ELIZABETHTOWN
COUNCIL
REGULAR MEETING
7:00 PM, Monday, December 5, 2022

1. OPENING AND CALL TO ORDER

   1.1 Opening and Call to Order
   Mayor Campbell will call the meeting to order.

2. PRESENTATION OF COLORS, PLEDGE OF ALLEGIANCE AND INVOCATION

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

3. APPROVE CONSENT AGENDA ITEMS

   3.1 Approve Consent Agenda Items
   Council is requested to approve the Consent Agenda items presented.
   Peak Agenda - Consent Agenda Documentation - 12.5.22.pdf

4. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR NEIGHBORHOOD REVITALIZATION PROGRAM

   4.1 Community Development Block Grant (CDBG) for Neighborhood Revitalization Program - $2,575,000.00
   Council is requested to accept the $2,575,000.00 grant from the N.C. Department of Commerce.
   Letter - From NC Dept. of Commerce - Grant Funding $2,575,000 - Community Center Project on MLK.pdf

5. PUBLIC HEARINGS

5.1 Public Hearing: Land Transfer to Bladen's Bloomin' Agri-Industrial, Inc.
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 #6.1)

Peak Agenda - Public Hearing Notice - Land Transfer to Bladen's Bloomin' Agri-Industrial, Inc. - 12.5.2022.pdf
Peak Agenda - Site Map and Drafted Agreement for Transfer of Property to Bladen's Bloomin' - 12.5.2022.pdf

5.2 Public Hearing: Rezoning Request, Case Number RZ# 2021176, PIN # 1311.10.35.7031 - Rezone parcel of land from R10 to R12 - Placement Location - 400 Emma Street
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 #6.2)
Peak Agenda - Letter of Recommendation from Planning Board - 400 Emma Street - 12.5.2022.pdf
Peak Agenda - Public Hearing Notice; Certification of Notices Sent and Map Copy - Rezone Request - Emma Street - 12.5.22.pdf

5.3 Public Hearing: Rezoning Request - Case Numbers RZ # 2021177 and RZ# 2021178 - PIN #1320.00.67.5258 - Rezone parcel of land from LI to R12 - Placement Locations - 128 Gene Drive and 168 Gene Drive
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 #6.3)
Peak Agenda - Letter of Recommendation from Planning Board - 128 Gene Drive - 12.5.2022.pdf
Peak Agenda - Public Hearing Notice, Certification of Notices Sent and Map Copy - Rezoning Request - 128 Gene Dr. and 168 Gene Dr. - 12.5.22.pdf

6. ORDINANCES/RESOLUTIONS/PROCLAMATIONS

6.1 Approval of Land Transfer to Bladen's Bloomin' Agri-Industrial, Inc.
Council is requested to approve the land transfer to Bladen's Bloomin' Agri-Industrial, Inc. and all related legal documentation for this conveyance.

6.2 Ordinance Approval for Rezoning Request, Case Number RZ #2021176, PIN #1311.10.35.7031 - Rezone parcel of land from R10 to R12 - Placement Location - 400 Emma Street
Council is requested to approve or disapprove the proposed zoning map amendment.

6.3 Ordinance Approval for Rezoning Request - Case Numbers RZ# 2021177 and RZ# 2021178, PIN #1320.00.67.5258, Rezone parcel of land from LI to R12 - Placement Locations - 128 Gene Drive and 168 Gene Drive
Council is requested to approve or disapprove the proposed zoning map amendment.

7. PRESENTATIONS

7.1 Town Manager Update
Council is requested to hear the update.

7.2 Wastewater Treatment Plant Project Update - E L Robinson Engineering
Council is requested to hear the update.

8. ADMINISTRATIVE MATTERS

8.1 Approval of Property Purchase - Martin Luther King, Jr. Drive - Parcels 15779 and 15773
Council is requested to approve the Property Purchase from Mr. Robert W. McKoy in the amount of $135,000.
Peak Agenda - Offer to Purchase - Robert W. McKoy MLK Property - 12.5.2022.pdf

8.2 Authorize Planning Director Rusty Worley to Proceed with Obtaining Requests for Qualifications (RFQs) for Design/Build Project - Community Center Project on MLK
Council is requested to grant authorization to Planning Director for Obtaining RFQs for Design/Build Project - Community Center project on MLK.

8.3 Board Guidance on Accent Dye Property
Council is requested to provide direction to staff for the Accent Dye property.

8.4 Bid Award - Dewitt Elevated Tank Rehabilitation Project
Council is requested to make award for the Dewitt Elevated Tank Rehabilitation Project.
Peak Agenda Attachment - Letter of Recommendation and Summary of Bids - Dewitt Elevated Tank Rehabilitation Project 12.5.22.pdf

8.5 Budget Amendment #2023-01
Council is requested to approve the Budget Amendment.
Budget Amendment #2023-01 (12-05-22).xlsx

8.6 Monthly Financial Report
Council is requested to approve the Monthly Financial Report.
November 2022 Financial Summary.pdf

9. OTHER BUSINESS

9.1 "Briefly" *(Reminders and announcements are made at this time)*
Council is requested to hear the reminders and announcements.
Peak Agenda Revised - Briefly 12.5.22.pdf
Peak Agenda Attachment - Department Head Update Report - December 2022.pdf

10. OPEN FORUM

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

11. CLOSED SESSION

11.1 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.

12. ADJOURNMENT

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

AGENDA ITEM NO. 1.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	OPENING AND CALL TO ORDER
SUBJECT:	Opening and Call to Order
BACKGROUND:	
SUGGESTED ACTION:	Mayor Campbell will call the meeting to order.

ATTACHMENTS:

AGENDA ITEM NO. 2.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
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:

AGENDA ITEM NO. 3.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	APPROVE CONSENT AGENDA ITEMS
SUBJECT:	Approve Consent Agenda Items
BACKGROUND:	A Consent Agenda includes several items for approval by the Board in a single motion. Documentation concerning these items are provided in the attached agenda material. Upon request from any one Board member, any item listed under the Consent Agenda shall be removed from the Consent Agenda and considered separately. After any items have been removed and the Consent Agenda is set, the Mayor will state the items on the Consent Agenda and moves to adopt it.
SUGGESTED ACTION:	Council is requested to approve the Consent Agenda items presented.

ATTACHMENTS:

Peak Agenda - Consent Agenda Documentation - 12.5.22.pdf

December 5, 2022 Regular Town Council Meeting
Consent Agenda Items

A. Proposed Agenda – Agenda considered *proposed* until approved by the Board.
ACTION RECOMMENDED: Approval

B. November 7, 2022 Noon Work Session Meeting Minutes **ATTACH. #B**
ACTION RECOMMENDED: Approval

C. November 7, 2022 Regular Meeting Minutes **ATTACH. #C**
ACTION RECOMMENDED: Approval

D. November 7, 2022 Closed Session Minutes **ATTACH. #D**
ACTION RECOMMENDED: Approval
(Will be distributed at the evening meeting)

E. Tax Releases **ATTACH. #E**
ACTION RECOMMENDED: Approval

F. Calendar of Budget Activities – FY 2023-2024 **ATTACH. #F**
ACTION RECOMMENDED: Approval

G. Town Council Meeting Dates for 2023 (Jan.-June) **ATTACH. #G**
ACTION RECOMMENDED: Approval

UNOFFICIAL

TOWN OF ELIZABETHTOWN
Noon Meeting
November 7, 2022

The Elizabethtown Town Council met for its work session on Monday, November 7, 2022 at 12:00 pm in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Rich Glenn, Paula Greene, Ricky Leinwand, Herman Lewis, Howell Clark Jr., Town Manager Dane Rideout and Town Attorney Goldston Womble. Department Heads in attendance included Police Chief Tony Parrish, Assistant Town Manager Pat DeVane, Planner Rusty Worley, Director of Communications & Marketing Terri Dennison, Public Service/Engineering Director Stephen Duffy, Town Clerk Juanita Hester and Fire Chief Hollis Freeman.

Mayor Sylvia Campbell opened the meeting and then 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: Public Hearing: 2020 Elizabethtown CDBG-NR (Community Development Block Grant- Neighborhood Revitalization) Program Amendment No. 1 – Grant No. 19-C-3126
Assistant Town Manager Pat DeVane noted it is a $750,000.00 grant for Martin Luther King playground, rehab/reconstruct 3 homes and sidewalks. An additional $200,000.00 is granted to extend the sidewalks and lighting instead of the playground. This agenda item will be presented at the evening meeting.

Item #5.1: Resolution of Support - #R-2022-14 – Aviation Parkway Extension Funding
Town Manager Dane Rideout noted a $950,000.00 grant was received with the help of Senator Brisson for Aviation Parkway Extension. This agenda item will be considered at the evening meeting.

Item #5.2: Resolution of Support - #R-2022-15 – Vineyard Drive Extension Funding
This item will be considered at the evening meeting.

Item #6.1: Town Manager Update
Assistant Town Manager Pat Devane noted patching is being done on Biggs, Robeson and David Street and trees are being trimmed downtown.

ATTACH. #B

Item #7.1: Approval of 2020 Elizabethtown CDBG-NR Program Amendment No.1 – Grant No. 19-C-3126
This agenda item will be considered at the evening meeting.

Item #7.2: Approve Fire Prevention Code Enforcement Municipal Agreement
Fire Chief Hollis Freeman noted it is a backup plan for fire inspections. This item will be considered at the evening meeting.

Item #7.3: Proposal from WithersRavenel for Professional Services: Elizabethtown Stormwater Master Plan, Phase I, project
Public Services/Engineering Director Stephen Duffy noted the grant is funded by Golden Leaf for $132,000.00. This item will be considered at the evening meeting.

Item #7.4: Approval for Funding – Purchase of New Router and Server for Town's IT System
Public Services/Engineering Director Stephen Duffy noted the servers are starting to fail. The files are backed up to iCloud but it will be changed to Town Hall and to Public Services. This agenda item will be considered at the evening meeting.

Item #7.5: Monthly Financial Report
This agenda item will be considered at the evening meeting.

Item #8.1: "Briefly"
Town Manager briefed on the following:
In observance of Veterans Day, Town Offices will be closed, November 11th.
3 major projects – Accent Dye contract with the lawyer- received $332,000.00 from ARPA.
End of November need to be obligated to funds or the Town will lose the funds.
Community Center grant application for $2.575 million – will partner with BCC.
The City and County is working together for Annexation of Industrial Park.
Conference call with UNC School of Government with David Owen's about Horse Ordinance – need to give reasonable accommodations.
December 15th Employee Luncheon at Noon.

Item #9.1: Open Forum
No comments or concerns.

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

ATTEST:

_____
Sylvia Campbell, Mayor

_____
Beverly Robinson, Admin. Asst./CTC

UNOFFICIAL

TOWN OF ELIZABETHTOWN
Regular Meeting
November 7, 2022

The Elizabethtown Town Council met for its regular meeting on Monday, November 7, 2022 at 7:00 pm in the Council Chamber. Those present were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members Rich Glenn, Paula Greene, Ricky Leinwand, Herman Lewis, Howell Clark Jr., Town Manager Dane Rideout and Town Attorney Goldston Womble. Department Heads in attendance included Police Chief Tony Parrish, Assistant Town Manager Pat DeVane, Planner Rusty Worley, Director of Communications & Marketing Terri Dennison, Town Clerk Juanita Hester, Finance Director Sharon Penny and Fire Chief Hollis Freeman. No members of the Press attended.

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

Item #3.1: Approve Consent Agenda Items
Upon a motion by Council Member Paula Greene, seconded by Council Member Ricky Leinwand, the Board unanimously approved the following Consent Items as presented: A. Proposed Agenda, B. October 3, 2022 Noon Work Session Meeting Minutes, C. October 3, 2022 Regular Meeting Minutes, D. Tax Releases, E. Resolution (#R-2022-12) – "Employ A Veteran Week", F. Resolution (#R-2022-13) – Surplus Property Declaration and Authorization to Sell Personal Property by Internet Auction, G. "Veteran Day" Proclamation, H. Proclamation – "Youth Appreciation Week".

Item #4.1: Public Hearing: 2020 Elizabethtown CDBG-NR (Community Development Block Grant-Neighborhood Revitalization) Program Amendment No. 1 – Grant No. 19-C-3126
Mayor Campbell opened the Public Hearing and called upon Assistant Town Manager Pat DeVane to present since there wasn't a representative from The Adam Company present. He noted that the CDBG Grant is being amended to remove the playground improvements and to include sidewalks with lighting and rehab/reconstruct 3 houses. An additional $200,000.00 is being requested for street lighting and an additional 12 months to complete the project for a total grant funding of $950.000.00. No one signed up to speak, therefore, the Mayor closed the public hearing.

Item #5.1: Resolution of Support - #R-2022-14 – Aviation Parkway Extension Funding
Town Manager Dane Rideout noted the funds are from the State and the paving will be from Industrial Park to Mercer Mill Road. Council Member Herman Lewis, seconded by Council

ATTACH. #C

Member Howell Clark Jr., made a motion to approve Resolution of Support - #R-2022-14 – Aviation Parkway Extension Funding (Unanimously). Copy attached and incorporated herein by reference.

Item #5.2: Resolution of Support - #R-2022-15 – Vineyard Drive Extension Funding
Council Member Rich Glenn, seconded by Council Member Herman Lewis, made a motion to approve Resolution of Support - #R-2022-15 – Vineyard Drive Extension Funding (Unanimously). Copy attached and incorporated herein by reference.

Item #6.1: Town Manager Update
Assistant Town Manager Pat Devane noted paving and patching has been going on for 2 weeks on the west end of Town, bypass, Martin Luther King, Peanut Road and the east end. There is a small amount of patching left to be done. Trees are being trimmed downtown for Christmas.

Item #7.1: Approval of 2020 Elizabethtown CDBG-NR Program Amendment No.1 – Grant No. 19-C-3126
Council Member Rich Glenn, seconded by Council Member Herman Lewis, made a motion to approve 2020 Elizabethtown CDBG-NR Program Amendment No. 1 – Grant No. 19-C-3126 (Unanimously). Copy attached and incorporated herein by reference.

Item #7.2: Approve Fire Prevention Code Enforcement Municipal Agreement
Fire Chief Hollis Freeman noted it is a backup plan for fire inspections. Council Member Rich Glenn, seconded by Mayor Pro Tem Rufus Lloyd, made a motion to approve Fire Prevention Code Enforcement Municipal Agreement (Unanimously). Copy attached and incorporated here in by reference.

Item #7.3: Proposal from WithersRavenel for Professional Services: Elizabethtown Stormwater Master Plan, Phase I, project
Town Manager Dane Rideout noted the grant is funded by Golden Leaf for $132,000.00. After the first phase, additional funds will be used for Glenwood Drive. Council Member Howell Clark Jr., seconded by Council Member Rich Glenn, moved to approve the Master Plan, Phase 1 proposal and authorize the Town Manager to sign all documents needed for the project (Unanimously). Copy attached and incorporated herein by reference.

Item #7.4: Approval for Funding – Purchase of New Router and Server for Town's IT System
Town Manager Dane Rideout noted that it is not a budget item but an amendment will be done later. Council Member Howell Clark Jr., seconded by Mayor Pro Tem Rufus Lloyd, moved to approve purchase of new router and server for Town's IT system in an amount not to exceed $55,000.00 (Unanimously).

Item #7.5: Monthly Financial Report
Finance Director Sharon Penny noted as of October 31st the general fund is in the positive $167,244.00 and the water fund is $118,606.00. A budget amendment will be coming for the Downtown approval. Council Member Howell Clark Jr., seconded by Council Member Herman

Lewis, made a motion to approve the Monthly Financial Report (Unanimously). Copy attached and incorporated herein by reference.

Item #8.1: "Briefly"
Town Manager briefed on the following:
In observance of Veterans Day, Town Offices will be closed, November 11th.
Due to Hurricane Ian, Town water bills had 39 days, the next billing cycle will have 22 days.
Take a look at the Department Head Updates.
Happy Birthday to Mayor Campbell and Council Member Ricky Leinwand.

Item #9.1: Open Forum
Mr. Andrew Robinson noted that Ms. Johnnie McKoy did a gun violence program last month at Thee Factory and wants to make it an annual event. Mr. Robinson asked for the Town to help support the event next year. Mayor Sylvia Campbell noted that the Town will help support the event next year.

Item #10.1: Closed Session
Council Member Howell Clark Jr., seconded by Mayor Pro Tem Rufus Lloyd, entertained a motion to enter into Closed Session in accordance with NCGS 143-318.11(a)(3) – Attorney-Client Privilege and NCGS 143-318.11(a)(4) – Economic Development (Unanimously).

RETURN FROM CLOSED SESSION TO OPEN SESSION:
Council Member Howell Clark Jr., seconded by Council Member Herman Lewis, made a motion to leave Closed Session and to return to Open Session (Unanimous).

There was no action taken.

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

ATTEST: _____ Sylvia Campbell, Mayor

_____
Beverly Robinson, Admin. Asst./CTC

MEMORANDUM

TO: Mayor and Town Council

FROM: Beverly Robinson, Certified Tax Collector

SUBJECT: Tax Releases

DATE: November 8, 2022

Tax Collector Beverly Robinson has requested the following tax releases:

		Account No.	
1	**2022 Bay Foods** Reason Remove Late List Release Value $5.79 Personal Property Tax Released	0542885	$ 0.58
2	**2022 Bay Foods** Reason Remove Late List Release Value $ 20.66 Personal Property Tax Released	0542885	$ 2.07
3	**2022 Bay Foods** Reason Remove Late List Release Value $ 469.29 Personal Property Tax Released	0542885	$ 46.93
4	**2022 Bay Foods** Reason Remove Late List Release Value $ 676.93 Personal Property Tax Released	0542885	$ 67.69
5	**2022 Bays Food** Reason Remove Late List Release Value $ 426.10 Personal Property Tax Released	0542885	$ 42.61
6	**2022 Bays Food** Reason Remove Late List Release Value $ 3.38 Personal Property Tax Released	0542885	$ 0.34
	Council is requested to grant the above tax releases		$ 160.22

ATTACH. #E

Discovery

2022 Rusty Kelly	0514643	
Personal Property		
Tax Value $ 13,940.00		$ 85.73

TOWN OF ELIZABETHTOWN
CALENDAR OF BUDGET ACTIVITIES
FY 2023 - 2024

DATE(S)	ACTIVITY	NOTES
December 2022	Initial budget meeting with department heads at weekly staff meeting to review budget process by and expectations to include Capital Improvement Requests.	Local procedure
January - March 2023	Department meetings with Town Manager and Finance Director	NCGS 159.10
January - March 2023	Town Manager conducts detailed budget work sessions with Budget Committee.	NCGS 159.11 & Local procedure
TBD - March 13-17, 2023	Council Retreat - to be held at airport. Presentation of proposed FY 2023 - 2024 Capital Improvement Plan to Council.	Local procedure
May 1, 2023	1. Submit proposed budget and budget message to Council. 2. Budget made available to public and press. 3. Publish budget statement and public hearing date.	▪ NCGS 159.11 ▪ NCGS 159.12 ▪ NCGS 159.12
May 2, 2023	Present proposed fire budget to County Commissioners and notify Town of Dublin and Bladen County on any possible wastewater or water rate changes for July.	Local Agreement 60-day notice on water/sewer rate changes
June 5, 2023	Manager's budget presentation as part of regular Council Meeting.	NCGS 159.12
June 5, 2023	Public hearing on budget as part of regular Council Meeting.	NCGS 159.12
June 5, 2023	Council adopts FY 2023 - 2024 budget ordinance including tax rate levy and fee schedule.	NCGS 159.13
June 6 - June 30	Called meeting to adopt FY 2023 - 2024 budget ordinance if needed.	NCGS 159.13

ATTACH. #F

Town of Elizabethtown
Town Council Meeting Dates

January 9, 2023

February 6, 2023

March 6, 2023

April 3, 2023

May 1, 2023

June 5, 2023

TBD for Close Out Meeting

ATTACH. #G

AGENDA ITEM NO. 4.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR NEIGHBORHOOD REVITALIZATION PROGRAM
SUBJECT:	Community Development Block Grant (CDBG) for Neighborhood Revitalization Program - $2,575,000.00
BACKGROUND:	Planning Director Rusty Worley may be called upon to present this agenda item. The CDBG funding will be for construction of a Community Center on Martin Luther King, Jr. Drive. Notification of Award letter from NCDOC Assistant Secretary Kenny Flowers is provided.
SUGGESTED ACTION:	Council is requested to accept the $2,575,000.00 grant from the N.C. Department of Commerce.

ATTACHMENTS:

Letter - From NC Dept. of Commerce - Grant Funding $2,575,000 - Community Center Project on MLK.pdf

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NC DEPARTMENT of COMMERCE
RURAL ECONOMIC DEVELOPMENT

Roy Cooper
GOVERNOR

Machelle Sanders
SECRETARY

Kenny Flowers
ASSISTANT SECRETARY

November 9, 2022

The Honorable Sylvia Campbell, Mayor
Town of Elizabethtown
805 W. Broad Street
Elizabethtown, North Carolina 28337

Dear Mayor Campbell:

It is my pleasure to officially notify you that the Town of Elizabethtown has been awarded $2,575,000 in Community Development Block Grant (CDBG) funds for round two of the Neighborhood Revitalization Program. I commend you on your efforts to provide community development assistance.

Please note that under CDBG program regulations, project funds may not be obligated or spent until certain grant conditions are met with the Rural Economic Development Division (REDD), which administers the CDBG Program, will contact you about these conditions and help you implement your grant.

Congratulations on this award. We look forward to working with you and other officials. Should you have any questions regarding this grant, please contact Valerie Fegans, Rural Economic Development Division at Valerie.fegans@commerce.nc.gov.

Sincerely,

DocuSigned by:
Kenny Flowers
D90F5C85199C467...

Kenny Flowers
Assistant Secretary

AGENDA ITEM NO. 5.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Public Hearing
AGENDA SECTION:	PUBLIC HEARINGS
SUBJECT:	Public Hearing: Land Transfer to Bladen's Bloomin' Agri-Industrial, Inc.
BACKGROUND:	Director of Planning Rusty Worley may be called upon to present this agenda item. Town Attorney Goldston Womble was provided a copy of the Joint Development Agreement for review. Copy of Public Hearing Notice provided as well as copy of Survey Map and Drafted Joint Development Agreement for this Land Transfer.
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 #6.1)***

ATTACHMENTS:

Peak Agenda - Public Hearing Notice - Land Transfer to Bladen's Bloomin' Agri-Industrial, Inc. - 12.5.2022.pdf

Peak Agenda - Site Map and Drafted Agreement for Transfer of Property to Bladen's Bloomin' - 12.5.2022.pdf

"The Bladen Journal"
Publication Date:
November 22, 2022

TOWN OF ELIZABETHTOWN

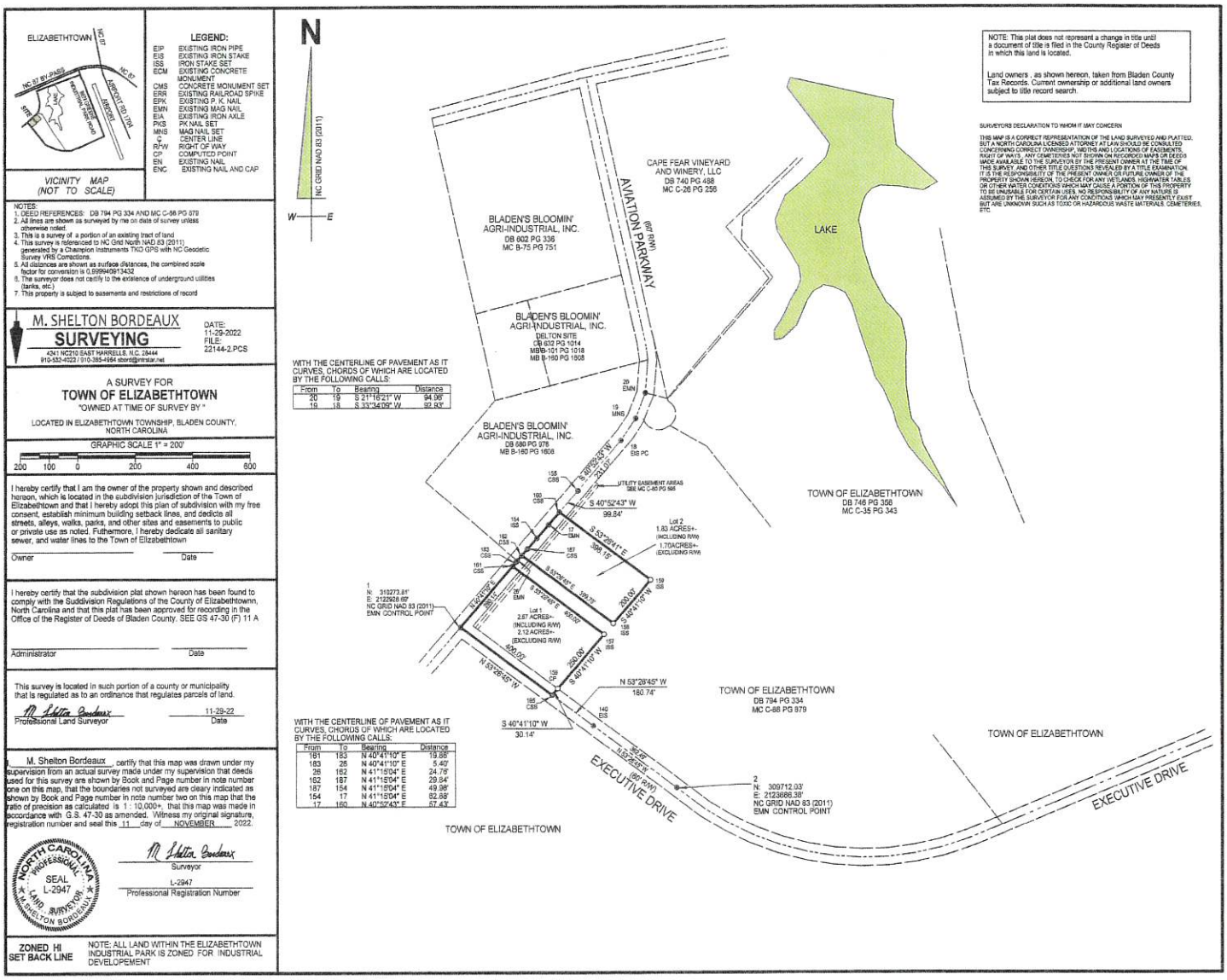
PUBLIC HEARING NOTICE

The Elizabethtown Town Council will hold a public hearing at 7:00 p.m. on December 5, 2022 to receive comments regarding the following proposed allocation:

The Elizabethtown Town Council will consider conveying approximately 2.30 acres (+/-) and 1.80 acres (+/-) to Bladen's Bloomin' Agri-Industrial, Inc. (BBAI) for the purpose of economic development, the creation of jobs, tax base, and other positive economic impact. The purpose of the donation will be to assist in the development of an approximately 8,400 s.f. commercial building in the Elizabethtown Airport Industrial Park. BBAI will be responsible for securing all additional financing required for the construction of the facility. The project will create an economic impact of at least $36,000.00 over the first five years of the project's operations in the facility. The lease will also save the tenant at least $36,000.00 as compared to what a market rate lease on the facility would be.

This Public Hearing will be held at the Elizabethtown Municipal Building, 805 W. Broad Street.

Sylvia Campbell, Mayor


ELIZABETHTOWN
NC 87
NC 87 BY-PASS
AIRPORT RD (70')
AIRPORT
PARK
SITE
VICINITY MAP
(NOT TO SCALE)
LEGEND:
EIP EXISTING IRON PIPE
EIS EXISTING IRON STAKE
ISS IRON STAKE SET
ECM EXISTING CONCRETE MONUMENT
CMS CONCRETE MONUMENT SET
ERR EXISTING RAILROAD SPIKE
EPK EXISTING P. K. NAIL
EMN EXISTING MAG NAIL
EIA EXISTING IRON AXLE
PKS PK NAIL SET
MNS MAG NAIL SET
℄ CENTER LINE
R/W RIGHT OF WAY
CP COMPUTED POINT
EN EXISTING NAIL
ENC EXISTING NAIL AND CAP
NOTES:
1. DEED REFERENCES: DB 794 PG 334 AND MC C-88 PG 879
2. All lines are shown as surveyed by me on date of survey unless otherwise noted.
3. This is a survey of a portion of an existing tract of land
4. This survey is referenced to NC Grid North NAD 83 (2011) generated by a Champion Instruments TKO GPS with NC Geodetic Survey VRS Corrections.
5. All distances are shown as surface distances, the combined scale factor for conversion is 0.999940913432
6. The surveyor does not certify to the existence of underground utilities (tanks, etc.)
7. This property is subject to easements and restrictions of record
M. SHELTON BORDEAUX
SURVEYING
4241 NC210 EAST HARRELLS, N.C. 28444
910-532-4023 / 910-385-4984 sbord@pinstar.net
DATE: 11-29-2022
FILE: 22144-2.PCS
A SURVEY FOR
TOWN OF ELIZABETHTOWN
"OWNED AT TIME OF SURVEY BY "
LOCATED IN ELIZABETHTOWN TOWNSHIP, BLADEN COUNTY, NORTH CAROLINA
GRAPHIC SCALE 1" = 200'
200 100 0 200 400 800
I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Elizabethtown and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicte all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Futhermore, I hereby dedicate all sanitary sewer, and water lines to the Town of Elizabethtown
Owner Date
I hereby certify that the subdivision plat shown hereon has been found to comply with the Suddivision Regulations of the County of Elizabethtown, North Carolina and that this plat has been approved for recording in the Office of the Register of Deeds of Bladen County. SEE GS 47-30 (F) 11 A
Administrator Date
This survey is located in such portion of a county or municipality that is regulated as to an ordinance that regulates parcels of land.
Professional Land Surveyor 11-29-22 Date
I, M. Shelton Bordeaux, certify that this map was drawn under my supervision from an actual survey made under my supervision that deeds used for this survey are shown by Book and Page number in note number one on this map, that the boundaries not surveyed are cleary indicated as shown by Book and Page number in note number two on this map that the ratio of precision as calculated is 1 : 10,000+, that this map was made in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 11 day of NOVEMBER 2022.
NORTH CAROLINA PROFESSIONAL SEAL L-2947 LAND SURVEYOR M. SHELTON BORDEAUX
Surveyor
L-2947
Professional Registration Number
ZONED HI
SET BACK LINE
NOTE: ALL LAND WITHIN THE ELIZABETHTOWN INDUSTRIAL PARK IS ZONED FOR INDUSTRIAL DEVELOPEMENT
N
W E
NC GRID NAD 83 (2011)
NOTE: This plat does not represent a change in title until a document of title is filed in the County Register of Deeds in which this land is located.
Land owners , as shown hereon, taken from Bladen County Tax Records. Current ownership or additional land owners subject to title record search.
SURVEYORS DECLARATION TO WHOM IT MAY CONCERN
THIS MAP IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND PLATTED, BUT A NORTH CAROLINA LICENSED ATTORNEY AT LAW SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTHS AND LOCATIONS OF EASEMENTS, RIGHT OF WAYS. ANY CEMETERIES NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THE SURVEYOR BY THE PRESENT OWNER AT THE TIME OF THIS SURVEY, AND OTHER TITLE QUESTIONS REVEALED BY A TITLE EXAMINATION. IT IS THE RESPONSIBILITY OF THE PRESENT OWNER OR FUTURE OWNER OF THE PROPERTY SHOWN HEREON, TO CHECK FOR ANY WETLANDS, HIGHWATER TABLES, OR OTHER WATER CONDITIONS WHICH MAY CAUSE A PORTION OF THIS PROPERTY TO BE UNUSABLE FOR CERTAIN USES. NO RESPONSIBILITY OF ANY NATURE IS ASSUMED BY THE SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN SUCH AS TOXIC OR HAZARDOUS WASTE MATERIALS, CEMETERIES, ETC.
CAPE FEAR VINEYARD AND WINERY, LLC
DB 740 PG 468
MC C-26 PG 256
BLADEN'S BLOOMIN' AGRI-INDUSTRIAL, INC.
DB 602 PG 336
MC B-75 PG 751
BLADEN'S BLOOMIN' AGRI-INDUSTRIAL, INC.
DELTON SITE
DB 633 PG 1014
MB/B-101 PG 1018
MB B-160 PG 1808
BLADEN'S BLOOMIN' AGRI-INDUSTRIAL, INC.
DB 680 PG 978
MB B-160 PG 1808
AVIATION PARKWAY (80' R/W)
LAKE
TOWN OF ELIZABETHTOWN
DB 746 PG 356
MC C-35 PG 343
TOWN OF ELIZABETHTOWN
DB 794 PG 334
MC C-88 PG 879
TOWN OF ELIZABETHTOWN
EXECUTIVE DRIVE (60' R/W)
EXECUTIVE DRIVE
TOWN OF ELIZABETHTOWN
WITH THE CENTERLINE OF PAVEMENT AS IT CURVES, CHORDS OF WHICH ARE LOCATED BY THE FOLLOWING CALLS:
From To Bearing Distance
20 19 S 21°16'21" W 94.96'
19 18 S 33°34'09" W 92.92'
WITH THE CENTERLINE OF PAVEMENT AS IT CURVES, CHORDS OF WHICH ARE LOCATED BY THE FOLLOWING CALLS:
From To Bearing Distance
181 183 N 40°41'10" E 19.86'
183 26 N 40°41'10" E 5.40'
26 162 N 41°18'04" E 24.78'
162 187 N 41°18'04" E 29.84'
187 154 N 41°18'04" E 49.98'
154 17 N 41°18'04" E 82.68'
17 160 N 40°52'43" E 57.43'
S 40°52'43" W 99.84'
S 53°29'41" E 399.15'
S 53°29'41" E 399.75'
S 40°41'10" W 200.00'
S 40°41'10" W 400.00'
N 53°29'41" W 200.00'
N 53°29'45" W 400.00'
N 53°29'45" W 180.74'
S 40°41'10" W 30.14'
N 53°29'45" W 30.14'
S 40°41'10" W 200.00'
Lot 1 2.67 ACRES+- (INCLUDING R/W) 2.12 ACRES+- (EXCLUDING R/W)
Lot 2 1.83 ACRES+- (INCLUDING R/W) 1.70ACRES+- (EXCLUDING R/W)
UTILITY EASEMENT AREAS SEE MC C-85 PG 585
1 N: 310273.81' E: 2122928.69' NC GRID NAD 83 (2011) EMN CONTROL POINT
2 N: 309712.03' E: 2123686.38' NC GRID NAD 83 (2011) EMN CONTROL POINT

DRAFT
12/2/22

JOINT DEVELOPMENT AGREEMENT

BY AND BETWEEN

TOWN OF ELIZABETHTOWN, NORTH CAROLINA

AND

BLADEN BLOOMIN' AGRI-INDUSTRIAL, INC.

ENTERED INTO THIS 5th DAY OF December 2022

THIS JOINT DEVELOPMENT AGREEMENT (the "Agreement") is entered into this 5th day of December, 2022 by and between **TOWN OF ELIZABETHTOWN, NORTH CAROLINA**, a municipal corporation existing under the laws of the State of North Carolina (the "Town"), and **BLADEN'S BLOOMIN' AGRI-INDUSTRIAL, INC.**, a North Carolina non-profit corporation ("BBAI"), with the Town and BBAI being referred to from time to time herein singularly as a "Party" or cumulatively as the "Parties".

WITNESSETH:

WHEREAS, the Town has a vital interest in the public purposes of promoting economic growth in the Town which will create jobs for its residents and increase the property tax base, which in turn will generate tax proceeds for the Town to provide essential services;

WHEREAS, BBAI is a nonprofit corporation that was established for the sole purpose of reducing the burden of the Town government by assisting in the promotion of economic development within the Town;

WHEREAS, the Town and BBAI have previously worked together cooperatively in a number of ways to promote economic growth within the Town;

WHEREAS, it is fully understood and universally accepted among economic development professionals that in order to be successful in recruiting companies to locate business and industrial facilities within a Town, there must be a vibrant and viable sites for commercial and industrial facilities.

WHEREAS, it is of paramount importance to have a strong business community to attract new business and industry within the geographic area in which the Town is located.

WHEREAS, it is critical to the health and quality of life for a community to boast a wide array of modern healthcare services including: primary care, urgent care, and medical specialty services;

WHEREAS, Cape Fear valley health has been an outstanding business partner in providing local jobs and health care services in our community;

WHEREAS, BBAI, in cooperation with the Town, has in the past been successful in promoting the Town's economic development through the development of new of facilities and upfit of existing properties to recruit business and industry facilities to the Town;

WHEREAS, there is currently an inadequate amount of commercial, and industrial facilities in the Town's geographic area to be as successful as possible in recruiting business and industry facilities to the Town, to serve the needs of its residents, and to foster a thriving economic/business environment, and therefore there is a need to stimulate growth in certain areas in the Town to improve the economic development prospects of the Town;

WHEREAS, pursuant to N.C. Gen. Stat. § 158-7.1(b)(4) the Town has the authority to "acquire, construct, convey or lease a building suitable for industrial or commercial use", as a part of its public purpose efforts to promote economic development within the Town;

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-20.1(a) the Town "may contract with and appropriate money to any person, association or corporation in order to carry out any public purpose that the Town is authorized by law to engage in…";

WHEREAS, BBAI is willing to cooperate with the Town in a collaborative effort to upfit, construct and improve certain existing properties within the Town's geographic limits for use as commercial, and industrial service facilities, as more fully described herein;

WHEREAS, it is advantageous for the Town to work cooperatively with BBAI to upfit, construct and improve certain existing properties within the Town's geographic limits for use as commercial, and industrial services, and those advantages include but are not limited to limiting liability exposure for the Town and the public funds managed by the Town, being able to market a vibrant town for economic development recruiting of new business and industry, in addition to BBAI being able to upfit, construct and improve such properties for reuse more effectively; and

WHEREAS, BBAI will serve as the landlord for the improved properties, working actively to recruit new businesses to the Town's area, and doing everything within BBAI's power and authority to ensure occupancy at the improved properties; and

WHEREAS, the Town and BBAI desire to enter into this Agreement to set forth the terms pursuant to which this cooperative effort will be undertaken.

NOW THEREFORE, in consideration of the mutual promises and covenants set forth herein, and other good and valuable consideration, the sufficiency of which is acknowledged by the Parties, the Parties agree as follows.

ARTICLE I
DEFINITIONS; RULES OF CONSTRUCTION

1.01. Definitions. For all purposes of this Agreement, unless the context requires otherwise, the following terms shall have the following meanings:

"Business Day" means any day that is not a Saturday or a Sunday, or a day on which banks in the State are required by law to be closed.

"Certificate of Occupancy" means the document issued by the County certifying that a Facility on the Site is compliant with applicable codes, ordinances and regulations, indicating it to be in a condition suitable for occupancy.

"Effective Date" means the date on which this Agreement is first executed and delivered by the Parties.

"Facility" means any new facility located on the Site, as more particularly described in Exhibit A. Collectively, "Facilities" means all new facilities located on the Site, as more particularly described in Exhibit A.

"Identified Encumbrances" means the encumbrances on the Town's ownership of the Site, as set forth in **Exhibit A**.

"Performance Commitments" means the timing, design, construction and job commitments by BBAI at the Site, as set forth in Articles II and III.

"Permitted Use" means the operation of use as retail, commercial and/or professional services at the Site.

"Prospective Company" means a business entity that leases a Facility or a portion of a Facility at the Site for use for retail, commercial or professional services. Collectively, "Prospective Companies" means business entities that wish to lease Facilities at the Site for retail, commercial or professional service use.

"Site" means the real property in the Town, as more specifically described in Exhibit A, which description is subject to minor adjustments prior to conveyance of the Site, based upon engineering analyses by BBAI. The term "Site" includes both Tract A and Tract B.

"Start of Construction" means the date on which initial construction begins on Tract A at the Site.

"State" means the State of North Carolina.

"Tract A" means the portion of the Site labeled as "Tract A" on **Exhibit A**, which the Town will convey to BBAI in accordance with the provisions of Article III, subject to the terms and conditions of this Agreement, and upon which commercial improvements will be made by BBAI to lease Healthcare services.

1.02 Rules of Construction. Unless the context otherwise indicates:

(a) Words importing the singular shall include the plural and vice versa, and words importing the masculine gender shall include the feminine and neuter genders as well;

(b) All references to Articles, Sections or Exhibits are references to Articles, Sections and Exhibits of this Agreement;

(c) All references to officers are references to officers of the Town or BBAI; and

(d) The headings and Table of Contents herein are solely for convenience of reference and shall not constitute a part of this Agreement nor shall they affect its meanings, construction or effect.

ARTICLE II

BBAI'S COMMITMENTS

In return for the site conveyances set forth herein, which are a competitive necessity for BBAI to redevelop the Site in the Town, the BBAI commits to certain Performance Commitments related to construction timelines, and incrementally increased taxes in the Town. If not for the provision of the site conveyances contemplated by this Agreement, BBAI would not redevelop the Site in the Town. The Parties acknowledge and agree that the consideration for the Town to enter into this Agreement is the expectation that BBAI will meet or exceed these Performance Commitments.

Specifically, the BBAI agrees to meet or exceed the following Performance Commitments:

(a) BBAI shall have the responsibility to design, obtain all necessary permits for, construct and market the Facilities within Tract A for retail, commercial, and professional services use as more fully described at **Exhibit B** (the "Project"). It is understood and agreed to by the Parties that BBAI has the sole responsibility and discretion as to the design, construction and marketing of the Project, with BBAI's responsibilities being set forth in more detail in Article IV herein;

(b) Start of Construction shall be achieved within three (3) years of the Effective Date; and

(c) The BBAI project shall create five (5) new jobs at Facilities within Tract A within five (5) years of the Effective Date.

Confirmations of BBAI's attainment as to Performance Commitments shall be as follows. The amount of Direct Investment shall be the amount of the tax value for all property owned by BBAI and tenants of Facilities at the Site as shown on its Real Property Tax Listings, for each year that new investments are made. The Town may in its discretion require other documentation to verify the attainment of the new jobs and of these other Performance Commitments.

ARTICLE III

SITE TRANSFERS

3.01 Ownership of Site. The Town is the current owner of the Site, as more particularly described in Exhibit A. Provided, however, that the Site descriptions in Exhibit A are subject to minor adjustments prior to any conveyances, based upon engineering analyses by BBAI, to the extent that such adjustments are mutually agreed to by all of the Parties to this

Agreement. The Town hereby represents and warrants that it is seized of and has the right to convey the Site in fee simple, that the Site is free and clear of all liens and encumbrances other than the Identified Encumbrances, and that the title to the Site is marketable.

3.02 Conveyance of Tract A. Within thirty (30) Business Days of the Effective Date, or at such other date as the parties mutually agree, the Town will deliver to BBAI a special warranty deed for Tract A (the "Tract A Transfer Deed"). BBAI has contracted for an ALTA survey to be drawn for Tract A, which will also be used to craft the legal description of Tract A for the Tract A Transfer Deed (the "Survey"). The cost of the Survey shall be borne on BBAI. The intent of this Agreement is that Prospective Companies shall occupy the Facilities, through leases, after the redevelopment of Tract A. The Parties agree that Tract A should revert to the Town's ownership in the future if BBAI (i) fails to cause the Start of Construction within three (3) years of the Effective Date or (ii) fails to lease facilities to prospective companies which will create at least five (5) new jobs on Tract A within five (5) years of the Effective Date, with ((i) and (ii) above collectively referred to as the "Performance Commitments").

To secure the performance of BBAI as to the Start of Construction of the Facilities on Tract A, the Town shall have a deed of trust on Tract A, substantially in the form attached hereto on **Exhibit C**, and which will be subordinated to any deed of trust BBAI enters into to secure a loan for the Project (the "Tract A Deed of Trust"). If BBAI fails to cause the Start of Construction within three (3) years of the Effective Date or unless extended by an act of God clause as more specifically set forth in the Tract A Deed of Trust, then the Town may exercise its rights under the Tract A Deed of Trust to retake ownership of Tract A and all improvements, therefore, upon the Start of Construction, provided that the Town has not initiated proceedings to exercise its rights under the Tract A Deed of Trust, the Town shall take all necessary actions which will provide for the cancellation of the Tract A Deed of Trust.

3.04 Expenses. The Town will cooperate with BBAI in obtaining title insurance for Tract A, but BBAI shall be responsible for all fees and expenses in connection therewith. The Deeds by the Town described in this Article III are the Town's full and only commitment to the costs of the Project. It is the sole responsibility of BBAI to find funding sources, grants and/or loans, or financing for the full costs of the Project.

ARTICLE IV

RESPONSIBILITIES OF BBAI

The Parties agree that the development of the Site shall be solely BBAI's responsibility, which will include but not be limited to the following:

(a) Arranging for all additional funds necessary to complete the Facilities, administering all grant obligations related to any such funding sources, and being solely responsible for the repayment of any loan proceeds or grant funds, as may be required by the terms of any such loans or grants.

(b) Selecting through whatever bidding or negotiation process is deemed appropriate by BBAI, in its sole discretion, all design firms, contractors, service providers, and other professionals to assist in the design, construction and marketing of the Facilities;

(c) Making all final decisions as to the design of the Facilities;

(d) Overseeing the construction of the Facilities, including agreeing to any change orders which may be necessary during the construction of the Facilities;

(e) Obtaining all necessary permits and regulatory approvals for the Facilities;

(f) Marketing the Facilities, including making decisions as to specific businesses to target for occupancy of the Facilities;

(g) Making the final decision as to which Prospective Companies should be considered to take up occupancy at a Facility on the Site, and the lease or sale terms that will be offered to such Prospective Companies;

(h) Ensuring the redevelopment Facilities is carried out in accordance with all applicable State and local laws and regulations;

(i) Ensuring (1) that the Facilities do not materially encroach upon nor overhang any easement or right-of-way in such a way that interferes with such easement or right of way and (2) that the Facilities, when erected, will be wholly within any applicable building restriction lines, however established, and will not violate applicable use of other restrictions contained in prior conveyances or applicable protective covenants or restrictions;

(j) Cause all utility lines, and streets serving the Site, which are located within the metes and bounds of the Site, to be completed in accordance with health department standards and other applicable regulations of any governmental agency having jurisdiction;

(k) Pay all taxes and all charges for utility services furnished to or used on or in connection with the Site and the Facility;

(l) Bear all risk of loss to and condemnation of the Site and the Facility, after conveyance of the Transfer Deed for the Site to BBAI; and

(m) Observe and comply promptly with all current and future orders of all courts and regulatory bodies having jurisdiction over the Site or any portion thereof (or be diligently and in good faith contesting such orders), and all current and future requirements of all insurance companies writing policies covering the Site or any portion thereof.

ARTICLE V

REPORTS TO TOWN

BBAI will provide regular reports to the Town, no less often than semi-annually, as to the status of the Project in terms of its design, construction, and marketing. Such reports shall be made to senior appointed staff of the Town, and/or the Town Council.

ARTICLE VI

INDEMNIFICATION

BBAI hereby agrees to indemnify, protect and save the Town and its officers, directors and employees harmless from all liability, obligations, losses, claims, damages, actions, suits, proceedings, costs and expenses, including reasonable attorneys' fees, arising out of, connected with, or resulting directly or indirectly from the Project or the transactions contemplated by or relating to this Agreement, including without limitation, the possession, condition, construction or use thereof, insofar as such matters relate to events subject to the control of BBAI and not the Town. The indemnification arising under this Article shall survive the Agreement's termination.

ARTICLE VII

TERMINATION OF AGREEMENT

Upon the occurrence of any of the following events, this Agreement shall be terminated:

a. Failure of BBAI to cause the Start of Construction at the Site within three (3) years of the Effective Date as provided for in Article III herein; or

b. Failure of BBAI or a Prospective Company to create five (5) new jobs at Facilities within Tract A within five (5) years of the Effective Date.

In the event this Agreement is terminated, BBAI shall convey the Site, or portions thereof, back to the Town in accordance with the provisions of Article III. Upon termination, this Agreement shall immediately terminate, and thereafter, the Town and BBAI shall have no further obligation to perform under this Agreement.

ARTICLE VIII

ASSIGNMENT

Neither party shall sell or assign any interest in or obligation under this Agreement without the prior express written consent of all the parties. Provided, however, that this Agreement may be assigned by BBAI to another nonprofit corporation affiliated with BBAI, without the consent of the Town, provided that BBAI will guarantee the performance by the affiliated nonprofit of the obligations due under this Agreement.

ARTICLE IX

LIMITED OBLIGATION OF TOWN

NO PROVISION OF THIS AGREEMENT SHALL BE CONSTRUED OR INTERPRETED AS CREATING A PLEDGE OF THE FAITH AND CREDIT OF THE TOWN WITHIN THE MEANING OF ANY CONSTITUTIONAL DEBT LIMITATION. NO PROVISION OF THIS AGREEMENT SHALL BE CONSTRUED OR INTERPRETED AS DELEGATING GOVERNMENTAL POWERS NOR AS A DONATION OR A LENDING OF THE CREDIT OF THE TOWN WITHIN THE MEANING OF THE STATE CONSTITUTION. THIS AGREEMENT SHALL NOT DIRECTLY OR INDIRECTLY OR CONTINGENTLY OBLIGATE THE TOWN TO MAKE ANY PAYMENTS BEYOND THOSE APPROPRIATED IN THE TOWN'S SOLE DISCRETION FOR ANY FISCAL YEAR IN WHICH THIS AGREEMENT SHALL BE IN EFFECT. NO PROVISION OF THIS AGREEMENT SHALL BE CONSTRUED TO PLEDGE OR TO CREATE A LIEN ON ANY CLASS OR SOURCE OF THE TOWN'S MONEYS, NOR SHALL ANY PROVISION OF THE AGREEMENT RESTRICT TO ANY EXTENT PROHIBITED BY LAW, ANY ACTION OR RIGHT OF ACTION ON THE PART OF ANY FUTURE TOWN GOVERNING BODY. TO THE EXTENT OF ANY CONFLICT BETWEEN THIS ARTICLE AND ANY OTHER PROVISION OF THIS AGREEMENT, THIS ARTICLE SHALL TAKE PRIORITY.

ARTICLE X

MISCELLANEOUS

10.1 **Governing Law**. The parties intend that this Agreement shall be governed by the law of the State of North Carolina.

10.2 **Notices.**

(a) Any communication required or permitted by this Agreement must be in writing except as expressly provided otherwise in this Agreement

(b) Any communication shall be sufficiently given and deemed given when delivered by hand or five days after being mailed by first-class mail, postage prepaid, and addressed as follows or by email to the addresses shown below

(1) If to BBAI, to:

John Charles Heustess
218 Suite A, Aviation Parkway,
Elizabethtown, NC 28337
(910) 645-2292
Edc@bladenco.org

(c) Any addressee may designate additional or different addresses for communications by notice given under this Section to each of the others.

10.3 **Non-Business Days**. If the date for performance of any act or the exercising of any right shall not be a Business Day, such act shall be made or performed or right exercised on or before the next preceding Business Day.

10.4 **Severability.** If any provision of this Agreement shall be determined to be unenforceable, that shall not affect any other provision of this Agreement.

10.5 **Continuing Contract.** It is understood and agreed to by the parties that this Agreement is a continuing contract as defined by N.C. Gen. Stat. § 160A-17, and is a legal, valid, binding agreement of BBAI and the Town, enforceable against BBAI and the Town in accordance with its terms.

10.6 **Entire Agreement; Amendments.** This Agreement, including Exhibits A through Exhibit D attached, which are incorporated herein and made a part hereof, constitutes the entire contract between the parties, and this Agreement shall not be changed except in writing signed by all the parties.

10.7 **Binding Effect.** Subject to the specific provisions of this Agreement, this Agreement shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective successors and assigns.

10.8 **Time.** Time is of the essence in this Agreement, each, and all of its provisions.

10.9 **Liability of Officers and Agents.** No officer, agent or employee of the Town or BBAI shall be subject to any personal liability or accountability by reason of the execution of this Agreement or any other documents related to the transactions contemplated hereby. Such officers, agents, or employees shall be deemed to execute such documents in their official capacities only, and not in their individual capacities. This Section shall not relieve any such officer, agent or employee from the performance of any official duty provided by law.

10.10 **Counterparts.** This Agreement may be executed in several counterparts, including separate counterparts. Each shall be an original, but all of them together constitute the same instrument.

(Signature Page Follows)

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in their corporate names by their duly authorized officers, all as of the date first above written.

[SEAL]

BLADEN BLOOMIN' AGRI-INDUSTRIAL, INC.

By_____

ATTEST:

_____
Secretary

[SEAL]

ELIZABETHTOWN, NORTH CAROLINA

ATTEST:

BY _____
Mayor, Elizabethtown
North Carolina

_____
Town Clerk, Elizabethtown
North Carolina

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act

_____
Finance Officer, Elizabethtown,
North Carolina

Exhibits

A – Site Description

EXHIBIT A

SITE DESCRIPTION

Lot Number 1 as described by survey done by M. Shelton Bordeaux on November 29, 2022 file number 22144-2 PCS located in Ben Greene Industrial Park. Beginning Point located at corner of Executive Drive and Aviation Parkway, thence running 280.14 feet, North 40 degrees 41 minutes 10 seconds East, then 400 feet, South 53 degrees 26 minutes 45 minutes, thence running 250 feet, South 40 degrees 41 minutes 10 seconds, thence running 400 feet, N 53 degrees 26 minutes 45 minutes. Lot Size 2.57 acres +/-including right of way and 2.12 acres +/- excluding right of way.

EXHIBIT B

PROJECT DESCRIPTION

Lot Number 2 as described by survey done by M. Shelton Bordeaux on November 29, 2022 file 22144-2 PCS located in Ben Greene Industrial Park.

Beginning Point located at corner of Executive Drive and Aviation Parkway then 330.16 feet North on Aviation Parkway, then 29.84 feet North 41 degrees 15 minutes 04 seconds East, then 49.98 feet North 41 degrees 15 minutes 04 seconds East, then 62.88 feet North 41 degrees 15 minutes 04 seconds east, then 57.43 feet North 40 degrees 52 minutes 43 seconds East, thence 298.15 feet South 53 degrees 26 minutes 41 seconds East, thence 200 feet South 40 degrees 41minutes 10 seconds West, thence 399.76 feet South 53 degrees 26 minutes 45 seconds East.

AGENDA ITEM NO. 5.2

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Public Hearing
AGENDA SECTION:	PUBLIC HEARINGS
SUBJECT:	Public Hearing: Rezoning Request, Case Number RZ# 2021176, PIN # 1311.10.35.7031 - Rezone parcel of land from R10 to R12 - Placement Location - 400 Emma Street
BACKGROUND:	A manufactured home currently exists on the property that was damaged by a hurricane. The homeowner has been approved through Rebuild NC to receive a new manufactured home of like size and model to replace the current home. Letter of Recommendation from Planning Board provided. Public Hearing Notice, Certification of Notices sent to property owners and map copy 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 #6.2)***

ATTACHMENTS:

Peak Agenda - Letter of Recommendation from Planning Board - 400 Emma Street - 12.5.2022.pdf

Peak Agenda - Public Hearing Notice; Certification of Notices Sent and Map Copy - Rezone Request - Emma Street - 12.5.22.pdf

TOWN OF ELIZABETHTOWN

PLANNING & COMMUNITY DEVELOPMENT

DATE: November 23, 2022

TO: Mayor Sylvia B. Campbell and Town Council

FROM: Bobby Kinlaw, Chairman

Planning Board Members

RE: Petitioner: Rebuild NC

Case Numbers: RZ #2021176; RZ #2021177; RZ #2021178

PIN Numbers: 1311.10.35.7031; 1320.00.67.5258; 1320.00.67.5258

Pursuant to the Elizabethtown Zoning Ordinance, Article 4, the Planning Board considered the above-referenced applications during a regular meeting on November 22, 2022. Rebuild NC is requesting to rezone parcel, identified by Bladen County PIN Number 1311.10.35.7031, from R10 to R12; rezone parcel, identified by Bladen County PIN 1320.00.67.5258, from LI to R12; and rezone parcel, identified by Bladen County PIN Number 1320.00.67.5258, from LI to R12.

After consideration of the information presented at the meeting, the Planning Board forwards a recommendation to **approve** the Rezoning requests to Town Council with the Planning Board's written recommendation that this request is consistent with the adopted Land Use Plan.

"The Bladen Journal"
Publication Date:
November 25, 2022

TOWN OF ELIZABETHTOWN
NOTICE OF PUBLIC HEARINGS

Proposed Zoning Map Amendment, Town of Elizabethtown, North Carolina. Pursuant to N.C. G.S. 160A-364, 385 and 386, the Town of Elizabethtown will conduct a public hearing on each of the below Rezoning Requests on Monday, December 5, 2022 at 7:00 p.m. in the Elizabethtown Municipal Building. Town Council will consider the following:

Rezoning Request

Petitioner: Rebuild NC
Case Number: RZ # 2021176
PIN #: 1311.10.35.7031
Request: Rezone a parcel of land, identified by Bladen County PIN # 1311.10.35.7031 from R10 to R12.

Rezoning Request

Petitioner: Rebuild NC
Case Number: RZ # 2021177
PIN #: 1320.00.67.5258
Request: Rezone a parcel of land, identified by Bladen County PIN # 1320.00.67.5258 from LI to R12.

Rezoning Request

Petitioner: Rebuild NC
Case Number: RZ # 2021178
PIN #: 1320.00.67.5258
Request: Rezone a parcel of land, identified by Bladen County PIN # 1320.00.67.5258 from LI to R12.

All interested citizens are invited to attend the meeting. **Citizens desiring to speak are required to place their name on the sign-up sheet before agenda adoption**. Changes may be made in the advertised proposal that reflect information presented at the hearings. Those who wish to view a copy of the rezoning applications identified above may do so by contacting Planning Director Rusty Worley at (910) 862-2066.

Sylvia Campbell, Mayor

TOWN OF ELIZABETHTOWN

PLANNING & COMMUNITY DEVELOPMENT

CERTIFICATION OF NOTICE TO PROPERTY OWNERS

I, Dane Rideout, Town Manager, do hereby certify to Town Council of the Town of Elizabethtown, that in accordance with the provisions of G.S. 160A-384, the owner(s) of the property involved in the zoning classification action(s) described below and the owner(s) of the parcels of land abutting the property involved in the zoning classification action(s) described, received a notice of the proposed classification by first class mail.

Case Numbers: RZ #2021176
Petitioner(s): Rebuild NC *
Property Owner(s): Yvonne Dunham (400 Emma)
Zoning Classification Action(s): Rezone 400 Emma Street from R10 to R12

OWNER NAME	OWNER ADDRESS	CITY	STATE	ZIP CODE
Dewitt Sanders	P.O. Box 101	Elizabethtown	NC	28337
Roland McKoy III	210 Jack Richardson Rd.	Elizabethtown	NC	28337
Gwenda LeSane	200 Emma Street	Elizabethtown	NC	28337
Sharon Wright	306 Emma Street	Elizabethtown	NC	28337
Anthony Lynn Robinson	P.O. Box 1481	Elizabethtown	NC	28337
TerryLyn McNeil	2008 Martin Luther King Drive	Elizabethtown	NC	28337

*A copy of the Public Hearing Notice for the Rezone Request has been mailed to the Petitioner Rebuild NC,

Rusty Worley, Planning Director — Date: 11/30/22

I, Juanita Hester, Town Clerk for the Town of Elizabethtown, do certify that the above-described notifications were mailed, and the property was posted with the Public Hearing information.

Juanita Hester, Town Clerk — Date: 11/30/22

ALEX CALEB DR
1910
1907
1909
2006
MARTIN LUTHER KING DR
400
400
EMMA ST
2007
404

AGENDA ITEM NO. 5.3

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Public Hearing
AGENDA SECTION:	PUBLIC HEARINGS
SUBJECT:	Public Hearing: Rezoning Request - Case Numbers RZ # 2021177 and RZ# 2021178 - PIN #1320.00.67.5258 - Rezone parcel of land from LI to R12 - Placement Locations - 128 Gene Drive and 168 Gene Drive
BACKGROUND:	Manufactured homes already exist on property. Property has been approved for the Rebuild NC project and the awarded homes meet the same specifications of the current homes. Letter of Recommendation from the Planning Board provided. Public Hearing Notice, Certification of Notices sent to property owners and map copy 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 #6.3)***

ATTACHMENTS:

Peak Agenda - Letter of Recommendation from Planning Board - 128 Gene Drive - 12.5.2022.pdf

Peak Agenda - Public Hearing Notice, Certification of Notices Sent and Map Copy - Rezoning Request - 128 Gene Dr. and 168 Gene Dr. - 12.5.22.pdf

TOWN OF ELIZABETHTOWN

PLANNING & COMMUNITY DEVELOPMENT

DATE: November 23, 2022

TO: Mayor Sylvia B. Campbell and Town Council

FROM: Bobby Kinlaw, Chairman

Planning Board Members

RE: Petitioner: Rebuild NC

Case Numbers: RZ #2021176; RZ #2021177; RZ #2021178

PIN Numbers: 1311.10.35.7031; 1320.00.67.5258; 1320.00.67.5258

Pursuant to the Elizabethtown Zoning Ordinance, Article 4, the Planning Board considered the above-referenced applications during a regular meeting on November 22, 2022. Rebuild NC is requesting to rezone parcel, identified by Bladen County PIN Number 1311.10.35.7031, from R10 to R12; rezone parcel, identified by Bladen County PIN 1320.00.67.5258, from LI to R12; and rezone parcel, identified by Bladen County PIN Number 1320.00.67.5258, from LI to R12.

After consideration of the information presented at the meeting, the Planning Board forwards a recommendation to **approve** the Rezoning requests to Town Council with the Planning Board's written recommendation that this request is consistent with the adopted Land Use Plan.

"The Bladen Journal"
Publication Date:
November 25, 2022

TOWN OF ELIZABETHTOWN
NOTICE OF PUBLIC HEARINGS

Proposed Zoning Map Amendment, Town of Elizabethtown, North Carolina. Pursuant to N.C. G.S. 160A-364, 385 and 386, the Town of Elizabethtown will conduct a public hearing on each of the below Rezoning Requests on Monday, December 5, 2022 at 7:00 p.m. in the Elizabethtown Municipal Building. Town Council will consider the following:

Rezoning Request

Petitioner: Rebuild NC
Case Number: RZ # 2021176
PIN #: 1311.10.35.7031
Request: Rezone a parcel of land, identified by Bladen County PIN # 1311.10.35.7031 from R10 to R12.

Rezoning Request

Petitioner: Rebuild NC
Case Number: RZ # 2021177
PIN #: 1320.00.67.5258
Request: Rezone a parcel of land, identified by Bladen County PIN # 1320.00.67.5258 from LI to R12.

Rezoning Request

Petitioner: Rebuild NC
Case Number: RZ # 2021178
PIN #: 1320.00.67.5258
Request: Rezone a parcel of land, identified by Bladen County PIN # 1320.00.67.5258 from LI to R12.

All interested citizens are invited to attend the meeting. **Citizens desiring to speak are required to place their name on the sign-up sheet before agenda adoption**. Changes may be made in the advertised proposal that reflect information presented at the hearings. Those who wish to view a copy of the rezoning applications identified above may do so by contacting Planning Director Rusty Worley at (910) 862-2066.

Sylvia Campbell, Mayor

TOWN OF ELIZABETHTOWN

PLANNING & COMMUNITY DEVELOPMENT

CERTIFICATION OF NOTICE TO PROPERTY OWNERS

I, Dane Rideout, Town Manager, do hereby certify to Town Council of the Town of Elizabethtown, that in accordance with the provisions of G.S. 160A-384, the owner(s) of the property involved in the zoning classification action(s) described below and the owner(s) of the parcels of land abutting the property involved in the zoning classification action(s) described, received a notice of the proposed classification by first class mail.

Case Number: RZ #2021177 and RZ #2021178
Petitioner(s): Rebuild NC *
Property Owner(s): Mettie McCromartie – 128 Gene Drive
Property Owner(s): Geneva Holliday – 168 Gene Drive
Zoning Classification Action(s): Rezone 128 Gene Drive from LI to R12 and Rezone 168 Gene Drive from LI to R12

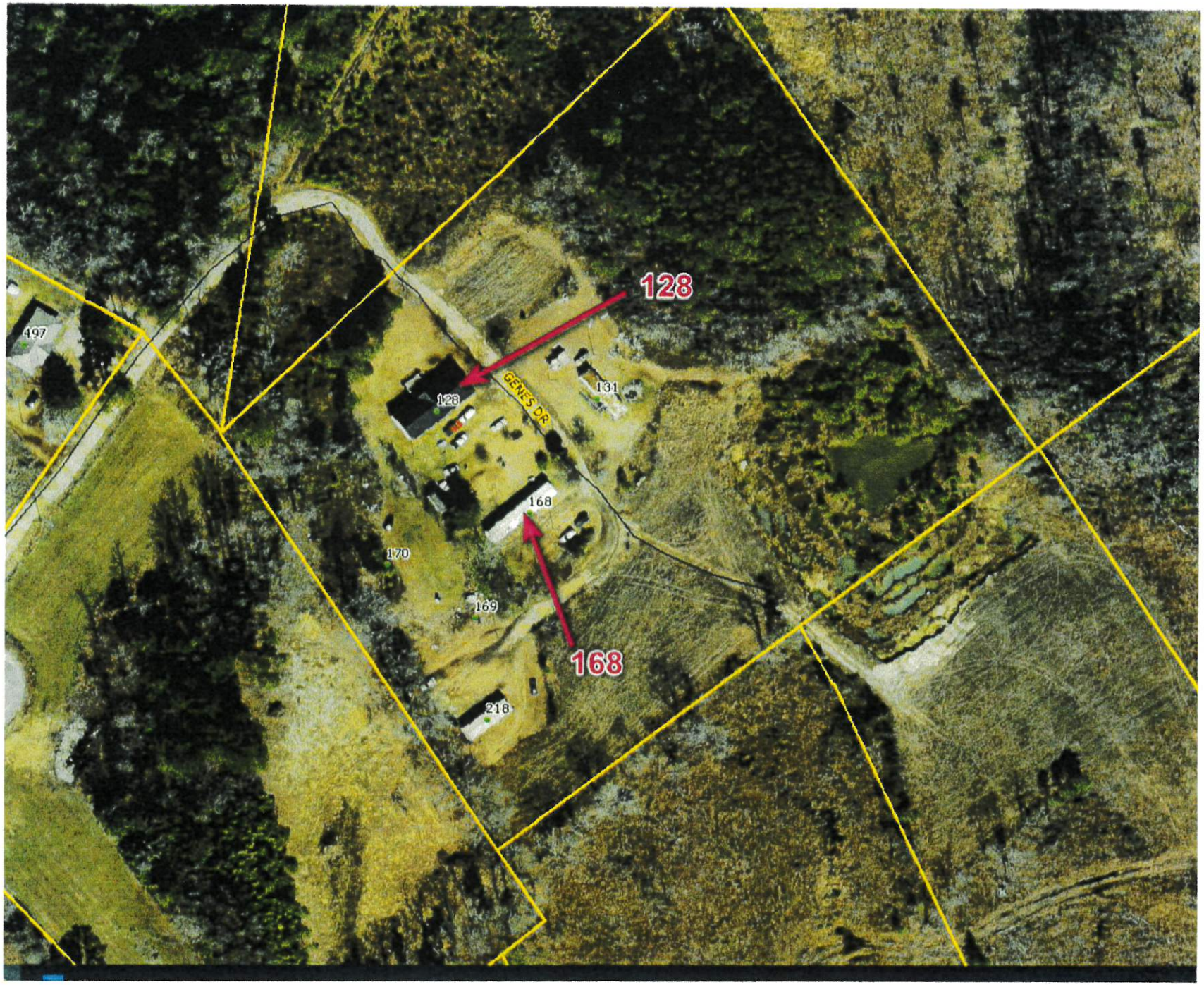
OWNER NAME	OWNER ADDRESS	CITY	STATE	ZIP CODE
Town of Elizabethtown	P.O. Box 700	Elizabethtown	NC	28337
Dwayne Cromartie	18 Atlantic Street	Lumberton	NC	28358
Thomas Brooks	P.O. Box 1492	Elizabethtown	NC	28337
Dwayne Cromartie	491 Mt. Olive Rd.	Elizabethtown	NC	28337
Vickie Gillespie	302 Martin Street	Elizabethtown	NC	28337

*A copy of the Public Hearing Notice for the Rezone Requests has been mailed to the Petitioner Rebuild NC.

Rusty Worley, Planning Director — Date: 11-30-22

I, Juanita Hester, Town Clerk for the Town of Elizabethtown, do certify that the above-described notifications were mailed, and the property was posted with the Public Hearing information.

Juanita Hester, Town Clerk — Date: 11/30/22


128
168
497
128
GENES DR
131
168
170
169
218

AGENDA ITEM NO. 6.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	ORDINANCES/RESOLUTIONS/PROCLAMATIONS
SUBJECT:	Approval of Land Transfer to Bladen's Bloomin' Agri-Industrial, Inc.
BACKGROUND:	Town Attorney Goldston Womble may be called upon to answer any questions about this land transfer to Bladen's Bloomin' Agri-Industrial, Inc. Council is requested to approve the land transfer subject to any restrictions and conditions that may be placed on the real property. Town Attorney Womble will handle the legal documents for this conveyance.
SUGGESTED ACTION:	Council is requested to approve the land transfer to Bladen's Bloomin' Agri-Industrial, Inc. and all related legal documentation for this conveyance.

ATTACHMENTS:

AGENDA ITEM NO. 6.2

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: December 5, 2022

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ORDINANCES/RESOLUTIONS/PROCLAMATIONS

SUBJECT: Ordinance Approval for Rezoning Request, Case Number RZ #2021176, PIN #1311.10.35.7031 - Rezone parcel of land from R10 to R12 - Placement Location - 400 Emma Street

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

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

ATTACHMENTS:

AGENDA ITEM NO. 6.3

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE: December 5, 2022

SUBMITTED BY: Juanita Hester

ITEM TYPE: Request

AGENDA SECTION: ORDINANCES/RESOLUTIONS/PROCLAMATIONS

SUBJECT: Ordinance Approval for Rezoning Request - Case Numbers RZ# 2021177 and RZ# 2021178, PIN #1320.00.67.5258, Rezone parcel of land from LI to R12 - Placement Locations - 128 Gene Drive and 168 Gene Drive

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

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

ATTACHMENTS:

AGENDA ITEM NO. 7.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
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 update.

ATTACHMENTS:

AGENDA ITEM NO. 7.2

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	PRESENTATIONS
SUBJECT:	Wastewater Treatment Plant Project Update - E L Robinson Engineering
BACKGROUND:	At the 7:00 p.m. meeting, Project Engineer David Brandes will present an update on the WWTP project.
SUGGESTED ACTION:	Council is requested to hear the update.

ATTACHMENTS:

AGENDA ITEM NO. 8.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	ADMINISTRATIVE MATTERS
SUBJECT:	Approval of Property Purchase - Martin Luther King, Jr. Drive - Parcels 15779 and 15773
BACKGROUND:	Planning Director Rusty Worley may be called upon to answer any questions. For future development, the Town wishes to purchase property from Mr. Robert W. McKoy that is located on Martin Luther King Drive, Parcels 15779 and 15773. Copy of "Offer to Purchase" provided as well as location map.
SUGGESTED ACTION:	Council is requested to approve the Property Purchase from Mr. Robert W. McKoy in the amount of $135,000.

ATTACHMENTS:

Peak Agenda - Offer to Purchase - Robert W. McKoy MLK Property - 12.5.2022.pdf

TOWN OF
ELIZABETHTOWN

805 West Broad Street
Post Office 700
Elizabethtown, NC 28337

TOWN MANAGER'S OFFICE

Office (910) 862-3979
Fax (910) 862-7117
www.elizabethtownnc.org
Email drideout@elizabethtownnc.org

Offer to Purchase

Buyer: Town of Elizabethtown
805 W. Broad St.
Elizabethtown, NC 28337

Seller: Robert W. McKoy
2319 Grant Avenue
Fayetteville, NC 28312

Date: November 22, 2022

Purchase Parcels 15779 & 15773 located on Martin Luther King Jr. Dr., Elizabethtown, NC 28337

PURCHASE PRICE: $135,000.00

Closing Date on or before December 15, 2022.

Attorney Fees are to be incurred by the Buyer.

Robert W. McKoy, Seller

Dane D. Rideout, Buyer

22 NOV 22
Date

22 NOV 22
Date

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

414
265
418
420
MARTIN LUTHER KING DR
409
411
15779
501
15773
W DUNHAM ST
213
212
208
210

AGENDA ITEM NO. 8.2

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	ADMINISTRATIVE MATTERS
SUBJECT:	Authorize Planning Director Rusty Worley to Proceed with Obtaining Requests for Qualifications (RFQs) for Design/Build Project - Community Center Project on MLK
BACKGROUND:	Request for Qualifications (RFQ) from firms will be needed for the Community Center project. Planning Director Rusty Worley may be called upon to present this agenda item.
SUGGESTED ACTION:	Council is requested to grant authorization to Planning Director for Obtaining RFQs for Design/Build Project - Community Center project on MLK.

ATTACHMENTS:

AGENDA ITEM NO. 8.3

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	ADMINISTRATIVE MATTERS
SUBJECT:	Board Guidance on Accent Dye Property
BACKGROUND:	Planning Director Rusty Worley may be called upon to present this agenda item.
SUGGESTED ACTION:	Council is requested to provide direction to staff for the Accent Dye property.

ATTACHMENTS:

AGENDA ITEM NO. 8.4

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	ADMINISTRATIVE MATTERS
SUBJECT:	Bid Award - Dewitt Elevated Tank Rehabilitation Project
BACKGROUND:	Director of Public Works/Engineering Services Steve Duffy may be called upon to present this agenda item. The Letter of Recommendation and Summary of Bid Opening are attached.
SUGGESTED ACTION:	Council is requested to make award for the Dewitt Elevated Tank Rehabilitation Project.

ATTACHMENTS:

Peak Agenda Attachment - Letter of Recommendation and Summary of Bids - Dewitt Elevated Tank Rehabilitation Project 12.5.22.pdf

TOWN OF ELIZABETHTOWN, NC

Public Work Department

401 West Swanzy Street
Post Office Box 700
Elizabethtown, NC 28337
(910) 862-2035 office
(910) 862-6151 fax

December 2, 2022

Attention: Dane Rideout

Town of Elizabethtown
805 W. Broad Street
Elizabethtown, NC 28337

Re: DeWitt Street Water Tank Rehabilitation Project – Bid Recommendation

Mr. Rideout

Please find attached the bid tabulation on the above referenced project for your use. We have reviewed the bids and offer a recommendation to award the contract to E & L Contractors in the amount of $491,000.00.

Once the Council has acted on this information, please advise so we can initiate contract execution and set the Notice to Award date.

Should questions arise, please feel free to contact me for clarification.

Respectfully Submitted,

Stephen Duffy
Director, Public Works

Attachment: Bid Tabulation

TOWN OF ELIZABETHTOWN

SUMMARY OF BID OPENING
Bids Accepted - December 1, 2022 at 10 am

Dewitt Elevated Tank Rehabilitation Project

[redacted]	[redacted]	[redacted]	[redacted]
E&L Contractors, Inc.	10303 Bergin Road, Howell, MI 48843	$ 24,550.00	$ 491,000.00
Leary Construction Co., LLC	32 E. Pierson Street, Greenfield, IN 46140	$ 27,415.42	$ 548,308.38
Utility Service Co., Inc.	535 Courtney Hodges Boulevard, Perry, GA 31069	$ 31,650.00	$ 633,000.00
Viking Painting, LLC	10905 Harrison Street, LaVista, NE 68128	$ 32,245.00	$ 644,900.00
D and M Paint	1500 Amity Ridge Road, Washington, PA 15301	$ 36,987.00	$ 739,740.00

Verified as correct:

By: [signature]

Date: 12/2/2022

AGENDA ITEM NO. 8.5

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	ADMINISTRATIVE MATTERS
SUBJECT:	Budget Amendment #2023-01
BACKGROUND:	Finance Director Sharon Penny brings forth Budget Amendment #2023-01 for Council consideration. If there are any questions, please call upon Mrs. Penny for further explanation.
SUGGESTED ACTION:	Council is requested to approve the Budget Amendment.

ATTACHMENTS:

Budget Amendment #2023-01 (12-05-22).xlsx

TOWN OF ELIZABETHTOWN
BUDGET AMENDMENT #2023-01
December 5, 2022

Account Number	Description	Amount	Justification
Revenue			
10-3250-305	Street Improvement Project Revenue	$ 1,275,128.00	Balance of loan for street improvement project
10-3300-395	Fire Dept. Miscellaneous Revenue	$ 5,000.00	County ARPA appropriation
10-3500-310	Court Costs & Fines	$ 355.00	Fees received for serving warrants
10-3500-313	Federal Drug Revenue	$ 1,561.00	Seized assets from federal gov. for police dept.
10-3500-320	Insurance Refunds	$ 4,281.00	Wrecked police car 6/6/2022
10-3500-331	Miscellaneous Revenue	$ 7,610.00	Sale of sheet metal, credit card cash back rewards, off duty security reimb., reimbursement for attorney fees for foreclosures
10-3900-301	General Fund - FB Appropriated	$ 71,000.00	
10-3900-301	General Fund - FB Appropriated	$ 265,834.00	
	TOTAL	$ 1,630,769.00	
Expenditures			
10-4520-399.05	Street Improvement Project - Resurfacing	$ 275,128.00	
10-4520-399.08	Street Improvement Project - Repairs	$ 1,000,000.00	
10-4340-461	Fire - Non Capitalized Equipment	$ 5,000.00	
10-4310-500	Police - Equipment	$ 6,197.00	
10-4145-200	Public Services - Operations & Services	$ 1,786.00	
10-4120-218	Admin - Computer Software & Supplies	$ 4,400.00	
10-4310-121	Police - Salaries	$ 1,424.00	
10-4310-500	Police - Capitalized Equipment	$ 55,000.00	Carryover from FY 21-22. Replacement cars not purchased
10-4340-353	Fire - Vehicle Repairs	$ 16,000.00	Ins. Reimbursement received June 2022. Repairs to fire truck to be done this year.
10-4110-500	Governing Body - Capitalized Equipment	$ 35,000.00	ARPA Funds - AV equipment for council chambers
10-4510-500	Streets - Equipment	$ 65,000.00	ARPA Funds - Downtown lighting
10-4510-359	Streets - M & R Grounds	$ 30,000.00	ARPA Funds - Downtown maintenance
10-4120-462	Admin - Non Capitalized Equipment	$ 5,300.00	Replacement computers
10-4150-500	Technology - Capitalized Equipment	$ 55,000.00	New server
10-4130-462	Finance - Non Capitalized Equipment	$ 5,300.00	Replacement computers
10-4510-500	Streets - Capitalized Equipment	$ 7,832.00	Replacement mower
10-6120-359	Parks - M & R Grounds	$ 4,800.00	Returfed grass on ballfield at Leinwand Park
10-6150-359	Airport - M & R Grounds	$ 26,200.00	Spraying airport grounds
10-6170-690	Appropriations - Interfund Transfers	$ 31,402.00	Loan payment #2/10 to Water Fund for Fire & Rescue Building
	TOTAL	$ 1,630,769.00	

DULY ADOPTED this 5th day of December, 2022 by the Elizabethtown Town Council at Elizabethtown, North Carolina

_____
Sylvia Campbell, Mayor

_____
Dane D. Rideout, Town Manager/Budget Officer

ATTEST: _____
Juanita Hester, Town Clerk

AGENDA ITEM NO. 8.6

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
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 November 2022. Mrs. Penny may be called upon to give a brief presentation of the information.
SUGGESTED ACTION:	Council is requested to approve the Monthly Financial Report.

ATTACHMENTS:

November 2022 Financial Summary.pdf

ELIZABETHTOWN as of November 30, 2022

BUDGET & FINANCE SNAPSHOT

FISCAL YEAR 2022-2023 REVENUES

42% YEAR COMPLETED

Revenue Sources	Fiscal Year Budget	Actual Y-T-D as of 11-30-2022	% of Budget
GENERAL FUND			
Ad Valorem & BID Taxes	1,654,000	1,121,494.51	67.8%
Vehicle Taxes	185,000	33,989.82	18.4%
Local Option Sales Taxes	700,000	157,806.94	22.5%
Utility Franchise Taxes	290,000	0.00	0.0%
ABC Revenue	105,000	26,250.00	25.0%
Powell Bill	114,000	56,285.22	49.4%
Street Improvement Project Loan	0	174,306.76	0.0%
Bladen Fire District	206,000	141,250.67	68.6%
Solid Waste fees	1,067,000	461,731.84	43.3%
Permits & Fees	26,350	11,517.00	43.7%
FEMA reimbursement	0	0.00	0.0%
Rental Income	104,000	19,515.15	18.8%
Salary & Admin. Reimbursements	79,669	23,850.14	29.9%
Miscellaneous Revenues	106,000	66,606.85	62.8%
Federal ARPA Funding	538,280	157,410.59	29.2%
General Fund Balance Approp.	223,471		0.0%
TOTAL GENERAL FUND	**5,398,770**	**2,452,015.49**	**45.4%**
WATER FUND			
Water fees	717,570	360,341.50	50.2%
Sewer fees	881,820	408,551.22	46.3%
Miscellaneous Revenue	135,200	69,606.87	51.5%
Utility Fund Balance Approp.	0		0.0%
TOTAL WATER FUND	**1,734,590**	**838,499.59**	**48.3%**

FINANCIAL REPORT

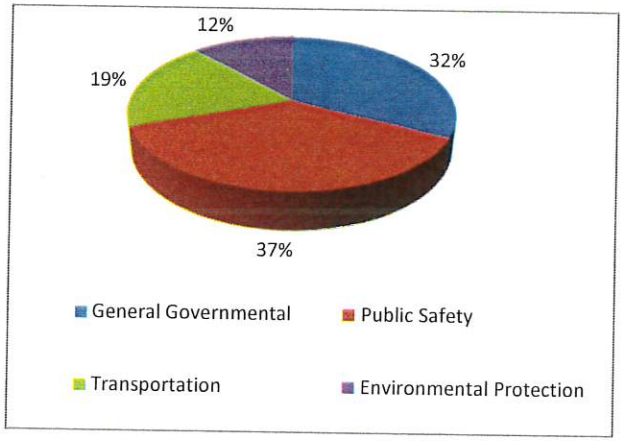
As indicated in the table to the left, Elizabethtown has received $2,452,015 of its General Fund budgeted revenues during the reporting period, which began July 1, 2022. $838,500 of the Water Fund budgeted revenues has also been received. As of November 30, 2022, 62% of the current year appropriation for property taxes has been collected.

The total percentage of revenue received in the general fund and the water/sewer fund combined is 46%.

BUDGET & FINANCE SNAPSHOT

FISCAL YEAR 2022-2023 EXPENDITURES

Department	Fiscal Year Budget	Actual Y-T-D as of 11-30-2022	% of Budget
Governing Body	43,200	53,904.60	124.8%
Administration	517,795	248,884.83	48.1%
Finance	276,100	115,271.18	41.7%
Public Works	412,876	133,624.92	32.4%
Public Facilities	122,475	53,243.09	43.5%
Police	1,461,039	556,547.18	38.1%
Fire	919,234	438,048.44	47.7%
Streets	486,269	332,226.77	68.3%
Powell	114,000	0.00	0.0%
Street Improvement Project	-	174,306.76	0.0%
Solid Waste	570,000	190,812.07	33.5%
Planning & Economic Develop.	139,102	53,943.74	38.8%
Recreation	44,700	29,915.41	66.9%
Airport	79,669	61,431.03	77.1%
Special Appropriations	152,111	77,402.00	50.9%
GENERAL FUND TOTAL	**5,338,570**	**2,519,562.02**	**47.2%**
	WATER FUND		
Water	808,404	382,199	47.3%
Sewer	826,186	312,973	37.9%
Tank Maintenance & Transfer Out	100,000	33,333	33.3%
WATER FUND TOTAL	**1,734,590**	**728,504.81**	**42.0%**



As of November 30, 2022, Elizabethtown has expended $2,519,562 of this fiscal year's $5.3 million General Fund operating budget and $728,505 from it's Water Fund budget. The total expenditures for the combined funds equate to approximately 46% of the current operating budget.

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

REVENUE OVER/(UNDER) EXPENDITURES

GENERAL FUND	60,200	$	(67,547)
WATER FUND	0	$	109,995
TOTAL COMBINED FUNDS	**0**	**$**	**42,448**

AGENDA ITEM NO. 9.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
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.
SUGGESTED ACTION:	Council is requested to hear the reminders and announcements.

ATTACHMENTS:

Peak Agenda Revised - Briefly 12.5.22.pdf

Peak Agenda Attachment - Department Head Update Report - December 2022.pdf

To: Mayor and Town Council

From: Dane Rideout, Town Manager

Subject: "Briefly"

Date: December 5, 2022

The following items are provided as information to Council:

- The Department Head Update Report for December 2022 is provided as a separate attachment.
- The December 20th Chamber Member meeting will be a social event at 6:00 p.m. at Lu Mil to include a tour of the Festival of Lights **(ATTACHMENT)**.
- In observance of Christmas, the Town offices will be closed on December 23rd, December 26th and December 27th.
- In observance of New Year's, the Town offices will be closed on Monday, January 2nd.
- The Town Employee Recognition event for this year will be December 15, 2022 at Noon. The event will be held at the Elizabethtown Presbyterian Church's PAC Building. We look forward to having Council Members join us for this event.
- The Chamber of Commerce Annual Meeting/Banquet will be held on January 19, 2023 at 5:30 p.m. at Lu Mil Winery.
- The Martin Luther King Day Parade is scheduled for Monday, January 16, 2023 at 11:00 a.m.
- Director of Communications and Marketing Terri Dennison provides a list of holiday events taking place in our community **(ATTACHMENT).**
- Notice provided as to scheduled Military Training in our area from Dec. 7–22, 2022 **(ATTACHMENT).**

FOR THE MONTH OF DECEMBER

12/07 – Joe Butler, Police Sergeant
12/08 – Herman Lewis, Council Member
12/09 – Greg Taylor, Facilities & Public Services Manager
12/10 – Rusty Worley, Planning Director
12/12 – Bryan Hickman, Police Officer
12/15 – Sherry Lanier, Utility Technician
12/20 – Roger Thomas Davis, Police Detective
12/21 – Tracy Priest, Equipment Mechanic

Juanita Hester

From: Terri Dennison <tdennison@elizabethtownnc.org>
Sent: Friday, December 2, 2022 8:26 AM
To: Juanita Hester
Subject: Event Invite

We are making our December Member Meeting a social event and your family is invited. Join us as we travel through the Lu Mil Festival of Lights on their open air bus. Please register early as space is limited. There is no charge for the tour to you or your family, compliments of Lu Mil Vineyard.

You are invited!

Event: Chamber night at Lu Mil Festival of Lights

Date: 12/20/2022 at 06:00 PM

Details:

Join us for Chamber night at Lu Mil Festival of Lights.

Chamber members can bring their families to tour the Festival of Lights on Lu Mil's open air bus. There is no charge.

Gather at Doc's Deck for a reception with light refreshments and mingle from 6PM - 6:15PM.

After the tour, families can choose to explore grounds with the "On the Farm" Kiddie Land, visit with Santa or even enjoy the country buffet ($14 per person).

CHRISTMAS AT THE FARMERS MARKET

This year, as part of the "Bladen County Christmas – 30 Days of Celebration", the Elizabethtown – White Lake Area Chamber of Commerce is promoting activities at the Cape Fear Farmer Market on all four Saturdays leading up to Christmas.

The schedule includes:

Saturday, December 3, 2022 – ALL ABOUT THE KIDS

-9am: Karate demonstrations
-10am: Grinch Story hour
-11am: Gingerbread Chopped Contest
-12 noon: Winners announced
-12pm – 1pm: Christmas Cookie Decorating
-12 noon – 2pm: Magician
-1pm-2pm: Ornament Making

Saturday, December 10, 2022 – SANTA PAWS & CLAWS

-9AM – 2PM: Santa Claus available for picture with pets
-Mini-adoption – Shelter Pets
-Pet micro-chipping
-Complimentary nail trimmings from Barking Lot
-Other vendors
-11AM – 12PM: Registration for Ugly Sweater Pet Costume Look-Alike Contest
-12PM: Winner Announced Pet Costume Contest ($10 Barefoot Brew Gift Certificate)

Saturday, December 17, 2022 – FOODIES CHRISTMAS

-9am – 2pm: Cooking Demonstration
-How to make a local gift basket
-Locally made Holiday drinks
-Local food related vendors
-Cake & Pie Contest
-9am – 10am: Drop off entrees
-12pm: Judging

The Chamber is looking for local talent and performers who would like volunteer to be part of the entertainment on any of the Saturdays. Anyone interested in performing should contact the Chamber office at 910-862-4368.

Vendors interested in participating should register with the Chamber to display from 9AM until 2PM. Tables will be on a first come, first served basis except for regular vendors who will have their reserved spots. Vendors can find the registration form at the Chamber's website or register under each event on the Chamber's calendar of events.

For more information, see the Chamber's website at www.elizabethtownwhitelake.com.

–Barefoot Brew
-Barefoot Sandwich Shop
–Bladen Builders Supply
–Burney's Sweets & More
-Faith Partners Christian Supply
–Leinwand's
–Lu Mil Vineyard, Dublin
-Main on Market, Bladenboro
-Mermaid Castle
-People's Emporium
–Ray's Furniture
-Shena's Uniforms & Boutique
-The Wake Shop, White Lake
–Toddler's & Teens Boutique
-Traxx Vintiques, Clarkton
–Whimsical Florist & Gifts
–Yia Yia's Gifts & More

THIRD ANNUAL LIGHTING OF THE LAKE KICKS OFF WITH EVENTS AT WHITE LAKE

Both Camp Clearwater and Godlston's Beach will host events on Saturday, December 3 as a celebration for the kick-off of the 3 rd Annual Lighting of the Lake Holiday Dock Decorating Contest.

The Grand Regal is hosting a Saturday with Santa at the Arcade starting at 3pm, smores and crafts.

Camp Clearwater will host a Christmas Tree Lighting at 6pm which includes Santa, food vendors, crafts and a performance by Sweet Potato Pie band.

Lighting of the Lake was started in 2020 as a way to attract people to visit White Lake during the holiday season. Docks and Pier. "We are hoping to see a lot more docks registered this year," Chamber Executive Director, Terri Dennison said. "Decorations must be up by December 3 and people can vote on their favorites until Sunday, December 18."

Dennison added that the Lighting of the Lake is a great companion to the already popular the "Bladen County Christmas – 30 Days of Celebrations".

The contest is open to all residents, neighborhoods and businesses around White Lake. Rules for the contest are:

•Participants must register before Wednesday, November 30. Registrations are available on the Chamber's website (www.elizabethtownwhitelake.com) or at the White Lake Town Hall. Registration forms can be dropped off at the White Lake Town Hall's drive thru and nightly deposit.

•Lights should be on a timer set for 6-10pm daily.

•Lights should be up by Saturday, December 4 and stay up until at least Dec. 24.

There are four viewing points: White Lake Marine, Goldston's Pier, Camp

Clearwater, and Timberlodge Pier. Signs will direct visitors to the viewpoints.

Visitor's will have a chance to vote on their favorite on-line at the Chamber's website until Sunday, Dec. 18. First, second and third place will be awarded in the Business and Residential category. One overall winner will be named in the Community Pier category Winners will be announced the week of Dec. 21

Tree Decorating Contest Reservations Now Being Taken for Christmas at the Farmers Market

The Elizabethtown-White Lake Area Chamber of Commerce and Cape Fear Valley Health are sponsoring a Christmas Tree Decorating Contest as part of Christmas at the Farmers Market. Individual, families, and organizations are encouraged to reserve and decorate a live Christmas Tree by November 26.

The theme of this year's contest is "Christmas Past, Present & Future". Participants are encouraged to decorate their tree based on the theme. There is a limit of 10 trees. Sponsorship and reservation of a tree is $20, which will benefit the Empty Stocking Fund. Trees can be decorated between Tuesday, November 8 and Friday, November 25.

Starting with the Shop Local weekend after Thanksgiving, visitors to the Farmers Marketwill be able to vote on their favorite tree for $1, which will also go to the Empty Stocking Fund. Visitors will be able to vote during every Saturday of the Christmas at the Farmers Market Celebration. At 1:30pm on Saturday, December 17, the votes will be counted and the first, second and third place prizes will be announced at the Tree Lighting Ceremony.

The idea is to bring a sense of hope to everyone this holiday season," Chamber Executive Director Terri Dennison said. Christmas at the Farmer's Market is part of the overall "Bladen County Christmas – 30 Days of Celebration".

Pre-reservation of tree is required. The trees will be inside the building. The trees will be pre-lit.

Reservation forms are available at the Chamber website – http://www.elizabethtownwhitelake.com/christmas. Interested people or organizations can call the Chamber at 910-862-4368 or stop by the office at 207 E. Broad St, Elizabethtown.

ATTENTION RESIDENTS

THE MARINES AND SAILORS OF THE 26TH MARINE EXPEDITIONARY UNIT WILL BE CONDUCTING TRAINING IN YOUR AREA.

7 – 22 DECEMBER 2022

Marines.mil: http://www.26thmeu.marines.mil/
DVIDS: https://www.dvidshub.net/unit/26MEU

@26meu
@26meu
@26meu

YOU MAY EXPERIENCE THE FOLLOWING

- **AN INCREASE PRESENCE OF MILITARY VEHICLES AND AIRCRAFT**
- **AN INCREASE IN NOISE FROM LOW FLYING AIRCRAFT**

THIS TRAINING SHOULD HAVE MINIMAL IMPACT ON YOUR COMMUNITY, BUT SHOULD YOU HAVE ANY QUESTIONS OR CONCERNS, PLEASE CALL (910) 440-2156.

Department Head Updates

December 2022

COMMUNICATION AND MARKETING

Terri Dennison

PORK & BEATS FESTIVAL – November 4 & 5th

The Town Staff was busy the first week of the month leading up to Pork & Beats Festival. The 2-day event was enjoyed by many. A total of 11 teams competed in the BBQ competition which resulted in over 800 plates being sold. We had over 50 vendors and 4 food vendors selling "anything but pork". Entertainment included the East Bladen Marching Band, 87 & Pine and Blackwater.

DAY OF GIVING AWARENESS – November 15th

Several local non-profits displayed at the Cape Fear Farmers Market on Tuesday, November 15 as a way to build awareness of their monetary and financial needs in anticipation of Giving Tuesday. The function was coordinated by T. Dennison and the Chamber of Commerce. A Chamber Member Breakfast Meeting was held that morning.

SHOP LOCAL SATURDAY, CHRISTMAS PARADE & TREE LIGHTING.

Elizabethtown was bustling with activity over the November 25-27 weekend with Shop Local in Downtown stores.

Many merchants participated in the Elf Scavenger Hunt, which goes on until December 18.

About 11 vendors displayed at the first Christmas at the Farmers Market.

Terri Dennison worked with the Garden Club to decorate the live tree at the Farmers Market. Ten other trees will be decorated in the Farmers Market.

Over 60 entries participated in the Christmas Parade down Broad Street.

The largest group to date participated in the Christmas Tree Lighting on the Courthouse yard, which ended with a candlelight caroling session.

Star Communication filmed the parade and tree lighting for future showing and to provide footage. WWAY TV and the Bladen Journal covered the event. WWAY did a live remote for their 6pm news on Sunday. Santa, Mayor Campbell and Terri Dennison were also interviewed for a segment that aired on WWAY later that evening.

Christmas at the Farmers Market with continue for the next 3 Saturday. The themed events are being coordinate by Terri Dennison and the Chamber with several partners: NC Extension Office – Bladen County, Barking Lot, Elizabethtown Vets, Barefoot Brew, Barefoot Sandwich Shop, Burney's Sweets & More, and Lu Mil Vineyard.

Christmas Activities Promotion:

- 1/8th page Destination Ad in the November issue of *Our State* Magazine.
- Cover and 4 page article in the *Carolina Traveler Magazine* – print and on-line version
- ½ page ad in Seasons Magazine, inserted in the Bladen Journal
- Poster with over all events distributed
- Press releases on all events sent to state and local media

The Chamber Annual Meeting and Awards Program:
The Chamber announced that the Annual Meeting will be held Thursday, January 19 at LuMil Vineyard. A call for nominations for their Annual Awards program was sent out.

Year of the Trail Festival Weekend:
Plans continue for the February 17-19 Year of the Trail Festival with local hotels, attractions, campgrounds, state parks, state forest and hiking groups participating in the effort.

ELIZABETHTOWN AIRPORT
Mitch Taylor

Stats for the month of November 2022

Recorded Aircraft Operations	425
Aviation Gasoline Sales	321 Gallons
Jet Fuel Sales	2856 Gallons
Sales Revenue	$15,452

FIRE DEPARTMENT

Hollis Freeman

- **Fire Calls: 6**
- **EMS Calls: 2**
- **Other Type Incidents: 12**
- **Total Calls for the month of November: 30**
- **Total Training Hours by Members for November: 259 Total Hours**
- **Total Hydrants Tested: 30**
- **Total Pre-Plans: 12**
- **Total Inspections Completed: 20**

Events

- **Pork and Beat's Festival November 5th**
- **Elizabethtown Christmas Parade November 27th**

POLICE DEPARTMENT

Tony Parrish

Stats for 10/31- /11-27	
Calls for Service	349
Reports Taken	48
Arrests	9
Traffic Collisions	15
Traffic Citations	22
Warning Tickets	3

Flock ALPR Cameras results for this period:

1. Located two (2) stolen vehicles; with approximate value of $63,300.00.
2. Located one (1) stolen license plate.

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

All routine daily sampling, testing, monitoring, and documentation requirements were completed for both the drinking water and wastewater conveyance operations. Staff responded and repaired 2 leaks and performed 5+ service calls for various reasons. Additionally, there were 198 meter reads/re-reads, and 12+ locate tickets for the month. Three taps were provided to service customers. Flushing of sewer lines was performed at 1 residence on the town's side of the clean-out and 1700 linear feet of line was flushed in accordance with our NPDES permit. At our Lower Street Lift Station the motor and gearbox were removed and replaced with identical equipment from our Martin Luther King Drive List Station. The Water Department team continues to perform a considerable amount of housekeeping in all phases of their operation, including vehicles, work areas and storage. Multiple personnel have been participating in additional certification training.

Figure 2 - Tap @ New Medical Facility Broad Street

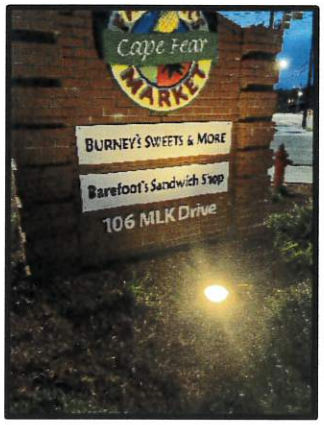
Figure 1 - Leak Repair @ Lower Street

Wastewater Treatment Plant - Hugh Bledsoe

All routine sampling, testing and general plant operating processes were executed as required. Plant equipment preventative maintenance has been completed as required. Our Sequencing Batch Reactors (SBR) Programmable Logic Controllers (PLC) failed on the #1 SBR Decanter motor. Motor was replaced and SBR is currently operational. The decanter on SBR #2 is not operational and replacement parts are proving difficult to locate. The decanter can be operated manually (not optimal). Hugh Bledsoe is trying to locate a screw jack for the decanter. EL Robinson has delivered partially completed plans for the plant rehabilitation and expansion project. We are expecting the completed full set by mid-December. No violations were reported in the NPDES Discharge Monitoring Report for the month. In an effort to reduce sludge removal events sludge has been thickened. Biosolids remaining from the last sludge removal effort in the first half of 2022 have been completely removed from the drying beds and disposed of through the landfill. We have continued to discuss SCADA upgrades with Dorsett Technologies in conjunction with the plant upgrade. Ideally we could execute the immediate upgrade on existing systems and be reimbursed from the upgrade project funding when the new equipment is added to the SCADA. We are discussing it with DEQ for direction.

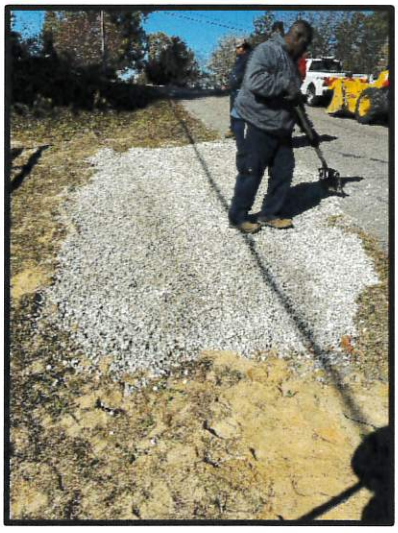
<u>Facilities Management</u> – Greg Taylor

Mr. Taylor has been very busy chasing electrical repairs and lighting installation efforts throughout town. Lighting for the Christmas season has been put out for everyone's enjoy through the season. Many GFCI outlets needed to be replaced in downtown due to wear and tear. A new blower motor was installed at Public Works for HVAC controls in the conference room. Lights on the Farmers Market sign at King St and Martin Luther King Dr was repaired. A couple of public rest facilities toilets and sinks were repaired just before the Pork and Beats Festival. Several other popup maintenance and small repair issues were addressed. While paving has been active in town Mr. Taylor has been tracking and measuring patches and pavement work to ensure appropriate billing by the contractor. Additionally, Greg has started his training for his level 2 wastewater operators certification.



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

Pork and Beats setup and clean up went off very smoothly and staff was quick to get involved and assist with the effort. Christmas Season is in full effect. Staff has been busy testing, setting up and installing Christmas decorations throughout town and particularly in the Downtown area. A large cleanup effort was undertaken on Elizabeth Street going out to the Head Start facility. Thick brush, small trees and a large dead fall from Storm Ian were cleared and removed from the road and shoulders. The shoulder along E. Swanzy St. at S. Lower St. was graded in preparation for paving and patching efforts. 2 loads of stone and soil were brought in and effort to stabilize the shoulder for paving and reduction of erosion.



Fleet Maintenance - Tracy Priest

Mr. Priest serviced 3 mowers, 4 small equipment items and other equipment, 8 large pieces of equipment, 10 Police Vehicles, 6 Public Works Vehicles, assisted with Christmas decoration deployment, mowing, cleaning and maintenance at garage, trach collection and unloading supplies.

Janitorial Services - Joan Tew (Contracted)

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

TOWN CLERK

Juanita Hester

The follow-up and distribution of documents approved at the November 7, 2022 Town Council meeting were handled by the Clerk.

- Notices were prepared for the closing of the Town offices in observance of Veterans Day and Thanksgiving.
- Clerk prepared the 11/7/2022 Closed Session meeting minutes.
- Prepared for Manager's review, the Staff Meeting outline for the December 5, 2022 Town Council meeting.
- The Clerk prepared the Public Hearing Notices for the December 5th Council meeting for publication in the "Bladen Journal".
- Letters to property owners and certifications were prepared by the Clerk for the Manager's signature for the December 5th Rezoning Requests.
- In coordination with the Manager, the Clerk prepared the December 5, 2022 Town Council meeting agenda material, posted the information to the Town's webpage and made distribution to Town Council and Department Heads. In addition, the Clerk made notification to the Press that agenda had been posted for their information.
- Upon a family member request to Mayor Campbell, the Clerk prepared the Resolution in Honor and Memory of Mrs. Mae Ola Sheridan. Mrs. Sheridan passed in November 2022 at the age of 104. The Resolution in her honor and memory will be presented to family members on December 5, 2022.
- Weekly Friday Memos were prepared by the Clerk and distribution made to Town Council and Department Heads.
- Per email request received by Director of Communications and Marketing Terri Dennison, the Clerk provided copy of the application made to the N.C. Tobacco Trust Fund for the Farmer's Market project to Mt. Olive Town Commissioner Barbara Kornegay. Mt. Olive will be making application for a Farmer's Market in their town.
- On November 29, 2022, Clerk made notification to Mrs. Theresa Lloyd at Paul R. Brown Leadership Academy of Town Council's 12/5/22 meeting at 7:00 p.m. so that arrangements may be made for the Cadets to be available at the Council meeting for presentation of the Colors and Pledge of Allegiance.

Town Planner
Rusty Worley

- The Rural Transformation Grant for the Accent Dye property for $332,500 time limit has expired and terms could not be reached with the owners of the property. Since we do not have an alternative property to fit the scope of the project these funds will have to be forfeited.
- The Town has received a grant for 2.575 million dollars to construct a 11,000 square foot community center.
- Live Work Play, site plan has been completed by SFL&A Architects, and a Master Plan is now being developed for the project.
- The Planning Board met on November 22, 2022, and had discussion on accessory buildings, changes to the ordinance and now being prepared for Council.
- Rezone request for three parcels by Rebuild NC to replace three mobile homes that currently have mobile homes but zoning is not R-12 which is now required have been approved by the Planning Board and will be presented at December Council meeting.
- Insight Incorporate has started the Annexation Plan for the Industrial Park

Zoning Permit Issued	8
Certificate of Occupancy Issued	2

Investigations:	Nature	Condition
401 Harwood Street	Accessory Structure non-compliant	No Response
415 Harwood Street	Accessory Structure non-compliant	Being Corrected
502 Blanks Street	Construction Debris	Corrected
2215 Murray Street	Abandon Mobile Homes	No Response
604 Queen Ct	Overgrown Lot	New Owner

AGENDA ITEM NO. 10.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
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:

AGENDA ITEM NO. 11.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
SUBMITTED BY:	Juanita Hester
ITEM TYPE:	Request
AGENDA SECTION:	CLOSED SESSION
SUBJECT:	Closed Session
BACKGROUND:	Closed Session is needed in accordance to NCGS 143-318.11(a)(3) - Attorney-Client Privilege and NCGS 143-318.11(a)(4) - Economic Development.
SUGGESTED ACTION:	Mayor Sylvia Campbell will entertain a motion and a second to enter into Closed Session for the purposes of NCGS 143-318.11(a)(3) - Attorney-Client Privilege and NCGS 143-318.11(a)(4) - Economic Development.

ATTACHMENTS:

AGENDA ITEM NO. 12.1

Item Cover Page

COUNCIL AGENDA ITEM REPORT

DATE:	December 5, 2022
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: