



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

1. OPENING AND CALL TO ORDER

1.1 Opening and Call to Order

Mayor Sylvia Campbell will call the meeting to order.

2. PRESENTATION OF COLORS, PLEDGE OF ALLEGIANCE AND INVOCATION

2.1 Presentation of Colors, Pledge of Allegiance and Invocation

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

3. APPROVE CONSENT AGENDA ITEMS

3.1 Approve Consent Agenda Items

Council is requested to approve the Consent Agenda items presented.

[Peak Agenda - Revised 3 - Consent Documentation - 11.6.23.pdf](#)

4. PUBLIC HEARINGS

4.1 Public Hearing: Zoning Ordinance Text Amendment for Truck Terminals - Case Number: TA-23-003

Council is requested to follow the below-noted Public Hearing procedure:

HEARING PROCEDURE:

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

b) Solicit relevant public comments and information; and

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

(To Be Considered in Agenda Item #5.1)

[Peak Agenda - Public Hearing Notice - Text Amendment - Truck Terminals - 11.6.2023.pdf](#)

[Planning Board Letter of Recommendation - Text Amendment for Truck Terminals - 11.6.2023.docx](#)

- 4.2 Public Hearing: Rural Transformation Grant Funding (Old Ace Wrecker Property Site)
Council is requested to follow the below-noted Public Hearing procedure:

HEARING PROCEDURE:

- a) Open the hearing and call upon Planning Director Rusty Worley to present the information; and
- b) Solicit relevant public comments and information; and
- c) Close the hearing after receiving or not any public comments.

(No Action To Be Taken This Evening. Second Public Hearing scheduled for 12/4/23)

[Peak Agenda - Public Hearing Notice - Rural Transformation Grant - 11.6.2023.pdf](#)

5. ORDINANCES/RESOLUTIONS/PROCLAMATIONS

- 5.1 Ordinance Approval for Text Amendment for Truck Terminals, Case Number: TA-23-003
Council is requested to approve or disapprove the proposed zoning text amendment by adopting one of the following statements noted under the "Background" section of the agenda.

[Zoning Ordinance Text Amendment - Truck Terminals - 11.6.2023.pdf](#)

6. PRESENTATIONS

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

7. ADMINISTRATIVE MATTERS

- 7.1 Approve Change of Town Council Meeting Date from April 1, 2024 to April 8, 2024
Council is requested to approve changing the Town Council meeting date from April 1, 2024 to April 8, 2024.

- 7.2 Appointment of Council Member to serve on the Lumber River Council of Governments Board of Directors
Council is requested to appoint a Council Member to serve on the LRCOG Board of Directors.

[Peak Agenda Attachment - Lumber River Council of Governments Board of Directors List.pdf](#)

- 7.3 Future Plans for the Elizabethtown ABC Store
Information from Planning Director Rusty Worley will be provided to Town Council as to future plans of the ABC Store.

- 7.4 Change Order No. 1 - Elizabethtown Airport Apron and Runway Paving Project
No action required from Council. This as information since Town Manager Dane Rideout is authorized to sign the associated project documents.

[Peak Agenda - Change Order No. 1 - Airport Runway and Apron Paving Project - 11.6.23.pdf](#)

- 7.5 Additional ARPA Policies Needed for the NC Department of Commerce Rural Transformation Grant
Council is requested to approve the additional ARPA policies.

[Policy for Procurement - ARPA - 11.6.23.pdf](#)

[Policy for Property Management - ARPA - 11.6.23.pdf](#)

- 7.6 Agreements for Live Work Play Project:
Larry King & Associates - Professional Services for Surveying
McGill & Associates - Civil Engineering Services and
First Floor - LWP Development Agreement Addendum

Council is requested to approve the agreements as presented.

[Larry King & Associates Agreement - LWP Project - 11.6.23.pdf](#)

[McGill Associates Agreement - LWP Project - 11.6.23.pdf](#)

[First Floor Agreement - LWP Project - 11.6.23.pdf](#)

- 7.7 Monthly Financial Report
Council is requested to approve the Monthly Financial Report.
[October 2023 Financial Summary.pdf](#)

8. OTHER BUSINESS

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

Council is requested to hear the reminders and announcements.

[Peak Agenda - Briefly - 11.6.23.docx](#)

[Department Head Update Report - 11.6.23.pdf](#)

9. OPEN FORUM

- 9.1 Open Forum

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

[Sign-In Sheet - Open Forum - 11.6.23 Regular TC Meeting.docx](#)

10. CLOSED SESSION

- 10.1 Closed Session

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

11. ADJOURNMENT

- 11.1 Adjournment

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



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COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: OPENING AND CALL TO ORDER

SUBJECT: Opening and Call to Order

BACKGROUND:

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

ATTACHMENTS:



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

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

SUBJECT: Presentation of Colors, Pledge of Allegiance and Invocation

BACKGROUND:

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

ATTACHMENTS:



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: APPROVE CONSENT AGENDA ITEMS

SUBJECT: Approve Consent Agenda Items

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

Copy of Consent Agenda Documentation provided.

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

ATTACHMENTS:

[Peak Agenda - Revised 3 - Consent Documentation - 11.6.23.pdf](#)



November 6, 2023 Regular Town Council Meeting
Consent Agenda Items

- A. Proposed Agenda – Agenda considered *proposed* until approved by the Board.
ACTION RECOMMENDED: Approval
- B. October 2, 2023 Noon Work Session Minutes **ATTACH. #B**
ACTION RECOMMENDED: Approval
- C. October 2, 2023 Regular Meeting Minutes **ATTACH. #C**
ACTION RECOMMENDED: Approval
- D. October 2, 2023 Closed Session Minutes **ATTACH. #D**
ACTION RECOMMENDATION: Approval
TO BE DISTRIBUTED AT EVENING MEETING
- E. October 20, 2023 Special Called Mtg. Minutes – Noon **ATTACH. #E**
ACTION RECOMMENDATION: Approval
- F. October 20, 2023 Special Called Mtg. Minutes – 12:30 PM **ATTACH. #F**
ACTION RECOMMENDATION: Approval
- G. Resolution (#R-2023-20) “Employ A Veteran Week” **ATTACH. #G**
ACTION RECOMMENDED: Approval
- H. Proclamation – Veterans Day **ATTACH. #H**
ACTION RECOMMENDED: Approval
- I. Proclamation – “Youth Appreciation Week” **ATTACH. #I**
ACTION RECOMMENDED: Approval
- J. Tax Releases **ATTACH. #J**
ACTION RECOMMENDED: Approval
- K. Grant Budget Amendment **ATTACH. #K**
ACTION RECOMMENDED: Approval

TOWN OF ELIZABETHTOWN

Noon Meeting
October 2, 2023

The Elizabethtown Town Council met for its Noon work session on Monday, October 2, 2023, in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Rich Glenn, Ricky Leinwand, Paula Greene 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, Town Planner Rusty Worley, Town Clerk Juanita Hester, Fire Chief Hollis Freeman, Finance Director Sharon Penny and Public Works Engineering Director Stephen Duffy. Absent: Council Member Howell Clark Jr. and Director of Communications and Marketing Terri Dennison. 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. Then Mayor Campbell 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: Town Manager Update

Assistant Town Manager Pat DeVane noted that the CDBG project at 708 South Hill Street, the house has been demolished and the foundation started.

Waiting for asbestos inspection for 1811 Oak Street.

Lloyd Walker Surveying Services will present an Agreement for surveying services, hopefully for the October 20, 2023, Special Called Meeting.

Still waiting for the Environmental report for the Community Center.

Working on engineering design for the CDBG-NR Street Lighting.

Town Planner Rusty Worley noted that the Airport Runway Paving Project was 7 days ahead of schedule until Friday, September 29, 2023. There are 12,000 cracks to repair due to the asphalt cracking. The asphalt will need to be removed causing the Apron Runway Project to stop. It will cost \$2,000,000.00 to fix costing the Town \$70,000.00 more. It is believed to be caused by the Osprey military plane.

DOT grant to pay the other half, Town to pay 10%, deadline November 10, 2023.

The State budget was final on September 28, 2023, \$15,000,000.00 for Live Work Play, \$2,200,000.00 for Aviation and could be eligible for another \$4,000,000.00 or \$5,000,000.00.

Item 5.1: Appointments for Zoning Board of Adjustment

This agenda item will be considered at the evening meeting.

Item 5.2: Budget Amendment - #2024-01

Finance Director Sharon Penny noted that the School of Government recommended changing the budget amendment format to comply with the revenue and budget levels. Page 3 shows details \$6,140.00 for 250th Anniversary donations, \$912,408.44 Street Improvement Project, T-Mobile Grant \$26,350.31, Airport expenses \$24,300.00. Council will consider at the evening meeting.

Item #5.3: Monthly Financial Report

Council will consider at the evening meeting.

Item #6.1: "Briefly"

Town Manager briefed on the following:

Need 2 Elected Officials for Water & Sewer Project training.

Special Called Meeting October 20, 2023.

Zoning concerns on South Poplar Street.

Mr. Arthur Owens that lives on McKoy Street has a storm drain problem and wants the Town to put in storm water piping.

Need volunteers for Lumber River Council Board of Director's meetings.

Closed Session after Evening Meeting.

Pink Slips Band at the Farmers Market October 7, 2023 from 7:00-10:00 pm.

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

Sylvia Campbell, Mayor

ATTEST:

Beverly Robinson, Admin Asst/CTC/ Deputy Town Clerk

TOWN OF ELIZABETHTOWN
Regular Meeting
October 2, 2023

The Elizabethtown Town Council met for its regular meeting on Monday, October 2, 2023, in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Rich Glenn, Ricky Leinwand, Paula Greene 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, Town Planner Rusty Worley, Town Clerk Juanita Hester, Fire Chief Hollis Freeman, Finance Director Sharon Penny and Public Works Engineering Director Stephen Duffy. Absent: Council Member Howell Clark Jr. and Director of Communications and Marketing Terri Dennison. No representatives from the Press attended the Noon meeting.

Mayor 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. Then Mayor Campbell 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 Herman Lewis, the Board unanimously approved the following Consent Items as presented and to include amendment 5.4: A. Proposed Agenda, B. September 11, 2023 Rescheduled Noon Work Session Meeting Minutes, C. September 11, 2023 Rescheduled Meeting Minutes, D. Resolution (#R-2023-19) Concerning Halloween – Tuesday, October 31, 2023, E. Tax Releases.

Item #4.1: Town Manager Update

Assistant Town Manager Pat DeVane noted that the CDBG project is 3 houses that will be rehabbed and rebuilt. One house is under construction and then waiting on an asbestos report for one house.

For the Airport Runway Paving Project, Town Planner Rusty Worley noted that there are 5,000 – 12,000 cracks to repair due to the asphalt cracking. The State budget was final on September 28, 2023, \$15,000,000.00 for Live Work Play, \$4,000,000.00 for Bladen's Bloomin' and \$2,500,000.00 for hangar.

Item 5.1: Appointments for Zoning Board of Adjustment

Council Member Paula Greene, seconded by Council Member Ricky Leinwand, made a motion to reappoint Mr. Maurice Williams and Bobby Kinlaw to the Zoning Board of Adjustment (Unanimous).

Item 5.2: Budget Amendment - #2024-01

Finance Director Sharon Penny noted that the amendment is to cover additional revenue of \$6,140.00 for 250th Anniversary donations, repairs and additional spraying at the Airport. Council Member Rich Glenn, seconded by Council Member Herman Lewis, moved to approve Budget Amendment #2024-01 (Unanimous). Copy attached and incorporated herein by reference.

Item #5.3: Monthly Financial Report

Finance Director Sharon Penny noted that on page 2 revenue is lower than last year, the Fire Department received additional funding, ARPA \$750,000.00, expenditures in Public Works are higher, lower in the Street Department and an Airport Budget Amendment. Council Member Rich Glenn, seconded by Council Herman Lewis, made a motion to approve the Monthly Financial Report (Unanimous). Copy attached and incorporated herein by reference.

Item 5.4: Agreement for Surveying Services – Walker Surveying – CDBG-NR – Grant #19-C-3126

Assistant Town Manager Pat DeVane noted that CDBG -NR requires advertisement and a contract. Council Member Ricky Leinwand, seconded by Mayor Pro Tem Rufus Lloyd, moved to approve Agreement for Surveying Services – Walker Surveying – CDBG-NR – Grant #19-C-3126 (Unanimous). Copy attached and incorporated herein by reference.

Item #6.1: “Briefly”

Town Manager briefed on the following:

Great information in the Department Head Updates.

Town offices closed Monday, October 9, 2023 in observance of Columbus Day.

250th Anniversary Celebration moved to November 11, 2023.

Special Called Meeting October 20, 2023.

Council Member Paula Greene celebrating her birthday, October 2, 2023.

Item #7.1: Open Forum

Mrs. Jane Johnson, 1000 S. Poplar Street, asked if the other properties on 701 S were all commercial. Town Manager Dane Rideout noted that the rezone request has not been forwarded to Council Members yet, there is a process.

8.1 Closed Session:

Council Member Paula Greene, seconded by Mayor Pro Tem Rufus Lloyd, made a motion to enter into Closed Session in accordance with NCGS 143-318.11(a)(5) – Real Estate (Unanimous).

RETURN TO OPEN SEESION FROM CLOSED SESSION

Council Member Paula Greene, seconded by Council Member Rich Glenn, moved to return to open session (Unanimous).

Mayor Sylvia Campbell noted there was no action taken.

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

Sylvia Campbell, Mayor

ATTEST:

Beverly Robinson, Admin Asst/CTC/ Deputy Town Clerk

TOWN OF ELIZABETHTOWN

Special Called Meeting

October 20, 2023 - Noon

The Elizabethtown Town Council met for a Special Called Meeting on Friday, October 20, 2023 at 12:00 p.m. in the Council Chambers. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Herman Lewis, Ricky Leinwand, Paula Greene, Town Manager Dane Rideout and Town Attorney Goldston Womble. Absent was Council Member Rich Glenn. Council Member Howell Clark Jr. recused himself from the meeting. Department Heads in attendance included Police Chief Tony Parrish, Finance Director Sharon Penny, Town Clerk Juanita Hester, Town Planner Rusty Worley, Assistant Town Manager Pat DeVane, Director of Communications and Marketing Terri Dennison and Public Service/Engineering Director Stephen Duffy. Absent was Fire Chief Hollis Freeman. There were no members from the Press.

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

Council Member Herman Lewis, seconded by Council Member Ricky Leinwand, moved to adopt the agenda adoption (Unanimous).

Item #1: Public Hearing – Town Acquisition of Real Property located at 2600 E. Broad Street (Ace Wrecker Property)

Mayor Sylvia Campbell opened the Public Hearing then called upon Planner Rusty Worley to present. Planner Rusty Worley noted that the purchase price is \$250,000.00 of which \$150,000.00 will come from a Department of Commerce grant. The remaining \$100,000.00 will be 5 payments of \$20,000.00 each from the Workforce Housing grant. Since there were no public comments, the Mayor closed the Public Hearing.

Item #2: Approval for Property Acquisition of Ace Wrecker Property

Mayor Pro Tem Rufus Lloyd, seconded by Council Member Herman Lewis, moved to approve the Property Acquisition of Ace Wrecker Property and authorize the Town Manager to sign the contract (Unanimous). Copy of Offer to Purchase attached and incorporated herein by reference. Mayor Sylvia Campbell rescued from any obligations.

Item #3: Administrative Matters

Mayor Sylvia Campbell called upon Assistant Town Manager Pat DeVane to present. Mr. DeVane noted that McGill Associates will provide the consulting services related to the preparation of sidewalk construction plans and Design & Bidding for the W. Dunham Street Sidewalk Project in the amount of \$43,090.00. Anderson Engineering & Associates will be a Sub-Consultant. Council Member Ricky Leinwand, seconded by Council Member Herman

ATTACH. #E

Lewis, moved to approve McGill Associates W. Dunham Street Sidewalk Project Contract and to include Sub-Consultant Anderson Engineering & Associates who will complete a foundation design for the streetlights as well as site inspections related to the foundation system. (Unanimous). Copy attached and incorporated herein by reference.

Item #4: Adjournment

Mayor Pro Tem Rufus Lloyd, seconded by Council Member Herman Lewis, made a motion to adjourn (Unanimous).

Sylvia Campbell, Mayor

ATTEST:

Beverly Robinson, CTC/Admin Assistant/Deputy Town Clerk

TOWN OF ELIZABETHTOWN
Special Called Meeting
October 20, 2023 – 12:30 P.M.

The Elizabethtown Town Council met for a Special Called Meeting on Friday, October 20, 2023 at 12:30 p.m. in the Council Chambers. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Herman Lewis, Ricky Leinwand, Paula Greene, Howell Clark Jr., Town Manager Dane Rideout and Town Attorney Goldston Womble. Absent was Council Member Rich Glenn. Department Heads in attendance included Police Chief Tony Parrish, Finance Director Sharon Penny, Town Clerk Juanita Hester, Town Planner Rusty Worley, Assistant Town Manager Pat DeVane, Director of Communications and Marketing Terri Dennison and Public Service/Engineering Director Stephen Duffy. Absent was Fire Chief Hollis Freeman. There were no members of the press.

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

Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, moved to adopt the agenda adoption (Unanimous).

Item #1: WA #5 EYE Airport Industrial Park Phase II

Town Manager Dane Rideout noted that the \$180,210.00 are funds left from the Bordeaux Property project. The funds will cover W.K. Dickson's preliminary design services for the Airport Industrial Park Phase II. Council Member Howell Clark Jr., seconded by Council Member Paula Greene, made a motion to approve WA #5 EYE Airport Industrial Park Phase II in the amount of \$180,210.00 (Unanimous). Copy attached and incorporated herein by reference.

Item #2: Resolution - #R-2023-21 – Lead Service Line Inventory for Grant Application

Public Service Engineering/Director Stephen Duffy noted that Public Services does not have enough employees to test the 2,400 water service lines. This is a federal mandate, if there is no funding Public Services will have to do it. Council Member Herman Lewis, seconded by Council Member Howell Clark Jr., moved to approve the Resolution that will be part of a formal application being prepared for submission (Unanimous). Copy attached and incorporated herein by reference.

Item #3: Adjournment

Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, made a motion to adjourn (Unanimous).

Sylvia Campbell, Mayor

ATTEST:

Beverly Robinson, CTC/Admin Assistant/Deputy Town Clerk

**TOWN OF ELIZABETHTOWN
RESOLUTION**

“Employ A Veteran Week”

#R-2023-20

WHEREAS, for more than 200 years, our country has been built with the help of veterans who served during peace and war to keep our democracy safe; and

WHEREAS, these courageous men and women served with honor to give all Americans a sense of pride and security; and

WHEREAS, veterans, having served with dignity and honor, deserve the opportunity to pursue quality employment with competitive wages; and

WHEREAS, as employers and co-workers, it is not only proper, but in our public and economic interest to take advantage of this wealth of knowledge and experience by providing employment opportunities to our veterans already in the work force and to those who are leaving the military; and

WHEREAS, veterans have gained experience and valuable skills and have earned the right to be able to utilize their expertise to work in the Town of Elizabethtown; and

NOW, THEREFORE, BE IT RESOLVED THAT I, Sylvia Campbell, Mayor of the Town of Elizabethtown, and Town Council Members recognize November 5th through November 11th as “Employ A Veteran Week” and urge the employment of veterans by all businesses during the month of November.

Adopted this the 6th day of November, 2023.

Sylvia Campbell, Mayor

ATTACH. #G

**TOWN OF ELIZABETHTOWN
P R O C L A M A T I O N**

“VETERANS DAY”

WHEREAS, Veterans Day, observed annually on November 11th, is a tribute to military Veterans who have served in the U.S. Armed Forces; and

WHEREAS, the greatest acknowledgement of our freedom is to honor our Armed Forces Veterans who have sacrificed and, in many instances, paid the ultimate price for our freedom; and

WHEREAS, we, along with millions of Americans, can attest to the importance of their sacrifices and contributions for our freedom and security; and

WHEREAS, the Town of Elizabethtown realizes that many veterans who gave so much of themselves came home without any recognition, denied educational and occupational opportunities; and

WHEREAS, both men and women of our armed forces continue to be an inspiration to all of us through their demonstration of courage, leadership and commitment in service to our community and country; and

WHEREAS, we, in the Town of Elizabethtown will always remember and pay homage to those veterans, both active and inactive, for their contribution, dedication and commitment to the cause of our freedom.

NOW, THEREFORE, LET IT BE PROCLAIMED that in observance of Veterans Day, November 11, 2023, the Town of Elizabethtown proudly joins the rest of our nation to salute and give special honor and recognition to the men and women who are serving or those who have served to preserve the principles of Justice, Freedom and Democracy.

Proclaimed this the 6th day of November, 2023.

Sylvia Campbell, Mayor

ATTACH. #H

PROCLAMATION

“Youth Appreciation Week”

WHEREAS, the vast majority of youth are concerned, knowledgeable and responsible citizens; and

WHEREAS, the accomplishments and achievements of these young citizens deserve the recognition and praise of their elders; and

WHEREAS, Optimist International has, since 1954, developed and promoted a program entitled, “Youth Appreciation Week”; and

WHEREAS, the citizens of the Town of Elizabethtown have indicated a desire to join the Optimists in expressing appreciation and approval of the contributions of youth; and

WHEREAS, I, Sylvia Campbell, Mayor, therefore, proclaim the second week of November as “Youth Appreciation Week” in the Town of Elizabethtown.

By this action, let it be known that we have faith in the ability of today’s youth as they assume responsible roles in the future of mankind.

This the 6th day of November, 2023.

Sylvia Campbell, Mayor

ATTACH. #1

MEMORANDUM

Mayor and Town Council

Beverly Robinson, Certified Tax Collector

Tax Releases

October 6, 2023

Tax Collector Beverly Robinson has requested the following tax releases:

		<u>Account No.</u>
1	2023 D E Raynor OD	2000053
	Reason Business Closed 2021	
	Release Value \$4,000.00	
	Personal Property	
	Tax Released	\$ 24.60
	Late List	\$ 2.46
2	2023 D E Raynor OD	2000053
	Reason Business Closed 2021	
	Release Value \$ 375.00	
	Personal Property	
	Tax Released	\$ 2.31
	Late List	\$ 0.23
3	2023 D E Raynor DO	2000053
	Reason Business Closed 2021	
	Release Value \$ 450.00	
	Personal Property	
	Tax Released	\$ 2.77
	Late List	0.28
4	2021 Linwood Britton	5005894
	Reason Double Billed 0015480	
	Release Value \$ 30,390.00	
	Real Property	
	Tax Released	\$ 186.90
5	2022 Linwood Britton	5005894
	Reason Double Billed 0015480	
	Release Value \$ 10,020.00	
	Real Property	
	Tax Released	\$ 61.62
6	2023 Linwood Britton	5005894
	Reason Double Billed 0015480	
	Release Value \$ 10,020.00	
	Real Property	
	Tax Released	\$ 61.62

ATTACH. #J

7	2013 Bladen Aviation Reason Not In Town Limits Release Value \$ 22,340.00 Personal Property Tax Released \$ 137.39 Late List 13.74	5013241
8	2019 Linwod Britton Reason Double Billed 0015480 Release Value \$ 30,390.00 Real Property Tax Released <u>\$ 186.90</u>	5005894
Council is requested to grant the above tax releases		<u>\$ 680.82</u>

DISCOVERY

2023 US Bank National Association

Corrected Schedule Value \$ 4,627.00 \$ 28.46

2019-2023 David Smith

Leasehold with #5005894 \$ 22,080.00 \$ 135.78

TOWN OF ELIZABETHTOWN
 GRANT PROJECT BUDGET AMENDMENT #63-01
 INFRASTRUCTURE FOR LWP COMMERCIAL PROJECT

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

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

	APPROVED BUDGET	INCREASE/ (DECREASE)	REVISED BUDGET
Golden Leaf Grant	\$364,896		\$364,896
Bladen County	\$100,000	(\$80,000)	\$20,000
EDA Grant	0	\$690,604	\$690,604
TOTAL REVENUE	\$464,896	\$610,604	\$1,075,500

Section 4: The following amounts are appropriated for this project:

Engineering & Planning	\$100,000	(\$100,000)	\$0
Engineering	\$18,600	(\$18,600)	\$0
Permits	\$5,000	\$10,000	\$15,000
Construction & Site Development	\$341,296	\$545,704	\$887,000
Contingency	\$0	173,500	\$173,500
TOTAL APPROPRIATION	\$464,896	\$610,604	\$1,075,500

Adopted this 6th day of November 2023

 Sylvia B. Campbell, Mayor

 Dane D. Rideout, Town Manager

 Juanita Hester, Town Clerk

ATTACH. #K



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARINGS

SUBJECT: Public Hearing: Zoning Ordinance Text Amendment for Truck Terminals - Case Number: TA-23-003

BACKGROUND: Staff recommends approving this text amendment to the Zoning Ordinance related to Truck Terminals. 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.

Copy of Public Hearing Notice and Planning Board Letter of Recommendation provided.

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

HEARING PROCEDURE:

- a) Open the hearing and call upon Planning Director Rusty Worley to present the information; and
 - b) Solicit relevant public comments and information; and
 - c) Close the hearing after receiving or not any public comments.
- (To Be Considered in Agenda Item #5.1)*

ATTACHMENTS:

Peak Agenda - Public Hearing Notice - Text Amendment - Truck Terminals - 11.6.2023.pdf
 Planning Board Letter of Recommendation - Text Amendment for Truck Terminals - 11.6.2023.docx

**TOWN OF ELIZABETHTOWN
NOTICE OF
PUBLIC HEARING**

"Bladen Journal"

Publication Date:

10/20/2023 &

10/27/2023

Proposed Text Amendment Request, Town of Elizabethtown, North Carolina. Pursuant to NCGS 160A-364, 385 and 386, the Town of Elizabethtown will conduct a public hearing for a Text Amendment on Monday, November 6, 2023 at 7:00 p.m. in the Elizabethtown Municipal Building located at 805 W. Broad Street. Town Council will consider the following:

Text Amendment Request
Petitioner: Town of Elizabethtown
Case Number: TA-23-003
Request: Staff recommends amending the Elizabethtown Zoning Ordinance as it applies to Truck Terminals, Article 6 Zoning Districts, Article 7 Supplemental Regulations and Appendix A. Definitions

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

TOWN OF ELIZABETHTOWN

PLANNING & COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: October 31, 2023

TO: Mayor Sylvia B. Campbell and Town Council

FROM: Bobby Kinlaw, Chairman
Planning Board Members

RE: Petitioner: Town Staff
Case Number: Text Amendment TA-23-003 – Truck Terminals

Pursuant to the Elizabethtown Zoning Ordinance, Article 4, the Planning Board considered the above-referenced application during a regular meeting on September 26, 2023. Staff requested proposed amendments to define truck terminals and expand districts that permit them, including requiring a special use permit in the RA zoning district.

After consideration of the information presented at the meeting, the Planning Board forwards a favorable recommendation for Town Council to **approve** Text Amendment TA-23-003 – Truck Terminals.



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Public Hearing

AGENDA SECTION: PUBLIC HEARINGS

SUBJECT: Public Hearing: Rural Transformation Grant Funding (Old Ace Wrecker Property Site)

BACKGROUND: This public hearing is the first of two required public hearings for grant funding from N.C. Department of Commerce for the Rural Transformation project at the old Ace Wrecker property site. There will be no action required at tonight's public hearing. The second Public Hearing is being scheduled for December 4, 2023.

Copy of Public Hearing notice provided.

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

HEARING PROCEDURE:

- a) Open the hearing and call upon Planning Director Rusty Worley to present the information; and
 - b) Solicit relevant public comments and information; and
 - c) Close the hearing after receiving or not any public comments.
- (No Action To Be Taken This Evening. Second Public Hearing scheduled for 12/4/23)*

ATTACHMENTS:

[Peak Agenda - Public Hearing Notice - Rural Transformation Grant - 11.6.2023.pdf](#)

**TOWN OF
ELIZABETHTOWN
PUBLIC HEARING NOTICE**

"Bladen Journal"
Publication Date:
10/27/2023

The Town of Elizabethtown Town Council will be conducting the first of two Public Hearings on November 6, 2023 at 7:00 p.m. for the purpose of receiving public input regarding Rural Transformation grant funding from N.C. Department of Commerce to support property acquisition and to provide affordable housing. The Public Hearing will be conducted in the Elizabethtown Municipal Building located at 805 W. Broad Street, Elizabethtown, NC. Members of the public desiring to speak at this Public Hearing will be required to place their name on the sign-in sheet prior to the opening of the meeting.

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

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

Sylvia Campbell, Mayor





Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ORDINANCES/RESOLUTIONS/PROCLAMATIONS

SUBJECT: Ordinance Approval for Text Amendment for Truck Terminals, Case Number: TA-23-003

BACKGROUND: Prior to adopting or rejecting any zoning text amendment, the Town Council shall adopt one of the following statements which shall not be subject to judicial review:

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

SUGGESTED ACTION: Council is requested to approve or disapprove the proposed zoning text amendment by adopting one of the following statements noted under the "Background" section of the agenda.

ATTACHMENTS:

Zoning Ordinance Text Amendment - Truck Terminals - 11.6.2023.pdf

ZONING ORDINANCE TEXT AMENDMENT
Presented to Town Council
11/6/2023
TA-23-003
Truck Terminals

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-10	R-20	R-15	R-12M	R-12	R-10	O-1	C-1	E-2	CBD	L-1	H-1	B-C	Supplemental Regulations
Truck stop														P	
Truck terminal	SS								PS	PS			P		Section 7.51

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.

Adopted this the 6th day of November, 2023.

Sylvia Campbell, Mayor

ATTEST:

Juanita Hester, Town Clerk



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 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.

ATTACHMENTS:



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Approve Change of Town Council Meeting Date from April 1, 2024 to April 8, 2024

BACKGROUND: The annual 2024 N.C. Airports Association Conference is taking place on April 1st in Asheville so both Mayor Campbell and Town Manager Dane Rideout will be out of Town attending the conference. Thus, this request to reschedule the April Town Council meeting from April 1st to April 8th.

SUGGESTED ACTION: Council is requested to approve changing the Town Council meeting date from April 1, 2024 to April 8, 2024.

ATTACHMENTS:



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Appointment of Council Member to serve on the Lumber River Council of Governments Board of Directors

BACKGROUND: Appointment of a Council Member will be needed to replace Council Member Rich Glenn who has served since February 2020 on the Lumber River Council of Governments Board of Directors. Council Member Howell Clark serves as the alternate on that board.

List of current LRCOG Board of Directors provided.

SUGGESTED ACTION: Council is requested to appoint a Council Member to serve on the LRCOG Board of Directors.

ATTACHMENTS:

[Peak Agenda Attachment - Lumber River Council of Governments Board of Directors List.pdf](#)



Lumber River Council of Governments

Region N (Located in Pembroke, NC)

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OFFICERS

- Chairman | Robert L. Conoly (Raeford)
- First Vice Chairman | Angeline David (Dobbins Heights)
- Second Vice Chairman | Owen Thomas (Lumberton)
- Treasurer | David Kirby (Dublin)

Bladen County Commissioner Charles Ray Peterson	Elizabethtown (Alternate) Commissioner Howell Clark	Marietta (Alternate) Commissioner Walter Powell	Rockingham Councilman Denise Sullivan
Hoke County Commissioner James Leach	Ellerbe Commissioner Elsie L. Freeman	Maxton Commissioner Virgil Hutchinson	Rockingham (Alternate) Councilman A. Eugene Willard
Hoke County (Alternate) Commissioner Tony Hunt	Fairmont Mayor Pro Tem J.J. McCree	McDonald Commissioner Dannie Bacot	Rowland Commissioner Jean Love
Richmond County Commissioner Toni Maples	Fairmont (Alternate) Commissioner Jan Tedder-Rodgers	Norman Commissioner Nancy Paxton	St. Pauls Mayor Pro Tem Evans Jackson
Robeson County Commissioner John Cummings	Gibson Commissioner Eric Stubbs	Norman (Alternate) Mayor Tonia Collins	St. Pauls (Alternate) Commissioner Jerry Quick
Scotland County Commissioner Tim Ivey	Gibson (Alternate) Commissioner Adam Liles	Orrum Commissioner Jessie Stephens	Tar Heel Mayor Samuel Allen
Scotland County (Alternate) Commissioner Clarence McPhatter, II	Hamlet Councilman Maurice Stuart	Parkton Mayor Pro Tem Doris Underwood	Wagram Commissioner Robert McLaughlin
Bladenboro Commissioner Jeff Atkinson	Hamlet (Alternate) Councilman Oscar Sellers	Pembroke Commissioner Larry McNeill	White Lake Commissioner Timothy Blount
Clarkton Commissioner Linda Croom	Hoffman Mayor Tommy Hart	Proctorville Mayor Michael Sealey	White Lake (Alternate) Commissioner Mike Suggs
Dobbins Heights Commissioner Angeline David	Laurinburg Councilman Mary Jo Adams	Proctorville (Alternate) Commissioner Alphonso McRae	
Dublin Commissioner David Kirby	Laurinburg (Alternate) Councilman Mary Evans	Raeford Councilman Robert L. Conoly	
East Arcadia Mayor Perry Blanks	Lumberton Councilman Owen Thomas	Red Springs Commissioner Murray McKeithan	
East Arcadia (Alternate) Commissioner Lillian Graham	Lumber Bridge Mayor William Davis	Red Springs (Alternate) Commissioner Caroline Sumpter	
Elizabethtown Commissioner Rich Glenn	Marietta Commissioner Donna Stubbs	Rennert Commissioner Vivian W. McRae	



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Discussion Item

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Future Plans for the Elizabethtown ABC Store

BACKGROUND:

SUGGESTED ACTION: Information from Planning Director Rusty Worley will be provided to Town Council as to future plans of the ABC Store.

ATTACHMENTS:



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Change Order No. 1 - Elizabethton Airport Apron and Runway Paving Project

BACKGROUND: Town Manager Dane Rideout may be called upon to present this agenda item. The new contract sum including this Change Order will be \$6,184,382.65.

Copy of Change Order No. 1 provided.

SUGGESTED ACTION: No action required from Council. This as information since Town Manager Dane Rideout is authorized to sign the associated project documents.

ATTACHMENTS:
[Peak Agenda - Change Order No. 1 - Airport Runway and Apron Paving Project - 11.6.23.pdf](#)

BULLETIN NO. ONE (001)

RUNWAY & APRON PAVEMENT REHABILITATION

WKD Project No.: 20220029.01.RA

NCDOA Project No.: 36237.4.17.1

CURTIS L. BROWN, JR. FIELD (EYF)

805 W Broad Street, Elizabethtown, NC 28337

October 25, 2023

This Bulletin is hereby made a part of the contract documents and specifications of the above referenced project. All other requirements of the original specifications and drawings shall remain in effect in their respective order.

Bulletin No. 001 has been developed due to:

1. Contractor RFI 002 (dated 09/27/2023) requesting further information and clarification for the required profilograph testing per technical specification section P-401-6.2E and specific concerns for being able to meet the testing requirements because of the poor condition of the milled runway surface.
2. Contractor RFI 003 (dated 09/27/2023) requesting clarification and direction for the runway areas where the existing pavement structure was < 2" such that when the Contractor completed the 0" to 2" profile mill of the runway surface, some areas of existing crushed aggregate base was exposed.
3. The owner presented concerns about the durability of the proposed 2" overlay longevity and the remarkably deteriorated state of the remaining runway surface after milling work was completed.
4. The *Runway 15-33: Construction Update & Milled Surface Inspection Report* completed by WK Dickson & Co., Inc. (WKD) (submitted to NCDOA on 09/29/2023) that documents the exceptionally poor conditions of the remaining existing asphalt runway surface and concerns for continuing with the initial proposed construction plan of a 2" profile mill + 1 x 2" P-401 lift.

DRAWINGS

Construction Safety & Phasing Plan (Sheet C102)

- In the "RUNWAY & APRON REHABILITATION PHASING PLAN" table, "Work Description" notes have been revised for "Phase 1 Asphalt Runway Rehabilitation", as well revisions for the "Maximum Duration (Days)".
- Under "SAFETY AND PHASING GENERAL NOTES", Notes 1 and 2 have been revised to show adjustment of total construction days.

Runway Typical Sections (Sheet C700)

- Revisions to Detail 1/C700, "RUNWAY ASPHALT MILLING SECTION", and detail notes to indicate the revised milling section to effectively remove all remaining existing asphalt on the runway. Notes describing adjustment to existing stone base to achieve proposed base course elevations 4" below final grade (FG) have also been added to this detail.
- Revisions to Detail 2/C700, "PROPOSED RUNWAY BITUMINOUS PAVEMENT REPLACEMENT SECTION", and detail notes to indicate the revised paving section (2 x 2" P-401 lifts).

- Revisions to Detail 3/C700, "TYPICAL RUNWAY SECTION", and detail notes to indicate the revised paving section (2 x 2" P-401 lifts).
- Revisions to Detail 5/C700, "RUNWAY PAVEMENT TRANSITION DETAIL", to show the tie-in with the revised paving section.
- Addition of new Detail 3A/C700, "FULL DEPTH REMOVAL EXISTING PAVEMENT SECTION", to show proposed method of localized repair for as-needed areas on the runway.

QUANTITY CHANGES

There are ELEVEN (11) pay item changes associated with this Bulletin No. 001. Barnhill Contracting Company provided pricing for the items shown below on October 12, 2023, for review by the Engineer, Owner, and NCDOA. Please reference the attached Change Order No. 001 which shows the pay item changes and any associated contract unit price adjustments.

ATTACHMENTS

1. Reissued Sheets C102, C700
2. Change Order No. 001

END OF BULLETIN NO. 001

CHANGE ORDER NO. 1

OWNER: Town of Elizabethtown/Curtis L. Brown Jr. Airport (EYF)

OWNER'S ADDRESS: 805 West Broad Street

Elizabethtown NC 28337

CONTRACTOR: Barnhill Contracting Group

CONTRACTOR'S ADDRESS: PO Box 35376

Fayetteville, NC 28303

PROJECT:
EYF Runway and Apron Pavement Rehabilitation

DATE PREPARED: October 10, 2023
PROJECT NUMBER: 20220029.01 RA
PROJECT AIP GRANT NO.: 36237.4.17.1
DATE PREPARED: 10/25/2023

ORIGINAL AMOUNT OF CONTRACT: \$3,968,720.00

Reason for Change: Additional milling to remove all existing runway pavement, fine grading of runway stone base course, and paving of an additional 2" of P-401 asphalt runway pavement for a total of 4" of runway asphalt pavement

No.	DESCRIPTION	UNIT	CURRENT QUANTITY	REVISED QUANTITY	CURRENT UNIT COST	REVISED UNIT COST	CURRENT EXTENDED TOTAL	REVISED EXTENDED TOTAL	NET CHANGE
Existing Contract Unit Prices									
1	Contractor Quality Control Program (CQCP)	LS	1	1	\$ 195,000.00	\$ 210,000.00	\$ 195,000.00	\$ 210,000.00	\$ 15,000.00
7	Mobilization (10%)	LS	1	1	\$ 251,000.00	\$ 291,000.00	\$ 251,000.00	\$ 291,000.00	\$ 40,000.00
8	Asphalt Cold Milling (Profiling Milling, Variable Depth)	SY	43,000	86,000	\$ 10.00	\$ 10.00	\$ 430,000.00	\$ 860,000.00	\$ 430,000.00
12	Placement of Millings in Onsite Stockpile	CY	1,770	3,540	\$ 4.50	\$ 4.50	\$ 7,965.00	\$ 15,930.00	\$ 7,965.00
15	Undercut Excavation, Replace with Backfill	CY	25	1,825	\$ 150.00	\$ 150.00	\$ 3,750.00	\$ 273,750.00	\$ 270,000.00
17	Asphalt Surface Course	TN	5,500	11,000	\$ 216.00	\$ 216.00	\$ 1,188,000.00	\$ 2,376,000.00	\$ 1,188,000.00
18	Emulsified Asphalt Tack Coat	GAL	5,000	10,000	\$ 4.50	\$ 4.50	\$ 22,500.00	\$ 45,000.00	\$ 22,500.00
49	Crushed Aggregate Base Course (6" Depth)	CY	1,540	1,740	\$ 165.00	\$ 165.00	\$ 254,100.00	\$ 287,100.00	\$ 33,000.00
New Contract Unit Prices									
61	Supplemental P-209 Aggregate Base Course	TN	0	400	\$ 0.00	\$ 165.00	\$ -	\$ 66,000.00	\$ 66,000.00
62	Fine grade Existing ABC/Subgrade	SY	0	41,667	\$ 0.00	\$ 2.95	\$ -	\$ 122,917.65	\$ 122,917.65
63	Asphalt Crack Repair - Cracks Cleaned & Prepped But Not Sealed	LF	0	10,140	\$ 0.00	\$ 2.00	\$ -	\$ 20,280.00	\$ 20,280.00

NET CONTRACT CHANGE..... \$2,215,662.65

Price Changes Ordered:

Subject to the conditions set forth below, an equitable adjustment is established as follows:

The original contract sum was..... \$3,968,720.00
 The revised contract sum from previous change orders was..... \$3,968,720.00
 The contract sum will be revised by this Change Order by..... \$2,215,662.65
 The new contract sum including this Change order will be..... \$6,184,382.65

The foregoing is in accordance with the proposal and as listed below:

- A. The aforementioned change, and work affected thereby, is subject to all contract stipulations and covenants;
- B. The rights of the Owner are not prejudiced;
- C. All claims against the Owner which are incidental to or as a consequence of the aforementioned change are satisfied; and
- D. The Contractor has notified its surety of any changes affecting the general scope of the work or change in contract price, and the amount of applicable bonds were adjusted accordingly.

Contract Time Changes & Additional Notes:

With this change, the contract time will be extended 60 calendar days, from 120 to 180 days. The maximum allowable runway closure time shall be extended by 50 days calendar days, 60 to 110 calendar days.

ACCEPTED:

Town of Elizabethtown

(Owner)

BY: DAVE D. RIDEOUT *7-7-2023*

DATE: 26 OCT 23

ACCEPTED:

Barnhill Contracting Company

(Contractor)

BY: Lance Bullard *Lance Bullard*

DATE: 10/25/2023

RECOMMENDED FOR APPROVAL:

W. K. Dickson & Co., Inc.

(Engineer)

BY: Ayden Chung *Digitally signed by Ayden Chung*
Date: 2023.10.25 11:31:38-0400'

DATE: _____



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Additional ARPA Policies Needed for the NC Department of Commerce Rural Transformation Grant

BACKGROUND: Finance Director Sharon Penny may be called upon to present this agenda item. For the NC Department of Commerce Rural Transformation Grant the Town has received, the following additional policies need to be put in place. They include a Procurement Policy and a Property Management Policy.

Policy copies provided.

SUGGESTED ACTION: Council is requested to approve the additional ARPA policies.

ATTACHMENTS:

[Policy for Procurement - ARPA - 11.6.23.pdf](#)
[Policy for Property Management - ARPA - 11.6.23.pdf](#)

TOWN OF ELIZABETHTOWN
**POLICY FOR PROCUREMENT FOR EXPENDITURES OF AMERICAN
RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL
RECOVERY FUNDS BY NORTH CAROLINA LOCAL GOVERNMENTS**

WHEREAS the Town of Elizabethtown, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small business, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband interest.

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG), as provided in the Assistance Listing; and

WHEREAS the Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds (v5.2 September 27, 2023) provides, in relevant part:

Procurement, Suspension, & Debarment. Recipients are responsible for ensuring that any procurement using ARP/SLFRF funds, or payments under procurement contracts using such funds, are consistent with the procurement standards set forth in the Uniform Guidance at 2 CFR 200.317 through 2 CFR 200.327, unless stated otherwise by Treasury.

The Uniform Guidance establishes in 2 CFR 200.319 that all procurement transactions for property or services must be conducted in a manner providing full and open competition, consistent with standards outlined in 2 CFR 200.320, which allows for non-competitive

procurements only in certain circumstances. Recipients must have and use documented procurement procedures that are consistent with the standards outlined in 2 CFR 200.317 through 2 CFR 200.320. The Uniform Guidance, pursuant to 2 CFR 180, requires an infrastructure for competitive bidding and contractor oversight, including maintaining written standards of conduct and prohibitions on dealing with suspended or debarred parties.

BE IT RESOLVED that the governing board of the Town of Elizabethtown hereby adopts and enacts the following UG Procurement Policy for the expenditures of ARP/CSLFRF funds.

PROCUREMENT FOR EXPENDITURES OF AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

I. PURPOSE

The purpose of this Policy is to establish guidelines that meet or exceed the procurement requirements for purchases of goods (apparatus, supplies, materials, and equipment), services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract.

II. POLICY

A. Application of Policy. This policy applies to contracts for purchases, services, and construction or repair work funded with federal financial assistance (direct or reimbursed). The requirements of this Policy also apply to any subrecipient of the funds.

All federally funded projects, loans, grants, and sub-grants, whether funded in part or wholly, are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for federal awards (Uniform Guidance) codified at 2.C.F.R Part 200 unless otherwise directed in writing by the federal agency or state pass-through agency that awards the funds.

B. Compliance with Federal Law. All procurement activities involving the expenditure of federal funds must be conducted in compliance with the Procurement Standards codified in 2.C.F.R. §200.317 through §200.326 unless otherwise directed in writing by the federal agency or state pass-through agency that awarded the funds. The Town of Elizabethtown will follow all applicable local, state, and federal procurement requirements when expending federal funds. Should the Town of Elizabethtown have more stringent requirements, the most restrictive requirements will apply so long as it is consistent with state and federal law.

C. Contract Award. All contracts shall be awarded only to the lowest responsive responsible bidder possessing the ability to perform successfully under the terms and conditions of the contract.

- D. No Evasion.** No contract may be divided to bring the cost under bid thresholds or to evade any requirements under this Policy or state and federal law.
- E. Contract Requirement.** All contracts paid for in whole or in part with federal funds shall be in writing. The written contract must include or incorporate by reference the provisions required under 2 C.F.R. §200.326 and as provided for under 2 C.F.R. Part 200, Appendix II.
- F. Contractors' Conflict of Interest.** Designers, suppliers, and contractors that assist in the development or drafting of specifications, requirements, statements of work, invitation for bids, or requests for proposals shall be excluded from competing for such requirements.
- G. Approval and Modification.** The administrative procedures contained in the Policy are administrative and may be changed as necessary at the staff level to comply with state and federal law.

III. GENERAL PROCUREMENT STANDARDS AND PROCEDURES:

Either the Purchasing Department or the Requesting Department shall procure all contracts in accordance with the requirements of this Section of the Policy.

- A. Necessity.** Purchases must be necessary to perform the scope of work and must avoid acquisition of unnecessary or duplicative items. The Purchasing Department and/or the Requesting Department should check with the federal surplus property agency prior to buying new items when feasible and less expensive. Strategic sourcing should be considered with other departments and/or agencies who have similar needs to consolidate procurements and services to obtain better pricing.
- B. Clear Specifications.** All solicitations must incorporate a clear and accurate description of the technical requirements for the materials, products, or services to be procured, and shall include all other requirements which bidders must fulfill and all other factors to be used in evaluating bids or proposals. Technical requirements must not contain features that restrict competition.
- C. Notice of Federal Funding.** All bid solicitations must acknowledge the use of federal funding for the contract. In addition, all prospective bidders or offerors must acknowledge that funding is contingent upon compliance with all terms and conditions of the funding award.
- D. Compliance by Contractors.** All solicitations shall inform prospective contractors that they must comply with all applicable federal laws, regulations, executive orders, and terms and conditions of the funding award.

- E. Fixed Price.** Solicitations must state that bidders shall submit bids on a fixed price basis and that the contract shall be awarded on this basis unless otherwise provided for in this Policy. Cost plus percentage of cost contracts are prohibited. Time and materials contracts are prohibited in most circumstances. Time and materials contracts will not be used unless no other form of contract is suitable and the contract includes a "Not to Exceed" amount. A time and materials contract shall not be awarded without express written permission of the federal agency or state pass-through agency that awarded the funds.
- F. Use of Brand Names.** When possible, performance or functional specifications are preferred to allow for more competition, leaving the determination of how they reach the required result to the contractor. Brand names may be used only when it is impractical or uneconomical to write a clear and accurate description of the requirement(s). When a brand name is listed, it is used as reference only and "or equal" must be included in the description.
- G. Lease versus Purchase.** Under certain circumstances, it may be necessary to perform an analysis of lease versus purchase alternative to determine the most economical approach.
- H. Dividing Contracts for M/WBE Participation.** If economically feasible, procurements may be divided into smaller components to allow maximum participation of small and minority businesses and women business enterprises. The procurement cannot be divided to bring the cost under bid thresholds or to evade any requirements under this Policy.
- I. Documentation.** Documentation must be maintained by the Purchasing Department and/or the Requesting Department detailing the history of all procurements. The documentation should include the procurement method used, contract type, basis for contractor selection, price, sources solicited, public notices, cost analysis, bid documents, addenda, amendments, contractor's responsiveness, notice of award, copies of notices to unsuccessful bidders or offerors, record of protests or disputes, bond documents, notice to proceed, purchase order, and contract. All documentation relating to the award of any contract must be made available to the granting agency upon request.
- J. Cost Estimate.** For all procurements costing \$150,000 or more, the Purchasing Department and/or Requesting Department shall develop an estimate of the cost of the procurement prior to soliciting bids. Cost estimates may be developed by reviewing prior contract costs, online review of similar products or services, or other means by which a good faith cost estimate may be obtained. Cost estimates for construction and repair contracts may be developed by the project designer.
- K. Contract Requirements.** The Requesting Department must prepare a written contract incorporating the provisions referenced in Section II.C of this Policy.

- L. Debarment.** No contract shall be awarded to a contract included on the federally debarred bidders' list.
- M. Contract Oversight.** The Requesting Department receiving the federal funding must maintain oversight of the contract to ensure that contractor is performing in accordance with the contract terms, conditions, and specification.
- N. Open Competition.** Solicitations shall be prepared in a way to be fair and provide open competition. The procurement process shall not restrict competition by imposing unreasonable requirements on bidders, including but not limited to unnecessary supplier experience, excessive or unnecessary bonding, specifying a brand name without allowing for "or equal" products, or other unnecessary requirements that have the effect of restricting competition.
- O. Geographic Preference.** No contract shall be awarded on the basis of geographic preference.

IV. Specific Procurement Procedures

Either the Purchasing Department or the Requesting Department shall solicit bids in accordance with the requirements under this Section of the Policy based on the type and cost of the contract.

- A. Service Contracts (except for A/E professional services) and Purchase Contracts costing less than \$10,000** shall be procured using the Uniform Guidance "micro-purchase" procedure (2 C.F.R. §200.320(a)) as follows:
1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
 2. To the extent practicable, purchases must be distributed among qualified suppliers.
- B. Service Contracts (except for A/E professional services) and Purchase Contracts costing \$10,000 up to \$90,000** shall be procured using the Uniform Guidance "small purchase" procedure (2 C.F.R. §200.320(b)) as follows:
1. Obtain price or rate quotes from an "adequate number" of qualified sources (a federal grantor agency might issue guidance interpreting "adequate number", so the Purchasing Department or the Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
 2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required un 2 C.F.R. §200.321.
 3. Cost or price analysis is not required prior to soliciting bids.

4. Award the contract on a fixed-price basis (a not-to-exceed basis is permissible for service contracts where obtaining a fixed price is not feasible).
5. Award the contract to the lowest responsive, responsible bidder.

C. Service Contracts (except for A/E professional services) and **Purchase Contracts costing \$90,000 and above** shall be procured using a combination of the most restrictive requirements of the Uniform Guidance "sealed bid" procedure (2 C.F.R. §200.32 (c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids.
2. Complete specifications or purchase description must be made available to all bidders.
3. The bid must be formally advertised in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for "sound documented reasons".
4. Take affirmative steps to solicit price quotes from M/WBE vendor and suppliers as required under 2 C.F.R. §200.321.
5. Open bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of two (2) bids must be received in order to open all bids.
6. Award the contract to the lowest responsive, responsible bidder on a fixed-price basis. Governing board approval is required for purchase contracts unless the governing board has delegated award authority to an individual official or employee. Any and all bids may be rejected only for "sound documented reasons".

D. Service Contracts (except for A/E professional services) **costing \$150,000 and above** may be procured using the Uniform Guidance "competitive proposal" procedure (2 C.F.R. §200.320(d)) when the "sealed bid" procedure is not appropriate for the particular type of service being sought. The procedures are as follows:

1. A Request for Proposals (RFP) must be publicly advertised. Formal advertisement in a newspaper is not required so long as the method of advertisement will solicit proposals from an "adequate number" of qualified firms.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. §200.321.
3. Identify evaluation criteria and relative importance of each criteria (criteria weight) in the RFP.
4. Consider all responses to the publicized RFP to the maximum extent practical.
5. Must have a written method of conducting technical evaluations of proposals and selecting the winning firm.

6. Award the contract to the responsible firm with the most advantageous proposal taking into account price and other factors identified in the RFP. Governing board approval is not required.
7. Award the contract on a fixed-price or cost-reimbursement basis.

E. Construction and repair contracts costing less than \$10,000 shall be procured using the Uniform Guidance "micro-purchase" procedure (2 C.F.R. §200.320(a)) as follows:

1. The contract may be awarded without soliciting pricing or bids if the price of the goods or services is considered to be fair and reasonable.
2. To the extent practicable, contracts must be distributed among qualified suppliers.

F. Construction and repair contracts costing \$10,000 up to \$150,000 shall be procured using the Uniform Guidance "small purchase" procedure (2 C.F.R. §200.320(b)) as follows:

1. Obtain price or rate quotes from an "adequate number" of qualified sources (a federal grantor agency might issue guidance interpreting "adequate number", so the Purchasing Department or Requesting Department should review the terms and conditions of the grant award documents to confirm whether specific guidance has been issued).
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as required under 2 C.F.R. §200.321.
3. Cost or price analysis is not required prior to soliciting bids, although price estimates may be provided by the project designer.
4. Award the contract on a fixed-price or not-to-exceed basis.
5. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required.

G. Construction and repair contracts costing \$150,000 up to \$500,000 shall be procured using the Uniform Guidance "sealed bid" procedure (2 C.F.R. §200.320(c)) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate may be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Publicly advertise the bid solicitation for a period of time sufficient to give bidders notice of opportunity to submit bids (formal advertisement in a newspaper is not required so long as other means of advertising will provide sufficient notice of the opportunity to bid). The advertisement must state the date, time, and location of the public bid opening, and indicate where specifications may be obtained.
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. §200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed. A minimum of two (2) bids must be received in order to open all bids.

6. A 5% bid bond is required of all bidders. Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract on a firm fixed-price basis.
8. Award the contract to the lowest responsive, responsible bidder. Governing board approval is not required. Any and all bids may be rejected only for "sound documented reasons".

H. Construction and repair contracts costing \$550,000 and above shall be procured using a combination of the most restrictive requirements of the Uniform Guidance "sealed bid" procedure (2 C.F.R. §200.320(c)) and state formal bidding procedures (G.S. 143-129) as follows:

1. Cost or price analysis is required prior to soliciting bids (this cost estimate should be provided by the project designer).
2. Complete specifications must be made available to all bidders.
3. Formally advertise the id in a newspaper of general circulation for at least seven full days between the date of the advertisement and the date of the public bid opening. Electronic-only advertising must be authorized by the governing board. The advertisement must state the date, time, and location of the public bid opening, indicate where specifications may be obtained, and reserve to the governing board the right to reject any or all bids only for "sound documented reasons".
4. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. §200.321.
5. Open the bids at the public bid opening on the date, time, and at the location noticed in the public advertisement. All bids must be submitted sealed and in paper form. A minimum of three (3) bids must be received in order to open all bids.
6. A 5% bid bond is required of all bidders (a bid that does not include a bid bond cannot be counted toward the 3-bid minimum requirement). Performance and payment bonds of 100% of the contract price is required of the winning bidder.
7. Award the contract to the lowest responsive, responsible bidder. Governing board approval is required and cannot be delegated. The governing board may reject any and all bids only for "sound documented reasons".

I. Construction or repair contracts involving a building costing \$300,000 and above must comply with the following additional requirements under state law:

1. Formal HUB (Historically Underutilized Business) participation required under G.S. 143-128.2, including local government outreach efforts and bidder good faith efforts, shall apply.
2. Separate specifications shall be drawn for the HVAC, electrical, plumbing, and general construction work as required under G.S. 143-128(a).
3. The project shall be bid using a statutorily authorized bidding method (separate-prime, single-prime, or dual bidding) as required under G.S. 143-129(a1).

J. Contracts for Architectural and Engineering Services costing under \$150,000 shall be procured using the state "Mini-Brooks Act" requirements (G.S. 143-64.31) as follows:

1. Issue a Request for Qualification (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from N/WBE vendors and suppliers as provided for under 2. C.F.R. §200.321.
3. Evaluate the qualifications of respondents based on the evaluation criteria developed by the Purchasing Department and/or Requesting Department.
4. Rank respondents based on qualifications and select the best qualified firm. Price cannot be a factor in the evaluation. Preference may be given to the in-state (but not local) firms.
5. Negotiate fair and reasonable compensation with the best qualified firm. If negotiations are not successful, repeat negotiations with the second-best qualified firm.
6. Award the contract to the best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

K. Contracts for Architectural and Engineering Services costing \$150,000 or more shall be procured using the Uniform Guidance "competitive proposal" procedure (2 C.F.R. §200.320(d)(5) as follows:

1. Publicly advertise a Request for Qualification (RFQ) to solicit qualifications from qualified firms (formal advertisement in a newspaper is not required). Price (other than unit cost) shall not be solicited in the RFQ.
2. Take affirmative steps to solicit price quotes from M/WBE vendors and suppliers as provided under 2 C.F.R. §200.321.
3. Identify the evaluation criteria and relative importance of each criteria (the criteria weight) in the RFQ.
4. Proposals must be solicited from an "adequate number of qualified sources" (an individual federal grantor agency may issue guidance interpreting "adequate number").
5. Must have a written method for conducting technical evaluations of proposals and selecting the best qualified firm.
6. Consider all responses to the publicized RFQ to the maximum extent practical.
7. Evaluate qualifications of respondents to rank respondents and select the most qualified firm. Preference may be given to in-state (but not local) firms provided that granting the preference leaves an appropriate number of qualified firms to compete for the contract given the nature and size of the project.
8. Price cannot be a factor in the initial selection of the most qualified firm.

9. Once the most qualified firm is selected, negotiate fair and reasonable compensation. If negotiations are not successful, repeat negotiations with the second-best qualified firm.
10. Award the contract to the best qualified firm with whom fair and reasonable compensation has been successfully negotiated. Governing board approval is not required.

IV. Exceptions

Non-competitive contracts are allowed only under the following conditions and with the written approval of the federal agency or state pass-through agency that awarded the federal funds:

- A. **Sole Source.** A contract may be awarded without competitive bidding when the item is available from only one source. The Purchasing Department and/or Requesting Department shall document the justification for the lack of available competition for the item. A sole source contract must be approved by the governing board.
- B. **Public Exigency.** A contract may be awarded without competitive bidding when there is a public exigency. A public exigency exists when there is an imminent or actual threat to public health, safety, and welfare, and the need for the item will not permit the delay resulting from competitive bidding.
- C. **Inadequate Competition.** A contract may be awarded without competitive bidding when competition is determined to be inadequate after attempts to solicit bids from a number of sources as required under this Policy does not result in a qualified winning bidder.
- D. **Federal Contract.** A contract may be awarded without competitive bidding when the purchase is made from a federal contract available on the U.S. General Services Administration schedule of contracts.
- E. **Awarding Agency Approval.** A contract may be awarded without competitive bidding with the express written authorization of the federal agency or state pass-through agency that awarded the federal funds so long as awarding the contract without competition is consistent with state law.

Adopted this 6th day of November 2023.

Sylvia Campbell, Mayor

TOWN OF ELIZABETHTOWN
POLICY FOR PROPERTY MANAGEMENT RELATED TO THE
EXPENDITURE OF AMERICAN RESCUE PLAN ACT CORONAVIRUS
STATE AND LOCAL FISCAL RECOVERY FUNDS BY NORTH
CAROLINA LOCAL GOVERNMENTS

WHEREAS the Town of Elizabethtown, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small business, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband interest.

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG), as provided in the Assistance Listing; and

WHEREAS the Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds (v5.2 September 27, 2023) provides, in relevant part:

Equipment and Real Property Management. Any purchase of equipment or real property with SLFRF funds must be consistent with the Uniform Guidance at 2 CFR Part 200, Subpart D. Equipment and real property acquired under this program must be used for the originally authorized purpose. Consistent with 2 CFR 200.311 and 2 CFR 200.313, any equipment or real property acquired using SLFRF funds shall vest in the non-Federal

entity. Any acquisition and maintenance of equipment or real property must also be in compliance with the relevant laws and regulations.

WHEREAS Subpart D of the UG dictates title, use, management, and disposal of real property, equipment, and supplies acquired in whole or in part with ARP/CSLFRF funds;

BE IT RESOLVED that the governing board of the Town of Elizabethtown hereby adopts and enacts the following UG Procurement Policy for the expenditures of ARP/CSLFRF funds.

**PROPERTY STANDARDS FOR REAL PROPERTY, EQUIPMENT, AND
SUPPLIES ACQUIRED WITH AMERICAN RESCUE PLAN ACT
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

I. PURPOSE OVERVIEW

Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, commonly called Uniform Guidance (UG), specifically Subpart D, details post award requirements related to property management of property acquired or updated, in whole or in part, with funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF).

II. DEFINITIONS

The following definitions from 2 CFR 200.1 apply in this policy.

Computing devices: machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or “peripherals”) for printing, transmitting and receiving, or storing electronic information. See also the definitions of supplies and information technology systems in this section.

Equipment: tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost (including the cost to ready the asset for its intended use) which equals or exceeds the lesser of the capitalization level established by the Town of Elizabethtown for financial statement purposes, or \$5,000. See also the definitions of *capital assets*, *computing devices*, *general purpose equipment*, *information technology systems*, *special purpose equipment*, and *supplies* in this section.

Information technology systems: computing devices, ancillary equipment, software, firmware, and similar procedures, services (including support services), and related resources. See also the definitions of computing devices and equipment in this section.

Intangible property. property having no physical existence, such as trademarks, copyrights, patents and patent applications and property, such as loans, notes and other debt instruments, lease agreements, stock and other instruments of property ownership (whether the property is tangible or intangible).

Personal property. property other than real property. It may be tangible, having physical existence, or intangible.

Real property. land, including land improvements, structures and appurtenances thereto, but excludes moveable machinery and equipment

Supplies. all tangible personal property other than those described in the definition of equipment in this section. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the local government for financial statement purposes or \$5,000, regardless of the length of its useful life. See also the definitions of computing devices and equipment in this section

III. REAL PROPERTY:

Title to Real Property. Title to real property acquired or improved with ARP/CSLFRF funds vests with the Town of Elizabethtown. 2 CFR 200.311.

Use of Real Property. Real property acquired or improved with ARP/CSLFRF funds must be used for the originally authorized purpose as long as needed for that purpose, during which time the Town of Elizabethtown must not dispose of or encumber it's title or other interests. 2 CFR 200.311(b).

Insurance of Real Property. The Town of Elizabethtown must provide the equivalent insurance coverage for real property acquired or improved with ARP/CSLFRF funds as provided to property owned by the Town of Elizabethtown. 2 CFR 200.310.

Disposition of Real Property. When the Town of Elizabethtown no longer needs real property purchased with ARP/CSLFRF funds for ARP/CSLFRF purposes, the Town of Elizabethtown must obtain disposition instructions from US Treasury. The instructions must provide for one of the following alternatives:

1. The Town of Elizabethtown retains title after compensating US Treasury. The amount paid to US Treasury will be computed by applying US Treasury's percentage of participation in the cost of the original purchase (and costs of any improvements) to the fair market value of the property. However, in those situations where the Town of Elizabethtown is disposing of real property acquired or improved with ARP/CSLFRF funds and acquiring replacement real property under the ARP/CSLFRF, the net

proceeds from the disposition may be used as an offset to the cost of the replacement property.

2. The Town of Elizabethtown sells the property and compensates US Treasury. The amount due to US Treasury will be calculated by applying US Treasury's percentage of participation in the cost of the original purchase (and cost of any improvements) to the proceeds of the sale after deduction of any actual and reasonable selling and fixing-up expenses. If the ARP/CSLFRF award has not been closed out, the net proceeds from the sale may be offset against the original cost of the property. When the Town of Elizabethtown is directed to sell property, sales procedures must be followed that provide for competition to the extent practicable and result in the highest possible return.
3. The Town of Elizabethtown transfers title to US Treasury or to a third party designated/approved by US Treasury. The Town of Elizabethtown is entitled to be paid an amount calculated by applying the Town of Elizabethtown's percentage of participation in the purchase of the real property (and cost of any improvements) to the current fair market value of the property. 2 CFR 200.311(c).

IV. EQUIPMENT

Title to Equipment: Title to equipment acquired or improved with ARP/CSLFRF funds vests with the Town of Elizabethtown. 2 CFR 200.313(a).

Use of Equipment: The Town of Elizabethtown must use equipment acquired with ARP/CSLFRF funds for the project for which it was acquired as long as needed, whether or the project continues to be supported by the ARP/CSLFRF award, and the Town of Elizabethtown must not encumber the property without prior approval of US Treasury. 2 CFR 200.313(a)(1)-(2).

When no longer needed for the original project, the equipment may be used in other activities supported by a federal awarding agency, in the following order of priority:

1. Activities under a Federal award from the Federal awarding agency which funded the original project, then
2. Activities under Federal awards from other Federal awarding agencies. This included consolidated equipment for information technology systems. 2 CFR 200.313(c)(1).

During the time that the equipment is used on the project for which it was acquired, the Town of Elizabethtown must also make equipment available for use on other projects or programs currently or previously supported by the Federal Government, provided that such use will not interfere with the work on the project for which it was originally acquired. First preference for other use must be given to other programs, or projects supported by US Treasury and second preference must be given to programs or projects under Federal

awards from other Federal awarding agencies. Use for non-federally funded programs or projects is also permissible. User fees should be considered if appropriate. 2 CFR 200.313(c)(2).

Noncompetition: The Town of Elizabethtown must not use equipment acquired with the ARP/CSLFRF funds to provide services for a fee that is less than private companies charge for equivalent services unless specifically authorized by Federal statute for as long as the Federal Government retains an interest in the equipment. 2 CFR 200.313(c)(3).

Replacement Equipment: When acquiring replacement equipment, the Town of Elizabethtown may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property. 2 CFR 200.313(c)(4).

Management of Equipment: The Town of Elizabethtown will manage equipment (including replacement equipment) acquired in whole or in part with ARP/CSLFRF funds according to the following requirement.

1. The Town of Elizabethtown will maintain sufficient records that include:
 - a) a description of the property,
 - b) a serial number or other identification number,
 - c) the source of funding for the property (including the Federal Award Identification Number (FAIN)),
 - d) who holds title,
 - e) the acquisition date,
 - f) cost of the property,
 - g) percentage of Federal participation in the project costs for the Federal award under which the property was acquired,
 - h) the location, use, and condition of the property, and
 - i) any ultimate disposition data including the date of disposal and sale price of the property.
2. The Town of Elizabethtown will conduct a physical inventory of the property and reconcile results with its property records at least once every two years.
3. The Town of Elizabethtown will develop a control system to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft will be investigated by the Town of Elizabethtown.
4. The Town of Elizabethtown will develop and implement adequate maintenance procedures to keep the property in good condition.
5. If the Town of Elizabethtown is authorized or required to sell the property, it will establish proper sales procedures to ensure the highest possible return, in accordance with state and federal law.

Insurance of Equipment: The Town of Elizabethtown must provide the equivalent insurance coverage for equipment acquired or improved with ARP/CSLFRF funds as provided to property owned by the Town of Elizabethtown.

Disposition of Equipment: When the equipment is no longer needed for its original ARP/CSLFRF purpose, the Town of Elizabethtown may either make the equipment available for use in other activities funded by a Federal agency, with priority given to activities funded by US Treasury, dispose of the equipment according to instructions from US Treasury, or follow the procedures below. 2 CFR 200.313(e).

1. Equipment with a per-item fair market value of less than \$5,000 may be retained, sold, or transferred by the Town of Elizabethtown, in accordance with state law, with no additional responsibility to US Treasury;
2. If no disposal instructions are received from US Treasury, equipment with a per-item fair market value of greater than \$5,000 may be retained or sold by the Town of Elizabethtown. The Town of Elizabethtown must establish proper sales procedures, in accordance with state law, to ensure the highest possible return. The Town of Elizabethtown must reimburse US Treasury for its federal share. Specifically, US Treasury is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the ARP/CSLFRF funding percentage of participation in the cost of the original purchase. If the equipment is sold, US Treasury may permit the Town of Elizabethtown to deduct and retain from the federal share \$500 or ten percent (10%) of the proceeds, whichever is less, for its selling and handling expenses.
3. Equipment may be transferred to US Treasury or to a third-party designated by US Treasury in return for compensation to the Town of Elizabethtown for its attributable compensation for its attributable percentage of the current fair market value of the property.

V. SUPPLIES

Title to Supplies: Title to supplies acquired with ARP/CSLFRF funds vests with the Town of Elizabethtown upon acquisition. 2 CFR 200.314(a).

Use and Disposition of Supplies: If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value upon termination or completion of the ARP/CSLFRF project and the supplies are not needed for any other Federal award, the Town of Elizabethtown must retain the supplies for use on other activities or sell them, but must, in either case, compensate the Federal Government for its share. The amount of compensation must be computed in the same manner as for equipment. 2 CFR 200.314(a).

Noncompetition: As long as the Federal Government retains an interest in the supplies, the Town of Elizabethtown must not use supplies acquired under the ARP/CSLFRF to provide services to other organizations for a fee that is less than private companies charge for equivalent services, unless specifically authorized by Federal statute. 2 CFR 200.314(b).

VI. PROPERTY TRUST RELATIONSHIP

Real property, equipment, and intangible property, that are acquired or improved with ARP/CSLFRF funds must be held in trust by the Town of Elizabethtown as trustee for the beneficiaries of the project or program under which the property was acquired or improved. US Treasury may require the Town of Elizabethtown to record liens or other appropriate notices of record to indicate that personal or real property has been acquired or improved with a Federal award and that use and disposition conditions apply to the property. 2 CFR 200.316.

VII. IMPLEMENTATION OF POLICY

The Finance Director shall adopt procedures to track all real property, equipment, and supplies (collectively, property) acquired or improved in whole or in part with ARP/CSLFRF funds. At a minimum, those procedures must address the following:

- Ensure proper insurance of property
- Document proper use of property
- Record and maintain required data records for equipment
- Conduct periodic inventories of equipment, at least every two years
- Create processes for replacement and disposition of property
- Establish other internal controls to safeguard and properly maintain property

Adopted this 6th day of November 2023.

Sylvia Campbell, Mayor



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Agreements for Live Work Play Project:
Larry King & Associates - Professional Services for Surveying
McGill & Associates - Civil Engineering Services and
First Floor - LWP Development Agreement Addendum

BACKGROUND: Planning Director Rusty Worley may be called upon to present this agenda item.

Agreement copies from Larry King & Associates, McGill & Associates and First Floor are provided.

SUGGESTED ACTION: Council is requested to approve the agreements as presented.

ATTACHMENTS:

[Larry King & Associates Agreement - LWP Project - 11.6.23.pdf](#)

[McGill Associates Agreement - LWP Project - 11.6.23.pdf](#)

[First Floor Agreement - LWP Project - 11.6.23.pdf](#)



ENGINEERING - SURVEYING - DESIGNING - DRAFTING

Larry King & Associates, R.L.S., P.A.

P.O. Box 53787
1333 Morganton Road, Suite 201
Fayetteville, North Carolina 28305
P. (910) 483-4300 F. (910) 483-4052
www.LKandA.com



August 21, 2023

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement for Professional Services (the "Agreement") is by and between:

Town of Elizabethtown
PO Box 700
Elizabethtown, NC 28337

(hereinafter "Client"), and Larry King & Associates, R.L.S., P.A., located at 1333 Morganton Road, Suite 201, Fayetteville, NC, 28305 (hereinafter "LK&A").

LK&A shall provide the services as described below to Client for the project concerning:

**Elizabethtown Industrial Park
Boundary Survey & Topo
Phase 1
82.8+/- Acres of Boundary Surveying
94+/- Acres of Topo**

PROPOSED SERVICES

1. Phase 1 Boundary and Topographical Survey
We can have this complete within 30 (thirty) working days from the date that the contract is accepted.

ITEMS NOT INCLUDED IN THIS PROPOSAL

- a. Fees charged by utilities/municipalities for applications, reviews and/or permits
- b. Soil Testing (by others)
- c. Wetland Delineations (by others)
- d. NC Corp of Engineer Permits (by others)
- e. Phase I & ESA Reports (by others)
- f. Sign Permits
- g. Lighting and or landscaping Plans (by others)
- h. ALTA Surveys

CONTRACT PRICE/TERMS

Town of Elizabethtown-LWP-Phase 1

The cost for the proposed services (items 1 – 3 above) will be a fixed amount of **\$56,400.00** (fifty-six thousand four hundred dollars).

Invoices will be sent on a monthly basis (for work completed to date) and are due upon receipt. Balances more than 30 days delinquent will incur interest charges at a rate of 1.5% per month (18% annually).

ADDITIONAL SERVICES

Reimbursable Items not included in above proposal:

Construction Staking	\$195.00 per hour
Overnight Charges	\$35.00 each
Bond Copies	\$3.00 each

AUTHORIZATION

I understand and agree to all terms of this PROPOSAL / AGREEMENT and hereby authorize LK&A to proceed with the Services as described above. Receipt of this executed agreement will be an authorization to proceed unless otherwise noted.

_____ on this ____ day of _____, 2023.
(Name and title, please print)

(Signature of Client)

Billing Address (if different from above):



September 19, 2023

Firstfloor Elizabethtown, LLC
Robert Ferris
333 Fayetteville Street
Suite 225
Raleigh, North Carolina 27601

RE: Proposal for Engineering Services
Phase I Elizabethtown Mixed Use Development
Bladen County, North Carolina

Dear Mr. Ferris:

Thank you for requesting McGill Associates to provide this proposal to assist you with the preliminary civil engineering of the proposed development located off Executive Drive, for Bladen County parcels 132100311119, 132103308176, 132100312433 containing approximately 176+/- acres. Based on previous phone conversations and meetings, it is our understanding that we will prepare the preliminary plans for sitework, grading, storm, and utilities to assist with refining Phase 1 limits to match the proposed infrastructure grant amount, as well as preliminary environmental site assessments. Currently, the Phase 1 limits as shown by the project architect are approximately 50 acres, which includes the nature preserve area. We propose the following scope of services.

SCOPE OF SERVICES

Stream and Wetland Delineation/T&E Survey

1. A jurisdictional determination of the project area will be completed. The jurisdictional determination will include a delineation of the project area by McGill Associates, PA Environmental Specialists performed in accordance with the guidelines and standards of the US Army Corps of Engineers (USACE) - Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0), and the NC Division of Water Resources (NCDWR) – Methodology for Identification of Intermittent and Perennial Streams and Their Origins v. 4.11. Any jurisdictional areas found on the property will be flagged and located with GPS accuracy in the field.
2. During the site visit, a Federally listed Threatened and Endangered Species survey will be completed in accordance with the Endangered Species Act of 1973. Any listed species occurrence or potential habitat areas found on the property will be flagged and located with Global Positioning System (GPS) accuracy in the field. Based on the findings, McGill Associates, PA will coordinate with the US Fish and Wildlife Service.

RWF

Initials-Firstfloor Elizabethtown, LLC



Initials-McGill

3. Jurisdictional wetlands and waters and T&E species or potential habitat will be located within sub-meter accuracy utilizing an Arrow 100 submeter Global Navigation Satellite System (GNSS) receiver GPS and the subsequent differential correction of that data. GPS points may demonstrate uncorrectable errors due to topography, vegetative cover, and/or multipath signal error. The provided digital map will be intended for informational purposes only and should not be used to determine precise boundaries, roadways, property boundary lines, nor legal descriptions. The map shall not be construed to be an official survey of any data depicted.

Phase I Environmental Site Assessment

The project will involve the completion of a Phase 1 Environmental Site Assessment for the Subject Property, prepared in accordance with the ASTM-E1527-21.

1. McGill Associates will perform a Phase 1 Environmental Site Assessment (ESA) on the Subject Properties totaling approximately 50 acres. We will provide a written report detailing the findings and procedures. The ESA shall be performed in accordance with the procedures set forth in ASTM E1527-21.
2. Final reports to be completed and delivered to Client (one PDF digital copy) within 30 days of authorization to proceed unless alternate arrangements are approved by Client in advance.
3. It is our understanding that the required documents will be a Phase I Environmental Site Assessment. If additional studies or reports are needed these may require Additional Services.

Preliminary Site Design

1. Review zoning and subdivision ordinances for Bladen County and Town of Elizabethtown as related to the subject property for the development of the preliminary master plan.
2. Perform a site visit to review existing conditions and summarize our findings as to the potential impacts of the current master plan prepared by Architect.
3. Prepare a preliminary rough grading plan for roadways, buildings, parking areas, and common areas.
4. Prepare preliminary calculations for Stormwater Control Measures (SCMs) based on proposed impervious surface and existing drainage patterns.
5. Refine preliminary master plan based on rough grading plan to delineate proposed lot lines, setbacks, roadways, common area/stormwater features, jurisdictional waters/wetlands, parking areas, and building footprint locations.

RWF

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6. Review preliminary grading plan and master plan with client and architect to determine potential changes to layout and address any questions prior to finalizing remaining preliminary plans.
7. Prepare preliminary erosion control plan and preliminary stormwater plan.
8. Prepare preliminary water and sewer plans. This will also include coordination with utility providers to determine potential upgrades to existing infrastructure based on proposed wastewater allocation and water service demands.
9. Attend an onsite meeting with client, architect, and contractor to review preliminary plans for infrastructure and assist with questions regarding cost estimating.
10. Prepare one (1) revision to preliminary plans based on cost estimating results to delineate Phase 1 project limits in advance of preparation of preliminary plat and design development.

BASIS OF COMPENSATION

We anticipate providing the above efforts with the following **Lump Sum Fees**:

- Stream and Wetland Delineation; T&E Survey	\$7,700.00
- Phase I Environmental Site Assessment	\$3,400.00
- Preliminary Site Design	\$63,000.00

Lump sum phases will be billed monthly based on percent complete. The lump sum fee includes a revision to the master plan after the review meeting in item 6 and after the cost estimate meeting in item 9 in the Preliminary Site Design Scope. We recommend establishing a budget of \$15,000 for additional master plan revisions if required due to changes requested by the Architect or Owner to be billed on an hourly basis plus expenses in accordance with the attached Standard Hourly Rate and Fee Schedule.

ASSUMPTIONS

1. Information provided by the Client, Surveyor or Architect will be deemed reliable for use by McGill Associates.
2. Topographic, property boundary surveying, and subdivision platting services for the project area will be provided by others. Preliminary site design will begin using publicly available LIDAR topographic survey information.

RWF

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3. The above scope of work is for Phase 1 only for approximately 50 acres. Phase 2 environmental site assessments, stream/wetland delineations, T&E surveys, or master planning are not included, but can be provided as additional services if requested.
4. No-Rise hydraulic studies, Conditional Letter of Map Revision, or Letter of Map Revision with FEMA are not included in the above scope of services.
5. Preliminary design of offsite roadway improvements that may be required after a preliminary Traffic Impact Analysis is performed by others is not included in the above scope of services.
6. Attendance at meetings not listed in the above scope of services is not included in the above fees and will be invoiced on an hourly basis as additional services in accordance with the attached Basic Fee Schedule.
7. 401/404 permitting with NCDEQ or USACE is not included in the above scope of services. This will be included in detailed site design if required. For the purposes of this proposal, we have assumed that major streams and wetlands will not impact the proposed master plan layout provided by the Architect. If revisions to the layout are required due to permanent impact mitigation, this will be billed under the Additional Iterations hourly phase.
8. No Traffic Impact Analysis (TIA), geotechnical exploration, or construction materials testing are included in this scope of services.
9. Detailed design, permitting, bidding, and construction services are not included. This can be provided under a separate proposal once preliminary site design is complete and Phase 1 limits and site plan has been approved by client and architect.
10. Evaluation of existing dry utilities (fiber, power, natural gas, cable, phone, etc.) and coordination with applicable service providers for service extensions is not included in this scope of services. McGill Associates can coordinate these services at a later date.
11. Services for tasks other than those specifically detailed above are not included in the above fee.
12. Upon Client authorization, additional project work not specifically addressed by this proposal shall be charged at a time and materials rate in accordance with the McGill Associates Basic Fee Schedule in place at the time the service is performed. McGill Associates may adopt a new Basic Fee Schedule during the time the above scope of service is being performed and hourly phases shall be billed in accordance with the most current rates.

RWF

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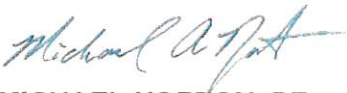
Initials-McGill

Mr. Robbie Ferris
September 19, 2023
Page 5 of 5

McGill understands this proposal is contingent upon grant approval by the State to cover proposal fees. Upon confirmation of State grant approval, a Notice to Proceed will be issued by Firstfloor Elizabethtown, LLC.

If the above is acceptable to you, please initial in the space provided on the proposal, sign the attached Consulting Agreement and return one (1) copy to us. We appreciate your consideration for our services and look forward to working with you. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,
MCGILL ASSOCIATES, P.A.



MICHAEL NORTON, PE
Principal – Shallotte Office Manager

Attachments: Standard Hourly Rate and Fee Schedule
Consulting Services Agreement

RWF

Initials-Firstfloor Elizabethtown, LLC



Initials-McGill

CONSULTING SERVICES AGREEMENT

This contract entered into this 19th day of September 2023 by and between Firstfloor Elizabethtown, LLC, hereinafter called the Client, and McGill Associates, PA; Witnesseth that:

Whereas, the Client desires to engage McGill Associates to provide consulting services; and,
Whereas, the Client finds that the attached Scope of Services and terms of this agreement are acceptable; and,
Whereas, McGill Associates desires to provide said services and agrees to do so for the compensation and upon the terms and conditions as hereinafter set forth. Now, therefore, the parties hereto do mutually agree as follows:

1. Scope of Services: McGill Associates shall provide the services attached hereto in the Contract Proposal "Scope of Services" of this Agreement, hereinafter called services. Fees for additional services will be negotiated with the Client prior to proceeding with the work.

2. Standard of Care: McGill Associates will perform its services using that degree of skill and diligence normally employed by professional engineers or consultants performing the same services at the time these services are rendered.

3. Authorization to Proceed: Execution of this Consulting Services Agreement will be considered authorization for McGill Associates to proceed unless otherwise provided for in this Agreement.

4. Changes in Scope: The Client may request changes in the Scope of Services provided in this Agreement. If such changes affect McGill Associates cost of or time required for performance of the services, an equitable adjustment will be made through an amendment to this Agreement.

5. Compensation: The Client shall pay the compensation to McGill Associates set forth in the Contract Proposal "Basis of Compensation" attached hereto. Unless otherwise provided in the Basis for Compensation, McGill Associates shall submit invoices to the Client monthly for work accomplished under this agreement and the Client agrees to make payment to McGill Associates within thirty (30) days of receipt of the invoices. It is also mutually agreed that should the Client fail to make prompt payments as described herein, McGill Associates reserves the right to immediately stop all work under this agreement until disputed amounts are resolved.

6. Personnel: McGill Associates represents that it has, or will secure at their own expense, all personnel required to perform the services under this agreement and that such personnel will be fully qualified and adequately supervised to perform such services. It is mutually understood that should the scope of services require outside subcontracted expertise McGill Associates may employ such services at their discretion.

7. Opinions or Estimates of Cost: Any costs estimates provided by McGill Associates shall be considered opinions of probable costs. These along with project economic evaluations provided by McGill Associates will be on a basis of experience and judgment, but, since McGill Associates has no control over market conditions or bidding procedures, McGill Associates cannot warrant that bids, ultimate construction cost, or project economics will not vary from these opinions.

8. Termination: This Agreement may be terminated for convenience by either the Client or McGill Associates with fifteen (15) days written notice or if either party fails substantially to perform through no fault of the other and does not commence correction of such non-performance within five (5) days of written notice and diligently complete the correction thereafter. On termination, McGill Associates will be paid for all authorized work performed up to the termination date plus reasonable project closeout costs.

9. Limitation of Liability: McGill Associates liability for Client's damages will, in aggregate, not exceed the total fees paid by the Client for the Scope of Services referenced herein or \$50,000 whichever is greater. This provision takes precedence over any conflicting provision of this Agreement or any documents incorporated into it or referenced by it. This limitation of

liability will apply whether McGill Associates liability arises under breach of contract or warranty; tort, including negligence; strict liability; statutory liability; or any other cause of action, and shall include McGill Associates' directors, officers, employees and subcontractors. At additional cost, Client may obtain a higher limit prior to commencement of services.

10. Assignability: This agreement shall not be assigned or otherwise transferred by either McGill Associates or the Client without the prior written consent of the other.

11. Severability: The provisions of this Consulting Services Agreement shall be deemed severable, and the invalidity or enforceability of any provision shall not affect the validity or enforceability of the other provisions hereof. If any provision of this consulting services agreement is deemed unenforceable for any reason whatsoever, such provision shall be appropriately limited, and given effect to the extent that it may be enforceable.

12. Ownership of Documents: All documents, calculations, drawings, maps and other items generated during the performance of services shall be considered intellectual property and remain the property of McGill Associates. Client agrees that the deliverables are intended for the exclusive use and benefit of and may be relied upon for this project only by the Client and will not be used otherwise. Client agrees that any prospective lender, buyer, seller or third party who wishes to rely on any deliverable must first sign McGill Associates' Secondary Client Agreement.

13. Excusable Delay: If performance of service is affected by causes beyond McGill Associates control, project schedule and compensation shall be equitably adjusted.

14. Indemnification: Client agrees to indemnify, defend and hold McGill Associates, its agents, employees, officers, directors and subcontractors harmless from any and all claims, and costs brought against McGill Associates which arise in whole or in part out of the failure by the Client to promptly and completely perform its obligations under this agreement, and as assigned in the Contract Proposal "Scope of Services" or from the inaccuracy or incompleteness of information supplied by the Client and reasonably relied upon by McGill Associates in performing its duties or for unauthorized use of the deliverables generated by McGill Associates. Furthermore, McGill agrees to indemnify, defend and hold the Client harmless from any claims brought against the Client as a result of McGill's work.

15. Choice of Law: This Agreement shall be governed by the internal laws of the State of North Carolina.

16. Entire Agreement: This Agreement contains all of the agreements, representations and understandings of the parties hereto and supersedes any previous understandings, commitments, proposals, or agreements, whether oral or written, and may only be modified or amended as herein provided, and as mutually agreed.

17. Attachments to this document:

1. Scope of Services and Basis of Compensation
2. Standard Hourly Rate and Fee Schedule

Client: Firstfloor Elizabethtown, LLC

Authorized Signature:



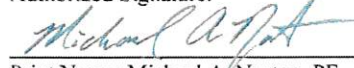
Print Name: Robert W. Ferris

Title: Manager

Address: 333 Fayetteville Street, Ste. 225, Raleigh, NC 27601

McGill Associates, P.A.

Authorized Signature:



Print Name: Michael A. Norton, PE

Title: Shallotte Office Manager

Address: 712 Village Rd, Suite 103, Shallotte NC 28470

STANDARD HOURLY RATE AND FEE SCHEDULE
July 2023

PROFESSIONAL FEES	I	II	III	IV
Senior Principal	\$270			
Principal – Regional Manager – Director	\$235	\$240	\$255	\$265
Practice Area Lead	\$205	\$225	\$235	\$250
Senior Project Manager	\$210	\$225	\$230	\$235
Senior Engineer	\$210	\$225	\$230	\$235
Project Manager	\$180	\$195	\$200	\$205
Senior Project Engineer	\$180	\$195	\$200	\$205
Project Engineer	\$145	\$155	\$165	\$175
Engineering Associate	\$125	\$130	\$135	\$140
Planner- Consultant – Designer	\$125	\$140	\$165	\$175
Engineering Technician	\$115	\$125	\$135	\$145
CAD Operator – GIS Analyst	\$95	\$105	\$115	\$120
Construction Services Manager	\$150	\$160	\$175	\$195
Construction Administrator	\$115	\$130	\$140	\$150
Financial Services Manager	\$135	\$145	\$155	\$165
Grant Administrator	\$120	\$135	\$145	\$155
Construction Field Representative	\$95	\$110	\$120	\$130
Environmental Specialist	\$95	\$105	\$110	\$115
Administrative Assistant	\$80	\$85	\$95	\$110

EXPENSES

- a. Mileage - \$0.70/mile
- b. Flow Monitoring Equipment: Pressure Flow Meter- \$400/wk.; Gravity Flow Meter - \$1,000/deployment
- c. Telephone, reproduction, postage, lodging, and other incidentals shall be a direct charge per receipt.

ASSOCIATED SERVICES

- a. Associated services required by the project such as soil analysis, materials testing, etc., shall be at cost plus fifteen (15) percent.



Addendum to Master Development Agreement
November 1, 2023

Addendum to the Master Development Agreement dated April 3, 2023 between Firstfloor Energy Positive, a North Carolina corporation (Developer) and the Town of Elizabethtown, a public body corporate and politic of the State of North Carolina, or affiliate designee (Town).

This Addendum becomes part of the Master Development Agreement, and the parties agree:

Civil Engineering:

- 1. The Town authorizes the Developer to proceed with Civil Engineering as outlined in the proposal from McGill and Associates dated September 19, 2023 attached.
- 2. The Town authorizes payment to the Developer in the amount of \$63,000.00.
- 3. Payment for the services outlined above shall be made as invoiced monthly.

Phase 1 Boundary and Topographical Survey:

- 1. The Town authorizes the Developer to proceed with the survey as outlined in the proposal from Larry King & Associates, RLS,PA.
- 2. The Town authorizes payment to the Developer in the amount of \$56,400.00.
- 3. Payment for the services outlined above shall be made as invoiced monthly.

All other terms and conditions of the Master Development Agreement shall remain the same. This Addendum shall go into effect on the date of the undersigned parties.

Developer:

Firstfloor Energy Positive, a North Carolina Corporation

By:  _____

Print Name: Robert W. Ferris, Manager

Date: November 2, 2023

Town:

Town of Elizabethtown, a political subdivision of the State of North Carolina

By: _____

Print Name: _____

Date: _____



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADMINISTRATIVE MATTERS

SUBJECT: Monthly Financial Report

BACKGROUND: Finance Director Sharon Penny brings forth a financial report for the month of October 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:
[October 2023 Financial Summary.pdf](#)

ELIZABETHTOWN as of October 31, 2023
BUDGET & FINANCE SNAPSHOT

FISCAL YEAR 2023-2024 REVENUES

34% of Year Completed

Revenue Sources	Fiscal Year Budget	Actual Y-T-D as of 10-31-2023	% of Budget	Prior Year Actual-to-Date 10-31-22
GENERAL FUND				
Ad Valorem & BID Taxes	1,734,500.00	1,169,156	67.4%	1,082,820
Vehicle Taxes	190,000.00	35,298	18.6%	33,990
Local Option Sales Taxes	792,000.00	79,448	10.0%	75,156
Utility Franchise Taxes	290,000.00	0	0.0%	0
ABC Revenue	105,000.00	26,250	25.0%	26,250
Powell Bill	112,500.00	55,181	49.0%	56,285
Bladen Fire District	246,909.00	30,750	12.5%	131,001
Street Improvement Loan	0.00	0	0.0%	95,342
Solid Waste fees	1,146,400.00	387,781	33.8%	369,741
Permits & Fees	34,850.00	13,296	38.2%	11,482
Rental Income	100,800.00	17,813	17.7%	13,572
Interest Income	240,000.00	78,505	32.7%	38,877
Salary & Admin. Reimbursements	141,900.00	5,718	4.0%	19,513
Miscellaneous Revenues	48,940.00	19,594	40.0%	39,313
Federal ARPA Funding	0.00	0	0.0%	157,411
General Fund Balance Approp.	1,227,786.00	0	0.0%	0
TOTAL GENERAL FUND	6,411,585.00	1,918,790	29.9%	2,150,752
WATER FUND				
Water fees	835,000.00	465,679	55.8%	321,229
Sewer fees	1,011,131.00	441,406	43.7%	338,416
Miscellaneous Revenue	138,600.00	53,453	38.6%	60,698
Utility Fund Balance Approp.	0.00	0	0.0%	0
TOTAL WATER FUND	1,984,731.00	960,539	48.4%	720,342

BUDGET & FINANCE SNAPSHOT

FISCAL YEAR 2023-2024 EXPENDITURES

Department	Fiscal Year Budget	Actual Y-T-D as of 10-31-2023	% of Budget	Prior Year Actual-to-Date 10-31-22
Governing Body	51,294.00	18,565	36.2%	36,746
Administration	469,010.00	205,062	43.7%	208,898
Finance	239,400.00	88,666	37.0%	89,037
Public Works	411,487.00	257,332	62.5%	111,827
Public Facilities	119,526.00	20,150	16.9%	60,057
Police	1,385,020.00	431,016	31.1%	441,237
Fire	927,976.00	350,844	37.8%	334,813
Streets	496,480.00	48,059	9.7%	294,571
Powell	190,000.00	63,719	33.5%	0
Street Improvement Loan Project	912,408.00	803,890	88.1%	95,342
Solid Waste	580,000.00	96,133	16.6%	140,995
Planning & Economic Develop.	165,882.00	55,284	33.3%	44,966
Recreation	110,650.00	26,828	24.2%	19,162
Farmers' Market	26,350.00	1,108	0.0%	0
Airport	73,700.00	56,875	77.2%	28,455
Special Appropriations	252,402.00	79,402	31.5%	77,402
GENERAL FUND TOTAL	6,411,585.00	2,602,933	40.6%	1,983,508
WATER FUND				
Water	930,508.00	233,307	25.1%	306,277
Sewer	854,223.00	236,786	27.7%	262,126
Tank Maintenance & Transfer Out	200,000.00	33,333	16.7%	33,333
WATER FUND TOTAL	1,984,731.00	503,427	25.4%	601,736

REVENUE OVER/(UNDER) EXPENDITURES

GENERAL FUND	0.00	(684,143)	\$ 119,747	167,244
WATER FUND	0.00	457,112		118,606
TOTAL COMBINED FUNDS	0.00	(227,031)		285,850



Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: OTHER BUSINESS

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

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

Copy of "Briefly" items and Department Head Update Report will be provided.

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

ATTACHMENTS:

[Peak Agenda - Briefly - 11.6.23.docx](#)
[Department Head Update Report - 11.6.23.pdf](#)

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

The following items are provided as information to Council:

- The Department Head Update Report is provided as a separate attachment.
- In observance of Veterans Day, the Town offices will be closed on Friday, November 10, 2023.
- In observance of Thanksgiving, the Town offices will be closed on Thursday, November 23rd and Friday, November 24th.
- November 21, 2023 – Chamber Member Breakfast Meeting, 8:00 a.m., Farmer's Market. Marketing and Communications Director Terri Dennison reports this will be a "Day of Giving" whereby non-profits have a chance to tell their story and then display at Farmer's Market for the rest of the day.
- The Farm-City Week Breakfast is scheduled for Friday, November 17th at 8 a.m. at the Powell-Melvin Agriculture Center.
- The Town Employee Appreciation Luncheon is scheduled for Monday, December 11th at Cape Fear Vineyard at 12:15 p.m.
- The list of Veterans who are employed by the Town of Elizabethtown include: Town Manager Dane Rideout (Army), David Schmale (Army Reserves), Don Edwards (National Guard), Dwight Davis (Army), Dustin Melvin (Coast Guard), Horace Wyatt (Air Force & Army National Guard), Jerimey Sykes (Marines) and Robert Duggan (Army).
- The Elizabethtown Airport/Economic Development Commission will be meeting on December 12, 2023 at 7:30 a.m. at the Airport Terminal Building.
- There is planned a November 13, 2023 Community Center Board of Directors meeting at the Airport Terminal Building at 7:00 p.m.



FOR THE MONTH OF NOVEMBER

- 11/01 – Mayor Sylvia Campbell
- 11/01 – Elbert McClain, III – Street Department
- 11/11 – Ricky Leinwand, Council Member
- 11/22 – Mark McMichael, Police Lieutenant



Department Head Updates

November 2023

COMMUNICATION AND MARKETING

Terri Dennison



MORE EXCITING ELEMENTS ADDED TO 250TH ANNIVERSARY HOMECOMING

In partnership with one of Downtown Elizabethtown's oldest establishment, a new competition was added to the 205th Anniversary Homecoming Celebration – *Melvins All you Can Eat Hamburger Contest*. There will actually be 2 competitions: one for individuals and one for teams from the three high schools. The winning individual and the winning team will each receive \$500.

T. Dennison is also working with the leaders of the area Veterans groups to hold a Veterans Memorial Service as the opening for the 250th Anniversary event.



POTENTIAL OF SKATEBOARD PARK DISCUSSED AT CHAMBER MEMBER MEETING

Luke Norton, a tourism major at UNC Wilmington is using his fall semester internship at the Chamber to build awareness of the Elizabethtown Skate Park and its needs. He invited Terry Grumble of DaVille Skate Shop to speak at the Chamber Member Meeting on October 17. Grumble, a consultant on the development of the skate park, ran an annual competition at the park that attracted people from all over the region up until a few years ago. Grumble explained to the over 30 attendees that skate parks are beneficial to communities because they promote a healthy outdoors activity and help kids develop their self-esteem. He also said that they have been shown to lower crime. Grumble recently finished an assessment of the facility, stating that it was in good shape, but a maintenance plan should be established. Grumble advised the group that in order to support the sport in town, a retail space should be identified, and a support group established. Norton thanked Grumble for attending, presenting him with a Community Service award. Norton plans to make a presentation to Town staff and start "Friends of the Skateboard Park" as another part of his project.



LEADERSHIP BLADEN LEARNS ABOUT THE STATE OF EDUCATION.

During the October session of Leadership Bladen, the class learned about the types of educational offerings in the County with tours of East Bladen High School, Emereau, Elizabethtown Christian Academy, Paul R Brown Academy, and the Early College at Bladen Community College. They were treated to a healthy salad from the chef behind BCC's new culinary arts program.

COMMUNITY SURVEY BEING CONDUCTED FOR CREATING OUTDOOR RECREATION ECONOMY PLAN

The CORE Committee mapped out outdoor, cultural, historical and infrastructure assets at their first meeting on October 19. They also were tasked with getting community members to answer a survey on outdoor recreation in the county. If you have not done so, please fill out this survey.

<https://survey.sogolytics.com/r/BladenCommunitySurvey>

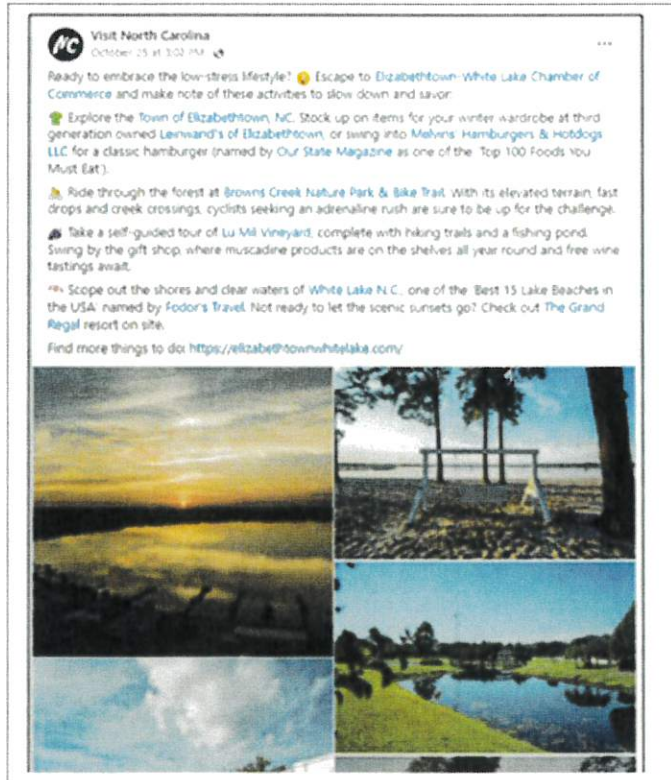
DENNISON INTERVIEWED FOR TOURISM BASED PODCAST



T. Dennison was interviewed by UPLIFT Consultant Carol Kline for the **Interactions + Attractions Podcast**. [The episode "Mother Nature's Playground" can be heard here](#) or on [Apple Podcasts](#), [Spotify](#), and [iHeartRadio](#).

DENNISON AND BRIDGERS APPEAR ON STAR TV'S "WHAT YOU SHOULD KNOW"

On October 30, T. Dennison and D. Bridgers taped an episode of "We Should Know" with JW Simmons for Star TV where they discussed Mother Nature's Playground, outdoor recreation, agri-tourism, Christmas in Bladen and the 250th Anniversary of Elizabethtown.



VISIT NC SOCIAL MEDIA SPOTLIGHT ON BLADEN COUNTY

The Visit NC Spotlight on Bladen County images and posts are starting to get widely shared. This is a sample of the Facebook and Instagram posts.

TRAIL FESTIVAL WEEKEND IN MOTHER NATURE'S PLAYGROUND



The Tourism Promotion Committee is planning a repeat event of last year's "Year of the Trail" Festival over President's Day weekend with the hopes of drawing more people to spend a weekend here in the off-season.

FIRE DEPARTMENT

Hollis Freeman



Call Report for October

Total Structure Fires- 2

Total Other Fires- 1

EMS Calls- 35

Special Responses- 0

Service Calls- 3

Other Incidents- 13

Total Calls for October- 54

Fire Hydrants Tested- 68

Fire Inspections Completed- 22

Total Training Hours Completed by All Members- 207 hours.

Events Covered

10/12/2023 Fall Festival at Elizabethtown Primary School

10/20/2023 Fall Festival at Emereau Bladen

10/21/2023 Fall Festival at Jones Lake State Park

10/24/2023 Trunk or Treat at Bladen County Library

10/27/2023 Red Ribbon Parade at Emereau Bladen

10/31/2023 Halloween Event at the Elizabethtown Fire Department

POLICE DEPARTMENT

Tony Parrish

Stats for 9/25-10/29	
Calls for Service	506
Reports Taken	107
Arrests	33
Traffic Collisions	23
Traffic Citations	20
Warning Tickets	17

Flock ALPR Camera results for this period:

- Located four (4) stolen vehicles
- Identified the vehicle/person that stole steps used by Shriner's at their fish fry.

TOWN CLERK

Juanita Hester

- A Public Records Request was received on 10/9/23 from SmartProcure for copy of Purchase Orders issued by the Town from 7/13/23 through current. Administrative Assistant Beverly Robinson prepared the list for submittal to SmartProcure. Clerk emailed the requested information to SmartProcure on 10/20/23.
- Prepared Public Notices and agenda material for two October 20, 2023 Special Called Town Council meetings and made appropriate distribution.
- For the November 6, 2023 Public Hearing for the Phillip L. Johnson Rezone Request, Clerk prepared and mailed the required letters and Public Hearing notices to the adjoining property owners.
- For the November 6, 2023 Town Council meeting, Clerk prepared Public Hearing Notices for the Rezone Request, Text Amendment for Truck Terminals and for the Rural Transformation grant funding for publication in the "Bladen Journal".
- Prepared Holiday Notice for "Veterans Day". Town offices will be closed on November 10, 2023 and for Thanksgiving – Town offices will be closed on November 23rd and 24th.
- Prepared Staff Meeting Outline for the November 6, 2023 Town Council meeting for Town Manager's review.
- In coordination with the Town Manager, Assistant Town Manager, Finance Director and Planning Director, the Clerk prepared the agenda material for the 11/6/2023 Town 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.
- 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 10/2/2023 Town Council meeting as well as for the 10/20/2023 Special Called meetings were handled by the Clerk.
- On October 24, 2023, Clerk made notification to Mrs. Theresa Lloyd at Paul R. Brown Leadership Academy of Town Council's November 6, 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.



October 2023

PUBLIC WORKS - Stephen Duffy & Delana Faircloth

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

All routine daily sampling, testing, monitoring, and documentation requirements were completed for both the drinking water and wastewater conveyance operations. There were 4 service line leak repairs. An additional 36 replacement MTUs have been deployed and are now operational in the system. Currently there are approximately 34 remaining MTUs that require replacement and inventory has been on order for those since May. Maintenance work was completed around the DeWitt Water Tank to include painting bollards and clearing brush to the discharge. A manhole between the Harwood and Woodland Lift Stations was repaired. Vegetation around the Industrial Park test well was also cleared. ±13 utility locate tickets were completed during the month. ±173 manual meter reads/re-reads for billing and 26 Cut-offs/Cut-ons related to the billing operations.



Wastewater Treatment Plant - Hugh Bledsoe

1. Routine sampling and testing to maintain compliance with NPDES requirements. Had 1 exceedance but no violations.
2. Made adjustments to the WWTP operations as needed to gain optimum treatment efficiency.
3. Submitted monthly electronic discharge monitoring reports to NCDEQ for September.
4. Performed quarterly Toxicity testing on the effluent and reported results, in full compliance.
5. Continued settling and decanting sludge basins to thicken sludge.
6. Contacted sludge hauler to schedule sludge removal in November.
7. Effluent Sampler replacement has been quoted. Trying to hold off replacement until grant funding is available to execute the purchase. Otherwise as indicated last month replacement will cost in excess of \$10,000. Council should note if existing equipment completely fails, replacement will be required.

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

The grass cutting season is finally starting to slow down and will give us a chance to start catching up on some edging in town as well as the treatment plant which we will work on during the upcoming weeks. Our plans for the fall will include getting our outfall lines cut, some brush cutting in our parks and pressure wash our park facilities as well as leaf and limb debris cleanup. This has been a tough year with grass due to the rain we had at the beginning of the season and the guys have done well keeping up with it. We are also coming into the holiday seasons and will begin getting the lights ready for the town. As far as repairs are concerned, Mr. Taylor has worked on two coolers at the farmers market and a freezer with some help from Cross Comfort Solutions. He repaired two pole lights at the treatment plant, a faucet at Town Hall and repaired a broken blind at the airport. Mr. Taylor also added some surplus items to gov deals and is working on adding two town vehicles.

Fleet Maintenance - Tracy Priest

Mr. Priest serviced 11 mowers, 3 small equipment and other items, 4 large pieces of equipment, 8 Police Vehicles, 0 Fire Department Vehicle, 6 Public Works Vehicles, 0 Admin Vehicles and various other tasks as assigned.



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COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: OPEN FORUM

SUBJECT: Open Forum

BACKGROUND: Three (3) Minutes Per Citizen.....Should State Name/Address.

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

ATTACHMENTS:

[Sign-In Sheet - Open Forum - 11.6.23 Regular TC Meeting.docx](#)



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COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: CLOSED SESSION

SUBJECT: Closed Session

BACKGROUND: Town Manager Dane Rideout and Town Attorney Goldston Womble will brief Council

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

ATTACHMENTS:



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COUNCIL AGENDA ITEM REPORT

DATE: November 6, 2023

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ADJOURNMENT

SUBJECT: Adjournment

BACKGROUND:

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

ATTACHMENTS: