Meeting on 9/18/23 at 1:00 p.m. in the Council Chamber.
- September 19<sup>th</sup> – Chamber Member Breakfast Meeting, 8:00 a.m., Farmer's Market.
- September 23<sup>rd</sup> - 250<sup>th</sup> Anniversary Event, "Homecoming Weekend" at the Cape Fear Farmer's Market – **ATTACHMENT**.
- In observance of Columbus Day, the Town offices will be closed on Monday, October 9<sup>th</sup>.
- Plans are for Council Members to remain after the 9/11/23 Noon Work Session in order to receive an update and training material from Finance Director Sharon Penny regarding the required 2-hour online course for the Unit Assistance List (UAL). There has been an October 16, 2023 deadline placed on this online training.



**FOR THE MONTH OF SEPTEMBER**

9/11 – Samuel Hodge, Firefighter  
9/19 – Rich Glenn, Council Member  
9/20 – Sharon Penny, Finance Director  
9/26 – Kenny Alligood, Fire Dept.-Part-Time

08/31/2023 2:30:00 PM

# BLADENONLINE

COMMUNICATION, COMMUNITY, AND EDUCATION ARE OUR TOP PRIORITIES.



Contact our agent, LeAnn Martinez, at 910-840-2148, for this month's listing.

[www.hiltoncompanies.com](http://www.hiltoncompanies.com)

Home / Local News / 250th Anniversary Homecoming Celebration Features Past And Future

Event Local News

## 250th Anniversary Homecoming Celebration Features Past And Future

🕒 08/31/2023 2 MIN READ









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INSIDE ITEMS: 25% TO 50% OFF

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## Spread the love

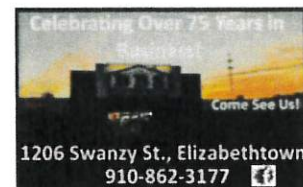
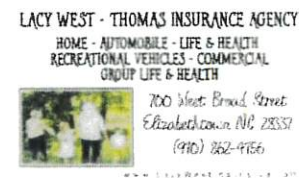
The 250<sup>th</sup> Anniversary Homecoming Celebration will highlight the past and future of Elizabethtown on Saturday, September 23 from 9AM to 7PM at the Cape Fear Farmers Market.

Several groups will perform a variety of music spanning the last century during the event. The East Bladen Marching Band will kick off the day, followed by the Decatur Street Beat with their Dixieland music sound from 11AM – 2PM. Bladen County native Brent Underwood will perform starting at 3pm and the popular beach music and classic rock band, Rivermist, will perform from 5-8pm.

Crowd participation is encouraged with a variety of old-fashioned contests planned to include corn shucking, hollering, whistling, and a boiled peanut eating contest sponsored by Peanut Patch and the Elizabethtown Rotary.

The Bladen County office of NC Extension will provide a perspective on farming and the agricultural history of the area while local industries will be highlighted with displays and booths during the event.

A Walking Tour of Elizabethtown Walking Tour, a guided tour through downtown, will be introduced. Tours will take place every half hour from



the Farmers Market. A Tour of Churches will lead participants to various churches within the town, highlighting the history of each building and congregation. Tickets need to be picked up at the Farmers Market.

Celebrating one of the newest parks in Elizabethtown, Cape Fear SORBA will hold the first race in its CCOR series at Brown's Creek Bike Park and Nature Trail, in conjunction with the Anniversary Celebration.

For more information on the event, contact Elizabethtown's Director of Communications and Marketing Terri Dennison at 910-862-4368 or [tdennison@elizabethtownnc.org](mailto:tdennison@elizabethtownnc.org).

Tags:

250th Anniversary Homecoming Celebration Features Past And Future

Previous

Next



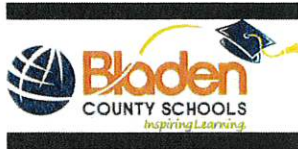
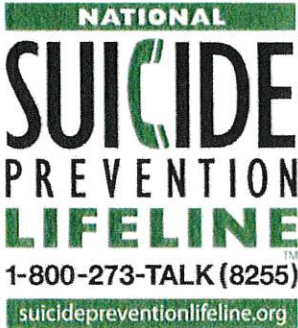
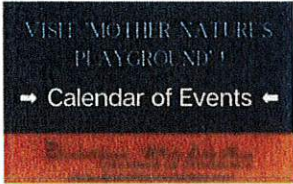
Tropical Storm Idalia: Leaving Division a Trail of Destruction from Florida to North Carolina

N.C. State Parks Announces "Complete the Trails" Program Grants for Land Acquisition Projects



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<https://www.bladen.k12.nc.us/>

- August 2023
- July 2023
- June 2023
- May 2023
- April 2023
- March 2023
- February 2023
- January 2023





Department Head Updates  
September 2023

## COMMUNICATION AND MARKETING

Terri Dennison

### PLANS FOR 250<sup>TH</sup> ANNIVERSARY HOMECOMING CELEBRATION

**Saturday, September 23**  
**ELIZABETHTOWN'S 250TH ANNIVERSARY HOMECOMING**  
**9AM - 8PM**  
Cape Fear Farmers Market  
106 MLK Dr, Elizabethtown

**10:15 AM**  
**East Bladen Marching Band**

**11:00 AM**  
**DECATUR STREET BEAT**

**3:30PM**  
**BRENT UNDERWOOD BAND**

**5PM - 8PM**  
**RIVERMIST**

**EXHIBITS ALL DAY**

**Farming Life**  
Sponsored by NC Cooperative Extension - Bladen County  
Learn about the Agricultural Heritage of Bladen County and its importance to Elizabethtown. Storytelling and equipment displays.

**Major Industries Exhibit**  
Discover the major industries and businesses that are proud to call Elizabethtown their home.

**Saturday, September 23**  
**ELIZABETHTOWN'S 250TH ANNIVERSARY HOMECOMING**  
**9AM - 8PM**  
Cape Fear Farmers Market  
106 MLK Dr, Elizabethtown

**SCHEDULE**  
times and locations subject to change

**9AM**  
**10AM**  
Vendors & Exhibits Open  
Opening Ceremony  
East Bladen Marching Band

**10AM-2PM**  
Walking Tour of Downtown - Sign up at booth for timeslot.  
Tour of Churches - Pick up ticket

**11AM**  
**11AM-2PM**  
**12PM**  
**2PM**  
CCOR Bike Race at Brown's Creek  
Mr. Bike Park. Registration opens  
Decatur Street Beat Band  
Corn Shucking Contest  
Boiled Peanut Eating Contest  
Sponsored by Peanut Patch & Elizabethtown Rotary Club

**3PM**  
Whistling Contest  
Hollering Contest  
- Kids & Adult divisions

**3:30PM**  
**5 - 8PM**  
Brent Underwood Band (Stage)  
Rivermist (Stage)

**STAGE SPONSORS**  
Smithfield Foods  
State Farm - Eddie White Insurance

**PATRIOT SPONSORS**  
Camp Clearwater - Star Communications  
BW Greene Properties

**SUPPORTING SPONSORS**  
Lu Mil Vineyard - Duke Energy  
Houston Peanuts  
Elizabethtown Presbyterian Church  
Bladen Marine - Carolina Quick Care  
Town of Elizabethtown  
PO Box 700, Elizabethtown NC  
910-882-2068  
tdennison@elizabethtownnc.org

Plans for the 250<sup>th</sup> Anniversary event continue with planning for the murals and industry displays that will be installed at the Farmers Market.

### LEADERSHIP BLADEN LEARNS ABOUT ECONOMIC DEVELOPMENT

The Leadership Bladen class toured several large businesses as part of their class on economic development; these included Chemours, SPT, SueBee Honey and Delton. At lunch, a panel of small business owners and the new Small Business Development Director from BCC addressed the need for networking and sharing resources.

### TOURISM SPENDING IN BLADEN COUNTY UP 14% FROM PRE-PANDEMIC NUMBERS

Domestic and international visitors to and within Bladen County spent 51.57 million in 2022. The data comes from an annual study commissioned by Visit North Carolina, a unit of the Economic Development Partnership of North Carolina.

### TOURISM IMPACTS ON BLADEN COUNTY IN 2022

|                                                |                      |
|------------------------------------------------|----------------------|
| <b>Visitor spending</b>                        | <b>51.57 Million</b> |
| <b>Number of employees in tourism industry</b> | <b>257</b>           |
| <b>Payroll</b>                                 | <b>10.6 Million</b>  |
| <b>State Sales Tax Receipts</b>                | <b>2.2 Million</b>   |
| <b>Local Tax Receipts</b>                      | <b>1.70 Million</b>  |

Economic Impact of Travel on North Carolina Counties 2022

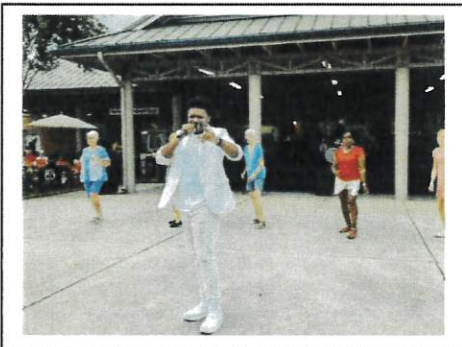




### A NEW BUSINESS AND EXPANSION OF AN EXISTING BUSINESSES CELEBRATED

A ribbon cutting for **Onezie Twozies LLC**, a unique boutique shop in the South Poplar Street shopping center was celebrated on August 25. In attendance were Mayor Sylvia Campbell, Town Manager Dane Rideout, Director of Communications and Marketing Terri Dennison, and several representatives from the Elizabethtown-White Lake Chamber of Commerce.

**Food Lion** on West Broad Street celebrated its renovation and expansion with a ribbon cutting on August 31. In attendance were Mayor Pro Tem Rufus Lloyd, Director of Communications and Marketing Terri Dennison, and several representatives from the Elizabethtown-White Lake Chamber of Commerce.



### KENDRIX SINGLETARY STIRRED UP THE EXCITEMENT AT THE LAST SUNSET JAM.

Kendrix Singletary and the Radio Boxx Band entertained the crowd at the last Sunset Jam at the Farmers Market on August 11. Singletary is known not only for his music but also his theatrical productions at the Civic

Center in Lumberton. Two of his band members were East Bladen alumni.



### 242<sup>nd</sup> ANNIVERSARY OF THE BATTLE OF ELIZABETHTOWN REMEMBERED

On August 27, the Sons of the American Revolution (SAR) and Daughters of the American Revolution (DAR) held a wreath laying and rededication of the DAR marker and monument honoring the Battle of Elizabethtown. Both organizations would like to make this an annual event.



## **FIRE DEPARTMENT**

***Hollis Freeman***



- Fire Calls: 11
- EMS Calls: 38
- Special Response: 1
- Service Calls: 5
- Other Type Incidents: 11
- Total for Month of August: 66
- Total Training Hours by Members for August: 166 Hours
- Total Hydrants Tested: 6
- Total Pre-Plans: 8
- Total Inspections Completed: 18

### **Events**

**Summer Reading Program at the Bladen County Library 08/03/2023**

## **POLICE DEPARTMENT**

***Tony Parrish***

| Stats for 7/31- 9/3 |     |
|---------------------|-----|
| Calls for Service   | 518 |
| Reports Taken       | 106 |
| Arrests             | 15  |
| Traffic Collisions  | 27  |
| Traffic Citations   | 27  |
| Warning Tickets     | 13  |

Flock ALPR Camera results for this period:

1. Located one (1) stolen vehicle valued at approximately \$4,800.
2. Located a missing person reported missing from Georgia.
3. Identified a vehicle and made an arrest for a Hit & Run accident.



**Water Resources (Water, Wastewater & Stormwater) - Don Edwards, Ricky Smith, Jerimey Sykes, Sherry Lanier**

All routine daily sampling, testing, monitoring, and documentation requirements were completed for both the drinking water and wastewater conveyance operations. There was a total of 1 contractor involved leak repair, 5 service line leak repairs, 0-meter replacements, and 62 MTU replacements and installs completed throughout the system. The team also Distributed Lead & Copper sample bottles around town and rehabilitated a sewer manhole on Gooden and Hall Streets. Additionally, staff responded to 3 special circumstance calls. One involved the cleanup of a large oak tree that fell across W. Broad Street just before the storm. The second was clearing stormwater inlets and flushing stormwater lines in advance of the storm. The last was tending to potholes on McLeod Street and filling them with cold patch material. ±113 manual meter reads/re-reads for billing and 37 Cut-offs/Cut-ons related to the billing operations.

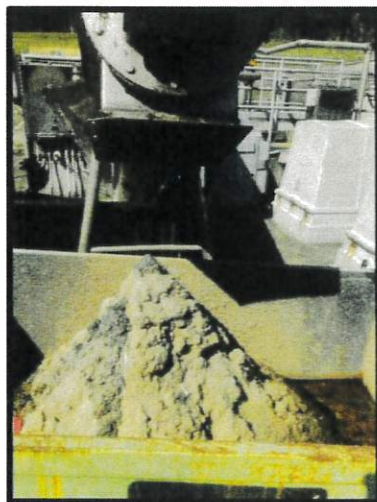
**Wastewater Treatment Plant - Hugh Bledsoe**

1. Performed sampling and testing to maintain compliance with NPDES requirements, had 1 daily exceedance for fecal coliform due to aggressive decanting from the sludge holding basins. However, due to a very low second result, compliance was maintained.
2. Adjusted flow and aeration times as needed to maintain optimal efficiency.
3. Submitted monthly discharge monitoring reports to NCDEQ for July with no violations.
4. Sent spectrophotometer in to contract lab for annual 5-point calibration for low level chlorine per field lab requirements.
5. Made temporary repairs to the lab drain piping, in need of replacement as a part of our expansion project.

A new effluent sampler is needed, has been disassembled and repaired several times.

We continue to experience random PLC control issues with the SBR's, had to manually operate valves and decanters to maintain operations.

We experienced huge amounts of flow during and after Tropical Storm Idalia – flow went from a normal of 500,000 gallons per day to 1,538,000 gallons and near 1,000,000 for the next 3 days. We also had a huge amount of sand in our grit dumpster. Combined, this points to a large amount of I & I in our sewer system. There will likely be a sinkhole found due to a broken sewer pipe or failed manhole.



*Sand Buildup In Grit Dumpster*



*Rusted Drain Line From Lab*

**Facilities Management – Greg Taylor & Public Works - Pascal Munoz, Julius Powell, Elbert McClain, Nate Lacewell, Walter Czartoszewski, Thomas Howell, Pernell Hooper & Dwight Davis (PT)**

The month of August started out hot and continued to be hot with a Tropical Storm thrown in. The public works department continues to deal with grass and weeds throughout town and did some storm prepping with the removal of banners from downtown as well as cleaning the storm drains to help avoid flash flooding of our streets. We did however have a couple of trees down after the storm one at the bike park and one on Singeltary Ave. which was cleaned up with assistance from the Fire Department and Tracy Priest. Public works also set up the stage at the farmers market for a concert and did some small demolition work by removing the carpet and damaged counter tops from the house on Gibson Dairy Rd. Greg continues to make what repairs he can to our facilities which included two motor replacements at the farmers market on a cooler and exhaust fan for Barefoot's sandwich shop. Several flags were replaced by Greg on Broad Street and several repairs made at the airport which included replacing the keypad on an entry gate and repairing the card reader for the gas pump. The gates at Greene's Lake had post installed so they can be secured when open to avoid the wind blowing them into passing cars. Greg also met with several fencing contractors to get quotes on repairing fences for a couple of lift stations and the airport. We were also able to get the floors professionally cleaned at the airport and had repairs made to the pier at Lock and Dam. Greg also attended the LRCOG water and storm water workshop in Pembroke.



*Top Rails @ Lock & Dam Pier*



*Tree Down on W. Broad Street*

**Fleet Maintenance - Tracy Priest**

Mr. Priest serviced 10 mowers, 3 small equipment item and other equipment, 1 large pieces of equipment, 8 Police Vehicles, 0 Fire Department Vehicle, 9 Public Works Vehicles, 0 Admin Vehicles and various other tasks as assigned. Mr. Priest also helped with cutting a couple of trees in Greens Lake Playground area.



## **TOWN CLERK**

**Juanita Hester**

- On August 11, 2023, the Clerk administered Oath to new Police Officer Steven Frank Prebel.
- Weekly Friday Memos were prepared by the Clerk and distributed to Town Council and Department Heads.
- The follow-ups, distribution of documents and publication of the approvals for the 8/7/2023 Town Council meeting were handled by the Clerk.
- Clerk prepared the 8/7/23 Closed Session Meeting Minutes.
- Prepared Staff Meeting outline for the 9/11/2023 Rescheduled Town Council Meeting for Town Manager's review.
- In coordination with the Manager, Clerk prepared the agenda material for the 9/11/23 Rescheduled Council meeting, 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 the agenda material had been posted to the Town's webpage.
- One Public Records Request was received from Deltek for information regarding the Bid Advertisement for the CDBG-NR Third House Rehabilitation project. Response was provided on August 1, 2023.
- On 8/22/23, the Clerk submitted to the Secretary of State's Office, the required annual reporting of the Town's Advisory Board Appointments for 7/1/22 -- 6/30/2023.
- On 8/25/23, Clerk reviewed and confirmed the annual Certified Population Estimate of 3,225 for the Town of Elizabethtown and submitted such to the State Demographer's office.
- Prepared the Labor Day Holiday notice for publication in the "Bladen Journal".
- For FY ending 6/30/23, Clerk prepared Meeting Minute Books for the Auditor's review.
- On August 9, 2023, Clerk made notification to Mrs. Theresa Lloyd at Paul R. Brown Leadership Academy of Town Council's Rescheduled 9/11/2023 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.





## Planning Department

805 W Broad Street

Elizabethtown NC 28337

August Update

The Community Center RFP received 4 firms for the design/build contractor for the project. Bids have not been opened pending the environmental review which is being completed.

The following text amendments have been approved by the planning board and will be presented on the June Council meeting.

### 1. Commercial Truck Parking Ordinance

#### Rezoning Applications:

Phillip Johnson

1000 South Poplar

LI to R20

Annexation has been started from the area owned by Bladen Blooming through the Industrial Park to Mercer Mill Road.

The Town Staff has investigated five illegally placed accessory buildings and cited the property owners and all have complied.

#### 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. Staff is working on a 12,000 & 24,000 sq ft hangar on the corporate airport.

|                                 |    |
|---------------------------------|----|
| Zoning Permit Issued            | 12 |
| Certificate of Occupancy Issued | 5  |

## STAFF REPORT

To: Elizabethtown Planning Board

Date: August 30, 2023

Amendment #: TA-23-003

### REQUESTED ACTION

Review, discuss, and consider a recommendation to the Town Council regarding proposed amendments to the Town's Zoning Ordinance. The proposed amendment involves Article 6 Zoning Districts, Article 7 Supplemental Regulations, and Appendix A. Definitions. The request is a Town-initiated amendment to define truck terminals and expand districts that permit them, including requiring a special use permit in the RA zoning district.

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

Amend Article 6. Zoning Districts, Section 6.6 Table of Uses and Activities 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 |
|----------------|---------------|------|------|------|-------|------|------|-----|---------------|---------------|-----|-----|-----|-----|--------------------------|
| Truck stop     |               |      |      |      |       |      |      |     |               |               |     |     |     | P   |                          |
| Truck terminal | <del>PS</del> |      |      |      |       |      |      |     | <del>PS</del> | <del>PS</del> |     |     | P   |     | <del>Section 7.51</del>  |

Amend Article 7. Supplemental Regulations to add Section 7.51 Truck terminals as follows:

#### SECTION 7.51 TRUCK TERMINAL

7.51.1 The use shall be located at least 500 feet from all buildings that include or are used for residential use, educational facility, or daycare facilities.

7.51.2 The use shall have direct access from an arterial or collector street.

7.51.3 All storage areas must be located outside all required setbacks and buffers and to the side or rear of the principal structure and must be screened from view from the adjacent roadway by a building or by an opaque fence or masonry wall.

7.51.4 The site must be designed to accommodate stacking, circulation, and turning movements of freight vehicles in a manner that does not impede vehicular movement or block access to any required parking spaces.

Amend Appendix A, Definitions, to add a Truck Terminal definition as follows:

#### Truck Terminal

A facility for the receipt, transfer, short-term storage, or dispatching of goods transported by truck and/or overnight parking.

### STAFF ANALYSIS

Staff is recommending an amendment that defines the previously referenced term truck terminal and expands upon the zoning districts in which it is allowed. Expansion of accommodating zoning districts includes the addition of supplemental standards in the C-1 and C-2 districts. Additionally, a special use permit and compliance with the supplemental standards in the RA district.

The intent of each of these commercial districts is to provide commercial areas which provide a wide selection of convenience and comparison-shopping outlets, furniture showrooms, and for personal services, in an orderly arrangement of retail facilities, parking and other amenities. The RA district is intended to provide land for future development while permitting continued agricultural use until such time that development is appropriate. Supplemental regulations are suggested to ensure compatibility or enhancement of the town's existing commercial areas.

Many jurisdictions across the state include provisions to allow for safe and convenient trucking accommodations to support the growing industry.

Staff concludes that the proposed text amendment is generally **CONSISTENT** with the Comprehensive Plan because it updates the Zoning Ordinance to foster an innovative commercial and industrial sector that serves the needs of Elizabethtown citizens and statewide consumers.

Staff supports the proposed amendment and recommends approval as proposed.

#### **STAFF RECOMMENDATION**

**Staff recommends approval** of the requested amendment and suggests the following motion:

I move to **APPROVE** the proposed amendments to apply supplemental regulations, to define truck terminals, and expand districts that permit them, including requiring a special use permit in the RA zoning district. I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it updates the Zoning Ordinance to encourage an attractive, diverse commercial sector. I also find **APPROVAL** of the request is reasonable and in the public interest because the proposal supports the Town's goal to maintain and enhance the character, diversity, and appeal of Elizabethtown's neighborhoods by providing creative means to address community needs in close proximity to where residents live and work.

#### **Alternative Motion for Denial:**

I move to **DENY** the proposed text amendment. While I find it to be **CONSISTENT** with the purposes and intent of the Comprehensive Plan because it will provide for zoning tools needed to incorporate the development pattern envisioned in the plan, I find **DENIAL** of the request is reasonable and in the public interest because the proposal is not consistent with the desired character of the community.



## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 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.

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

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### ATTACHMENTS:

[Sign-In Sheet - Open Forum - 9.11.23 Rescheduled TC Meeting.docx](#)



## TOWN OF ELIZABETHTOWN

### Open Forum Session

*September 11, 2023 Rescheduled Meeting*

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

### Sign-In Sheet

| <u>Name</u> | <u>Address</u> | <u>Phone #</u> | <u>Topic of Concern</u> |
|-------------|----------------|----------------|-------------------------|
|-------------|----------------|----------------|-------------------------|

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## Item Cover Page

### COUNCIL AGENDA ITEM REPORT

**DATE:** September 11, 2023

**SUBMITTED BY:** Juanita Hester

**ITEM TYPE:** Request

**AGENDA SECTION:** ADJOURNMENT

**SUBJECT:** Adjournment

**BACKGROUND:** With no further business to conduct, the meeting will be adjourned.

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

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**ATTACHMENTS:**