



CITY OF LUMBERTON
CITY COUNCIL
MINUTES • SEPTEMBER 11, 2023

Regular Meeting

Council Chambers

6:00 PM

500 N Cedar St, Third Floor, Lumberton, NC 28358

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Excused	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Mayor Pro Tem	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Excused	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation –

C. Pledge of Allegiance –

D. Invocation: Pastor Josh Owens, First Baptist Church –

E. Pledge of Allegiance: Councilman Eric Chavis –

II. RECOGNITION OF LUMBERTON'S DIXIE ANGELS SOFBALL TEAM

The Lumberton Dixie Angels Softball team: Lacie Campbell, Sadie Smith, Taylor Stone, Lucy Connor, Brook Fleury, Lacie Lewis, Caroline Walton, Haven Sampson, Aydan Davis, Zyriannah Rogers, Brookes Baffaro and Khloe Carter, along with coaches Chris Connor, Nick Baffaro and Amanda Smith were recognized for an outstanding season by completing an undefeated season through the Dixie Softball World Series becoming World Series champions. They were presented with plaques from City Council and a standing ovation from all in attendance.

Events

III. PUBLIC COMMENT PERIOD

Ms. Tomeika Munn appeared before Council as a representative of United Way of Robeson. She stated that she is the administrator for the Dolly Parton Imagination Library program. She stated that it's not often that we come before you seeking your help with this program; however, we have 3,500 children in this program and 1,343 are within the City of Lumberton.

IV. PUBLIC HEARINGS:

Planning Board Minutes - August 22, 2023 – ArTriel Kirchner, Planning Director
The minutes from the August 22nd, 2023 Planning Board are available for review.
<< Recommendation >>

RESULT: NOT APPLICABLE

- A. Jason Britt Rezoning Request - Old Whiteville Rd./202 Taylor Dr. MHP – ArTriel Kirchner, Planning Director

Jason Britt is requesting to rezone property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007), from M-1 (manufacturing) to R-20 (residential mobile home park) for the development of a mobile home park.

The planning staff recommends that City Council hold tonight's public hearing, entertain public comment and approve the request.

RESULT: WITHDRAWN

- B. Jason Britt SUP Request - Old Whiteville Rd./202 Taylor Dr. MHP – ArTriel Kirchner, Planning Director

Jason Britt is requesting a special use permit property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007) for the development and operation of a mobile home park.

The planning staff recommends that City Council hold tonight's public hearing, entertain public comment and approve the request.

RESULT: WITHDRAWN

- C. Matthew Blanks Rezoning Request - 2406 N. Roberts. Ave. – ArTriel Kirchner, Planning Director

Matthew Blanks is requesting to rezone property located at 2406 Roberts Avenue (parcel # 3206-01-0071), from B-3 (office/residential) to B-4 (general commercial for the operation of a funeral home).

Future land use of the parcel as low intensity and is located in precinct 3.

Recommends that City Council hold tonight's public hearing and make a decision regarding this matter.

Mayor Davis opened the public hearing on a request to rezone property located at 2406 N. Roberts Avenue from B-3 (Office Residential) to B-4 (General Commercial) for the operation of a funeral home. City Clerk Mitchell-McIntosh presented the Affidavit of Publication showing that it public notice was advertised in The Robesonian.

Brittany Alvarado and Cathy Carmichael appeared to speak against the rezoning. The applicant did not appear.

No one else appeared to speak and the hearing was closed.

Councilman Carroll made a motion, seconded by Councilman Cantey, stating that the rezoning request is not conducive with the area and the parking concerns is a important issue. The motion carried unanimously.

RESULT:	DENIED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	John Cantey, Precinct 5
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- D. Request by First Baptist Church to Close Block of 6th Street – Holt Moore, City Attorney
At its meeting on August 7th, 2023, Council adopted a Resolution of Intent on a request from First Baptist Church, 606 N. Walnut Street, that the City officially close the block of E. 6th Street, between Pine and Walnut Streets. The rationale for the request is set forth in the attached letter from Senior Pastor Joshua Owens. Reports have been received from Staff and property owners have been notified. It was advertised in **The Robesonian** for four consecutive weeks.

That Council hold the Public Hearing, review the reports and render a decision.

Mayor Davis opened the public hearing on a request from First Baptist Church to close a block of 6th Street from Pine to Walnut Streets. City Clerk Mitchell-McIntosh presented the Affidavit of Publication showing that the public notice appeared in **The Robesonian** for four consecutive weeks.

Pastor Josh Owens appeared to speak as the applicant.

Councilman Cantey asked Rob Armstrong, Public Works Director, what issues if any would this cause. Director Armstrong stated that Public Works maintains a water line, sewer line and storm drain in this block and in this situation, we would suggest that we keep an easement the full width of the existing right-of-way and not allow permanent structures to be placed within the easement. The City would lose this section of street from the Powell Bill inventory.

Pastor Owens stated that they have no intention of placing any permanent structures. Councilman Cantey asked Pastor Owens how do they intent to close the block off? Pastor Owens could not answer that because they have no definite plan. City Attorney Moore suggested that it would probably be best if we state that it could be approved contingent upon a meeting with staff and representatives of the church to figure out the best way to close off the block.

No one else appeared to speak and the hearing was closed.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

V. MINUTES APPROVAL

- A. City Council - Regular Meeting - Sep 7, 2022 11:00 AM –

RESULT:	ACCEPTED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

B. City Council - Regular Meeting - Apr 5, 2023 11:00 AM –

RESULT:	ACCEPTED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

C. City Council - Regular Meeting - Jun 7, 2023 11:00 AM –

RESULT:	ACCEPTED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

D. City Council - Regular Meeting - Aug 7, 2023 6:00 PM –

RESULT:	ACCEPTED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

VI. CONSENT AGENDA

- A. Approve the Ratification of CRF for WH Knuckles School Supplies as follows: P5 - \$500 and P6 - \$300 for a Total of \$800. - City Manager
- Council made the following designations of CRF WH Knuckles Elementary School. The funds will be used to help with school supplies. The designations were done by telephone poll due to time constraints, and need to be ratified at today's meeting. The designations were: Precinct 5 - \$500 and Precinct 6 - \$300, for a total of \$800.

Ratify designations of CRF made during telephone poll.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- B. Ratification of Tanglewood Drainage Change Order - City Attorney
Council approved by telephone poll the attached change order from Terrahawk, the contractor for the Tanglewood Drainage project, which allowed for the closeout of the project. We now seek ratification of that poll.

Ratify change order.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- C. Approve the Ratification of CRF Designation of \$1,000.00 of CRF to Kiwanis of Robeson-Lumberton Children's Foundation as follows: P1 - \$125 P3 - \$125 P4 - \$125 P5 - \$100 P7 - \$125 P8 - \$300 and \$100 from the Mayor's Discretionary Fund - City Manager
Council made the following designations of CRF to Kiwanis of Robeson - All American Golf Tournament in support of Lumberton Children's Foundation. The tournament was held on August 19 & 20th at the Pinecrest Golf Club. The designations were done by telephone poll due to time constraints, and need to be ratified at today's meeting. The designations were: P1 - \$125 P3 - \$125 P4 - \$125 P5 - \$100 P7 - \$125 P8 - \$300 and \$100 from the Mayor's discretionary fund for a total of \$1,000.00.

Designate \$1,000.00 of CRF to the Kiwanis of Robeson-Lumberton for the Lumberton Children's Foundation as indicated above.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Eric Chavis, Precinct 7
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

VII. AGENDA ITEMS

- A. Adopt a Resolution Declaring Property Surplus to the Needs of the City and Authorize the transfer of a turnout gear dryer to Bladenboro Fire Department – Chris West, Fire Chief

Lumberton Fire Department requests permission to donate a 1996 model UniMac Turnout Gear Dryer to Bladenboro Fire Department. The Lumberton Fire Department recently upgraded the dryer to a NFPA compliant system that can accommodate the need of laundering structural firefighting gear and fire hose. Bladenboro Fire Department reached out to request the opportunity to obtain the older unit for their department. The Fire Department would like to recommend that City Council adopt the attached Resolution Declaring the 1996 turnout gear dryer surplus and approve the transfer of the said equipment to the Bladenboro Fire Department.

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- B. Adopt a Resolution Declaring Property Surplus to the Needs of the City and Authorize the donation of a cascade system to Lumberton Rescue – Chris West, Fire Chief
- Lumberton Fire Department replaced the Station 1 cascade system with Capital funding from the 2022-2023 budget. The compressor that was replaced was outdated and repair parts were difficult to secure. These challenges resulted in the system having extended down times. Lumberton Rescue has requested ownership transfer of the cascade system to fill their dive bottles. They will utilize the system less frequently and may be able to extend the service life of the machine.
- The Fire Department would like to recommend that Council adopt the attached Resolution Declaring Personal Property Surplus to the Needs of the City and donate the cascade unit to Lumberton Rescue & EMS.

RESULT:	APPROVED [6 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- C. Kenny Biggs LS Pump – Rob Armstrong, Public Works Director
- Public Works is working to update all lift stations along the South West Interceptor collection line to triplex stations and had budgeted \$65,000 in the Capital budget to purchase 1 new pump for the Kenny Biggs LS. Public Works has received a quote from Xylem Water Solutions USA, Inc., the sole source provider for these pumps for our region, in the amount of \$53,589.79.
- Public Works recommends council approval of the purchase of 1 60HP Flyght pump from Xylem Water solutions USA, Inc. in the amount of \$53,589.79.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

D. WWTP Influent PLC Upgrade – Rob Armstrong, Public Works Director

Public Works is seeking to update the now obsolete PLC controllers for the influent pumps at the Waste Water Treatment Plant. These pumps control all of the flow into the plant and are critical to its operation. Public Works budgeted \$40,000 for these upgrades. These PLCs have to be matched to the type of equipment they are controlling, as such, this is a single source item. Public Works received a quote from Lord & Company to replace these PLC controllers for the amount of \$54,417.00.

Public Works recommends council approval of the quote from Lord & Company in the amount of \$54,417.00, with funds coming from the capital code 60-00-8330-5560 (\$40,000) and 60-00-8330-5560 (\$14,417) from SCADA computer updates that was previously approved that can be postponed.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John Cantey, Precinct 5
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

E. Generator Service Contract – Rob Armstrong, Public Works Director

The City of Lumberton currently operates and maintains 37 generators across multiple lift station sites, the WTP, WWTP, EUD, Fire, Police, Garage, Rempac, and City Hall. Over the past 5 years the city has been in contract with Gregory Poole (Caterpillar) to perform the annual services on these generators twice per year. After discussion with all effected departments, staff would like to continue to work with Gregory Poole for this work by entering into a two-year maintenance agreement. The cost of this agreement would be \$43,128.94 per year for \$88,414.32 for two years. This is the total cost for all departments. Staff recommends council award the two-year generator maintenance service contract to Gregory Poole Inc. for the total two-year amount of \$88,414.32.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

F. Cricklewood Lift Station Pumps – Rob Armstrong, Public Works Director

The current pumps at the Cricklewood lift station are not designed to handle large debris, this

results in constant maintenance issues at the station. Public Works has received a quote from Tencarva Machinery Company in the amount of \$8,110.00 to replace the pumps with cutter pumps that are designed for large debris. Tencarava is the sole source for this type of drop in unit. A quote to modify and replace the pumps was also received from Xylem Water solutions in the amount of \$15,047.65.

Since this is not a budgeted capital item Public Works is requesting council approval to purchase the 2 new pumps from Tencarva Machinery Company in the amount of \$8,110.00 with funds being made available through savings in 60-00-8332-5960 (Kenny Biggs Lift Station Pump).

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

G. Forklift purchase – Rob Armstrong, Public Works Director

Public Works had previously budgeted \$30,000.00 in the capital code 60-00-8330-5560 for a new forklift to replace the old and undersized forklift at the Waste Water Treatment Plant. Public Works has located a new unit through Sourcewell at Cape fear Lift Trucks in Fayetteville NC in the amount of \$37,926.63.

Public Works recommends council approval of the purchase of the Doosan G33P-7 6500lb capacity forklift from Cape Fear Lift Trucks through Sourcewell in the amount of \$37,926.63. Funds would be available through 60-00-8330-5560 (\$30,000.00) and the balance coming from savings from prior capital purchases that we under budget in 60-00-8332-5960 (\$7,926.63 Lovette Rd and Pines pumps).

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

H. Purchase New Portable Sewer Bypass Pump – Rob Armstrong, Public Works Director

Public Works has \$65,000 allocated in the current Fiscal Year capital budget to purchase a new 6” run silent sewer bypass pump. We have found a Godwin pump on the H-GAC contract that meets our specifications for \$59,970.50 including freight.

Public Works is requesting Council approval to purchase a new 6” Godwin Run Silent Sewer Bypass Pump off of the H-GAC contract from Xylem, for \$59,970.50 to be paid from Capital Line Item 60-00-8221-5560

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	John Cantey, Precinct 5
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

I. Noir Street Sewer Evaluation Engineering Agreement – Rob Armstrong, Public Works Director

In August, based on staff recommendation, Council selected the Wooten Company as the engineer for the Noir Street Sanitary Sewer Outfall Evaluation. The next step in the professional service contract process is to approve an agreement for services and fees. Attached is the agreement proposed by the Wooten Company to handle the plans, specifications, bidding and construction management of the evaluation project for a fee of \$59,000 to be paid for by the NCDEQ AIA grant funding the overall project. Public Works is requesting Council approval of the Wooten Company the agreement for the Noir Street Sanitary Sewer Outfall Evaluation Engineering for a fee of \$59,000 to be paid for by the NCDEQ AIA grant funding the overall project.

Councilman Cantey asked about the Director Armstrong how much was that grant? He stated \$100K. Councilman Cantey stated that if we have to dig up a 100 yards of pipe what happens with the funding. Director Armstrong stated that it will not be paid for out of the grant. This grant will allow us to find out what is the problem and then we will come back and make it a capital project.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

J. Flood Gate Engineering Contract Amendment #4 – Rob Armstrong, Public Works Director

The floodgate design is 95% complete and plans are being reviewed by the North Carolina permitting authority. The State agency reviewing the project is requiring us to provide additional geotechnical soils information along with a plan to pump out the internal impounded water around the floodgate area when the gate is closed. Also additional project management expenses are being incurred as the project slowly progresses. Attached is amendment #4 to the Akins Global contract, adding \$646,317.48 to the current contract, bringing the total engineering contract to \$2,273,668.13

Public Works is requesting approval of amendment #4 to the Akins Global contract, adding \$646,317.48 to the current contract to be paid for out of State Appropriated funds to the project.

RESULT:	APPROVED [6 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	John Cantey, Precinct 5
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- K. Adopt a Resolution to apply for a NCDEQ PFAS Wastewater Plant Study grant – Rob Armstrong, Public Works Director

Public Works would like to apply for a NCDEQ grant to study potential PFAS chemical compound impacts and removal solutions at the Wastewater Treatment Plant (WWTP). These are new grant opportunities of up to \$500,000 offered by the State specifically for evaluating PFAS. The attached resolution is required to be submitted with our grant application.

Public Works is requesting Council to adopt a resolution to apply for a NCDEQ grant to study potential PFAS chemical compound impacts and removal solutions at the Wastewater Treatment Plant (WWTP).

RESULT:	ADOPTED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- L. Adopt a Resolution to apply for a NCDEQ PFAS Water Plant Study grant – Rob Armstrong, Public Works Director

Public Works would like to apply for a NCDEQ grant to study potential PFAS chemical compound impacts and removal solutions at the Water Treatment Plant. These are new grant opportunities of up to \$500,000 offered by the State specifically for evaluating PFAS. The attached resolution is required to be submitted with our grant application.

Public Works is requesting Council to adopt a resolution to apply for a NCDEQ grant to study potential PFAS chemical compound impacts and removal solutions at the Water Treatment Plant.

RESULT:	ADOPTED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- M. Contiguous Annexation Request - Ernest McArn- 44 Lorraine Dr. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Ernest McArn, Sr. and Gladys B. Love, requesting a contiguous annexation of property

located on Meadow Road parcel 10090102001, Deed Book 02326, pg. 037/Map Book 57, pg. 177. The property is currently zoned City of Lumberton Agriculture therefore a rezoning is not required. The property is located within the City's ETJ.

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for their October 2023 meeting.

RESULT:	REFERRED [6 TO 0]	Next: 10/9/2023 6:00 PM
MOVER:	Melissa Robinson, Precinct 2	
SECONDER:	John Cantey, Precinct 5	
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	
EXCUSED:	Rising, Howard	

N. Terry Wethington Contiguous Annexation - HWY 41 N. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation. Specifically, Terry Wethington is requesting a contiguous annexation of property located on NC HWY 41 N. parcel #10120200102 deed bk. 017595, pg #895 and parcel #10120200103, deed bk 00694, pg. 74. The property has been rezoned from agriculture to B7 for a proposed self-storage facility. Annexation is required for water and sewer services. The 2 parcels are located in ETJ.

The Land Use Plan designates the future use of this parcel as low intensity and is located in the ETJ.

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for their October 2023 meeting.

RESULT:	REFERRED [6 TO 0]	Next: 10/9/2023 6:00 PM
MOVER:	Melissa Robinson, Precinct 2	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	
EXCUSED:	Rising, Howard	

O. Special Use Permit Request - GMC Construction – ArTriel Kirchner, Planning Director
Greg Caulder with GMC Construction is requesting a special use permit for the creation of a 7-lot subdivision for residential stick-built homes, parcel #100203006 deed book 2397, pg. 596.

City Council review the request, refer the petition to the September 26th, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [6 TO 0]	Next: 9/26/2023 12:00 AM
MOVER:	Melissa Robinson, Precinct 2	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
ABSTAIN:	Davis	
EXCUSED:	Rising, Howard	

P. Declare 201 Dresden Surplus for Sale – Holt Moore, City Attorney

The property located at 201 Dresden Ave was acquired by the City in foreclosure. Council authorized that it be declared surplus and for staff to conduct a sealed bid sale, which we have done. We expect to have one or more bid by your September 11 for your approval.

Review and approve bid for 201 Dresden Ave.

The property located at 201 Dresden Avenue was sold at the price of \$10,000.

RESULT:	APPROVED [6 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

Q. Approval of NCDOT Taking of Portion of Humane Society Property – Holt Moore, City Attorney

As described in the attached memo, the City Attorney believes Council's approval is necessary for the conveyance proposed by NCDOT with regard to a small portion of the Humane Society property.

Approve transfer of property to NCDOT and funds to go to Humane Society.

RESULT:	APPROVED [6 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

R. Acceptance of Section of Thompson Road from NCDOT – Holt Moore, City Attorney

The attached map and picture depict a section of Thompson Road which is contained in the Southeast Crossroads Industrial Park. NCDOT has offered to turn this road over to the City. As the intent has been for the City to have control of all roads within the Park, staff recommends accepting the road. It is unclear at this point whether it will be needed in the future as a road or whether it will be converted to other industrial use. We refer to it as a portion of Thompson Road as Thompson Road predates I74 and actually continues on the other side of I74; we are only concerned with the area in the Park.

Accept the section of Thompson Road within the Industrial Park from NCDOT, to include approval of any necessary resolutions or other paperwork.

RESULT:	APPROVED [6 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

S. Declared Parcel Near Commerce & W 5th Surplus, Authorize Sale – Holt Moore, City Attorney

As you can see from the maps, we obtained a rather unusual parcel through foreclosure. It is an acre in size, surrounded on three sides by one parcel, and by a wooded parcel on the 4th, and has no visible access. The owner of the surrounding parcel has expressed interest in purchasing. Staff recommends the parcel be declared surplus so that a sealed bid sale can take place.

Declare subject parcel surplus and authorize sale.

RESULT:	APPROVED [6 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

T. Request by Robeson Co. Partnership for Children for Lease – Holt Moore, City Attorney
Please find attached to this agenda item a letter from the Executive Director of the Robeson County Partnership for Children requesting lease a small area, owned by the City, which is adjacent to their property, for various programming, for \$1 a year. A building, which had reached the end of its useful life, was just demolished at that location; a map is also included. The area is approximately .04 acres or just under 1800 sq. ft. Staff would envision something like a 5-year lease, with automatic renewals each year that after unless either party wished to cancel.

Lease property to the Partnership.

Mr. Tim Little appeared before Council and stated that this is the building that was burned and the floor has fallen in and that they have been using the space as storage. What they want to do is create an outdoor learning space for children, fenced in of course for safety reasons.

RESULT:	APPROVED [6 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

U. NCDOT Offer - p214 – Holt Moore, City Attorney

Staff has negotiated the purchase of an area, which is almost all easement, on Capuano Drive, entitled P214 in the State records. Descriptive documents are attached.

Agree to proposal reached with NCDOT.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Eric Chavis, Precinct 7
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

V. NCDOT Offer - P269 – Holt Moore, City Attorney

Staff has negotiated a price of \$26,880 for Parcel number P269 with NCDOT. Information about the right of way and easements needed is shown on the attached maps.

Approve purchase of P269.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

W. Authorize HVAC Engineering Design for City Hall – Brandon Love, Deputy City Manager

On July 27, 2023 a Request for Qualifications (RFQ) for engineering services was issued for the redesign of the HVAC system for the Lumberton City Hall. This system is now almost 20 years old and the upkeep, repairs, and maintenance are becoming cost prohibitive. City Council authorized engineering for the system in the FY 2023-24 budget.

The final date to receive responses to the City's RFQ was August 31, 2023. As of that date, only one proposal was received from The Wooten Company (a portion of which is attached). Staff has reviewed the RFQ response from The Wooten Company and determined that they are suitably qualified to complete the desired engineering work. Staff recommends that City Council authorize The Wooten Company to submit a fee proposal for the scope of work as described in the original Request for Qualifications. This proposal and/or contract will be presented to City council at their October meeting for consideration.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

X. Approve the designation of \$250.00 of CRF to Greater Chrysolite Church for a Back-to-School Event – Melissa Robinson, Precinct 2

Councilwoman Robinson would like to designate \$250.00 of CRF to Greater Chrysolite Church for a Back-to-School event.

Designate \$250 of CRF to Greater Chrysolite Church for a Back-to-School event.

RESULT:	APPROVED [6 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John Cantey, Precinct 5
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- Y. Approve the designation of \$500.00 of CRF to Lumber River United Way for the Dolly Parton's Imagination Library – Melissa Robinson, Precinct 2

Councilwoman Robinson and Councilman Howard would like to designate \$200 each and Councilmen Cantey \$100 of Community Revitalization Funds to the Lumber River United Way for the Dolly Parton's Imagination Library which provides book to the children of Robeson County. Children between birth and 5 years of age are eligible to receive these books.

Approve the designation of \$500 to the Lumber River United Way for the Dolly Parton's Imagination Library in support of our Robeson County children.

Community Revitalization Funds were designated as follows: P1 - \$200 From the Mayor's Discretionary Fund - P2 - \$200 P3 - \$200 P4 - \$200 P5 - \$100 P6 - \$200

P7 - \$200 P8 - \$200 and \$300 from the Mayor's Discretionary Fund for a total of \$1,800.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John Cantey, Precinct 5
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSENT:	Davis
EXCUSED:	Rising, Howard

- Z. Approve the designation of \$500.00 of CRF to Cromartie Temple for it's 60th Anniversary Program as follows: P5 - \$250 and P6 - \$250 – John Cantey, Precinct 5

Councilmen Cantey & Howard would like to designate \$250 each of CRF to Cromartie Temple on the celebration of it's 60th Anniversary Program

Designate \$500 of CRF as designated above.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

- AA. Approve the designation of \$1,250.00 each of Community Revitalization Funds for Community Day in Precinct 5 and Precinct 6 for a Combined Community Day – John Cantey, Precinct 5

Councilman Cantey and Councilman Howard request \$1,250.00 each of CRF for a Combined Community Day on October 7, 2023, for a total of \$2,500.
Designate \$2,500.00 of CRF as follows for a Combined Community Day in Precinct 5 & 6.

P5 - \$1,250 and P6 - \$1,250.00.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

AB. Approve the designation of \$1,800.00 of CRF to McCormick Chapel for Anniversary Program as follows: P6 - \$800 and P5 - \$1,000 – Chris Howard, Precinct 6
Councilman Howard would like to designate \$800 of CRF and Councilman Cantey would like to designate \$1,000 of CRF to McCormick Chapel for an Anniversary Program. This program is set for September 24th, 2023.
Designate \$1,800 of CRF to McCormick's Chapel Program as designated above.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

AC. Approve the designation of \$200.00 of Community Revitalization Funds to the Patriots Cove 2nd Annual Golf Tournament – Eric Chavis, Precinct 7
Please find attached an application and materials from Ben Wagner with Patriots Cove, a nonprofit which benefits Veterans, First Responders and their caregivers. Patriots Cove is hosting a golf tournament on September 16, 2023 and is requesting CRF for this effort.

Councilman Chavis is requesting \$200.00 of CRF to be given to the Patriots Cove 2nd Annual Golf Tournament at Pinecrest Country Club, 110 Nigel Drive. All proceeds will benefit veterans, first responders and care givers.
Designate \$200.00 of CRF as indicated above.

Community Revitalization were designated as follows: P2 - \$100 P3 - \$100 P4 - \$100 P5 - \$50 P7 - \$200 P8 - \$100 and \$100 from the Mayor's Discretionary Fund for a total of \$750.00

RESULT:	APPROVED [6 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

AD. Approve the designation of \$100.00 for the 2nd Annual Cheer Xcel Golf Tournament – Eric Chavis, Precinct 7

Councilman Chavis would like to donate \$100 of Community Revitalization Funds the 2nd Annual Cheer Xcel golf tournament.

Approve the designation of \$100 of CRF to the 2nd Annual Cheer Xcel Golf Tournament.

Community Revitalization Funds were designated as follows: P2 - \$50 P3 - \$100 P4 - \$100 P5 - \$50 P7 - \$100 P8 - \$100 and \$100 for the Mayor's discretionary fund for a total of \$600.

RESULT:	APPROVED [6 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

AE. Approve the designation of \$750 of Community Revitalization Funds to the Carolina Civic Center for "The 12th Annual Robeson County Christmas Show" – Owen Thomas, Precinct 8

Councilmen Thomas, Rising and Chavis would like to designate \$250.00 each of CRF to the Carolina Civic Center for "The 12th Annual Robeson County Christmas Show."

Designate \$750 of CRF as indicated above.

Community Revitalization Funds were designated as follows:

P1 - \$250 P2 - \$100 P3 - \$250 P4 - \$250 P7 - \$250 P8 - \$250 Mayor - \$250 for a total of \$1,600.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Eric Chavis, Precinct 7
AYES:	Davis, Robinson, Carroll, Higley, Cantey, Chavis, Thomas
EXCUSED:	Rising, Howard

AF. CDBG-NR Surveying Services – Stephanie Canady, CDBG Administrator

The Adams Company directly solicited bids from three different surveying companies for surveying services for the CDBG-NR program.

- Johnny J. Williams Land Surveying
- Anderson Surveying
- Soles & Walker Land Surveying

Surveying services be awarded to Anderson Surveying at a cost of \$1,000.00 per lot.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

AG. CDBG-NR Legal Services – Stephanie Canady, CDBG Administrator

The Adams Company directly solicited bids from three different attorneys for legal services for the CDBG-NR program.

- William Grey, JD, Town Attorney
- Robert E. Price Law Firm
- Huggins Davis & Associates, LLP

Legal services be awarded to Robert E. Price Law Firm at a cost of \$350.00 per title opinion.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Eric Chavis, Precinct 7
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

AH. CDBG-NR Asbestos Services – Stephanie Canady, CDBG Administrator

The Adams Company directly solicited bids from three different asbestos companies for asbestos inspection services for the CDBG-NR program.

- Keenan Construction and Consulting Co.
- Matrix Health & Safety
- Phoenix EnviroCorp

Asbestos inspection services be awarded to Keenan Construction and Consulting Co. at a cost of \$575.00 per property for inspection and \$75.00 per property for clearance.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

AI. Approve the designation of \$1300 of CRF to Partnership for Children Annual Giving Fundraiser – Owen Thomas, Precinct 8

Tim Little appeared before Council requesting donations for the Partnership for Children Annual Giving Fundraiser and asked for donations. Council responded with the following donations as listed below.

Designate \$1300 of CRF to Partnership for Children Annual Giving Fundraiser as follows:
P2 - 200 P3 - 200 P4 - \$200 P5 - \$100 P7 - \$200 P8 - \$200 \$200 - Mayor for a total of \$1300.

Designate \$1300 of CRF to Partnership for Children Annual Giving Fundraiser as follows:

P2 - 200 P3 - 200 P4 - \$200 P5 - \$100 P7 - \$200 P8 - \$200 \$200 - Mayor for a total of \$1300.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Eric Chavis, Precinct 7
AYES:	Robinson, Carroll, Higley, Cantey, Chavis, Thomas
ABSTAIN:	Davis
EXCUSED:	Rising, Howard

VIII. ADJOURNMENT

**PLANNING BOARD MEETING – AUGUST 22, 2023
COUNCIL CHAMBERS - 6:00 PM**

**Mitchell Prevatte
Jeffery McLean
Angela Jones
Ray Britt
Greg Caulder
Randy Hammonds**

**Jan Maynor
Walter Smith
Erich Hackney
Joe Terranova
Brian Nolley
Holt Moore**

MINUTES

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Mitchell Prevatte	Board Member	Present	
Jeffery McLean	Board Member	Present	
Angela Jones	Board Member	Present	
Ray Britt	Board Member	Present	
Greg Caulder	Board Member	Absent	
Randy Hammonds	Board Member	Present	
Jan Maynor	Board Member	Present	
Walter Smith	Board Member	Absent	
Erich Hackney	Board Member	Present	
Joe Terranova	Board Member	Present	
Brian Nolley	Deputy Planning Director	Present	
Holt Moore	City Attorney	Present	

II. MINUTES APPROVAL

A. Planning Board - Regular Meeting - Jun 20, 2023 6:00 PM –

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Jan Maynor, Board Member
SECONDER:	Ray Britt, Board Member
AYES:	Prevatte, McLean, Jones, Britt, Hammonds, Maynor, Hackney, Terranova

III. AGENDA ITEMS

A. Jason Britt Rezoning Request - Old Whiteville Rd./202 Taylor Dr. MHP –
Brian Nolley, Deputy Planning Director

Jason Britt is requesting to rezone property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007), from M-1 (manufacturing) to R-20 (residential mobile home park) for the development of a mobile home park.

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Attachment: August 22, 2023 minutes (4072 : Planning Board Minutes - August 23, 2023)

Mr. Brian Nolley, Deputy Planning Director gave a brief overview of the request. The applicant Mr. Jason Britt then gave a presentation of the rezoning and special use permit request. The board then heard from residents opposing the request. The following residents spoke in opposition:

Jeff McPherson
 Rodney Vernon – Owns property at 481, 483, 485, & 487 Taylor Dr.
 Denise Harken
 Amanda Tencati – 487 Taylor Dr.
 Thorsten Simon – 483 Taylor Dr.
 Michael Walker – 1500 Old Whiteville Rd.
 Dallas Richardson III – 1497 Old Whiteville Rd.
 Kenneth Kelly – 275 Taylor Dr.

Spoke in Favor/Support:
 Cameron Britt (applicant's son).

The applicant Mr. Britt then addressed some of the concerns of residents. After some additional discussion, Chairman Hackney called for a motion. Mr. Jeffery McLean made a motion to approve the rezoning request, that motion was seconded by Mr. Joe Terranova. The motion carried by a vote of 5-3 to recommend rezoning to city council.

RESULT:	REFERRED [5 TO 3]	Next: 9/11/2023 6:00 PM
MOVER:	Jeffery McLean, Board Member	
SECONDER:	Joe Terranova, Board Member	
AYES:	McLean, Britt, Hammonds, Hackney, Terranova	
NAYS:	Prevatte, Jones, Maynor	

B. Jason Britt SUP Request - Old Whiteville Rd./202 Taylor Dr. MHP – Brian Nolley, Deputy Planning Director

Jason Britt is requesting a special use permit property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007) for the development and operation of a mobile home park.

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Mr. Brian Nolley, Deputy Planning Director gave a brief overview of the request. The applicant Mr. Jason Britt then gave a presentation of the rezoning and special use permit request. The board then heard from residents opposing the request. The following residents spoke in opposition:

Jeff McPherson
 Rodney Vernon – Owns property at 481, 483, 485, & 487 Taylor Dr.
 Denise Harken
 Amanda Tencati – 487 Taylor Dr.
 Thorsten Simon – 483 Taylor Dr.
 Michael Walker – 1500 Old Whiteville Rd.
 Dallas Richardson III – 1497 Old Whiteville Rd.
 Kenneth Kelly – 275 Taylor Dr.

Spoke in Favor/Support:
 Cameron Britt (applicant's son).

The applicant Mr. Britt then addressed some of the concerns of residents. After some additional discussion, Chairman Hackney called for a motion. Mr. Randy Hammonds made a motion to approve the rezoning request,

that motion was seconded by Mr. Ray Britt. The motion carried by a vote of 5-3 to recommend approving the special use permit to city council.

RESULT:	REFERRED [5 TO 3]	Next: 9/11/2023 6:00 PM
MOVER:	Randy Hammonds, Board Member	
SECONDER:	Ray Britt, Board Member	
AYES:	McLean, Britt, Hammonds, Hackney, Terranova	
NAYS:	Prevatte, Jones, Maynor	

C. Pulled.

D. Matthew Blanks Rezoning Request - 2406 N. Roberts. Ave. – Brian Nolley, Deputy Planning Director

Matthew Blanks is requesting to rezone property located at 2406 Roberts Avenue (parcel # 3206-01-0071), from B-3 (office/residential) to B-4 (general commercial for the operation of a funeral home.

Future land use of the parcel as low intensity and is located in precinct 3.

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

Mr. Brian Nolley, Deputy Planning Director gave a brief overview of the request. The applicant Mr. Matthew Blanks then gave a presentation of the rezoning request for the operation of a funeral home. After some questions and discussion, Chairman Hackney called for a motion. Mr. Jeffrey McLean made a motion to recommend denial of the rezoning request based on parking and building capacity issues, that motion was seconded by Mr. Randy Hammonds. The motion carried unanimously.

RESULT:	REFERRED [UNANIMOUS]	Next: 9/11/2023 6:00 PM
MOVER:	Jeffery McLean, Board Member	
SECONDER:	Randy Hammonds, Board Member	
AYES:	Prevatte, McLean, Jones, Britt, Hammonds, Maynor, Hackney, Terranova	

IV. ADJOURNMENT

Mr. Hammonds made a motion to adjourn as the planning board. The motion was seconded by Mr. Joe Terranova, the meeting was adjourned.

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:Owner:Full Legal Name: Jason Morris BrittFull Legal Name: Jason Morris BrittPhysical Home Address: 611 Beulah ch Rd
Lumberton NC 28358Physical Home Address: 611 Beulah ch Rd
Lumberton NC 28358Mailing Address: 611 Beulah ch Rd
Lumberton NC 28358Mailing Address: 611 Beulah ch Rd
Lumberton NC 28358Telephone: 910-258-2644Telephone: 910-258-2644

Legal Name of Business: _____

EMAIL: _____

2. Description of Property:

<u>Old Whiteville Rd</u>		<u>2396</u>	<u>590</u>
(Address)		(Deed Book)	(Page)
<u>61</u>	<u>185</u>	<u>227.92</u>	<u>52.11</u>
(Map Book)	(Page)	(Frontage)	(Area)

3. Tax Map Identification Number (parcel number):2905010074. Existing Zoning District Designation of Property:A5. Requested Zoning District Designation of Property:R-206. Applicant's Interest In Property (check one): ☒ Owner☐ Owner's Agent☐ Lease-to-Own☐ Tenant☐ Family member☐ Other (explain) _____7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.8. Site Map: Attach a map of the property in question.9. Application Fee: Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Attachment: Application (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):

Manufactured Home Park

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____
2/6/2014
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Attachment: Application (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

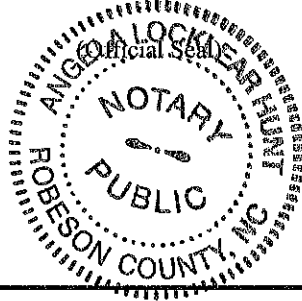
11. Notarized Signatures:

Applicant: Jason Morris Britt 611 Beulah Ch Rd Lumberton
Full Legal Name (type or print) Home Address NC 283
STATE OF North Carolina COUNTY OF Robeson

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

Applicant: [Signature]
Signature

WITNESS my hand and official seal, this the 26 day of July, 2023



Angela Locklear Hunt
Official Signature of Notary
ANGELA LOCKLEAR HUNT, Notary Public
Notary's printed or typed name

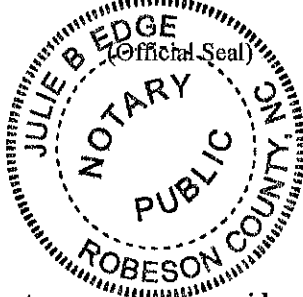
My Commission Expires: October 8, 2024

Owner: Jason Morris Britt 611 Beulah Ch Rd Lumberton
Full Legal Name (type or print) Home Address NC 283
STATE OF North Carolina COUNTY OF Robeson

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

Owner: [Signature]
Signature

WITNESS my hand and official seal, this the 26 day of July, 2023



Julie B Edge
Official Signature of Notary
Julie B Edge, Notary Public
Notary's printed or typed name

My Commission Expires: Feb. 28, 2027

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone: 910-671-3838 ♦ Fax: 910-671-3975

Attachment: Application (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)



Planning & Neighborhood Services

Authorization to appear before City Council/Planning Board/Board of Adjustment on the behalf of the property owner(s).

Application File No.: _____

Property address: _____ Parcel #: _____

I, _____ (property owner), give Dr./Mr./Ms. _____ the authority to appear before City Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): _____

Signature: _____ (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF _____ COUNTY OF _____

I, _____, a Notary Public in and for said County and

State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this _____ day of _____, 20 ____.

Notary Public

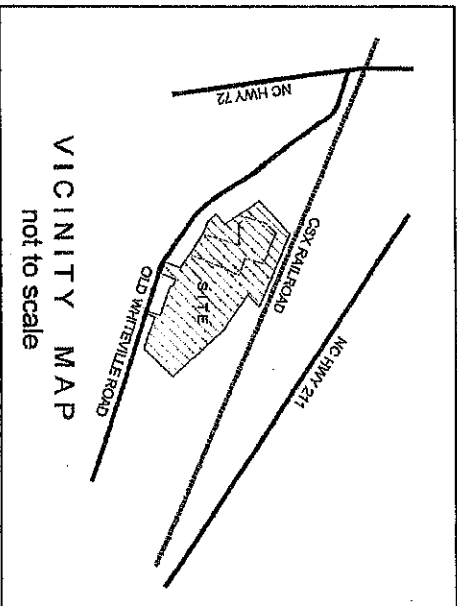
My Commission Expires: _____.

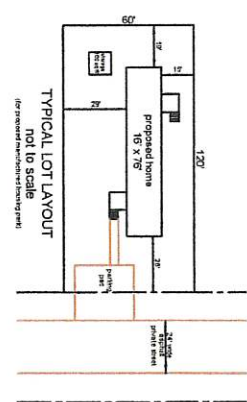
PRELIMINARY CONCEPT
PREPARED FOR

Jason Britt

Wisharts Township
Robeson County North Carolina
June 19, 2023

SHEET 2 - OVERALL LAYOUT
SHEET 3 - MOBILE HOME COMMUNITY
SHEET 4 - SUBDIVISION





PRELIMINARY PLAT - NOT PREPARED FOR RECORDING, CONVEYANCE OR SALES.

PRELIMINARY CONCEPT
PREPARED FOR

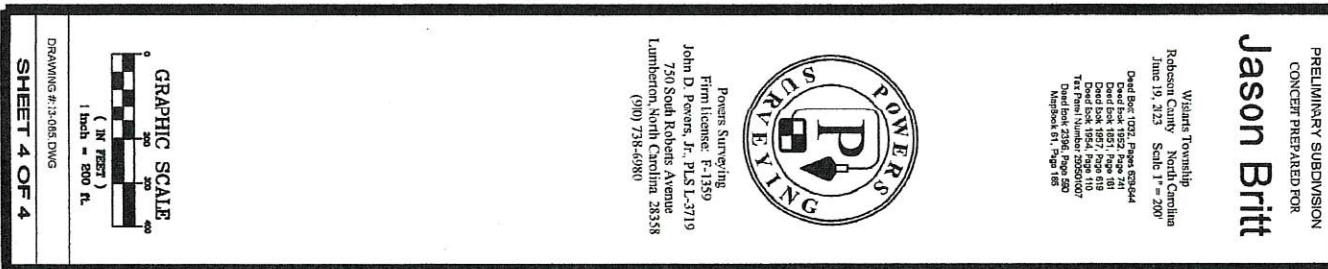
Dead Book 1032, Pages 628-644
 Dead Book 1952, Page 741
 Dead Book 1854, Page 101
 Dead Book 1957, Page 619
 Dead Book 1954, Page 110
 Tax Parcel Number 30501007
 Dead Book 2396, Page 550
 Map Book 81, Page 165

52.11 ACRES
TOTAL AREA



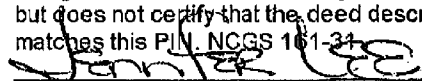
Powers Surveying
Firm license: F-1359
John D. Powers, Jr., PLS L-3719
750 South Roberts Avenue
Lumberton, North Carolina 28358
(919) 738-6980





This certifies that PIN: 290501007;29050100718;29050100720

This certifies that PIN: 29050100721;29050100722;29050100723

This certifies that PIN: 29050100724
is free of any delinquent Ad Valorem Tax Liens
charged to the Robeson County Tax Collector;
but does not certify that the deed description
matches this PIN. NCGS 161-34

Robeson County Deputy Tax Collector
Jennifer Lee



Wednesday, April 5, 2023

Submitted electronically by "Eric West, Attorney at Law, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Robeson County Register of Deeds.

Excise Tax \$ 600.00

NORTH CAROLINA GENERAL WARRANTY DEED

Tax Block:_____ Lot:_____ Parcel Nos.: **P/o 2905-01-007; 2905-01-00718;
2905-01-00720; 2905-01-00721; 2905-01-00722;
2905-01-00723; 2905-01-00724 (hms)**

Prepared by: ERIC WEST, Attorney at Law, PLLC
HOLD FOR: ERIC WEST, Attorney at Law, PLLC

Brief Description for the Index:
Seven (7) Parcels, Toben Subdivision/Old Whiteville Road

THIS DEED made this 6th day of April, 2023, by and between

GRANTOR	GRANTEE
HARVEY THOMAS TAYLOR, JR. (single) 232 West Road Lumberton, NC 28358	JASON M. BRITT
BENJAMIN ANTHONY TAYLOR and wife, MEREDITH F. TAYLOR 275 West Road Lumberton, NC 28358	611 Beulah Church Road Lumberton, NC 28358

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Wisharts Township, **Robeson** County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and

Attachment: deed (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is SUBJECT to the following exceptions:

Subject to ad valorem taxes; all applicable zoning and land use ordinances, statutes and regulations; and to the provisions of all applicable restrictive covenants and utility easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers, the day and year first above written.

Harvey Thomas Taylor (Seal)
Harvey Thomas Taylor, Jr.

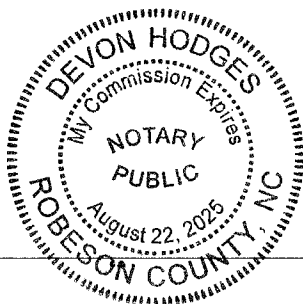
Benjamin Anthony Taylor (Seal)
Benjamin Anthony Taylor

Meredith F. Taylor (Seal)
Meredith F. Taylor

State of North Carolina
County of Robeson

I, Devon Hodges, Notary Public of said County and State do hereby certify that **Harvey Thomas Taylor, Benjamin Anthony Taylor and Meredith F. Taylor** personally known to me and personally appeared before me and acknowledged the voluntary execution of the foregoing instrument.

Witness my hand and official seal this the 6th day of April, 2023.



Devon Hodges
Notary Public

My Commission Expires: 08/22/2025

Attachment: deed (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

EXHIBIT “A”

All of that certain lot or parcel of land situated in Wisharts Township, Robeson County, North Carolina which is more particularly described as follows:

Tract One:

BEING all of Lot Number ONE (1) containing 52.11 acres, more or less, as the same is shown on a map entitled “Survey for Jason Britt, Harvey Thomas Taylor, Jr. and Benjamin Anthony Taylor”, prepared by John D. Powers, Jr., P.L.S. dated March 30, 2023 and recorded in Map Book 61, at Page 185 in the Robeson County Registry. Reference to said map is hereby made and incorporated herein for a more complete and accurate description of said lot.

Tract Two:

Being all of Lot Number One (1) as the same is shown on map entitled “Minor Subdivision Plat of Toben Subdivision”, prepared by Johnny W. Nobles, R.L.S. dated April 20, 2004 and recorded in Map Book 40, at Page 127 in the Robeson County Registry. Reference to said map is hereby made and incorporated herein for a more complete and accurate description of said lot.

Tract Three:

Being all of Lot Numbers TEN (10), Eleven (11), Twelve (12), Fourteen (14) and Fifteen (15) as the same are shown on a map entitled “Major Subdivision Plat of Toben Subdivision – Section Two”, prepared by Johnny W. Nobles, R.L.S. dated April 1, 2007 and recorded in Map Book 43, at Page 71 in the Robeson County Registry. Reference to said map is hereby made and incorporated herein for a more complete and accurate description of said lots.

City of Lumberton

Planning & Neighborhood Services

Request for Rezoning

6.216 Jason Britt

PETITIONER(S):	OWNER(S):
Name of Petitioner: Jason Morris Britt	Name of Owner: Jason Morris Britt
Address: 611 Beulah Church Rd.	Address: 611 Beulah Church Rd.
City/State/Zip: Lumberton, NC	City/State/Zip: Lumberton, NC
Mailing Address: 611 Beulah Church Rd.	Mailing Address: 611 Beulah Church Rd.
City/State/Zip: Lumberton, NC 28358	City/State/Zip: Lumberton, NC 28358

Rezoning Request: Jason Britt is requesting to rezone property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007), from M-1 (manufacturing) to R-20 (residential manufactured home park).

LOCATION:

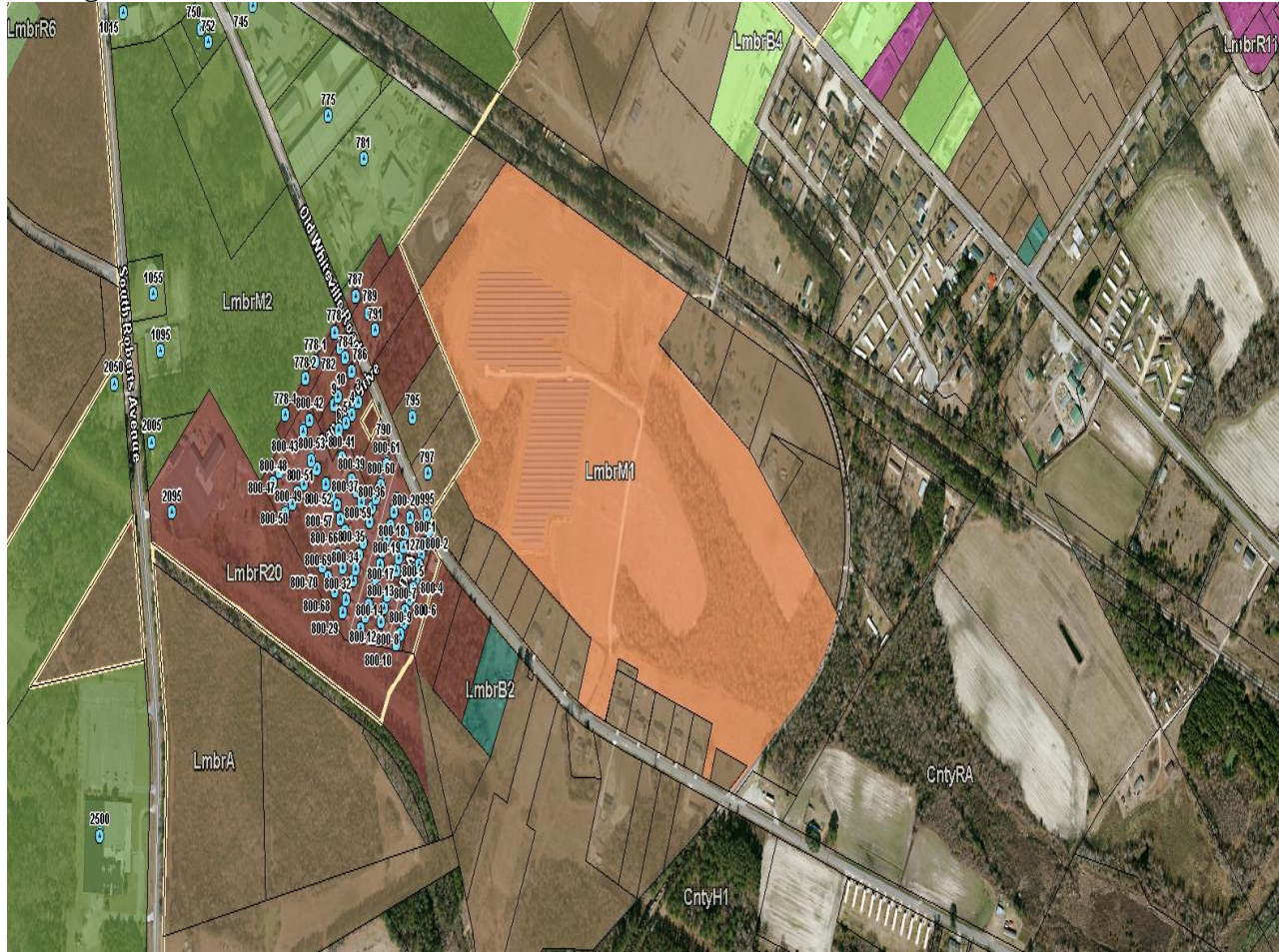
202 Taylor Dr./Old Whiteville Rd



City of Lumberton

Planning & Neighborhood Services

Zoning:



PROJECT OVERVIEW

Analysis: Jason Britt is requesting to rezone property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007), from M-1 (manufacturing) to R-20 (residential manufactured home park) for the development of a manufactured home park. A Special Use Permit is also required for the development of a manufactured home park (application follows).

Attachment: Staff Rpt - CCPH (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

City of Lumberton

Planning & Neighborhood Services

PLANNING & ZONING

<i>Parcel #(s)</i>	<i>Zoning</i>	<i>Width</i>	<i>Area</i>	<i>Limits of Construction</i>
290501007	M1		66.86 Acres	66.86 Acres

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

<i>Zoning District</i>	<i>Min. Square Footage</i>	<i>Min. Road Frontage</i>	<i>Min. Front Setback (right of way)</i>	<i>Min. Side Setback</i>	<i>Min. Rear Setback</i>	<i>Max. Height</i>
Existing Zoning M1	No min.	100'	30'	15'	15'	35 feet
Proposed Zoning R20	20,000 sq ft.	100'	30'	15'	10'	35 feet

ADJACENT PROPERTY SITE DATA

	<i>Zoning</i>	<i>Zoning Description</i>	<i>Land Use</i>
Subject Property	M1	Light Manufacturing	Solar Farm/Agriculture
North	A	Agriculture	
South	A	Agriculture	Land/Residential
East	A R-20	Agriculture Residential - Manufactured Home Park	Land Manufactured Home Park
West	CA	County Agriculture	Land

City of Lumberton

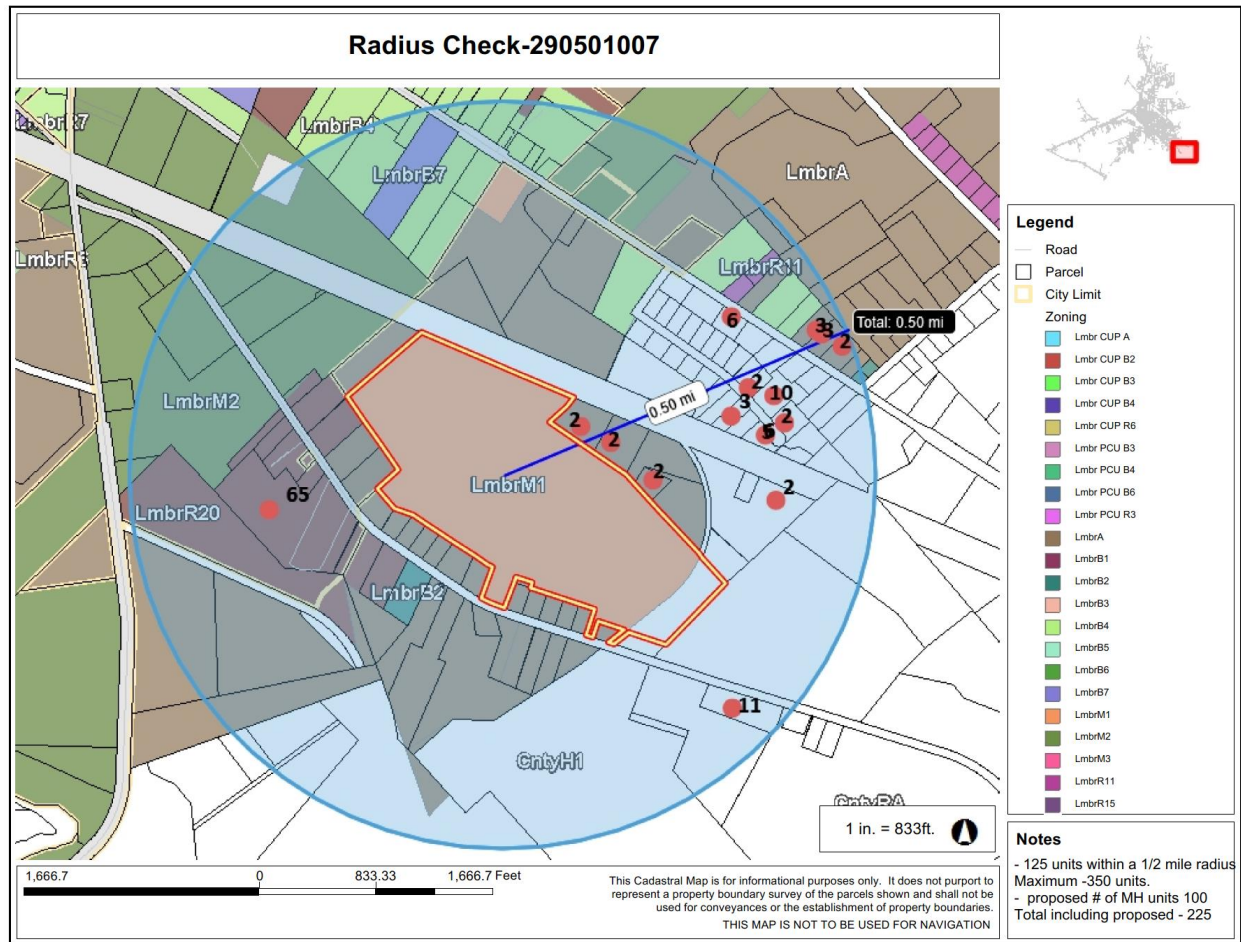
Planning & Neighborhood Services

EXISTING LOT INFORMATION: Current use of property – Solar Farm.

A multifamily radius check was conducted by the Planning Department on May 3, 2023.

There are 125 multifamily units within a ½ mile radius of the proposed manufactured home park, leaving 225 units available for multifamily development within the radius.

Maximum number of units allowed within the proposed park is 175.

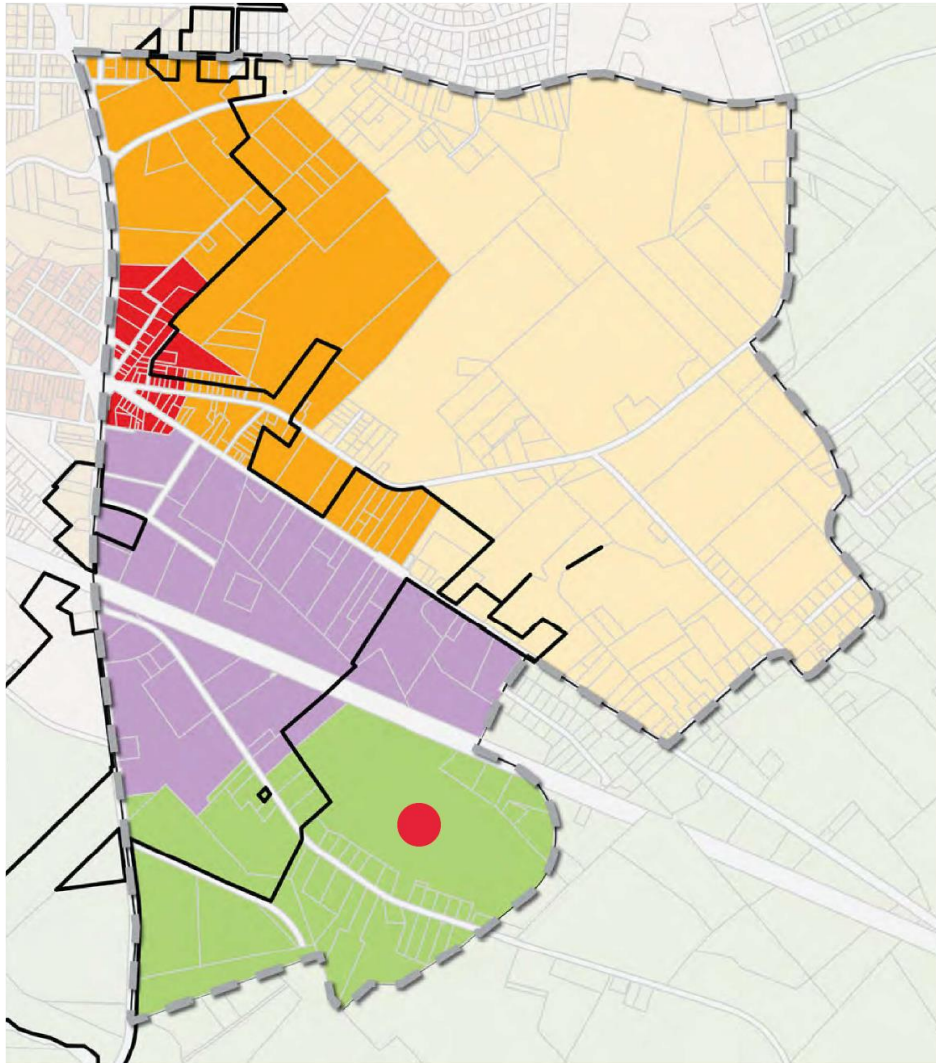


Attachment: Staff Rpt - CCPh (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

City of Lumberton

Planning & Neighborhood Services

Land Use Plan: Future use of the parcel is rural and is located in the ETJ.



RURAL

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.



Planning & Neighborhood Services

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

Map Number: 3720030000k **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If the rezoning request is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval.

PLANNING BOARD RECOMMENDATION TO COUNCIL

On August 15, 2023 the Planning Board held the public meeting and with a 5 to 3 vote recommends that City Council approve the rezoning request.

PLANNING DEPARTMENT RECOMMENDATION TO COUNCIL

Recommends that City Council hold tonight's public hearing and approve the rezoning request.

Attachment: Staff Rpt - CCPH (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

The R-20 , R-15 and R-11 districts differ primarily in the density allowed as determined by the minimum lot size requirements set forth in section 35-181. In addition, some types of mobile homes are allowed to be used for single-family residential purposes in the R-20 zone.

I. R-20 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

26.000

28.200 Minor Subdivisions

II. R-20 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.320 Mobile home parks

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The following districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment: M-1 , M-2 and M-3. The M-3 (planned industrial) district is intended to encourage the development of a well-planned industrial park.

I. M-1 Zoning District Permitted Uses

1.600 Temporary emergency, construction, and repair residences

2.113 Convenience stores

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

9.100 Motor vehicle sales or rentals, excluding manufactured home sales

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.400 Motor vehicle painting and body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

9.810 Manufactured home sales office without, display units.

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored All storage within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

15.400 Military reserve, national guard centers

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. M-1 Zoning District Requires a Special Use Permit

- 5.110 Elementary and secondary (including associated grounds and athletic and other facilities)
- 5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)
- 6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people
- 6.150 Billiard parlors/Pool Halls & Game Centers
- 6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development
- 6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school
- 6.250 Automobile and motorcycle racing tracks
- 6.260 Drive-in movie theatres
- 7.300 Institutions (other than halfway houses) where mentally ill persons are confined, intensive residential treatment facilities (Level IV)
- 7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C
- 10.220 Storage inside or outside completely enclosed structures
- 13.100 Police stations
- 13.200 Fire stations
- 13.300 Rescue squad, ambulance service
- 13.400 Civil defense operation
- 13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building
- 14.300 Mining or quarrying operations, including on-site sales of products
- 14.400 Reclamation landfill
- 15.200 Airport
- 17.100 Neighborhood Utility Facilities
- 17.200 Community or regional Utility Facilities
- 18.300 towers and antennas more than fifty feet in height
- 21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

SLIDESHOW MOVED TO DESKTOP

Attachment: SLIDESHOW MOVED TO DESKTOP (4068 : Jason Britt Rezoning - Old Whiteville Rd MHP)

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Legal Name: Jason Morris Britt

Physical Address: 611 Beulah ch Rd
Lumberton NC 28358

Mailing Address: 611 Beulah ch Rd
Lumberton NC 28358

Telephone: 910-258-2644

Owner:

Legal Name: Jason Morris Britt

Physical Address: 611 Beulah ch Rd
Lumberton NC 28358

Mailing Address: 611 Beulah ch Rd
Lumberton NC 28358

Telephone: 910-258-2644

Name of Business:

Business Address:

EMAIL:

Description of Property:

2. Old Whiteville Rd 2396 590-592
(Address) (Deed Book) (Page)
61 185 227.92 52.11
(Map Book) (Page) (Frontage) (Area)

3. Tax Map Identification (parcel number): 290501007

4. Proposed Use of Property: Manufactured Home park

5. Zoning District Designation of Property: A

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

File # 7.176 1 of 2
5/28/21

Attachment: Application (4069 : Jason Britt SUP - Old Whiteville Rd MHP)

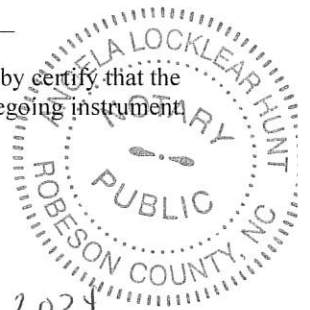
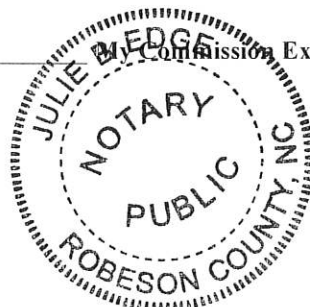
ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

Mobile Home Park, Manufactured Home Park

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Jason Morris Britt 611 Beulah Ch Rd Lumberton NC
Name Physical Address 28358Applicant: [Signature]
SignatureSTATE OF North Carolina COUNTY OF RobesonI, ANGELA LOCKLEAR HUNT, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.WITNESS my hand and Notarial Seal this 26 day of July, 2023Angela Locklear Hunt My Commission Expires: October 8, 2024
Notary Public SignatureOwner: Jason Morris Britt 611 Beulah Ch Rd Lumberton NC
Name Physical Address 28358Owner: [Signature]
SignatureSTATE OF North Carolina COUNTY OF RobesonI, Julie B Edge, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.WITNESS my hand and Notarial Seal this 26 day of July, 2023Julie B Edge My Commission Expires: Feb 28, 2027
Notary Public SignatureFile # 7.176 2 of 2
5/28/21

City of*Lumberton**Planning & Neighborhood Services*

**Authorization to appear before City Council/Planning Board/Board of
Adjustment on the behalf of the property owner(s).**

Application File No.: _____

Property address: _____ Parcel #: _____

I, _____ (property owner), give Dr./Mr./Ms.
_____ the authority to appear before City
Council/Planning Board/Board of Adjustment on my behalf.

Authorized Person (print/type full name): _____

Signature: _____ (Authorized Person)

Authorized Actions: Appear before City Council/Planning Board/Board of Adjustment on property owner's behalf; Answer questions of the board(s) on property owner's behalf; Appear as the applicant.

1. The North Carolina State Bar has opined on more than one occasion, that non-lawyers representing someone else at a quasi-judicial hearing (such as variances and special use permits) constitutes the unauthorized practice of law (The City Attorney can provide copies of these opinions). Simply providing factual or expert testimony as a witness does not violate this rule.
2. If the applicant is not present and the representative does not have sufficient knowledge regarding the application to satisfy the Planning Board or Board of Adjustment, this may cause the request to the tabled or denied.

I, the undersigned, (owner of the above described property), do hereby acknowledge: (1) that I give authority to the authorized person listed above to appear before City Council/Planning Board/Board of Adjustment on my behalf, (2) that this authorization will not waive my rights as the property owner.

STATE OF _____ COUNTY OF _____

I, _____, a Notary Public in and for said County and

State, do hereby certify that _____ personally appeared before me this day
and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this _____ day of _____, 20__.

Notary Public

My Commission Expires: _____.



Robeson County Government

PROPERTY REPORT - PRINT

Property Owner TAYLOR HARVEY THOMAS JR & TAYLOR BENJAMIN ANTHONY		Owner's Mailing Address 232 WEST RD LUMBERTON, NC 28358	Property Location Address 202 TAYLOR DR						
Administrative Data Parcel Ref No. 290501007 PIN 030099056035 Account No. 11527000 Tax District WISHART FIRE Land Use Code I-40 Land Use Desc SOLAR FARM Subdiv Code Subdiv Desc Neighborhood 32C40		Administrative Data Legal Desc A WHITEVILLE RD SOLAR FARM Deed Bk/Pg 01488 / 0260 Plat Bk/Pg / Sales Information Grantor TAYLOR HARVEY THOMAS JR & TAYLOR BENJAMIN ANTHONY Sold Date 2005-09-05 Sold Amount \$ 0	Valuation Information Market Value \$ 279,800 Market Value - Land and all permanent improvements, if any, effective January 1, 2010, date of County's most recent General Reappraisal Assessed Value \$ 242,900 If Assessed Value not equal Market Value then subject parcel designated as a special class - agricultural, horticultural, or forestland and thereby eligible for taxation on basis of Present-Use and/or reduction from a formal appeal procedure Land Supplemental Map Acres 66.86 Tax District Note Present-Use Info						
Improvement Detail (1st Major Improvement on Subject Parcel) Year Built 0 Built Use/Style / Current Use / * Percent Complete 0 Heated Area (S/F) 0 ** Bathroom(s) 0 Full Bath(s) 0 Half Bath(s) ** Bedroom(s) 0 Fireplace (Y/N) N Basement (Y/N) N Attached Garage (Y/N) N *** Multiple Improvements 000 * Note - As of January 1 * * Note - Bathroom(s), Bedroom(s), shown for description only * * * Note - If multiple improvements equal "MLT" then parcel includes additional major improvements									
Improvement Valuation (1st Major Improvement on Subject Parcel) <table> <tr> <td>* Improvement Market Value \$</td> <td>** Improvement Assessed Value \$</td> </tr> <tr> <td>20,800</td> <td>20,800</td> </tr> </table> * Note - Market Value effective Date equal January 1, 2010, date of County's most recent General Reappraisal ** Note - If Assessed Value not equal Market Value then variance resulting from formal appeal procedure				* Improvement Market Value \$	** Improvement Assessed Value \$	20,800	20,800		
* Improvement Market Value \$	** Improvement Assessed Value \$								
20,800	20,800								
Land Value Detail (Effective Date January 1, 2010, date of County's most recent General Reappraisal) <table> <tr> <td>Land Market Value (LMV) \$</td> <td>Land Present-Use Value (PUV) \$ **</td> <td>Land Total Assessed Value \$</td> </tr> <tr> <td>259,000</td> <td>222,100</td> <td>222,100</td> </tr> </table> ** Note: If PUV equal LMV then parcel has not qualified for present use program				Land Market Value (LMV) \$	Land Present-Use Value (PUV) \$ **	Land Total Assessed Value \$	259,000	222,100	222,100
Land Market Value (LMV) \$	Land Present-Use Value (PUV) \$ **	Land Total Assessed Value \$							
259,000	222,100	222,100							

Attachment: Application (4069 : Jason Britt SUP - Old Whiteville Rd MHP)

Parcel Sketch:

No Sketch Available

Parcel Photo:

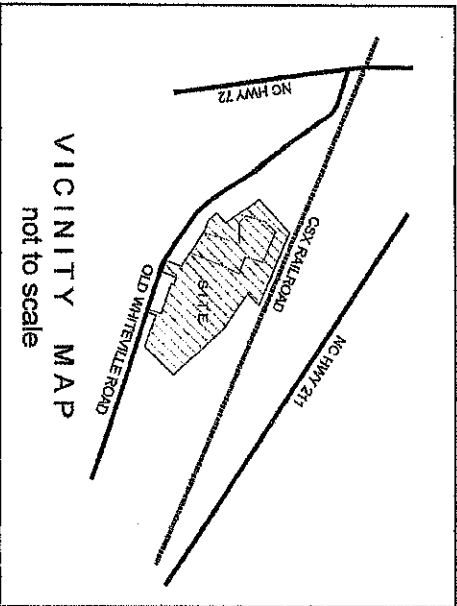
No Photo Available

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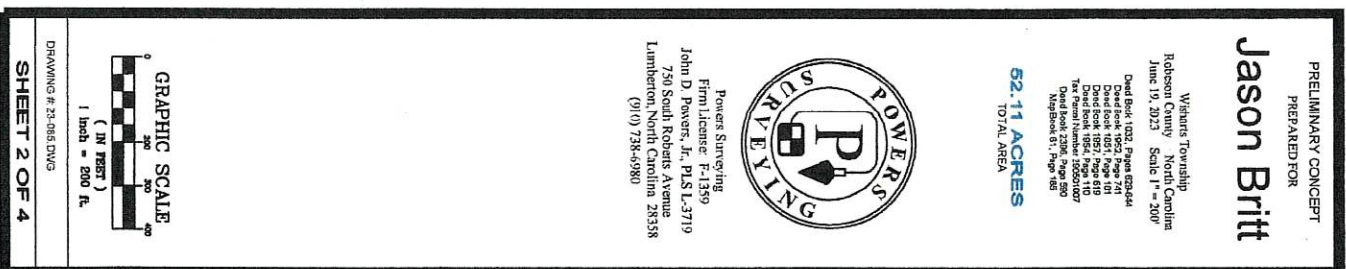
PRELIMINARY CONCEPT
PREPARED FOR

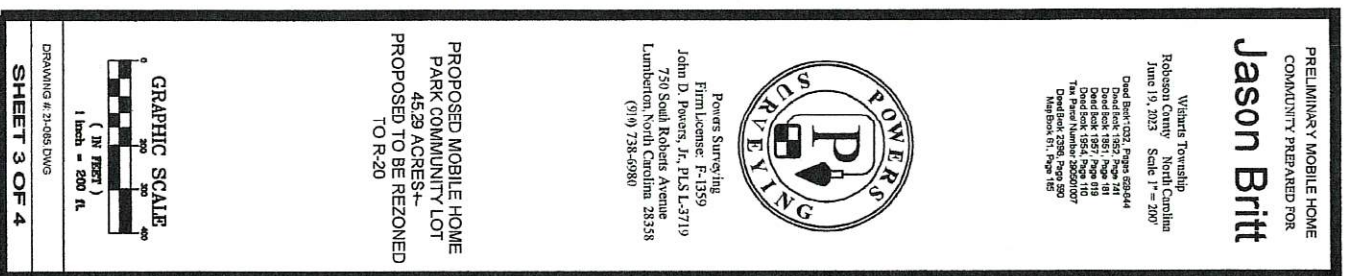
Jason Britt

Wisharts Township
Robeson County North Carolina
June 19, 2023



SHEET 2 - OVERALL LAYOUT
SHEET 3 - MOBILE HOME COMMUNITY
SHEET 4 - SUBDIVISION

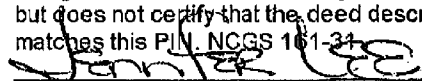






This certifies that PIN: 290501007;29050100718;29050100720

This certifies that PIN: 29050100721;29050100722;29050100723

This certifies that PIN: 29050100724
is free of any delinquent Ad Valorem Tax Liens
charged to the Robeson County Tax Collector;
but does not certify that the deed description
matches this PIN. NCGS 161-34

Robeson County Deputy Tax Collector
Jennifer Lee



Wednesday, April 5, 2023

Submitted electronically by "Eric West, Attorney at Law, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Robeson County Register of Deeds.

Excise Tax \$ 600.00

NORTH CAROLINA GENERAL WARRANTY DEED

Tax Block: _____ Lot: _____ Parcel Nos.: **P/o 2905-01-007; 2905-01-00718;
2905-01-00720; 2905-01-00721; 2905-01-00722;
2905-01-00723; 2905-01-00724 (hms)**

Prepared by: ERIC WEST, Attorney at Law, PLLC
HOLD FOR: ERIC WEST, Attorney at Law, PLLC

Brief Description for the Index:
Seven (7) Parcels, Toben Subdivision/Old Whiteville Road

THIS DEED made this 6th day of April, 20 23, by and between

GRANTOR	GRANTEE
HARVEY THOMAS TAYLOR, JR. (single) 232 West Road Lumberton, NC 28358	JASON M. BRITT
BENJAMIN ANTHONY TAYLOR and wife, MEREDITH F. TAYLOR 275 West Road Lumberton, NC 28358	611 Beulah Church Road Lumberton, NC 28358

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Wisharts Township, **Robeson** County, North Carolina and more particularly described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and

Attachment: deed (4069 : Jason Britt SUP - Old Whiteville Rd MHP)

clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is SUBJECT to the following exceptions:

Subject to ad valorem taxes; all applicable zoning and land use ordinances, statutes and regulations; and to the provisions of all applicable restrictive covenants and utility easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers, the day and year first above written.

Harvey Thomas Taylor (Seal)
Harvey Thomas Taylor, Jr.

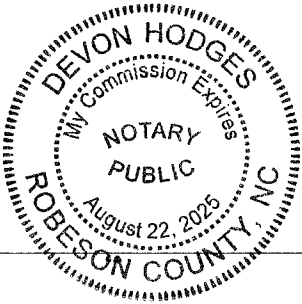
Benjamin Anthony Taylor (Seal)
Benjamin Anthony Taylor

Meredith F. Taylor (Seal)
Meredith F. Taylor

State of North Carolina
County of Robeson

I, Devon Hodges, Notary Public of said County and State do hereby certify that **Harvey Thomas Taylor, Benjamin Anthony Taylor and Meredith F. Taylor** personally known to me and personally appeared before me and acknowledged the voluntary execution of the foregoing instrument.

Witness my hand and official seal this the 6th day of April, 2023.



Devon Hodges
Notary Public

My Commission Expires: 08/22/2025

Attachment: deed (4069 : Jason Britt SUP - Old Whiteville Rd MHP)

EXHIBIT “A”

All of that certain lot or parcel of land situated in Wisharts Township, Robeson County, North Carolina which is more particularly described as follows:

Tract One:

BEING all of Lot Number ONE (1) containing 52.11 acres, more or less, as the same is shown on a map entitled “Survey for Jason Britt, Harvey Thomas Taylor, Jr. and Benjamin Anthony Taylor”, prepared by John D. Powers, Jr., P.L.S. dated March 30, 2023 and recorded in Map Book 61, at Page 185 in the Robeson County Registry. Reference to said map is hereby made and incorporated herein for a more complete and accurate description of said lot.

Tract Two:

Being all of Lot Number One (1) as the same is shown on map entitled “Minor Subdivision Plat of Toben Subdivision”, prepared by Johnny W. Nobles, R.L.S. dated April 20, 2004 and recorded in Map Book 40, at Page 127 in the Robeson County Registry. Reference to said map is hereby made and incorporated herein for a more complete and accurate description of said lot.

Tract Three:

Being all of Lot Numbers TEN (10), Eleven (11), Twelve (12), Fourteen (14) and Fifteen (15) as the same are shown on a map entitled “Major Subdivision Plat of Toben Subdivision – Section Two”, prepared by Johnny W. Nobles, R.L.S. dated April 1, 2007 and recorded in Map Book 43, at Page 71 in the Robeson County Registry. Reference to said map is hereby made and incorporated herein for a more complete and accurate description of said lots.

Attachment: deed (4069 : Jason Britt SUP - Old Whiteville Rd MHP)

City of Lumberton

Planning & Neighborhood Services

Special Use Permit Request

7.176 Jason Britt

PETITIONER(S):	OWNER(S):
Name of Petitioner: Jason Morris Britt	Name of Owner: Jason Morris Britt
Address: 611 Beulah Church Rd.	Address: 611 Beulah Church Rd.
City/State/Zip: Lumberton, NC	City/State/Zip: Lumberton, NC
Mailing Address: 611 Beulah Church Rd.	Mailing Address: 611 Beulah Church Rd.
City/State/Zip: Lumberton, NC 28358	City/State/Zip: Lumberton, NC 28358

SUP Request: Jason Britt is requesting a special use permit property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007) for the development and operation of a manufactured home park.

LOCATION:

202 Taylor Dr./Old Whiteville Rd

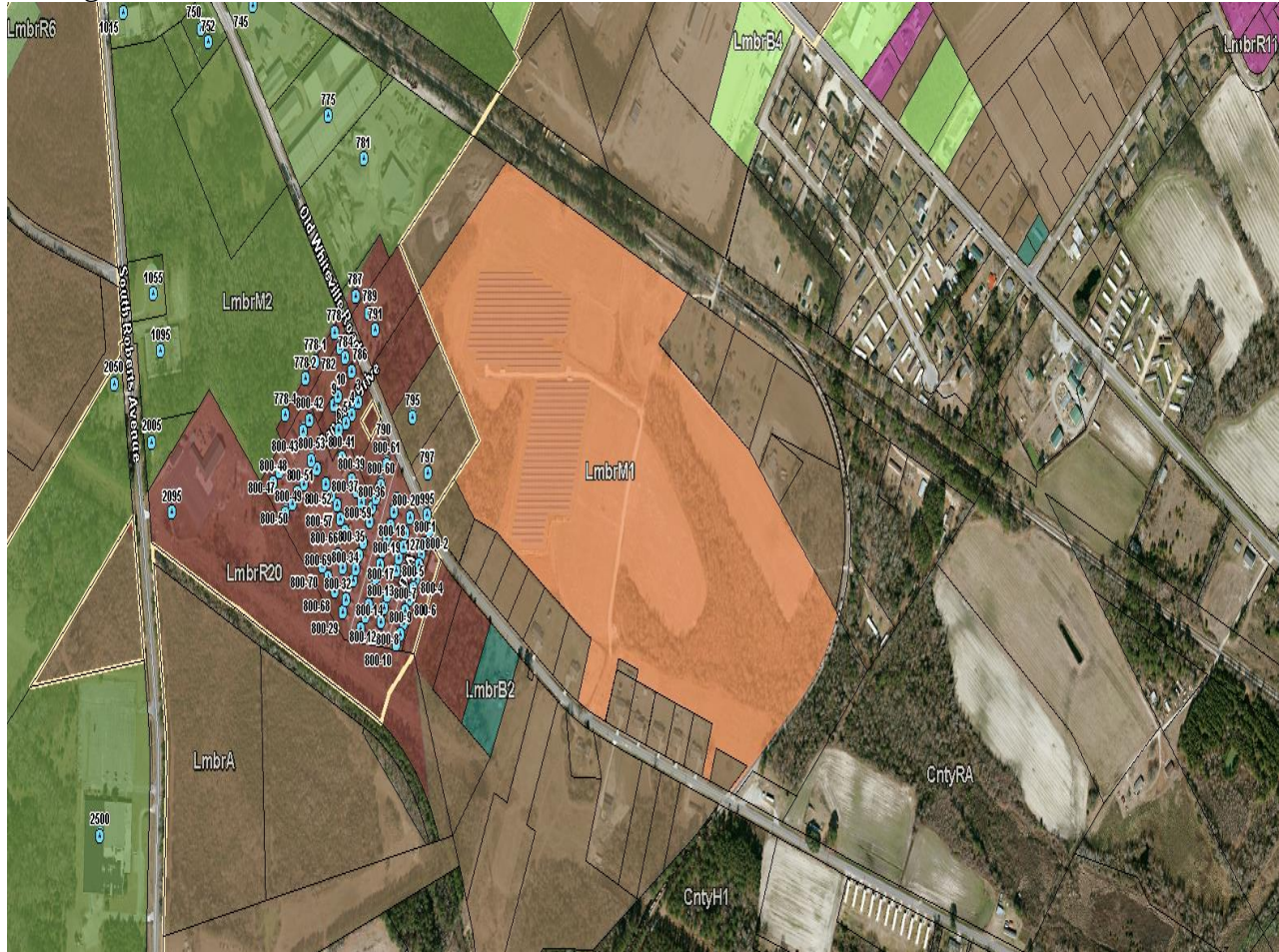


Attachment: Staff Rpt - CCPH [Revision 2] (4069 : Jason Britt SUP - Old Whiteville Rd MHP)

City of Lumberton

Planning & Neighborhood Services

Zoning:



PROJECT OVERVIEW

Analysis: Jason Britt is requesting a special use permit for property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007). A rezoning is required from M-1 (manufacturing) to R-20 (residential manufactured home park) for the development of a manufactured home park.

Attachment: Staff Rpt - CCPH [Revision 2] (4069 : Jason Britt SUP - Old Whiteville Rd MHP)

City of Lumberton

Planning & Neighborhood Services

PLANNING & ZONING

<i>Parcel #(s)</i>	<i>Zoning</i>	<i>Width</i>	<i>Area</i>	<i>Limits of Construction</i>
290501007	M1		66.86 Acres	66.86 Acres

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

<i>Zoning District</i>	<i>Min. Square Footage</i>	<i>Min. Road Frontage</i>	<i>Min. Front Setback (right of way)</i>	<i>Min. Side Setback</i>	<i>Min. Rear Setback</i>	<i>Max. Height</i>
Existing Zoning M1	No min.	100'	30'	15'	15'	35 feet
Proposed Zoning R20	20,000 sq ft.	100'	30'	15'	10'	35 feet

ADJACENT PROPERTY SITE DATA

	<i>Zoning</i>	<i>Zoning Description</i>	<i>Land Use</i>
Subject Property	M1	Light Manufacturing	Solar Farm/Agriculture
North	A	Agriculture	
South	A	Agriculture	Land/Residential
East	A R-20	Agriculture Residential - Manufactured Home Park	Land Manufactured Home Park
West	CA	County Agriculture	Land

City of Lumberton

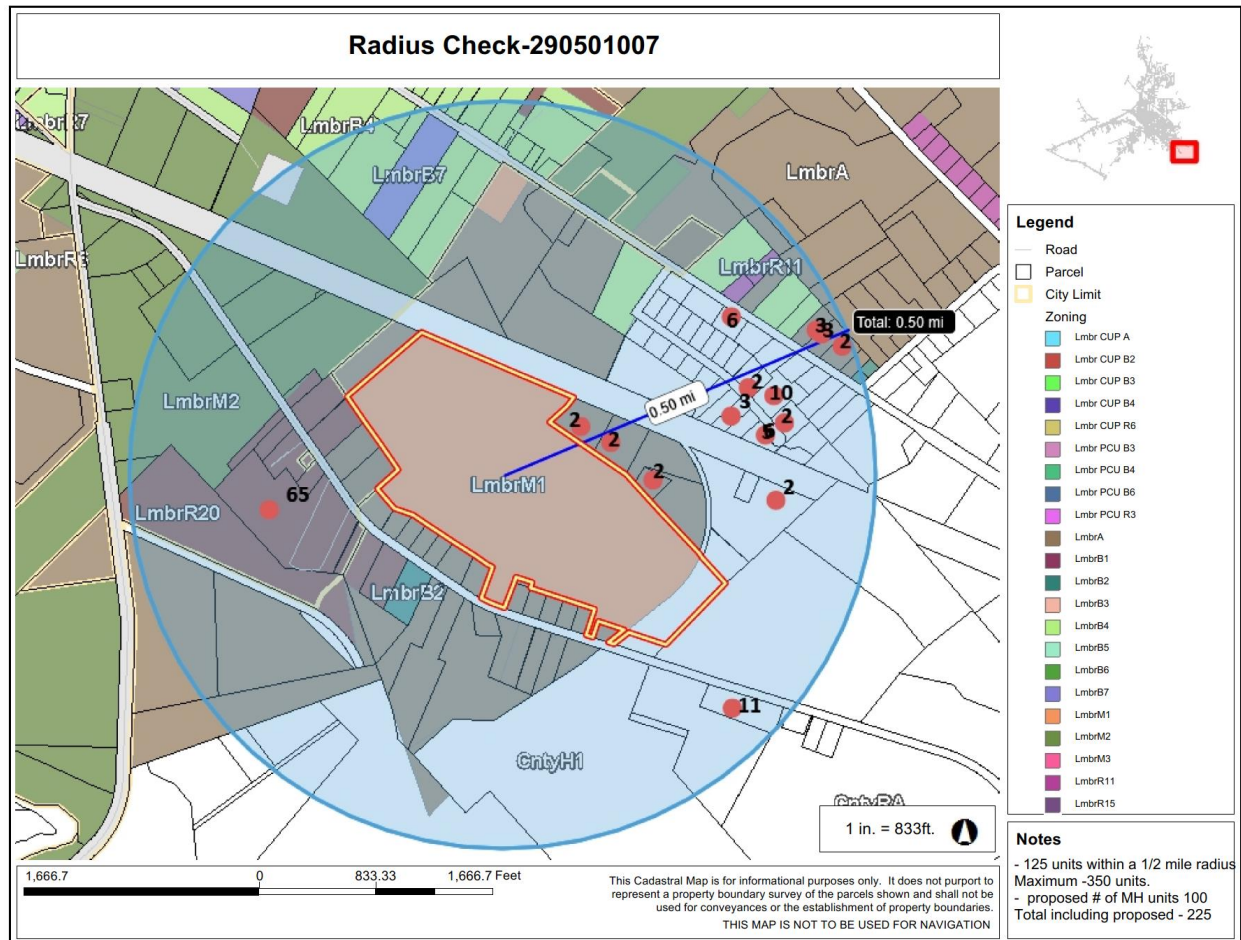
Planning & Neighborhood Services

EXISTING LOT INFORMATION: Current use of property – Solar Farm.

A multifamily radius check was conducted by the Planning Department on May 3, 2023.

There are 125 multifamily units within a ½ mile radius of the proposed manufactured home park, leaving 225 units available for multifamily development within the radius.

Maximum number of units allowed within the proposed park is 175.



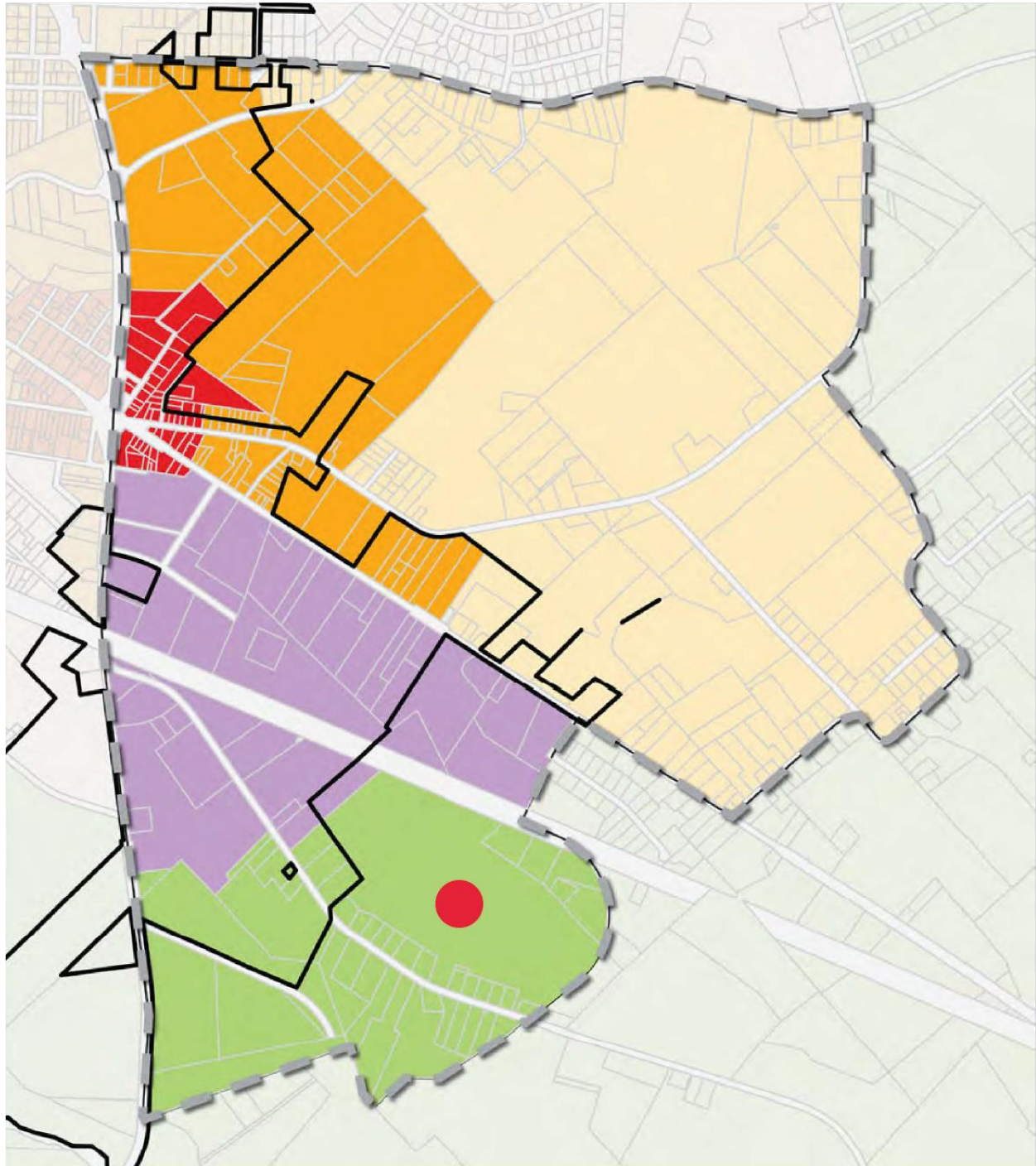
City of



Lumberton

Planning & Neighborhood Services

Land Use Plan: Future use of the parcel is rural and is located in the ETJ.



Attachment: Staff Rpt - CCPH [Revision 2] (4069 : Jason Britt SUP - Old Whiteville Rd MHP)



Planning & Neighborhood Services

RURAL

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

Map Number: 3720030000k **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If the special use permit request is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval.

PLANNING BOARD RECOMMENDATION TO COUNCIL

On August 15, 2023 the Planning Board held the public meeting and with a 5 to 3 vote recommends that City Council approve the Special Use Permit request.

PLANNING DEPARTMENT RECOMMENDATION TO COUNCIL

Recommends that City Council hold tonight's public hearing and approve the Special Use Permit request.

The R-20 , R-15 and R-11 districts differ primarily in the density allowed as determined by the minimum lot size requirements set forth in section 35-181. In addition, some types of mobile homes are allowed to be used for single-family residential purposes in the R-20 zone.

I. R-20 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

26.000

28.200 Minor Subdivisions

II. R-20 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.320 Mobile home parks

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The following districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment: M-1 , M-2 and M-3. The M-3 (planned industrial) district is intended to encourage the development of a well-planned industrial park.

I. M-1 Zoning District Permitted Uses

1.600 Temporary emergency, construction, and repair residences

2.113 Convenience stores

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.400 Social, fraternal clubs and lodges, union halls, and similar

- 6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses
- 6.121 Movie theatres Seating capacity of not more than 300
- 6.122 Movie theatres Seating capacity 301—999
- 6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses
- 9.100 Motor vehicle sales or rentals, excluding manufactured home sales
- 9.300 Motor vehicle repair and maintenance, not including substantial body work
- 9.400 Motor vehicle painting and body work
- 9.500 Gas sales
- 9.600 Car wash
- 9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.
- 9.810 Manufactured home sales office without, display units.
- 10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored All storage within completely enclosed structures
- 10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot
- 10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.
- 11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards
- 13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction
- 13.620 Mobile Units (including Recreational Vehicles)
- 14.110 Agricultural operations, farming excluding livestock
- 14.200 Silvicultural operations
- 15.400 Military reserve, national guard centers
- 18.100 Towers and antennas fifty feet in height or less
- 18.200 Disguised/attached antennas
- 22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. M-1 Zoning District Requires a Special Use Permit

- 5.110 Elementary and secondary (including associated grounds and athletic and other facilities)
- 5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)
- 6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people
- 6.150 Billiard parlors/Pool Halls & Game Centers
- 6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development
- 6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school
- 6.250 Automobile and motorcycle racing tracks
- 6.260 Drive-in movie theatres
- 7.300 Institutions (other than halfway houses) where mentally ill persons are confined, intensive residential treatment facilities (Level IV)
- 7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C
- 10.220 Storage inside or outside completely enclosed structures
- 13.100 Police stations
- 13.200 Fire stations
- 13.300 Rescue squad, ambulance service
- 13.400 Civil defense operation
- 13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building
- 14.300 Mining or quarrying operations, including on-site sales of products
- 14.400 Reclamation landfill
- 15.200 Airport
- 17.100 Neighborhood Utility Facilities
- 17.200 Community or regional Utility Facilities
- 18.300 towers and antennas more than fifty feet in height
- 21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access



**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:**Owner:**Full Legal Name: Matthew BlanksFull Legal Name: Mac A MontilusPhysical Home Address: 9914 Split Rail Dr
Wilmington, NC 28412Physical Home Address: 2406 Roberts Ave
Lumberton NC 28358

Mailing Address:

Mailing Address: 108 Berkshire pl
Lumberton NC 28358Telephone: 910-549-1707Telephone: 910-736-1475Legal Name of Business: Lumberton Funeral & Cremation**2. Description of Property:**2406 N. Roberts Ave, Lumberton
(Address)

(Deed Book)

(Page)

(Map Book)

(Page)

(Frontage)

(Area)

3. Tax Map Identification Number (parcel number):32060100701**4. Existing Zoning District Designation of Property:**B3**5. Requested Zoning District Designation of Property:**B4**6. Applicant's Interest In Property (check one):** ☐ Owner ☐ Owner's Agent ☒ Lease-to-Own☐ Tenant ☐ Family member ☐ Other (explain) _____**7. Legal Description of Property:** Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.**8. Site Map:** Attach a map of the property in question.**9. Application Fee:** Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

City of



Lumberton

4.C.a

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):

Attached.

2 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Packet Pg. 76

Attachment: Application (4070 : Matthew Blanks 2406 N. Roberts Ave. Rezoning)

City of



Lumberton

4.C.a

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

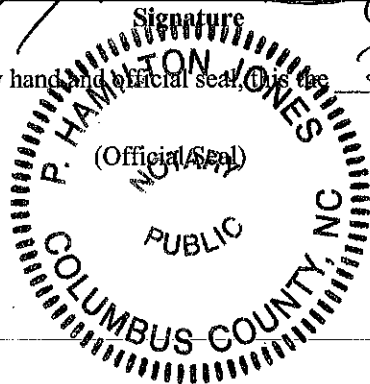
Applicant: Matthew K. Blanks 4914 Split Rail Dr. Wilmington
Full Legal Name (type or print) Home Address NC, 28412

STATE OF _____ COUNTY OF _____

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

Applicant: Matthew K. Blanks
Signature

WITNESS my hand and official seal, this the 28 day of June, 2023



P. Hamilton Jones
Official Signature of Notary

P. Hamilton Jones, Notary Public
Notary's printed or typed name

My Commission Expires: 12-4-2024

* Owner: Mac A Monfilus 108 Berkshire pl Lumberton
Full Legal Name (type or print) Home Address 283

STATE OF North Carolina COUNTY OF Robeson

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

Owner: Deborah M. Faircloth
Signature

WITNESS my hand and official seal, this the 29th day of June, 2023

(Official Seal)

Deborah M. Faircloth
Official Signature of Notary

Deborah M. Faircloth, Notary Public
Notary's printed or typed name

My Commission Expires: march 5, 2024

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014
Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

Packet Pg. 77

Attachment: Application (4070 : Matthew Blanks 2406 N. Roberts Ave. Rezoning)

Lumberton Funeral & Cremation Service

Ceremonial practices around death, as practiced by U.S. funeral homes, are leaving a growing segment of the population feeling poorly served. This plan outlines the strategy by which the Lumberton Funeral & Cremation Service (Funeral Home) will define a new category of funeral provider in Robeson County.

The funeral home will be formed as an LLC in the Robeson County area. It will be solely owned by Matthew Kindal Blanks, an experienced funeral director, who was born and raised in Robeson County.

Establishment of Lumberton Funeral & Cremation Service will provide Robeson County and the surrounding area with a way for people to celebrate the life of the individual when it ends and for the living to gather social support to bring closure and move ahead with their lives. Its cornerstone will be the use of the facility for funerals that will foster human connection and uplifting remembrance.

320601003

County of Robeson, NC

BASE MAPS
0

320601004
Parcels 100.20
95.10

Map Tips ☐ clear map

179.99

MAP TOOLS
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SEARCH
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320601011

PRINT
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EXTRACT DATA
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SHARE
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HELP
/ROKMAPS_HELP

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32060100701

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142.12

320601008

(263)

123.75

77.

320601006

144.95
123.75

Hide 1 Results

FIND
ZOOM BUFFER ADJOINERS TAX INFO

Zoom Buffer Find Tax Info

Adjoiners (http://www.usfdata.com/nc/robeson/account.cfm?parcelID=32060100701)

TAX CARD REPORT MAPNO PIN NUMBER PARCELTYPE CONF

Tax Card Property 32060100701 939284323000 Base Parcel

(reports/taxcards.html?mapno=32060100701)

ROKMAPS™ (https://www.40ft) 34.640710, -79.005292

https://maps.roktech.net/ROKMAPS_Robeson/

City of Lumberton

Planning & Neighborhood Services

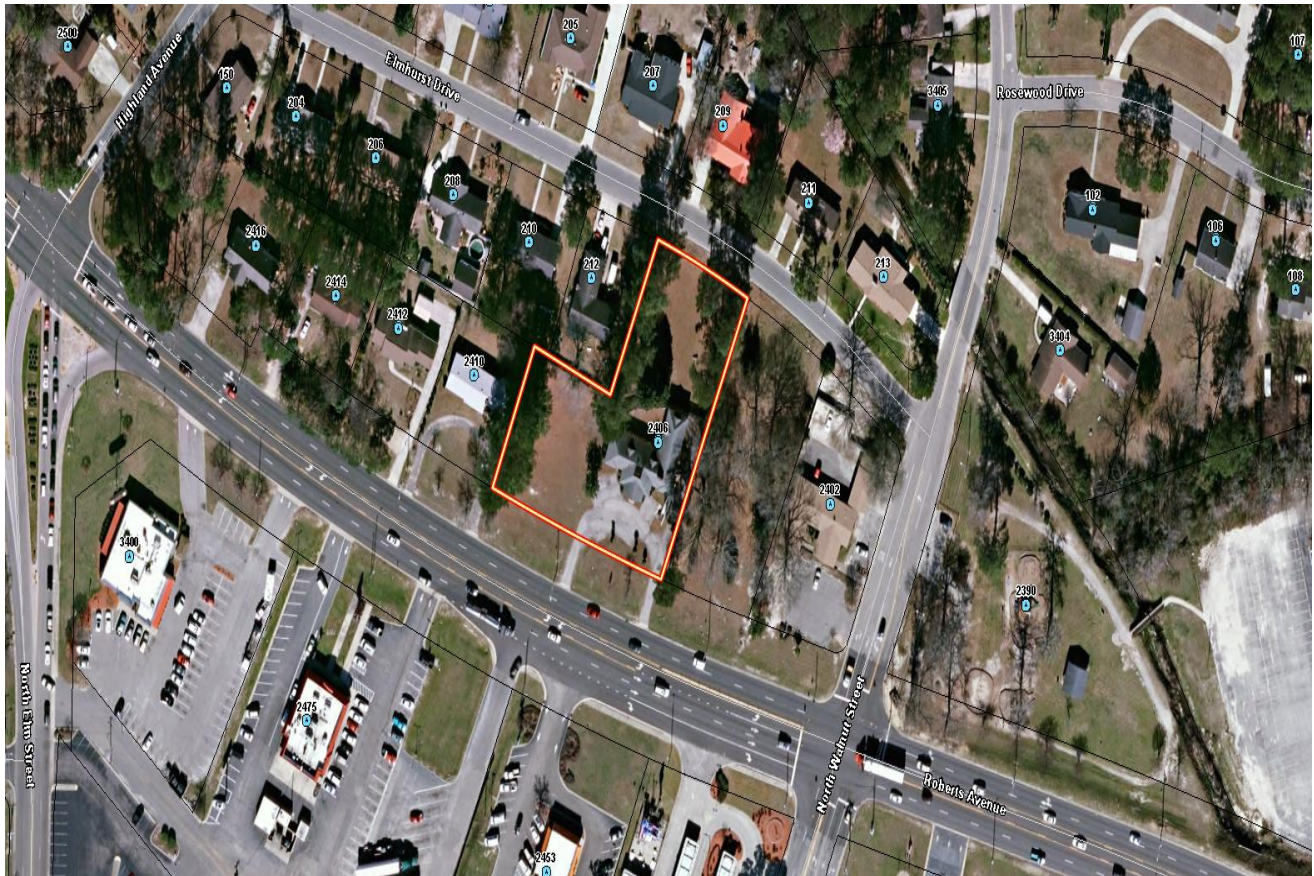
Request for Rezoning 6.215 Matthew Blanks

PETITIONER(S):	OWNER(S):
Name of Petitioner: Matthew Blanks	Name of Owner: Mac Montilus
Address: 4914 Split Rail Dr.	Address: 2406 Roberts Ave.
City/State/Zip: Wilmington, NC 28412	City/State/Zip: Lumberton, NC 28358
Mailing Address: same	Mailing Address: 108 Berkshire Place
City/State/Zip: Lumberton, NC 28358	City/State/Zip: Lumberton, NC 28358

Rezoning Request: Matthew Blanks is requesting to rezone property located at 2406 Roberts Avenue (parcel # 3206-01-0071), from B-3 (office/residential) to B-4 (general commercial for the operation of a funeral home).

LOCATION:

2406 Roberts Ave.



Attachment: Staff Report - CCPH [Revision 2] (4070 : Matthew Blanks 2406 N. Roberts Ave. Rezoning)

City of Lumberton

Planning & Neighborhood Services



PROJECT OVERVIEW

Analysis: Matthew Blanks is requesting to rezone property located at 2406 Roberts Avenue (parcel # 3206-01-0071), from B-3 (office/residential) to B-4 (general commercial for the operation of a funeral home).

Attachment: Staff Report - CCPH [Revision 2] (4070 : Matthew Blanks 2406 N. Roberts Ave. Rezoning)

City of Lumberton

Planning & Neighborhood Services

PHOTO(S): 2406 Roberts Ave

Front



PLANNING & ZONING

Parcel #(s)	Zoning	Width	Area	Limits of Construction
3206-01-00701	B-3	220 ft.	1.05 ac 45,738 sq.ft.	1.05 ac 45,738 sq.ft.

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback (right of way)	Min. Side Setback	Min. Rear Setback	Max. Height

City of Lumberton

Planning & Neighborhood Services

Existing Zoning B3	7,000 sq. ft.	70'	20'	10'	10'	35 feet
Proposed Zoning B4	no min.	100'	40'	10'	10'	35 feet

ADJACENT PROPERTY SITE DATA

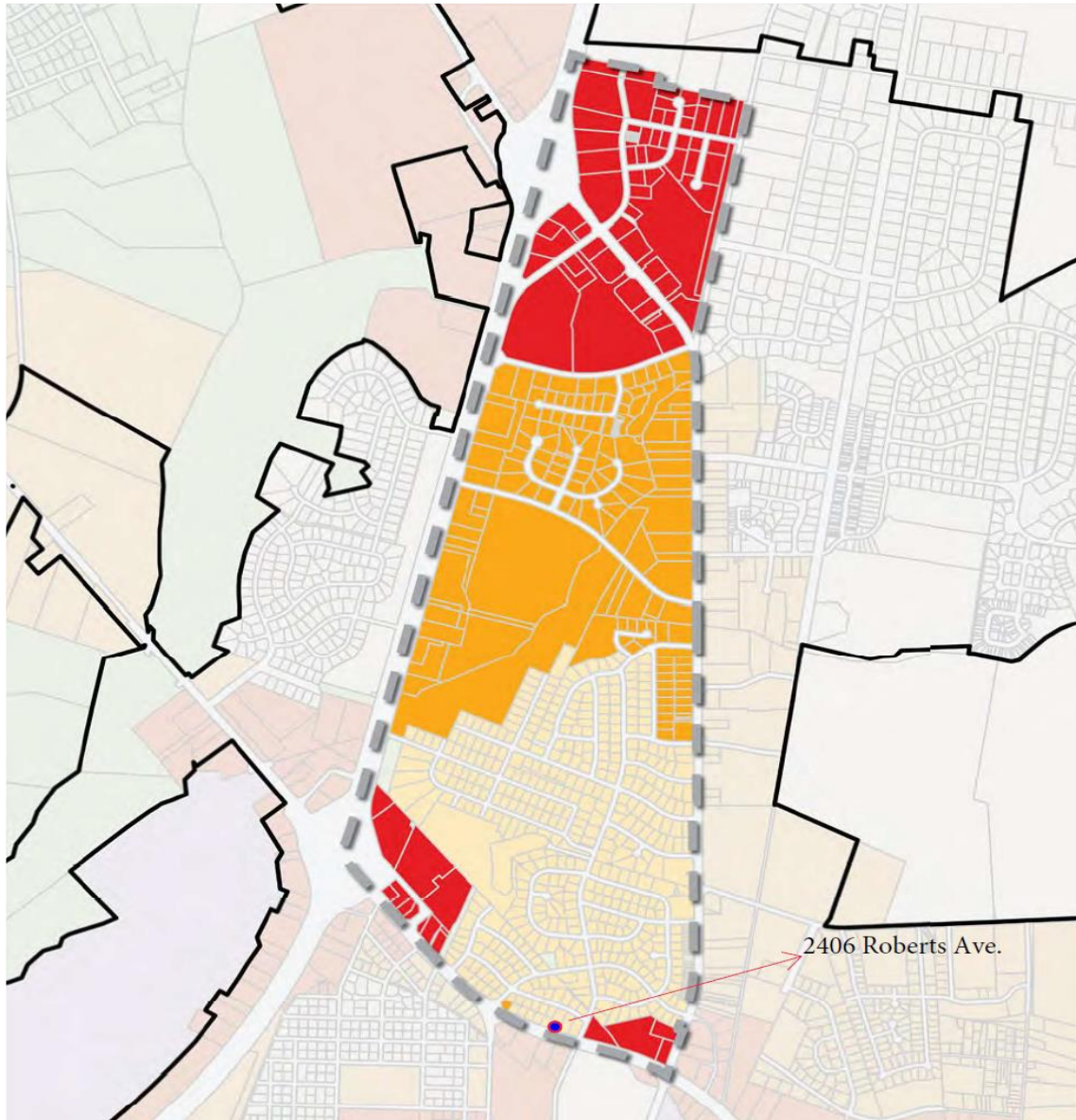
	<i>Zoning</i>	<i>Zoning Description</i>	<i>Land Use</i>
Subject Property	B-3	Office/Residential	Former Insurance sales office. Proposed Funeral home use.
North	R15	Residential Single Family	Residential Single Family
South	B-4	General Commercial	Restaurants
East	B-4	General Commercial	Restaurant
West	R15	Residential Single Family	Residential Single Family

EXISTING LOT INFORMATION: Current use of property – Vacant building. Former insurance office.

Land Use Plan: Future use of the parcel as low intensity and is located in precinct 3.

City of Lumberton

Planning & Neighborhood Services



LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that consistent with an overall low intensity land use pattern.

City of Lumberton

Planning & Neighborhood Services

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Partial - 0.2 Percent Annual Chance Flood: The flood that has a 0.2% chance of being equaled or exceeded in any given year. Partial Zone AE: Zones AE and A1-A30 are the flood insurance rate zones used for the 1-percent-annual-chance floodplains that are determined for the FIS by detailed methods of analysis. In most instances, BFEs derived from the detailed hydraulic analyses are shown at selected intervals in this zone. Mandatory flood insurance purchase requirements apply.



Map Number: 3710939200K **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If the rezoning request is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval.

PLANNING BOARD RECOMMENDATION TO COUNCIL

On August 15, 2023 the Planning Board held the public meeting and recommends City Council deny the rezoning request based on parking and building capacity issues.

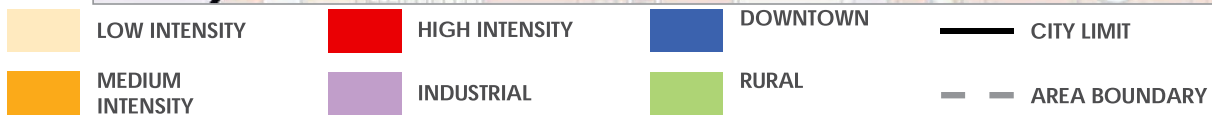
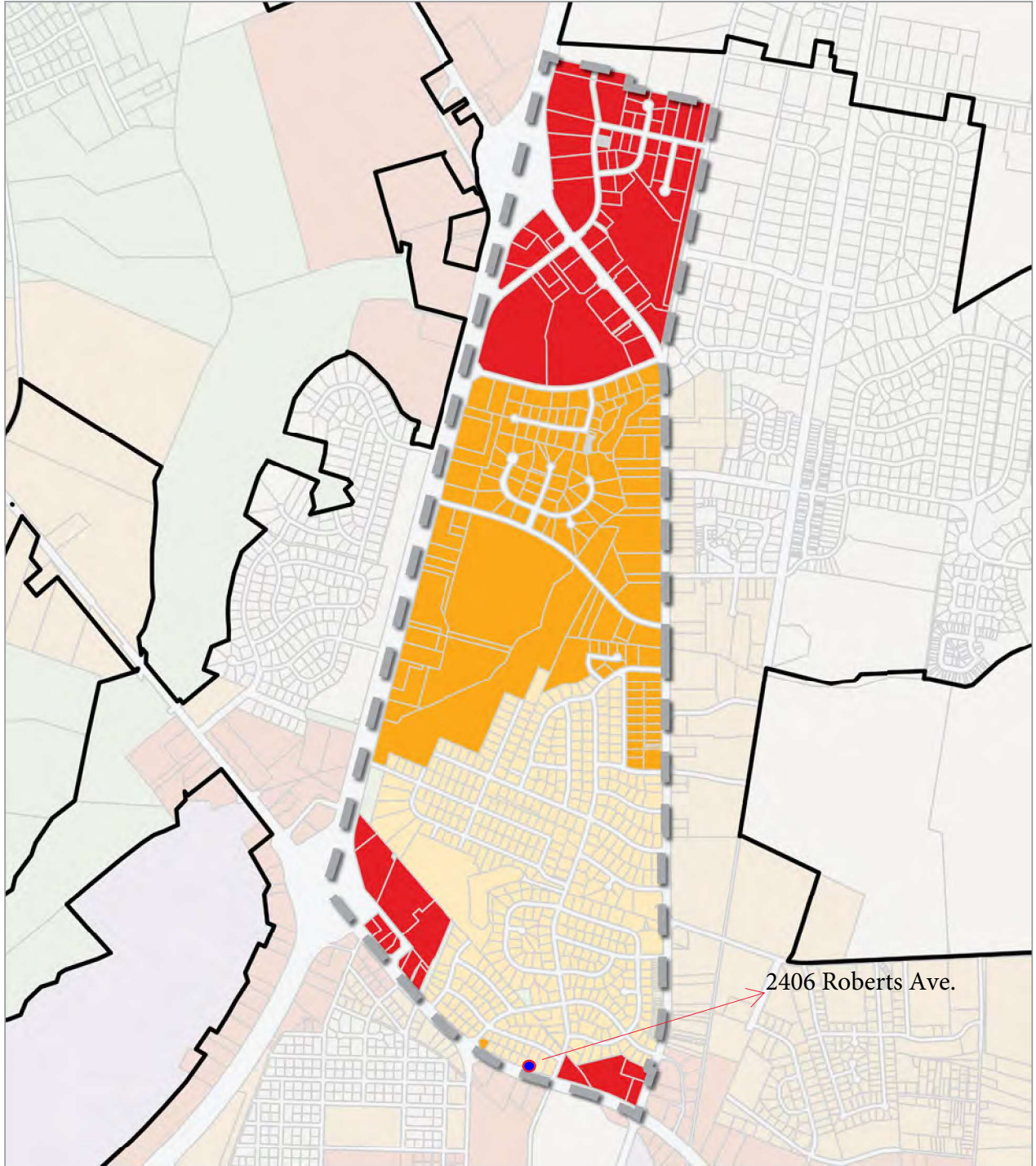
PLANNING STAFF RECOMMENDATION TO COUNCIL

Recommends that City Council hold tonight's public hearing and make a decision regarding this matter.

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975

AREA 12 FUTURE LAND USE

MAP 3.153 AREA 12 FUTURE LAND USE



Attachment: Future Land Use (4070 : Matthew Blanks 2406 N. Roberts Ave. Rezoning)

The B-3 (office/residential) district is designed to accommodate a mixture of residential uses and uses that fall primarily within the 3.000 classification in the table of permissible uses (office, clerical, research, services, etc.). It is intended that this zoning classification be applied primarily in areas that no longer are viable as single-family residential areas because of high traffic volumes on adjacent streets or because of other market factors but remain viable as locations for multifamily residential developments or offices. Such areas will also generally constitute transition or buffer zones between major arterials or more intensively developed commercial areas and residential districts.

I. B-3 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.210 Duplex

1.220 Two-family conversion

1.310 Multifamily residences Other than mobile home parks

1.330 Multifamily conversion

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

3.110 Offices - Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, realtors, other professions, insurance and stock brokers, travel agents, etc.

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.130 Office or clinics of physicians or dentists

3.210 Operations designed to attract and serve customers or clients on the premises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

3.230 Banks with drive-in windows

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

9.810 Manufactured home sales office without, display units.

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

28.200 Minor Subdivisions

II. B-3 Zoning District Requires a Special Use Permit

- 1.130 Single- family residences with accessory apartment
- 1.420 Nursing care, intermediate care homes
- 1.430 Child care homes
- 1.440 Halfway houses
- 1.510 Rooming houses, boarding houses
- 1.520 Tourist homes and other temporary residences renting by the day or week
- 3.140 Government Office Buildings
- 5.110 Elementary and secondary (including associated grounds and athletic and other facilities)
- 5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)
- 5.310 Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet
- 5.320 Located within any permissible structure
- 6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development
- 6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school
- 7.100 Hospitals or other medical (including mental health) treatment facilities
- 7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions
- 13.100 Police stations
- 13.200 Fire stations
- 13.300 Rescue squad, ambulance service
- 13.400 Civil defense operation
- 13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building
- 14.400 Reclamation landfill
- 17.100 Neighborhood Utility Facilities
- 21.100 Cemetery

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The B-4 (general commercial) district is designed to accommodate the widest range of commercial activities.

I. B-4 Zoning District Permitted Uses

1.530 Hotels, motels, and similar businesses or institutions providing overnight accommodations

1.600 Temporary emergency, construction, and repair residences

2.111 Miscellaneous Sales and Rental of Goods, Merchandise and Equipment

2.113 Convenience stores

2.120 Low- volume traffic generation sales

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales, Storage and display of goods outside fully enclosed building allowed

3.110 Offices - Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, realtors, other professions, insurance and stock brokers, travel agents, etc.

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.130 Office or clinics of physicians or dentists

3.210 Operations designed to attract and serve customers or clients on the remises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.320 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within any permissible structure

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.140 Adult establishments

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

7.100 Hospitals or other medical (including mental health) treatment facilities

7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions

8.100 Restaurants No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure

8.200 Restaurants No substantial carry-out or delivery service, no drive-in service, service or consumption outside fully enclosed structure

8.300 Carry-out and delivery service, consumption outside fully enclosed structure allowed

8.400 Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed

9.100 Motor vehicle sales or rentals, excluding manufactured home sales

9.200 Sales with installation of motor vehicle parts or accessories (e.g. tires, mufflers, etc.)

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

9.810 Manufactured home sales office without, display units.

10.100 Automobile parking garages or parking lots not located on a lot on which there is another principal use to which the parking is related

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

12.100 Veterinarian

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

16.000 Dry Cleaner, Laundromat

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

19.000 Open-Air Markets and Horticultural Sales

20.000 Funeral Homes

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. B-4 Zoning District Requires a Special Use Permit

2.112 ABC stores

3.140 Government Office Buildings

3.230 Banks with drive-in windows

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.160 Electronic Gaming Operations

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.260 Drive-in movie theatres

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

8.150 Restaurant without carry-out/delivery/drive-in; without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.450 Restaurant with carry-out/delivery/outdoor dining; with drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.500 Bars, nightclubs

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

15.100 Post office

17.100 Neighborhood Utility Facilities

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

910-739-4336
Fax: 910-739-7858

www.fbclumbertonnc.org

606 N. Walnut St.,
Lumberton, NC 28358

First Baptist Church

7th & Walnut, Lumberton, NC

a community of faith

June 27, 2023

Dear Mr. Horne & Lumberton City Council,

My name is Joshua Owens and I have the pleasure of serving as the senior pastor at First Baptist Church here in beautiful downtown. Speaking on behalf of our congregation and the church's deacon board, let me convey how much we love being a part of this wonderful community and in particular, maintaining a continued presence here in our beautiful downtown neighborhood. We love being in the center of life for our city, and we have a front row seat to the hub of activity. We are grateful to be able to contribute to that, not only through our worship services, but also our daycare program that serves over a 100 children and their families annually.

With our being in the heart of activity, there is also the regular movement of vehicles passing through and around our campus, which brings me to the purpose of this writing. We would like to humbly ask our city's leadership to consider our request for the closing of 6th street between Pine and Walnut streets. This street runs between the two blocks of property on which our church operates (main building at 606 N Walnut St and an activities building at 304 E. 6th St). Currently that portion of 6th street contains our main entrance for our daycare with drop off and pick up happening with cars lining that portion of the road. Also, our church's main source of parking is the lot which sits in front of our activities building, thus attendees for church or community events must park here, and walk across an active road to access the primary facility.

We humbly make this request in the areas of safety, but also beautification. We are in the process of evaluating how to make our facility more user friendly not only for the church, but for our larger community as well. We are exploring ways to reimagine the layout of our facility, and see the potential of safely bridging our two lots as a way to enhance this portion of our property and downtown. I and other representatives from our church are happy to speak with you about this more as needed. We appreciate you considering our formal request for the permanent closure of 6th street running along our property. We look forward to your response.

In Christ,



Rev. Joshua K. Owens, Senior Pastor

Attachment: LtrOfRequest_0001 (4063 : Request by First Baptist Church to Close Block of 6th Street)

RESOLUTION OF INTENT TO CLOSE
E. 6TH STREET BETWEEN WALNUT AND
PINE STREETS.

WHEREAS, Section 160A-299 of the North Carolina General Statutes empowers the City of Lumberton to permanently close a right-of-way or alley; and

WHEREAS, the procedure for permanently closing a right-of-way or alley requires the adoption of this resolution by the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton as follows:

1. That the City of Lumberton does hereby state its intent to close the right-of-way known as E. 6th Street from Walnut Street to Pine Street, said area being marked in blue on the map attached hereto as "Exhibit A," and being that right-of-way located between the parcels designated by Robeson County Tax Parcel numbers 323304001, 323304010, 323304011, 323304012, 323304013 and 323304014.
2. That an advertisement shall be published once a week for four successive weeks prior to the hearing.
3. That a public hearing on the question of closing the above-described alley right-of-way will be held on the 11th day of September, 2023, at Lumberton City Hall, located at 500 N. Cedar Street, Lumberton, North Carolina, at 6:00 p.m.

On motion of Councilman _____, seconded by Councilman _____, the foregoing Resolution was adopted on the 7th day of August, 2023.

Mayor Bruce W. Davis

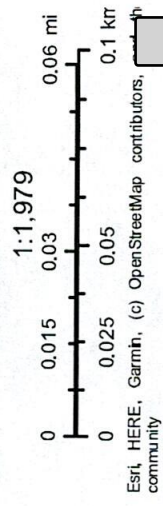
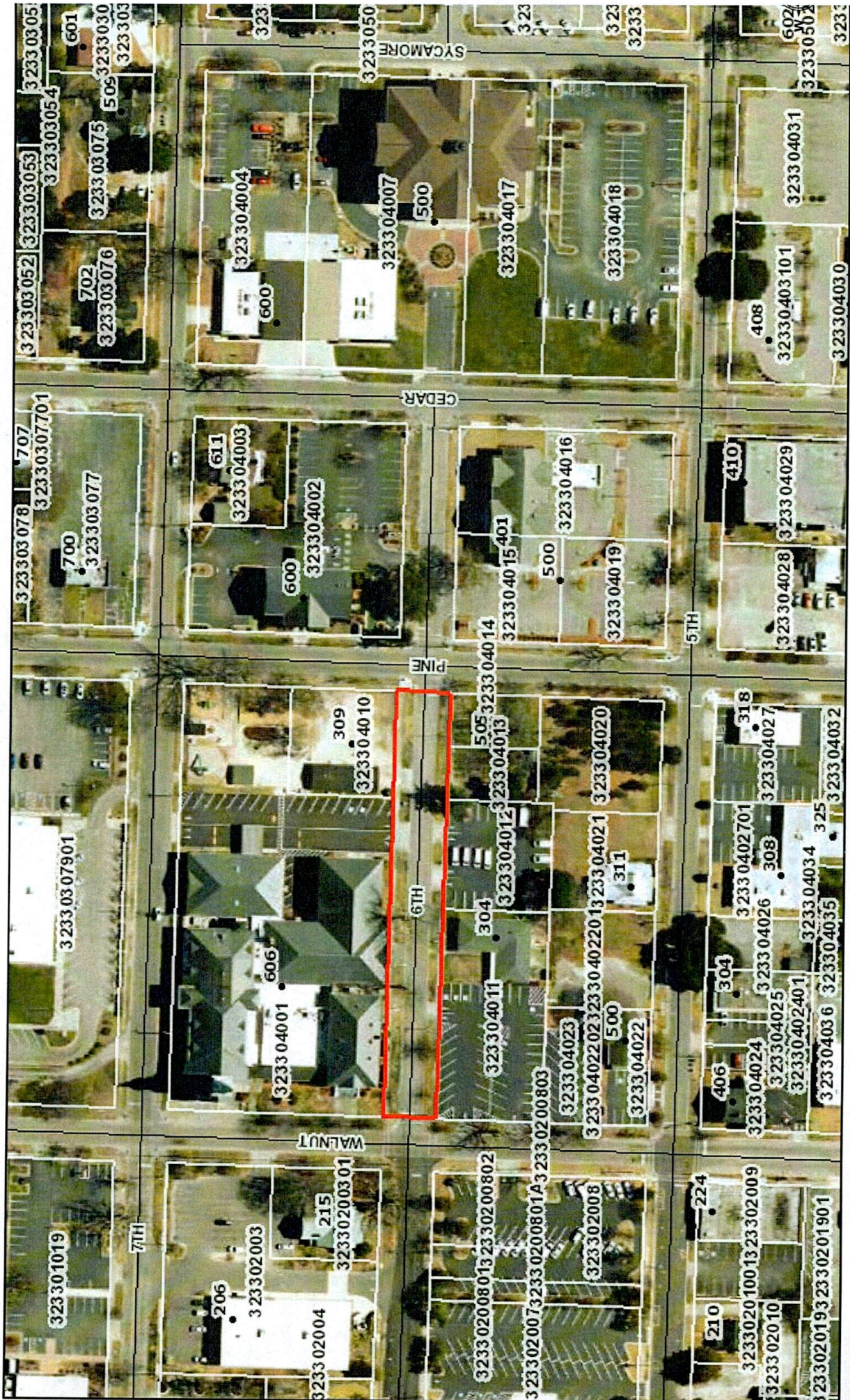
ATTEST:

Laney S. Mitchell McIntosh, City Clerk

Attachment: ResWithMap_0001_0001 (4063 : Request by First Baptist Church to Close Block of 6th Street)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

E. Holt Moore III, City Attorney



1:1,979

Esri, HERE, Garmin, (c) OpenStreetMap contributors, community

August 1, 2023

- Address Points
- County Line
- Streets
- Parcels

Attachment: ResWithMap_0001_0001 (4063 : Request by First Baptist Church to Close Block of 6th Street)

From: Mitchell-Mcintosh, Laney
 Sent: Wednesday, August 16, 2023 4:36 PM
 To: Moore, Holt (hmoore@ci.lumberton.nc.us); Horne, Wayne
 Subject: FW: Report on a Request from First Baptist Church to Close a Block of 6th Street

Wayne/Holt;

Below you will find the reports on the Request to Close a Block of 6th Street.

Thanks,

Laney

From: West, Chris <chris.west@ci.lumberton.nc.us>
 Sent: Tuesday, August 15, 2023 2:10 PM
 To: Prevatte, Greg <gprevatte@ci.lumberton.nc.us>; Armstrong, Robert <rarmstrong@ci.lumberton.nc.us>; Mitchell-Mcintosh, Laney <lmitchell-mcintosh@ci.lumberton.nc.us>; Askew, ArTriel <aaskew@ci.lumberton.nc.us>; McNeill, Mike <mmcneill@ci.lumberton.nc.us>
 Subject: RE: Report on a Request from First Baptist Church to Close a Block of 6th Street

Laney,

The Fire Department maintains a hydrant on the section of 6th street that we would need to have unimpeded access to. There could also be some fire department accessibility issues with closing the street completely.
 -Chris

From: Prevatte, Greg <gprevatte@ci.lumberton.nc.us>
 Sent: Tuesday, August 15, 2023 10:00 AM
 To: Armstrong, Robert <rarmstrong@ci.lumberton.nc.us>; Mitchell-Mcintosh, Laney <lmitchell-mcintosh@ci.lumberton.nc.us>; Askew, ArTriel <aaskew@ci.lumberton.nc.us>; McNeill, Mike <mmcneill@ci.lumberton.nc.us>; West, Chris <chris.west@ci.lumberton.nc.us>
 Subject: RE: Report on a Request from First Baptist Church to Close a Block of 6th Street

Good morning Laney, EUD maintains primary power, secondary power and street lights through this section of East 6th St. We suggest if the street is closed to through traffic that we remove the street lights and install any additional lighting the church may request. We agree with Public Works to maintain easement and existing right of way through this area for outages and

maintenance.
Greg

From: Armstrong, <rarmstrong@ci.lumberton.nc.us>
Sent: Friday, August 11, 2023 1:15 PM
To: Mitchell-McIntosh, Laney <litchell-mcintosh@ci.lumberton.nc.us>; Askew, ArTriel
<aaskew@ci.lumberton.nc.us>; Prevatte, Greg <gprevatte@ci.lumberton.nc.us>; McNeill,
Mike
<mmcneill@ci.lumberton.nc.us>; West, Chris <chris.west@ci.lumberton.nc.us>
Subject: RE: Report on a Request from First Baptist Church to Close a Block of 6th
Street

Laney:

Public Works maintains a water line, sewer line and storm drain in this block of 6th
street. We would
suggest that we keep an easement the full width of the existing right of way here
and not allow
permanent structures to be placed within the easement. Also, we will have to delete
this section of
street from our Powell Bill inventory.
Rob

From: Mitchell-McIntosh, Laney
Sent: Thursday, August 10, 2023 2:28 PM
To: Askew, ArTriel; Prevatte, Greg; Armstrong, Robert; McNeill, Mike; West, Chris
Subject: Report on a Request from First Baptist Church to Close a Block of 6th
Street

Good afternoon all:

A request to close a block of 6th street has been filed with the City from First
Baptist Church. Please see
the attached request and provide a report of the findings (pros and cons) to the
City Clerk as soon as
possible. This item will appear on the September 11th City Council meeting.

Thank you so much for your assistance.

Laney

Laney S. Mitchell-McIntosh, CMC
City Clerk
City of Lumberton
P.O. Box 1388
Lumberton, NC 28359
Work: (910) 671-3807
Fax: (910) 671-3814



CITY OF LUMBERTON
CITY COUNCIL
MINUTES • SEPTEMBER 7, 2022

Regular Meeting**Council Chambers****11:00 AM**

500 N Cedar St, Third Floor, Lumberton, NC 28358

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Mayor Pro Tem	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Precinct 4	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: Pastor LeDon Barnhill - The Pentecostals of Lumberton Church –

C. Presentation of Colors: Lumberton Police Department Honor Guard –

D. Pledge of Allegiance: Led by Councilman Carroll –

E. National Anthem: Councilman Eric Chavis –

F. Recognition of Guests: Mayor Davis –

G. Installation of Council Members –

Melissa Robinson - Honorable Herbert Richardson, Judge (Retired) –

John Carroll - Honorable Herbert Richardson, Judge (Retired) –

John Cantey, Jr. - Honorable Judge Diane Phillips Surgeon –

Owen Thomas - Honorable Judge Tiffany Powers –

H. Remarks: Installed Councilmembers –

I. Selection of Mayor Pro Tempore: Mayor Davis –

Councilman Cantey made a motion, seconded by Councilman Rising, electing Councilwoman Higley as the next Mayor Pro Tempore. It carried unanimously.

Minutes Acceptance: Minutes of Sep 7, 2022 11:00 AM (Minutes Approval)

J. Retiring of Colors: Lumberton Police Honor Guard –

K. Benediction: Pastor Kelvin Barnes, Sandy Grove Baptist Church –

START OF REGULAR MEETING AGENDA

II. RETIREES RECOGNITION

A. John Paul Ivey - 31 years - Fire Chief –

B. Larry Thompson - 20 - Crew Chief - Parks & Recreation –

III. PUBLIC COMMENT PERIOD

A. Ms. Marion Thompson - Robeson County Humane Society –

IV. MINUTES APPROVAL

A. City Council - Regular Meeting - Aug 3, 2022 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

V. PUBLIC HEARINGS:

August 2022 Planning Board Minutes – ArTriel Kirchner, Planning Director

August 2022 Planning Board Minutes for Review

<< Recommendation >>

RESULT:	NOT APPLICABLE
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A. Mike Townsend Rezoning Request 4303 Ludgate St & 581 Farringdom St. – ArTriel Kirchner, Planning Director

Mike Townsend is requesting a rezoning for parcel #10090300102, deed book 01091, pg. 0386 located at 4303 Ludgate St. and parcel #100903001, deed book 00684, pg. 0071 located

at 581 Farringdom St. from B-3 (office/residential) to B-4 (general commercial) to conform with

the existing B-4 zoning along Ludgate St. and Fayetteville Rd

The Planning Staff asks Council to hold today's public hearing and make a decision regarding the rezoning request.

Mayor Davis opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property; parcel #10090300102 and 100903001 to B-4 (General Commercial). The purpose of the rezoning is to conform with the existing B-4 zoning along Ludgate Street and Fayetteville Road. City Clerk Mitchell-

Minutes Acceptance: Minutes of Sep 7, 2022 11:00 AM (Minutes Approval)

McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in The Robesonian.

William Gentry, Cheryl Lawson Page and Mr. Gary Evans, appeared before Council and stated their opposition to the rezoning. They voiced their concerns by addressing the number of signatures that they received on a petition that was submitted. They also voiced their concerns surrounding traffic, crime and the value of property. They spoke to the challenges they have suffered from flooding and the loss of homes and the amount of homeless people walking their area and how much gun fire they are hearing. They stated that this is enough.

The applicant (Mike Townsend) appeared before Council and stated that in 2015, the City approved an Area 12 Land Use Plan and that this rezoning would conform to that plan. He stated that the Planning Board recommended denying the request on a 4 to 3 vote with the Chairman voting against who should have recused himself because he is part of those who are fighting against the rezoning.

Mr. Townsend that the he had police reports pulled and the crime in that area for the past 3 months were minor. He stated that the rezoning would not compromise the B3 buffer which is on the opposite side. We are just asking to rezone this property to conform with the existing zoning on the east side of Ludgate and all the properties between Ludgate and Fayetteville Road are B-4. He stated that he has 51 properties and 46 of those are leased.

In a unanimous vote, Council stated that they had the opportunity to review all Permissible Uses for the proposed rezoning and that it is consistent with the Land Use Plan. Council stated that they have reviewed and understand that the proposed rezoning is consistent with the Land Use Plan.

Councilman Rising Planning Director Kirchner is it true that the applicant can request a conditional zoning that would eliminate certain uses allowed under the B-4 zoning district that would not be compatible with the neighborhood. And would the conditional zoning stay with the property and not change if the property is sold.

Director Kirchner stated that is correct, the conditional zoning would remain with the property even if the property is sold, however, the conditional zoning and the eliminated uses must be agreed upon by the property owner.

RESULT:	DENIED [8 TO 0]
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- B. Special Use Permit to operate a mental health treatment outpatient office at 500 Lindsay Drive – ArTriel Kirchner, Planning Director

Analysis: Allan Craig Britt is requesting a Special Use Permit to operate a mental health treatment outpatient office at 500 Lindsay Drive (parcel # 1006-01-00703/ Deed Book 2359 Page 163/ Map Book 31 Page 14). This property is zoned B-3 (Office Residential) and to operate a mental health treatment outpatient office/facility at this location requires a Special Use Permit. They will be relocated from 711 N. Cedar Street to this location.

Land Use Plan: The Land Use Plan designates the future use of this parcel as Medium Intensity, furthermore, this property is located within precinct 2.

The Planning Staff asks Council to hold today's public hearing and approve the Special Use permit request.

Mayor Davis opened the Public Hearing to consider the Issuance of a Special Use Permit to operate a mental health treatment outpatient office located at 500 Lindsay Drive. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in The Robesonian.

Mr. Craig Britt of Southern Professional Services appeared before Council and stated that they have an office located at 711 N. Cedar Street and they are trying to expand for additional office space to grow.

No one else appeared to speak and the hearing was closed.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Edgewater Industrial, LLC Rezoning Request - Sanchez Dr. – ArTriel Kirchner, Planning Director

Edgewater Industrial, LLC is requesting a rezoning of parcel #020901004, deed book 644, pg. 0162 from Agriculture (A) to M2 (manufacturing) for the development of a Class A industrial park totaling 1.9 million square feet over a 5-10-year time frame.

The parcel is currently zoned A (agriculture). The Land Use Plan designates the future use of the parcel as industrial and is located in the ETJ.

The Planning Staff asks Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property; parcel #020901004, to M-2 (manufacturing) for the development of a Class A industrial park totaling 1.9 million square feet. This property is located on Sanchez Road. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in The Robesonian.

Mike Massardo, Industrial Development appeared before Council and gave a brief overview of the project. Councilman Cantey enquired as to the flexibility of the building. Mr. Massardo if the building will be flexibl

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

D. Terry Wethington with Ample Storage is requesting a rezoning of a portion of two parcels from agriculture to B-7 - E. Elizabethtown Rd. – ArTriel Kirchner, Planning Director

Terry Wethington with Ample Storage requests to rezone a portion of two parcels from Agriculture to B-7 (general commercial/mobile home sales). The property is located on NC Highway 41 adjacent to Northeast Plaza (Elizabethtown Road - parcel # 10120200102, deed book 1795, pg. 895 and parcel #10120200103, deed book 694, pg. 74).

Land Use Plan: Both parcels are currently zoned B-7, agriculture and County agriculture residential. The Land Use Plan designates the future use of this parcel as low intensity and is located in the ETJ.

The properties are zoned as follows (combined):

- The front portion of the parcels, ~ 5 acres is zoned B-7.
- The midsection of the parcels, ~ 20 acres is zoned 'A' Agriculture.
- The remaining portion of the parcels, ~ 8 acres is located within the County's jurisdiction and zoned County Residential Agriculture.

The applicant requests to extend the B-7 zoning district north to include ~ 9 acres of the portion of property zoned City's Agriculture. The applicant intends to develop both lots for a self-storage facility with a resident manager's apartment.

The Planning Staff asks Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the Public Hearing to consider an amendment to the Land Use Ordinance by rezoning property; parcel #10120200102 and parcel #10120200103, to B-7 (general commercial/mobile home sales). The purpose of the rezoning is to develop both lots for a self-storage facility with a resident manager's apartment. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that the Public Hearing was advertised in The Robesonian.

Terry Wethington appeared before Council and gave a brief overview of a presentation.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Leroy Rising, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- E. Request to Officially Close Abandoned Road Section – Holt Moore, City Attorney
- At the meeting on July 13th, Council adopted a Resolution of Intent to consider a request from Mr. Kenneth Spencer asking the City to close an abandoned road section. Our best information is that this section, which is between Roberts Ave and Mimosa, shown on the attached map, was long ago a section of Hardin Road. Mr. Spencer owns land on one side and the City owns the other. NCDOT, in discussions thus far, has no objection to the closure, nor does City staff.

The Resolution has been advertised in the Robesonian for four consecutive weeks. A sign was placed on the property by Public Works notifying any adjacent property owners of the intent to close, and appropriate notifications have been sent.

That City Council hold today's public hearing and consider the request.

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VI. AGENDA ITEMS

- A. HMGP Reconstruction 509 Swann Drive – Stephanie Canady, CDBG Administrator
The Planning Dept. is seeking approval to award a construction contract for the demo and rebuild of a home located at 509 Swann Dr. A bid opening was held on August 25, 2022, with the low bid going to Finesse Builders, Inc at \$150,000. This home demo and rebuild is part of the city's Hazard Mitigation Grant Program and all costs will be paid by grant funds. The Planning Dept. recommends awarding the contract to Finesse Builder, Inc. in the amount of \$150,000

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- B. HMGP Reconstruction 834 Lovette Road – Stephanie Canady, CDBG Administrator
The Planning Dept. is seeking approval to award a construction contract for the demo and rebuild of a home located at 834 Lovette Road. A bid opening was held on August 25, 2022, with the low bid going to Finesse Builders, Inc at \$150,000. This home demo and rebuild is part of the city's Hazard Mitigation Grant Program and all costs will be paid by grant funds. The Planning Dept. recommends awarding the contract to Finesse Builder, Inc. in the amount of \$150,000.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- C. Approval of Airport Grant Local Match Funding - New Fuel Farm – Gary Lewis, Airport Manager
The August NC Department of Transportation Board voted to award construction funds to install a new fuel farm for the Airport (see attachment). We have received the award letter granting \$1,764,000 in State funds. The award does require local match funding of \$196,000 (\$98,000 City and \$98,000 County).

Justification: The current fuel farm is over 40 years old (typical life expectancy is 20 years). The tanks are single wall tanks with no inspection cat walk and several repairs have been required for fuel leaks. This does not meet NFPA or OSHA requirements. A 12,000-gallon 100LL tank and a 12,000-gallon jet fuel tank with self-service capabilities will replace the current tanks.

Approve local match funding for a new fuel farm for the Airport.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- D. Approval of ___Sub-Station Transformer Re-inhibit Fluid Processing_____ – Greg Prevatte, Electric Utilities Director

The evaluation of transformers at POD #2 at Wesley Pines Rd indicated the need for the restoration of oxidation inhibitor and liquid levels. The Re-inhibit slows oxidation and adds to reliability. The oxidation process accelerates aging in substation transformers. As part of the re-inhibit, the transformer fluid will be restored to proper levels. The two transformers to be re-inhibited are well over forty years old. The cost to perform this is \$25,534.00. The Electric Utilities Department is requesting Council approval to award SD Myers to complete the Re-inhibit Fluid Process for Sub-Station #2 at a cost of \$25,534.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- E. Acceptance of _____Fencing re-configuration at EUD Complex _____ – Greg Prevatte, Electric Utilities Director

We received two quotes to move and re-configure fencing and gates. We would like to enclose the employee parking area and re-install the gates. This would allow for Contractor parking and enclose the training area. We received two quotes to complete this fencing project, Seegars \$28,974.00 and P & W Fencing \$49,800.00. Electric Utilities Department is requesting Council approval to award Seegars Fence Company to complete the fencing project for \$28,974.00. All monies were approved in our Capital Budget.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- F. 90Hp Flyght Pump at WWTP – Rob Armstrong, Public Works Director

During Hurricane Florence the influent pumps at the wastewater treatment plant were damaged by the surcharge of flood water into the sewer collections system. These are 90HP Flyght pumps. Public works does not have a spare pump to be used in this critical capacity and failure of the pumps is inevitable. One for these 2 pumps has previously been replaced. This request is for replacing the remaining damaged pump.

From Legal: This is a sole-source-type item; that is the reason for having only one quote.
Public Works is recommending council approval of one new 90HP Flyght influent pump

from Xylem Water Solutions in the amount of \$93,695.84 to be purchased using capital code 60-00-8330-5560.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

G. Adopt a Resolution to Apply for Grant Funding to Replace 3 Culverts – Rob Armstrong, Public Works Director

Public Works is requesting Council to adopt the attached resolution allowing the City to apply for a North Carolina State Revolving Loan Grant for culvert replacements on 1st Street, the Five Mile Branch at the railroad and at Linkhaw Road at the railroad. A hydraulic study has been conducted on both the 1st Street culvert and the Five Mile Branch culvert at the railroad. These culverts have been found to be insufficiently sized and are considered good candidates for grant funding under the new stormwater program thru the State. We are also asking the SRF program to grant the City additional funds for the Linkhaw Road culvert replacement at the railroad. This culvert project was partially funded by a \$250,000 North Carolina Golden Leaf Foundation grant. We are seeking additional money as a match from SRF to fund the entire project. Overall, the City will be applying for approximately \$1,200,000 in grants to fund these three projects.

Public Works is requesting Council to adopt the attached resolution allowing the City to apply for a North Carolina State Revolving Loan Grant for culvert replacements at 1st Street, the Five Mile Branch and on Linkhaw Road.

RESULT:	ADOPTED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

H. Award Grant Administration of Golden Leaf Funds for the Linkhaw Road Culvert Project – Rob Armstrong, Public Works Director

The Wooten Company helped the City put together a North Carolina Golden Leaf Foundation Application for the Culvert Replacement Project on Linkhaw Road under the railroad. We were awarded \$250,000 for this project which only partially funds the estimated \$490,000 project. One of our first steps in order to secure the Golden Leaf funds is to select a Grant Administrator. Public Works is recommending we contract with the Wooten Company for this service. Attached is their proposed agreement which will charge hourly for their services with an estimated fee cap of \$9,500.

Public Works is requesting Council to award the Wooten Company the Golden Leaf Grant administration contract for the Linkhaw Road Culvert Replacement for a fee not to exceed \$9,500 to be paid for by the Golden Leaf project funds.

Minutes Acceptance: Minutes of Sep 7, 2022 11:00 AM (Minutes Approval)

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- I. Adopt a Resolution to Apply for a Grant to fund Process Improvements at the Water Treatment Plant – Rob Armstrong, Public Works Director
- Public Works is requesting Council to adopt the attached resolution to apply for a North Carolina State Revolving Fund Grant for Water Treatment Plant Process Improvements. The City was previously awarded a \$500,000 low interest loan thru SRF to modify our backwash sludge management basin at the Water Plant, however, once we started into design, the SRF program manager indicated the funds could not be used for removing sludge from the basin. After consulting with SRF and the Wooten Company, Public Works would like to modify the project scope to include sludge management as well as chlorination process changes. The total grant amount requested is approximately \$1,800,000.
- Public Works is requesting Council to adopt the attached resolution to apply for a North Carolina State Revolving Fund Grant for Water Treatment Plant Process Improvements.

RESULT:	ADOPTED [8 TO 0]
MOVER:	Karen Higley, Precinct 4
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- J. Declare Property Surplus - Conduct Sealed Bid – Holt Moore, City Attorney
- The City recently acquired 1821 Booker Avenue via tax foreclosure and has no particular use for it. We have received interest from a local resident and would suggest declaring the property surplus and conducting a sealed bid with a reasonable minimum bid of at least what we have in it, and thereby hopefully return the property to the tax rolls. Pictures and the tax office information are attached.
- Declare the property surplus and allow staff to move forward with sealed bid sale.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- K. Approval of Lumberton's Growth Statistics for the Robeson County Comprehensive Transportation Plan – Brandon Love, Deputy City Manager
- Since December 2020, the City of Lumberton, in collaboration with the North Carolina Department of Transportation and the Lumber River RPO, have been updating data from the 2016 Lumberton Comprehensive Transportation Plan (CTP). Lumberton's updated information will be included in the update of the Robeson County Comprehensive Transportation Plan (CTP), which will encompass all municipalities in Robeson County as

well as all unincorporated areas. Today we will present the estimated annual growth rates for the number of Employees and Households located in the Lumberton Planning Area. We are asking the City Council to approve these estimates.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- L. Ratify the designation of \$150.00 for to Help Defray the Cost of a Luncheon for a Dixie Youth Softball Team – Leroy Rising, Precinct 1
Request Council ratify the designation of \$150.00 of CRF that was used to defray the cost of a luncheon for one of the Dixie Youth Softball Team that participated in the World Series. Please make the check payable to Ms. Suzanne Abbott as a reimbursement.
Ratify the designation of \$150.00 to Ms. Suzanne Abbott as a reimbursement of the money paid .

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- M. Approve the designation of \$500.00 of CRF to Greater Chrysolite Church for a Back-to-School Event – Melissa Robinson, Precinct 2
Councilwoman Robinson would like to designate \$500.00 of CRF to Greater Chrysolite Church for a Back-to-School event.
Designate \$500 of CRF to Greater Chrysolite Church for a Back-to-School event.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- N. 3710 : P2 - CRF to United Pentecostal Holy Church Back-to-School Event – Melissa Robinson, Precinct 2
Councilwoman Robinson would like to designate \$200.00 of CRF to United Pentecostal Holy Church for a Back-to-School event.
Designate \$200 of CRF to United Pentecostal Holy Church for a Back-to-School event on August 2, 2019.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- O. Approve the designation of \$200.00 of CRF to New Beginnings Church for a Back-to-School Event – Melissa Robinson, Precinct 2
 Councilwoman Robinson would like to designate \$200.00 of CRF to New Beginnings Church for a Back-to-School event.
 Designate \$200 of CRF to New Beginnings Church for a Back-to-School event.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- P. Approve the designation of \$800.00 of Community Revitalization Funds to Golden Leaf Lodge #124 as follows: P5 - \$300 P6 - \$300 P2 - \$100 & P3 - \$100 – John Cantey, Precinct 5
 Councilmen Cantey, and Howard request \$300.00 from Precinct 5, \$300.00 from Precinct 6. Councilwoman Robinson and Councilman Carroll are donating \$100 from their perspective precincts to be given to Golden Leaf Lodge #124 for Community Programming.
 Designate \$800.00 to Golden Leaf Lodge #124.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- Q. Ratify the designation of \$450.00 to Ms. Karla Carter ...K&L Veterans Affairs for the Annual Standoff Program – Chris Howard, Precinct 6
 Request Council ratify the designation of \$450.00 of CRF to Ms. Karla Carter with K&L Veterans Affairs for the Annual Standoff Program which was held on August 19th, 2022, at Osterneck Auditorium. Ms. Carter does an excellent job with our veterans!
 Ratify the designation of \$450.00 to K&L Veterans Affairs for the Annual Standoff Program.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- R. Approve the designation of \$100.00 for the Inaugural Cheer Xcel Open – Eric Chavis, Precinct 7

Councilman Chavis would like to donate \$100 of Community Revitalization Funds for a golf tournament for the Inaugural Cheer Xcel.

Approve the designation of \$100 of CRF to the Inaugural Cheer Xcel Open Golf Tournament.

Contributions were made as follows: P1 - \$50 P2 - \$50 P3 - \$50 P4 - \$50 P6 - \$50 P7 - \$100 & P8 - \$100 for a total of \$450.00 to the Inaugural Cheer Xcel Opener.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Owen Thomas, Precinct 8
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

- S. Approve the designation of \$300.00 of Community Revitalization Funds to the Mayfair North Association for Beautification in Precinct 8 – Owen Thomas, Precinct 8

The Mayfair North entrance is maintained by the Mayfair North Association which was established by deed restrictions when Mayfair North was developed. I am requesting \$300.00 of CRF to be given to the Mayfair North Association for entrance beautification.

Designate \$300.00 of CRF to the Mayfair North Association for entrance beautification.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- T. Approve the designation of \$300.00 of Community Revitalization Funds to the Mayfair Homeowners Association for Beautification in Precinct 8 – Owen Thomas, Precinct 8

Councilman Thomas is requesting \$300.00 of CRF to be given to the Mayfair Homeowners Association for beautification.

Designate \$300.00 of CRF to the Mayfair North Association for beautification.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

U. Request for Sponsorship from Lumberton Athletics - Booster Club – Holt Moore, City Attorney

Councilman Thomas has been contacted by the Lumberton High School Booster Club seeking support that would benefit the athletic programs at Lumberton High.

That Council consider the request.

Councilman Thomas talked about the sign that is placed at the High School being updated and the Mayor stated that the sign is correct.

RESULT:	NOT APPLICABLE
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VII. ADJOURNMENT

Minutes Acceptance: Minutes of Sep 7, 2022 11:00 AM (Minutes Approval)

**CITY OF LUMBERTON****CITY COUNCIL****MINUTES • APRIL 5, 2023****Regular Meeting****Council Chambers****11:00 AM****500 N Cedar St, Third Floor, Lumberton, NC 28358****I. CALL TO ORDER**

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Mayor Pro Tem	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: Pastor LeDon Barnhill, The Pentecostals of Lumberton**C. Pledge of Allegiance: Led by Councilwoman Higley****II. PUBLIC COMMENT PERIOD: MR. GRAHAM HARDIN**

Mr. Graham Hardin, 105 N. Chippewa Street, appeared before Council and registered a complaint concerning the car wash located at 706 2nd Street. He complained of the noise and the outrageous goings on that do occur at all times of the day and night. He asked that Council would look into this matter because he has called the police on multiple occasions and nothing has been done. Mr. Hardin stated that of course there will only be one complaining because my house is the only one on that street. He stated that Council is aware of the situation and

III. GENERAL**A. Remove Graffiti - Leon Burden –**

Mr. Leon Burden and Deana Locklear appeared before Council along with a gentleman from NC Prevention Youth Violence Organization. They have been working with the Lumberton Police Department for the past three years and they are here to talk about the program to combat graffiti that is placed by gang members. After hearing the presentation, the consensus is to meet with the organization. Staff will setup a time for them to meet.

RESULT: ANNOUNCED**IV. PUBLIC HEARINGS:**

Minutes from March 21st, 2023 Planning Board Meeting – Brian Nolley, Deputy Planning Director

A copy of the draft minutes from the March 21st, 2023 Planning Board meeting are available for review.

<< Recommendation >>

RESULT:	NOT APPLICABLE
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- A. Dunn Street, LLC is requesting a contiguous annexation of parcel # 101301011, located on Dunn Road. – ArTriel Kirchner, Planning Director

Dunn Street, LLC is requesting a contiguous annexation of property located on Dunn Road, being parcel # 101301011. The proposed development is a 56 unit multifamily complex. The applicant is also requesting the property be rezoned from R20 (single family residential) and 'A' (agriculture) to B3 (office/residential).

Recommends that City Council hold today's public hearing and approve the annexation request.

Mayor Davis opened the public hearing to consider extending the Corporate Limits by annexing contiguous property located on Dunn Road. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in The Robesonian. No one appeared to speak and the hearing was closed.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- B. Matthew Harrell is requesting a rezoning of parcel # 10130100201 and 101301011 from 'A' (agriculture) and R-20 (residential single family) to B-3 (office/residential) – ArTriel Kirchner, Planning Director

Matthew Harrell is requesting a rezoning of two parcels on Dunn Road (parcel # 10130100201 and 101301011) from 'A' (agriculture) and R-20 (residential single family) to B-3 (office/residential) for a proposed multifamily development.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located on Dunn Road from A (Agriculture) and R-20 (Residential Single Family) to B-3 (Office / Residential) for a proposed multifamily development.

Mr. Bill McCauley appeared before Council as a representative for Matthew Harrell. He stated the they appreciate the work of the Planning Board and staff. Councilman Chavis asked how long will it be before this project begins. Mr. McCauley stated that they are working in conjunction with the NC Housing Finance Agency and the preliminary plans were submitted in January and it will be August before they find out if they were awarded the project and from there it's a 4 to 6 months turn around.

No one else appeared to speak and the hearing was closed.

Minutes Acceptance: Minutes of Apr 5, 2023 11:00 AM (Minutes Approval)

City Attorney Moore polled the Council to see if they had considered all the permissible uses for the rezoning and if it is consistent with the Land Use Plan. The consensus was they had all considered and the rezoning was approved.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. FGM Development Conditional Rezoning Request - Hornets Rd. – ArTriel Kirchner, Planning Director

FGM Development, LLC (Fred Mills Sr). is requesting a conditional rezoning of a portion of parcel #101002012 from 'A' (agriculture) to B2 (community business) for multifamily use only . The parcel will be subdivided. The subdivided parcel will be approximately 7.5 acres and the proposed development is a 64-unit multifamily complex. Furthermore, The Land Use Plan designates the future use of the parcel as low intensity and is located within the ETJ. The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located on Hornets Road from A (Agriculture) and B-2 (Community Business)with multifamily use only for the proposed development of a 64-unit multifamily complex.

Thomas Neville, Attorney from Cumberland County appeared as a representative for FGM. Attorney Neville gave an overview to further explain why this Conditional Rezoning should be granted. He showed several maps as to the surroundings and why this type housing is necessary. He stated that it would be a benefit to this area.

Ms. Tammy Sterns, appeared before Council and gave an overview of the site plan. She stated that on this site there is no requirement for cutting of trees and there are no obstacles that would hinder construction. She stated that there would be 64-units with some ADA compliant, 120 parking spacing and a community building.

Councilman Carroll asked if there would be any negative impact on the Northeast Park? City Manager Horne stated that typically with these complexes they have 24-hr management. He stated that they implement background checks and do their own type of procedures before renting. He stated that to answer your questions, I do not foresee any negative impact on the park.

No one else appeared to speak and the hearing was closed.

City Attorney Moore polled the Council to see if they had considered all the permissible uses for the rezoning and if it is consistent with the Land Use Plan. The consensus was they had all considered and the rezoning was approved.

RESULT:	APPROVED [8 TO 0]
MOVER:	Eric Chavis, Precinct 7
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

D. Rudy Eduardo Gallego is requesting a conditional rezoning for property located on Saxon Avenue. – ArTriel Kirchner, Planning Director

Rudy Eduardo Gallego is requesting a rezoning for property located on Saxon Avenue (parcel # 10140304305). This property is zoned -R-6 (Class 'A' mobile homes), M-2 (Heavy Manufacturing), and 'A' (Agriculture). This request is to rezone the property from Agriculture, R-6 and M-2 to CZ Agriculture, with the condition that no mobile or manufactured homes will be allowed.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located on Saxon Avenue from R-6 (Class "A" Mobile Homes), M-2 (Heavy Manufacturing), and "A" Agriculture to, Conditional Zoning Agriculture with the condition that no mobile or manufactured homes will be allowed.

Larry Anderson, Anderson Engineering appeared to speak and stated that this is pretty straight forward and that there is a need for housing.

No one else appeared to speak and the hearing was closed.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- E. Rudy Eduardo Gallego is requesting a Special Use Permit for a Major Subdivision for property located on Saxon Avenue. – ArTriel Kirchner, Planning Director
Rudy Eduardo Gallego is requesting a Special Use Permit for a Major Subdivision for property located on Saxon Avenue (parcel # 10140304305). The proposed subdivision will have 19 lots, which requires a Special Use Permit.
The Planning Staff asks City Council to hold today's public hearing and approve the Special Use Permit request.

Mayor Davis opened the public hearing to consider the issuance of a Special Use Permit for property located on Saxon Avenue for a major subdivision. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in **The Robesonian**.

Larry Anderson appeared to speak and stated that he is present to answer any questions that Council may have.

No one else appeared to speak and the hearing was closed.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- F. Amar Mustafa - Rezoning of a portion of parcel # 321002021 located at 2368 Elizabethtown Rd from R-7 (residential single family/duplex) to B-4 (business general commercial) – ArTriel Kirchner, Planning Director

Amar Mustafa is requesting a rezoning of a portion of parcel # 321002021 located at 2368 Elizabethtown Rd from R-7 (residential single family/duplex) to B-4 (business general commercial) for a proposed commercial/retail development.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning property located at 2368 Elizabethtown Road from R-7 (residential single family/duplex) to B-4 (business general commercial) for a proposed commercial/retail development. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication from The Robesonian that shows it was advertised.

Amar Mustafa appeared before Council and explained why he is requesting the rezoning. He stated that there is a split between the R-7 and B-4 zoning with no road frontage and he wants to unify the land for potential use as

No one else appeared to speak and the hearing was closed.

City Attorney Moore polled the Council to see if they had considered all the permissible uses and the compatibility to the Land Use Plan for the rezoning. The consensus was they had all considered and the rezoning was approved.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- G. Mark Morgan is requesting a rezoning of a portion of property located at 3400 Elizabethtown Road (parcel # 101203007) from 'A' (agriculture) to B-2 (business community). – ArTriel Kirchner, Planning Director

Mark Morgan is requesting a rezoning of a portion of property located at 3400 Elizabethtown Road (parcel # 101203007) from 'A' (agriculture) to B-2 (business community) for the development of a 64 unit multifamily complex.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing for the purpose of considering an amendment to the Land Use Ordinance by rezoning a portion of property located at 3400 Elizabethtown Road from "A" (Agriculture) to B-2 (Business Community) for the development of a 64-unit multifamily complex. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication from The Robesonian that shows it was advertised.

Mr. Morgan appeared before Council and stated that he is present to answer any questions or concerns Council may have.

No one else appeared to speak and the hearing was closed.

City Attorney Moore polled the Council to see if they had considered all the permissible uses for the rezoning. The consensus was they had all considered and the rezoning was approved.

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

H. Midsouth Investment Group Rezoning Woodridge Dr. – ArTriel Kirchner, Planning Director Midsouth Invest Group, LLC. is requesting a rezoning from B4 (general commercial) to B3 (office residential). The request is to rezone 2 parcels 10090201811 and 10090201810 for the construction of duplex's. *Parcel number 10090201809 is already zoned B3.

- The Planning Board held its public meeting for this item on March 21, 2023. Several residents expressed their concerns about added flooding from the proposed development.
- The Planning Board recommends approval with the condition that the Planning Department request the Public Works Director to address the resident's drainage concerns and flooding in the neighborhood.
- The Planning Department received the following response from Robert Armstrong, Director of Public Works:
- This stormwater runoff drains via the open ditch behinds these houses back toward the large ditch on Linkhaw road and then under the railroad. The railroad culverts are the subject of our golden leaf funded drainage improvement project that should help this area during normal storm events but may not help so much during extreme flooding events.

- The Planning Board unanimously recommends approval.

The Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

Mayor Davis opened the public hearing on a request to rezone property from B4 (general commercial) to B3 (office residential) for the construction of duplexes.

Mayor Davis recused himself in case of a tie.

Mr. Brad Martin appeared to speak on behalf of Midsouth Investment Group.

Mr. Sandel Clawson, Crystal Blue Clawson and Ms. Angela Jones appeared to speak, not against but expressing their concerns with the flooding/drainage issues that already exist.

City Manager Horne and Public Works Director Rob Armstrong spoke to the grant that has been approved for this area. He stated that it is in the design phase and will definitely help with the drainage issues in this area. PW Director Armstrong stated that he is not sure about the timeline because we have to follow CSX but we will be bringing a contract back to Council.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
RECUSED:	Davis

I. RDC Academy Special Use Permit Request – ArTriel Kirchner, Planning Director

David McCarter is requesting a Special Use Permit to operate a private school/church at 2405 Snake Road, Parcel # 29010100103, Deed Book 873, pg. 234. Use 5.110 Elementary and secondary schools require a special use permit. The parcel is currently zoned agriculture and located in the ETJ.

The Planning Staff asks City Council to hold today's public hearing and approve the Special Use Permit request.

Mayor Davis opened the public hearing to consider the issuance of a Special Use Permit to operate a private school/church at 2405 Snake Road.

Mr. David McCarter appeared to speak as the applicant.

No one else appeared to speak and the hearing was closed.

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- J. Request to close Evergreen Street from Whiteville Ave to Terminix Company rear property line on East 5th Street. – Wayne Horne, City Manager

City staff received a request from Pastor Mike Bowen and Chairman of the Deacons Board, Randy Graham at East Lumberton Baptist Church, to close a portion of Evergreen Street from Whiteville Avenue to the rear corner of the Terminix Company property on East 5th Street. The purpose of the request is to allow the Church to build a new sanctuary and a new family life center. The public hearing was advertised in the Robesonian for four consecutive weeks and on March 31, 2023.

That Council conduct the public hearing and adopt an Order Closing Evergreen Street from Whiteville Avenue to Terminix Company rear property line on East 5th Street.

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

V. MINUTES APPROVAL

- A. City Council - Regular Meeting - Mar 8, 2023 11:00 AM –

RESULT:	ACCEPTED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VI. AGENDA ITEMS

Minutes Acceptance: Minutes of Apr 5, 2023 11:00 AM (Minutes Approval)

- A. 2017 HMGP Demolition Group #10 – Stephanie Canady, CDBG Administrator
The Planning Department received bids on March 30, 2023 at 2:00 pm, for 2 properties acquired under the city's Hazard Mitigation Grant Program. These properties are located at 114 Spearman Street and 3680 Kale Drive. We received 7 bids with Barfield's Backhoe bidding the lowest price at \$37,539.00. The cost will be paid for with grant funds. Staff recommends awarding the bid for the 6 properties to Barfield's Backhoe in the amount of \$37,539.00.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- B. 2018 HMGP Demolition Group #1 – Stephanie Canady, CDBG Administrator
The Planning Department received bids on March 30, 2023 at 2:15 pm, for 4 properties acquired under the city's Hazard Mitigation Grant Program. These properties are located at 3950 Kings Cross Road, 1706 Maryland Street, 3087 Westminster Street, and 601 S Willow Street. We received 7 bids with Barfield's Backhoe bidding the lowest price at \$43,756.00. The cost will be paid for with grant funds. Staff recommends awarding the bid for the 6 properties to Barfield's Backhoe in the amount of \$43,756.00.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- C. Unsafe Structure 301 Chippewa Street – Ben Andrews, Inspections Director
The Structure located at 301 Chippewa Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on March 31, 2022, in which the owners were not present. An order to demolish the structure was issued. The time in which the owners had to comply expired on May 10, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 301 Chippewa Street.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

- D. Unsafe Structure 50 Carolina Avenue – Ben Andrews, Inspections Director
The Structure located at 50 Carolina Avenue was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on November 18, 2021, in which the owners were not present. An order to demolish the

structure was issued. The time in which the owners had to comply expired on October 8, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 50 Carolina Avenue

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

E. Unsafe Structure 511 Bullard Avenue – Ben Andrews, Inspections Director

The Structure located at 511 Bullard Avenue was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on March 29, 2022, in which the owners were not present. An order to demolish the structure was issued. The time in which the owners had to comply expired on May 5, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 511 Bullard Avenue.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

F. Unsafe Structure 407 Bullard Avenue – Ben Andrews, Inspections Director

The Structure located at 407 Bullard Avenue was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on March 29, 2022, in which the owners were present. An order to demolish the structure was issued. The time in which the owners had to comply expired on May 5, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 407 Bullard Avenue

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

G. Unsafe Structure 215 Prevatte Street – Ben Andrews, Inspections Director

The Structure located at 215 Prevatte Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on November 15, 2022, in which the owners were not present. An order to demolish the structure was issued. The time in which the owners had to comply expired on December 20, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 215 Prevatte Street.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

H. Unsafe Structure 3201 Roberts Avenue – Ben Andrews, Inspections Director

The Structure located at 3201 Roberts Avenue was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on July 28, 2022, in which the owners were not present. An order to demolish the structure was issued. The time in which the owners had to comply expired on September 2, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 3201 Roberts Avenue.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

I. Unsafe Structure 2120 Nevada Street – Ben Andrews, Inspections Director

The Structure located at 2120 Nevada Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on May 10, 2022, in which the owners were not present. An order to demolish the structure was issued. The time in which the owners had to comply expired on June 22, 2022. Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 2120 Nevada Street.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

J. Unsafe Structure 2310 Rosenwald Street – Ben Andrews, Inspections Director

The Structure located at 2310 Rosenwald Street was inspected by our department and was determined to be unsafe. A notice of Condemnation and Hearing was sent. A hearing was held on August 2, 2022, in which the owners were present. An order to demolish the structure was issued. The time in which the owners had to comply expired on September 6, 2022.

Staff recommends the City Council direct the building inspector to demolish and remove the unsafe structure located at 2310 Rosenwald Street.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- K. Chlorine Meter for City Lab – Rob Armstrong, Public Works Director
Chlorine meters for the City of Lumberton Lab are used for process control at both the Water and Wastewater Treatment Plants. Currently the lab uses the Hach DR3900 meter for this task. The lab has requested to purchase a new DR3900 meter to better help with process control at both plants. This is not a budgeted item. Please see the quotes received. Public Works is requesting council approval to purchase a new DR3900 chlorine meter from Hach in the amount of \$6,459.00 with funds coming from the Water and Sewer Capital Reserve Fund.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- L. Landfill Scale Repair – Rob Armstrong, Public Works Director
Public Works has \$25,000 in our Sanitation Fund Capital Budget to pay for repairs and upgrades to the LCID Landfill scales on Saddletree Road. The scales are used to track the tonnage of debris taken to the landfill. The scale repairs involve replacing existing load cells as well as upgrading the operator kiosk which no longer works. The management software and recording components are Charlotte Scale Co. items so we have considered this a sole source repair using proprietary parts. As part of our renewed LCID Permit with the State, they are requiring printed scale tickets in lieu of the hand written tickets we have been submitting in the past. In order to provide this service, \$13,335 has been added to the original quote of \$19,205.83. This brings the total repairs and improvements to \$32,540.84. We would like to pay for this using the \$25,000 allocated in the capital fund code 67-00-8147-5567 and use \$7,540.84 from the Sanitation Fund balance to complete this project. Public Works is requesting Council to approve Charlotte Scale Co., Inc. to make repairs and improvements to the LCID Landfill scales for \$32,540.84 to be paid for using the \$25,000 allocated in capital fund code 67-00-8147-5567 and using \$7,540.84 from the Sanitation Fund balance.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- M. Linkhaw Road Culvert Replacement Engineering Agreement – Rob Armstrong, Public Works Director

At the March meeting, Council selected the Wooten Company as the engineer for the Linkhaw Road Culvert Replacement Project, based on their qualifications. Attached is the proposed engineering contract from the Wooten Company for an overall fee of \$97,280 for the design, project management and construction observation of the project. This will be paid for out of the \$250,000 North Carolina Golden Leaf Foundation Grant for the Project. Public Works is requesting Council to approve the Linkhaw Road Culvert Replacement Engineering Contract with the Wooten Company for \$97,280 to be paid for from the grant funds received from the North Carolina Golden Leaf Foundation

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

N. FGM Development/Moss Neck Trust Annexation Request – ArTriel Kirchner, Planning Director

FGM Development, LLC (Fred Mills Sr). is requesting a contiguous annexation of property located on Hornets, being parcel # 101002012. The annexation is for a portion of the parcel (7.5 acres) that will be subdivided. The proposed development is a 64- unit multifamily complex. The applicant is also requesting the property be rezoned from ‘A’ (agriculture) to B2 (community business) with multifamily use only condition.

Planning Staff asks City Council to hold today's public hearing and approve the Contiguous Annexation.

RESULT:	REFERRED [8 TO 0]	Next: 5/3/2023 11:00 AM
MOVER:	Melissa Robinson, Precinct 2	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

O. Gloria Thornhill Annexation Request 5610 Fayetteville Rd. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Gloria Thornhill, requesting a contiguous annexation of property located at 5610 Fayetteville Rd. parcel 3100205038, Deed Book 01039, pg. 336. The property owner has connected to city sewer without city authorization. The property is currently zoned City of Lumberton R-20 therefore a rezoning is not required and is located in the City's ETJ. The City Clerk has Certified the Sufficiency of the Petition and City Council has adopted the Resolution Fixing the Date of the Public Hearing for June 7th, 2023 @ 11:00 a.m. That City Council hold the public hearing and adopt Ordinance No. 2023.06.01, Extending the Corporate Limits for the proposed Contiguous Annexation for Gloria Thornhill.

RESULT:	REFERRED [7 TO 1]	Next: 5/3/2023 11:00 AM
MOVER:	Leroy Rising, Precinct 1	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Chavis, Thomas	
NAYS:	Howard	
ABSTAIN:	Davis	

- P. George Zindros is requesting a Special Use Permit to operate a private elementary/high school at 812 E. 5th Street – ArTriel Kirchner, Planning Director
The Planning & Neighborhood Services Department received an application to amend a Conditional/Special Use Permit for an existing private school at 812 E. 5th Street. The amendment is to extend the Conditional/Special Use Permit to include grades 6 thru 12 and add parcels (3) 32340204401; (4) 32340204502; (5) 32340204501; and (7) 323402045.

All Parcel #'s (1) 323402042; (2) 323402041; (3) 32340204401; (4) 32340204502; (5) 32340204501; (6) 323402046; (7) 323402045 and (8) 323902001.

Council review the request, refer the petition to the April 18, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	APPROVED AND SENT [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- Q. Approval of ARP Grant Project Ordinance – Alisha Armstrong, Finance Director
Our annual ARPA Project and Expenditure Report is due April 30, 2023. Finance would like to show all funds have been expended and close this grant out. The School of Government recommends reporting that the City was reimbursed for salaries in order to close the grant out and make reporting easier for City staff and our auditors. General fund money that was budgeted for salaries will now be available for paving and purchase of the police cars and equipment, but will not be subject to any grant restrictions or timelines. Recommend that Council approve the Final ARPA Grant Project Ordinance and approve using General Fund money for the police cars, equipment and paving.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- R. Award the Professional Auditing Services – Alisha Armstrong, Finance Director
The current audit contracts expired with the FY 2022 audits. Letters of interest in receiving a copy of the RFP for auditing services for the next three fiscal years were sent to seven firms. Three firms received a RFP and two firms responded.

2023	2024	2025	Total
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Thompson, Price, Scott, Adams & Co., PA \$47,450 \$47,450 \$47,450
\$142,350

W. Greene, PLLC \$22,000 \$22,000 \$22,000 \$66,000

Recommend that Council award the professional auditing services for the City of Lumberton and the Lumberton Airport for the next three fiscal years to W. Greene, PLLC.

RESULT: **APPROVED [8 TO 0]**
MOVER: John Cantey, Precinct 5
SECONDER: Chris Howard, Precinct 6
AYES: Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN: Davis

- S. Approve the designation of \$400.00 of Community Revitalization Funds to Wycliffe West Homeowners' Association – Leroy Rising, Precinct 1
Councilman Rising requests \$400.00 of CRF to be given to the Wycliffe West Homeowners' Association for beautification of neighborhood, pine straw/refreshments.
Designate \$400.00 of CRF to the Wycliffe West Homeowners' Association in Precinct 1.
Make check payable to Honorable Judge Stan Carmical, 4 Westchester Place.

RESULT: **APPROVED [8 TO 0]**
MOVER: Leroy Rising, Precinct 1
SECONDER: John R. Carroll, Precinct 3
AYES: Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN: Davis

- T. Approve the designation of \$300.00 for Cruising 2nd Street Again in Precinct 4 – Karen Higley, Mayor Pro Tem
Councilwoman Higley requests \$300.00 of CRF for “Cruising 2nd Street Again” an event that will be held on Saturday, April 19th, 2023, from 12:30-6:30 pm.
Designate \$300.00 for Cruising on 2nd Street Again.

RESULT: **APPROVED [8 TO 0]**
MOVER: Karen Higley, Mayor Pro Tem
SECONDER: Owen Thomas, Precinct 8
AYES: Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN: Davis

- U. Lumberton Senior High School - Beta Club – Owen Thomas, Precinct 8
The City Clerk received an application from Ms. Wendy Harrell, Beta Club Advisor of Lumberton High School requesting funding. Attached you will find an application for Community Revitalization Funds for the purpose of providing students with the opportunity to compete at the national level. Funds for this activity will not only benefit the students competing, but the school and community as a whole.
That Council consider the request.

Funds were donated as follows:

P1 - \$100 P2 - \$100 P3 - \$100 P4 - \$100 P7 - \$100 P8 - \$100 for a total of \$600.00.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

V. Donation to Baptists on Mission – Holt Moore, City Attorney

The Mayor would like to provide \$10,000 of discretionary funds to Baptists on Mission for 1 or more local housing projects.

Approve grant of discretionary funds to Baptists on Mission.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

W. Pentecostals of Lumberton - Request to close a Portion of Riverside Drive from Poplar Street to Carthage Road – Holt Moore, City Attorney

City staff received a request from The Pentecostals of Lumberton, to close a portion of Riverside Drive from Poplar Street to Carthage Road for the purpose of expansion/improvements to the sanctuary and life center located on Carthage Road. Reports have been received from Staff as well as property owners have been notified. It was advertised in **The Robesonian** for four consecutive weeks.

That Council hold the Public Hearing, review the reports and render a decision.

RESULT:	REFERRED [8 TO 0]	Next: 5/3/2023 11:00 AM
MOVER:	Eric Chavis, Precinct 7	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

X. Authorize the Purchase of I-95 Widening Material_____ – Greg Prevatte, Electric Utilities Director

EUD has formally bid out the materials needed to relocate electric power lines along the I-95 widening project. Border States was the only vendor that met the formal bid requirements. The cost for these materials is \$1,080,076.27, At this time no vendors were able to provide a bid for overhead transformers. Also, the wood utility poles will be bid out at a later date.

EUD is requesting the approval from council to award this bid to Border States for \$1,080,076.27, so EUD can start the purchasing process. EUD would like to start ordering these materials as soon as possible due to the long delivery dates for these materials.

EUD Prevatte added that this is a project that we put pay forward and will be reimbursed for the project, Councilman Cantey had a question as to the funding and the Finance Director Alisha Armstrong stated that luckily the Electric Fund will be able to handle this and it will not come from the General Fund.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

VII. ADJOURNMENT

**CITY OF LUMBERTON****CITY COUNCIL****MINUTES • JUNE 7, 2023****Regular Meeting****Council Chambers****11:00 AM****500 N Cedar St, Third Floor, Lumberton, NC 28358****I. CALL TO ORDER**

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Mayor Pro Tem	Excused	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Excused	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: City Attorney Holt Moore –

C. Pledge of Allegiance: Led by Will Wilson –

II. RECOGNITION - LUMBERTON JR. HIGH SCHOOL SOCCER TEAM

Councilman Cantey along with the Mayor and City Council presented the Lumberton Jr. High School Soccer Team with Certificate of Appreciation and a City Lapel Pin for their outstanding sportsmanship and outstanding performance during the 2023 season. The team ended the season 10-1, defeating Pembroke in the county championship game avenging the only loss they had in the season. Councilman Cantey stated that this team outscored the opposition 50-4 for the season, winning their second consecutive champion. The team has only played two seasons.

He stated that one of the players from the team, Ivan Lopez recently tried out for the developmental program of the New England Revolution, which is a Major League Soccer franchise and made the development program. Councilman Cantey stated that this is the talent that is in Lumberton and something to be proud of. Listed below is a list of the Soccer Team.

Lumberton Jr. High Boys Soccer roster

1. Ivan Lopez-
2. Iker Gonzalez
3. Ben Garcia
4. Johnathan Herrera
5. Omar Sadda
6. Wilfred Gomez
7. Braydo Aguilar
8. Paul Elliott
9. John Dienant

10. Chris Gomez
11. Bryan Gallegos
12. Wesley Hernandez
13. Akram Alsaïdi-26
14. Irving Gutierrez
15. Henry Diaz
16. Esdras Vail
17. Muneeb Saleeh
18. Angel Galena
19. Elvis Diaz-18
20. Bryan Juarez
21. Axel Lucas
22. Jairo Gomez

Athletic Director/Head Coach-Daniel Humphrey
 Assistant Coach- Julian McGarrahan
 Assistant Coach- Brittany Bolin
 Principal- Jamane Watson

III. PUBLIC SPEAKERS

A. Mr. Russell Webb: No show –

IV. PUBLIC COMMENT PERIOD

No one appeared to speak.

V. PUBLIC HEARINGS:

Planning Board Minutes May 16 2023 – ArTriel Kirchner, Planning Director
 Draft minutes from the May 16th, 2023 Planning Board Meeting are available for review.
 << Recommendation >>

RESULT:	NOT APPLICABLE
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A. Gloria Thornhill Annexation Request 5610 Fayetteville Rd. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Gloria Thornhill, requesting a contiguous annexation of property located at 5610 Fayetteville Rd. parcel 3100205038, Deed Book 01039, pg. 336. The property owner has connected to city sewer without city authorization. The property is currently zoned City of Lumberton R-20 therefore a rezoning is not required and is located in the City's ETJ. The City Clerk has Certified the Sufficiency of the Petition and City Council has adopted the Resolution Fixing the Date of the Public Hearing for June 7th, 2023 @ 11:00 a.m. That City Council hold the public hearing and adopt Ordinance No. 2023.06.01, Extending the Corporate Limits for the proposed Contiguous Annexation for Gloria Thornhill.

Mayor David opened the public hearing to consider extending the corporate limits by annexing contiguous property located at 5610 Fayetteville Road into the city limits. City Clerk Mitchell-McIntosh entered the Affidavit of Publication showing that it was advertised in [The Robesonian](#).

No one appeared to speak and the hearing was closed.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- B. Proposed 2023-2024 Municipal Fiscal Year Budget – Wayne Horne, City Manager
The proposed 2023-2024 Fiscal Year Budget was presented to City Council on Wednesday, May 24, 2023 Budget Workshop.

* NCGS 159-12 requires no earlier than 10 days after the budget is presented that City Council hold a public hearing to allow for public comments on the proposed budget before it is adopted.

* The proposed budget has been placed in; the City Clerk's Office, the East Lumberton Resource Center, Dr. Robert L. Jones Resource Center, and Robeson County Public Library.

Notice of the public hearing was advertised in the Robesonian.

Recommend that City Council hold a public hearing and consider the adoption of the proposed FY 2023-2024 Budget Ordinance.

Mayor Davis opened the hearing to consider the adoption of the FY2023-2024 Municipal Operating and Capital Budget. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in The Robesonian.

No one appeared to speak to the budget and the hearing was closed.

RESULT:	ADOPTED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

VI. MINUTES APPROVAL

- A. City Council - Regular Meeting - May 3, 2023 11:00 AM –

Minutes Acceptance: Minutes of Jun 7, 2023 11:00 AM (Minutes Approval)

RESULT:	ACCEPTED [6 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

VII. AGENDA ITEMS

- A. Authorize the Lumberton Police Department permission to apply for and accept FY23 Bulletproof Vest Grant – Michael McNeill, Police Chief

The Lumberton Police Department is requesting permission to apply for the Bulletproof Vest Partnership Grant due to bulletproof vests replacement needs. The cost for the vests will be approximately \$20,250.00 with a 50% match.

It is recommended that the Lumberton Police Department is granted permission to apply for and accept the 2023 Bulletproof Vest Partnership Grant in the amount of \$20,250.

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- B. Authorize the Lumberton Police Department permission to utilize Federal drug forfeiture assets to purchase Tip411 Pro Subscription – Michael McNeill, Police Chief

Tips411 would be a valuable tool for the Lumberton Police Department by providing a way for the public to provide anonymous information to the police department. Tips411 is free to the public through a downloadable app on both Android and Apple devices.

It is recommended that the Lumberton Police Department be granted permission to use Federal forfeiture assets to purchase the Tips411 Pro subscription. Much success has been had with this program statewide, and we believe it would be an excellent use of the \$9,600 in drug forfeiture funds.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- C. Pines Lift Station Rehab – Rob Armstrong, Public Works Director

Council previously approved the rehab/repair of the Freeman lift station in the amount of \$300,000.00 using capital code 60-00-8332-5960. Public Works has since evaluated that the Pines lift station is in much more need of immediate repairs than the Freeman lift station. Public Works has sought quotes to rehab/repair the Pines lift station from Charles R.

Underwood, Inc., Terrahawk, and Dillion Electric Service LLC. Charles R. Underwood was the low bid at \$268,340.00, Terrahawk declined to quote at this time, and Dillion Electric quoted \$845,656.57.

Public Works is requesting Council re-appropriate the funds intended for the Freeman lift station and apply them to the Pines lift station and approve the quote of \$268,340.00 to Charles R. Underwood, Inc..

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

D. Waste Water Plant MCC #5 – Rob Armstrong, Public Works Director

Council has previously approved Motor Control Center Repairs in the Capital Budget in the amount of \$150,000 in code 60-00-8330-5560. Public Works requested quotes from Sanford Electrical Contractors, Inc., M-R Electric & Security Alarms, Inc., and Allen Townsend Electric to replace and updated MCC #5 at the WasteWater Treatment Plant. Sanford Electric was the low bid at \$131,004.99, followed by M-R at \$134,600.00. Allan Townsend Declined to quote.

Public Works recommends Council approval of bid from Sanford Electrical Contractors, Inc. in the amount of \$131,004.99.

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

E. Write-off of Delinquent Receivables – Alisha Armstrong, Finance Director

A list of delinquent receivables is attached for review and consideration for write-off. This is a standard accounting practice to write-off accounts receivable that are three years old and taxes receivable that are ten years old and continue our efforts to collect them.

Recommend that Council approve the write-off of the attached delinquent receivables.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

F. Approval of Budget Amendments – Alisha Armstrong, Finance Director

Budget amendments will be needed for the year end closing of fiscal year 2023. City Manager Wayne Horne and Finance Director Alisha Armstrong are requesting authorization to perform budget amendments for year end.

Recommend that Council authorize the City Manager and Finance Director to perform budget amendments for year end closing effective June 30, 2023.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- G. Steven Branch is requesting to rezone 1140 N. Roberts Avenue (parcel # 1014-01-001), from B-4 (general commercial) to B-7 (general commercial/manufactured home sales). – ArTriel Kirchner, Planning Director

Steven Branch is requesting to rezone property located at 1140 N. Roberts Avenue (parcel # 1014-01-001), from B-4 (general commercial) to B-7 (general commercial/manufactured home sales) for the operation of a manufactured home sales lot.

CPC review the request, refer the petition to the June 20th, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- H. Sheila Murphy is requesting a Special Use Permit to operate an Intermediate Care Home (1.420) at 1901 N. Elm Street (parcel # 3213-06-013). – ArTriel Kirchner, Planning Director
Sheila Murphy is requesting a Special Use Permit to operate an Intermediate Care Home (1.420) at 1901 N. Elm Street (parcel # 3213-06-013). This property is zoned R-11 (residential single-family) and a Special Use Permit is required for Intermediate Care Homes within the R-11 zoning district.

CPC review the request, refer the petition to the June 20th, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	APPROVED [6 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- I. Robert Hester is requesting a rezoning of parcel #'s 3214-01-03601, 3214-01-02601 and 3214-01-02601A located at 2100 N. Pine St. and 2200 N. Pine St. from B-2 (business community) to B-4 (general commercial). – ArTriel Kirchner, Planning Director
Robert Hester is requesting a rezoning of parcel #'s 3214-01-03601, 3214-01-02601 and 3214-01-02601A located at 2100 N. Pine St. and 2200 N. Pine St. from B-2 (business community) to B-4 (general commercial) for the operation of a monument sales business (Cape Fear memorials).

Review the request, refer the petition to the June 20th, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	APPROVED [6 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- J. NCDOT Condemnation Offer P 270 – Holt Moore, City Attorney
The City has received an offer for the property shown on the attached documents, which NCDOT is referring to as Parcel 270. Staff has reviewed and believes the offer of \$4,450 to be fair and appropriate. This involves .980 acres of right of way, which is primarily a drainage ditch and associated wooded area, and .026 acres of temporary easement. Approve acceptance of offer from NCDOT for P270.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Melissa Robinson, Precinct 2
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- K. NCDOT Condemnation Offer P 211 – Holt Moore, City Attorney
The City has received an offer for the property shown on the attached documents, which NCDOT is referring to as Parcel 211. Staff has reviewed and believes the offer of \$5,675 to be fair and appropriate. This involves only .028 acres of right of way and .027 acres of easement. Approve acceptance of offer from NCDOT for P211.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- L. Revisions to Lumberton Housing Section of Code – Holt Moore, City Attorney
Recently the Legislature made revisions to the state statutes relating to minimum housing, and moved these sections from Chapter 160A to the new Chapter 160D. The attached proposed revisions to the City Code simply reflect the new statutory references.

Approve revisions to Chapter 8, Article IV of the Lumberton City Code, to reflect current statutory provisions.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Leroy Rising, Precinct 1
AYES:	Davis, Rising, Robinson, Carroll, Cantey, Howard, Thomas
EXCUSED:	Higley, Chavis

- M. Graffiti Ordinance Revisions – Holt Moore, City Attorney
Council may recall that the NC Youth Violence Prevention Center made a presentation recently regarding graffiti. Staff has worked with this group and structured an arrangement whereby they may help enforce the graffiti ordinance. We have an agreement addressing this, but some changes to the ordinance were also necessary not only for this authorization but to tighten up our policy on removing graffiti, such as being able to charge for it. The proposed changes are on the attached draft in red.

Approve revisions to graffiti ordinance.

Councilman Cantey asked if the organization is asking for funding or you just going to bill the people. Ms. Deana Locklear stated that the intent is that the City will no longer absorb the cost that a lien will be attached to the property. She stated that no funding is being asked for.

Councilman Howard stated that this is well taken because he has received calls. He asked who is giving out citations. Ms. Locklear stated that the Police can and we can also. She stated that they have set an agreement in place whereby they are beginning trained for this task.

RESULT:	APPROVED [6 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- N. Consideration of Evening Council Meeting – Holt Moore, City Attorney

The concern has been raised that the daytime Council meeting prevents some members from the public from attending. There does not seem to be such an excessive amount of items as to warrant a second Council meeting each month, and so staff offers for Council's consideration moving the Council meeting from the current 1st or 2nd Wednesday at 11AM, to the 1st or 2nd Monday of the month (given that some have church and other commitments on Wednesday evenings) at 6pm. Just as a note of explanation, we have been varying as needed between the 1st and 2nd week of the month based upon the scheduling of the Planning Board, and other scheduling issues which Council may have.

Consider whether to move the Council meeting time and date as described.

It is the consensus of Council to move the Regular Meeting of the City Council to the 1st or 2nd Monday of the month @ 6:00 p.m.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

O. Approval of Cost of Services for Downtown Master Plan – Sarah Ward, Downtown Coordinator

In the Fiscal Year 2022-23 annual budget, City Council approved \$50,000.00 for Phase-I of a new Comprehensive Downtown Master Plan. Our initial 5-year downtown master plan expired in December, 2022. On May 3rd Council approved Benchmark CMR, Inc. to be our consultant for this work. The master planning process will encompass roughly 18 months, be broken down into three phases, and spread over two fiscal years. As this will be a very complex and time consuming process, phasing and budget(s) are as follows:

Phase-I – Downtown Assessment (7 months) - \$29,450

Phase-II – Downtown Workshops (3 months) - \$22,500

Phase-III – Downtown Master Plan Development (7 months) - \$45,000

Total Project Fee - \$96,950

The Main Street Lumberton Economic Vitality Committee has worked with Benchmark CMR, Inc. to determine a scope of services for the Master Planning process (see Attachment 1 – Scope of Services). The Main Street Lumberton Advisory Board is asking City Council to approve the attached Agreement for Services with Benchmark CMR, Inc. and authorize staff to execute the necessary contract documents.

Councilman Howard commended the Downtown Coordinator and her group on the outstanding job that they have already done.

RESULT:	APPROVED [6 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- P. Acceptance of NC Land and Water Fund Grant – Brandon Love, Deputy City Manager
On March 1, 2023 the NC Land and Water Fund announced that the City of Lumberton had been approved for a \$2 million grant for the acquisition of properties and floodplain restoration activities in and around the old Fuller’s restaurant and the entrance to the Mayfair subdivision along NC Highway 211 (see attached press release). A “pre-draft” grant agreement is attached and is currently under review by the NCLWF’s legal team. Adjustments will be made to the overall scope of work, as well as the budget and project narrative, following legal review. Staff recommends that City Council accept the \$2 million grant award from the NC Land and Water Fund. Additionally, City Council is asked to authorize staff to amend the attached “pre-draft” contract, adjust the budget/scope of work, and execute the grant agreement.

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- Q. Approval of Administrative Service Agreement with NCSU Coastal Dynamics Design Lab for NCLWF Grant – Brandon Love, Deputy City Manager
The City of Lumberton has received a \$2 million NCLWF grant for the acquisition of properties and floodplain restoration activities in and around the old Fuller’s restaurant and the entrance to the Mayfair subdivision along NC Highway 211. This project was successful due in part to the prior efforts to implement portions of the Lumberton Loop greenway project along Meadow Branch and Saddletree Swamp. Project administration and grant compliance will necessitate the need for outside technical assistance. The NCSU Coastal Dynamics Design Lab has been successful in assisting the City of Lumberton with previous grants such as the two EEG grants and the BRIC grant, both related to individual portions of the Lumberton Loop project. Staff recommends that City Council accept the attached proposal and scope of work from the NCSU Coastal Dynamics Design Lab for grant support and technical assistance for the City of Lumberton’s \$2 million NCLWF grant award. The extent of support services will encompass the next two years of grant activities, at a cost of \$40,000.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- R. CRF Request for Chamber Golf Tournament – Wayne Horne, City Manager
 The Lumberton Chamber of Commerce has asked the City to sponsor its golf tournament fundraiser in the amount of \$500 as was done last year. Donations were made as follows:
 P1 - \$75
 P2 - \$50
 P3 - \$75
 P4 - \$50
 P5 - \$50
 P7 - \$75
 P8 - \$75
 Mayor \$100 for a total of \$550.00.
 Ratify \$550.00 of CRF given to the Chamber of Commerce for a golf tournament held on May 25th, 2023 as stated above.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- S. Approve the designation of \$400.00 of Community Revitalization Funds to Wycliffe East Homeowners' Association – Leroy Rising, Precinct 1
 Councilman Rising requests \$400.00 of CRF to be given to the Wycliffe East Homeowners' Association for Community Event.
 Designate \$400.00 of CRF to the Wycliffe East Homeowners' Association in Precinct 1 for a Community Event. Make check payable: Nancy Jessup, 515 Londonderry Drive.

RESULT:	APPROVED [6 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- T. Approve the designation of \$500.00 of Community Revitalization Funds for a Community Day in Precinct 4 – Karen Higley, Mayor Pro Tem
 Councilwoman Higley requests \$500.00 of CRF for a Community Day in Precinct 4.

Designate \$500.00 of CRF in Precinct 4 Community Day.

RESULT:	APPROVED [6 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- U. Approve the designation of \$300 of CRF to the Lumberton Robeson County Chapter of Las Amigas Inc. for the Senior Brunch as part of the Juneteenth Celebration - – John Cantey, Precinct 5

Councilman Cantey would like to designate \$300 of CRF and Councilman Chavis would like to add \$100 of CRF to Lumberton Robeson County Chapter of Las Amigas Inc., in support of the Senior Brunch as part of the Juneteenth Celebration.

Designation \$300.00 of CRF from Precinct 5 and \$100 from Precinct 7 for a total of \$400 to LRCC of Las Amigas, PO Box 2144, Lumberton, NC 28359.

Community Revitalization Funds were given as follows:

P1 - \$100
P2 - \$100
P3 - \$100
P5 - \$300
P6 - \$100
P7 - \$100
P8 - \$100

For a total of \$900.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- V. Ratify designation of \$400.00 of Community Revitalization Funds to Southern Carolina Housing Inaugural Golf Tournament from Precinct 7 – Eric Chavis, Precinct 7

City Clerk McIntosh conducted a poll on the request of Councilman Chavis designating \$200.00 of CRF to be given to the Southern Carolina Housing Inaugural Golf Tournament which was held on Thursday, May 11th at Pinecrest Country Club, 110 Nigel Drive. All proceeds went to the RCC Foundation to endow student scholarships for Public Housing Residents.

Designations were made as follows: P3 - \$100 P8 - \$100 and P7 - \$200 for a total \$400 of CRF to Southern Carolina Housing Inaugural Golf Tournament with all proceeds given to RCC Foundation for public housing residents.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- W. Ratify the designation of \$1,500.00 of Community Revitalization Funds in Precinct 7 for the 911 - Community Day – Eric Chavis, Precinct 7

City Clerk McIntosh conducted a poll on the request of Councilman Chavis designating \$1,500 of CRF for the 911 - Community Day in Precinct 7 held on June 3, 2023..

Ratify the Designation \$1,500.00 to the 911-Community Day.

RESULT:	APPROVED [6 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- X. Alley Signage for Presbyterian Church Daycare – Holt Moore, City Attorney
Recently the Mayor and several staff met on site at the 1st Presbyterian Church Preschool. After lengthy considerations of options, including 10th Street and Chestnut Street, the preschool uses Stephens Alley for pickup and dropoff of the children. This ‘bogs down’ the alley for about 30 minutes twice a day. Staff agrees this is the safest option for the children, and anyone needing to use the alley has access through 11th and 12th Streets. With all this in mind, staff recommends placement of a City sign, near the entrance to the alley on 10th Street stating, ‘Caution Children Dropoff’ or something to that effect, and would like Council’s blessing. Photos and a map are attached.
Approve placement of sign as described.

RESULT:	APPROVED [6 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

- Y. Approval of Transformer purchase_____ – Greg Prevatte, Electric Utilities Director
<< Summary Of Subject Matter >>

EUD is requesting the approval to purchase eight 3 phase transformers for new commercial business which are being constructed in Lumberton. EUD received 2 quotes for these transformers. The first quote was from State Electric at a cost of \$366,615.24, the second quote was from Wesco at a cost of \$314,650.00. These transformers are inventoried items.

<< Recommendation >>

EUD is requesting Councils approval to purchase eight transformers from Wesco at the price

of \$314,650.00. Unfortunately, with the rise in material cost these prices are subject to change by the time council approves this request and we order the transformers.

RESULT:	APPROVED [6 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Cantey, Howard, Thomas
ABSTAIN:	Davis
EXCUSED:	Higley, Chavis

VIII. CLOSED SESSION

IX. ADJOURNMENT

Minutes Acceptance: Minutes of Jun 7, 2023 11:00 AM (Minutes Approval)

**CITY OF LUMBERTON****CITY COUNCIL****MINUTES • AUGUST 7, 2023****Regular Meeting****Council Chambers****6:00 PM****500 N Cedar St, Third Floor, Lumberton, NC 28358****I. CALL TO ORDER**

Attendee Name	Title	Status	Arrived
Bruce W. Davis	Mayor	Present	
Leroy Rising	Precinct 1	Present	
Melissa Robinson	Precinct 2	Present	
John R. Carroll	Precinct 3	Present	
Karen Higley	Mayor Pro Tem	Present	
John Cantey	Precinct 5	Present	
Chris Howard	Precinct 6	Present	
Eric Chavis	Precinct 7	Present	
Owen Thomas	Precinct 8	Present	
Wayne Horne	City Manager	Present	
Brandon Love	Deputy City Manager	Present	
Holt Moore	City Attorney	Present	
Laney Mitchell-McIntosh	City Clerk	Present	

B. Invocation: Pastor Josh Owens, First Baptist Church***C. Pledge of Allegiance: Led by Councilman Eric Chavis*****II. RETIREES' RECOGNITION*****A. Brian A. Nelson - 23 Years of Service as Fire Battalion Chief: Received a plaque for his dedicated service.******B. Woodel Jacobs - 18 Years of Service as Crew Supervisor - Rec Dept: No show******C. Maeola Hammonds - 20 years of Service as Revenue Officer - Public Svcs: No show*****III. PUBLIC COMMENT PERIOD**

Mr. Willingham Nance, 407 E. 8th Street, appeared before Council and expressed his concerns regarding the Disaster Relief Center transfer trucks damaging his property for the past 3 years. He stated that he has received assistance from EUD as they allowed him credit for electric and water and sewer. Public Works has also assisted him. He stated that he has ruts across his and he has reseed his yard several enough and now it's the City's turn to do something for me. He stated that it's not the Disaster Relief Center problem, they just have inexperienced drivers.

Ms. Carol T. Richardson, LRCC Las Amigas, Inc., appeared before Council and thanked each Council member for their support financially and personally. She expressed her special thanks to Councilmen Cantey & Howard for all that they do. Their support for the Juneteenth has been nothing but outstanding.

IV. COMMUNICATIONS

a. General**Historical Marker - Jim Pate - Shepp Oliver –**

Mr. Jim Pate, appeared before City Council seeking the placement of a historical marker in the Dick Taylor Plaza which would honor two local brothers; David Britt and Earl Britt. According to Mr. Pate, David Britt was the first Robeson County Native to be named Speaker of the NC House of Representative and was also elected to the state Supreme Court. His brother Earl Britt was appointed as a federal judge in 1980 and served for 42 years. Mr. Pate stated that the brothers did have offices in Lumberton.

City Attorney Moore advised Mr. Pate that staff will get with Council and will get him back him. Mr. Pate stated that he will leave his information with the Clerk.

RESULT:	ANNOUNCED
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V. CONSENT AGENDA

- A. 3999 : Approve the Ratification of \$1,600 of Community Revitalization Funds to the Lumberton Youth Softball Team - City Manager
Council made the following designations of CRF to the Lumberton Youth Softball Association. The funds were used to defray the costs of team equipment needs, travel and hotel expenses for the 10u team to travel to Alexandria, Louisiana on July 28th thru August 3rd 2023, for the World Series.

The designations were done by telephone poll due to time constraints, and need to be ratified at today's meeting. The designations were: P1 - \$200 P2 - \$200 P3 - \$200 P4 - \$200 P5 - \$100 P6 - \$100 P7 - \$200 P8 - \$200 and \$200 from the Mayor's Discretionary Fund for a total of \$ 1,600.00.

Ratify designations of CRF made during telephone poll.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- B. Ratification of \$900.00 of CRF to the Lumberton Youth Baseball Association (LYBA) - City Manager
Council made the following designations of CRF to the Lumberton Youth Baseball Association. The funds were used to defray the costs of team equipment needs, travel and hotel expenses for the OZONE team to travel to Ruston, Louisiana on August 4th thru August 9th, 2023, for the World Series.

The designations were done by telephone poll due to time constraints, and need to be ratified at today's meeting. The designations were: P1 - \$200 P3 - \$200 P4 - \$100 P7 - \$200 and P8 - \$200 for a total of \$900.00.

Minutes Acceptance: Minutes of Aug 7, 2023 6:00 PM (Minutes Approval)

Ratify designations of CRF made during telephone poll.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- C. Ratification - The Award of Contract to Great Southern Recreation at a Cost of \$114,889.71 for Parkview Splashpad - City Attorney

On June 30, staff conducted a telephonic poll regarding awarding the contract for construction of a splashpad at the Parkview location. Council voted to award the contract to Great Southern Recreation, at a cost of \$114,889.71. The other bid received was \$180,676.00.

Ratify vote to award splashpad contract at Parkview to Great Southern Recreation.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- D. Ratify the Bid of Award for Raw Water Intake Valves to Titan Flow Control in the amount of \$20,649.27 - City Attorney

On July 25, staff conducted a telephonic poll regarding several valves that needed to be replaced as part of the raw water intake raising and modification. Two bids were received and Council approved awarding the contract to Titan Flow control in the amount of \$20,649.27. The project contractor offered a price of \$35,760.

Ratify the award of valve purchase contract to Titan Flow control.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- E. Ratification of Negotiated Sales to NCDOT for Parcels, p268, p273B, p275, p340 - City Attorney

On June 30, staff conducted a telephonic poll regarding negotiated sales of easements or rights of way on NCDOT parcels p268, p273B, p275 and p340. The prices were \$26,705, \$7,625, \$1,575, and \$1,325 respectively.

Ratify sales to NCDOT.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- F. Approve the designation of \$1,200.00 of CRF for Highland Inverness Block Party as follows:
P1 - \$600 and P3 - \$600 - City Council
Councilmen Carroll and Rising would like to designate \$600 each of CRF for Highland Inverness Block Party.
Designate \$1,200 of CRF as indicated above.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- G. Approve the designation of \$500.00 of CRF to McCormick Chapel for a Memorial Program as follows: P5 - \$250 and P6 - \$250 - City Council
Councilman Cantey would like to designate \$250 of CRF and Councilman Howard would like to designate \$250 of CRF to McCormick Chapel for a Combined Memorial Program.
This program is set for September 10, 2023.
Designate \$500 of CRF to McCormick's Chapel Program as designated above.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- H. Approve the designation of \$1,500.00 of CRF to First Baptist Church Homecoming & Anniversary Program as follows: P5 - \$500 and P6 - \$1,000 - City Council
Councilman Howard would like to designate \$1,000 of CRF and Councilman Cantey would like to designate \$500 of CRF to First Baptist Church Homecoming & Anniversary Program.
This program will serve many in the community.
Designate \$1,500 of CRF to First Baptist Church Homecoming & Anniversary Program.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- I. Approve the designation of \$950.00 of CRF to Bethany Presbyterian Church for a Community Event on August 19, 2023 as follows: P2 - \$250 P5 - \$350 and P6 - \$350 - City Council

Councilmen Cantey and Howard would like to designate \$350 of CRF each, and Councilwoman Robinson would like to designate \$250 of CRF to Bethany Presbyterian Church for a Community Event. This program is set for August 19, 2023.
Designate \$950 of CRF to Bethany Presbyterian Church as designated above.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- J. Approve the designation of \$500.00 of CRF to Various Non-Profit Organizations for School Supplies from Precinct 5 - City Council

Councilman Cantey would like to designate \$500 of CRF to various nonprofit organization for school supplies.
Designate \$500 of CRF to various organizations for school supplies in Precinct 5.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- K. Approve the designation of \$600.00 of CRF to The Pentecostals of Lumberton Back-to-School Program - City Council

Councilmen Chavis and Carroll are requesting \$300.00 each of CRF for The Pentecostals of Lumberton for Back-to-School Event.
Designate \$600.00 of CRF to The Pentecostals of Lumberton Back-to-School Event as indicated above.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- L. Approve the designation of \$500.00 of Community Revitalization Funds to West Lumberton Church Back to School Event on August 19, 2023 - City Council
Councilman Chavis requests \$500.00 of Community Revitalization Funds be designated to West Lumberton Church for a Back to School event held on August 19, 2023.
Designate \$500.00 of CRF to West Lumberton Baptist Church for a Back to School event held on August 19, 2023.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- M. Approve the designation of \$300.00 of Community Revitalization Funds to the Mayfair Homeowners Association for Beautification in Precinct 8 - City Council
Councilman Thomas is requesting \$300.00 of CRF to be given to the Mayfair Homeowners Association for beautification.
Designate \$300.00 of CRF to the Mayfair Homeowners Association for beautification.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- N. Approve the designation of \$300 of CRF to North Mayfair Association - City Council
Councilman Thomas would like to designate \$300 of CRF to North Mayfair Homeowners Association.
Designate \$300.00 of CRF to North Mayfair Homeowners Association.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VI. PUBLIC HEARINGS:

- A. Sheila Murphy is requesting a Special Use Permit to operate an Intermediate Care Home (1.420) at 1901 N. Elm Street (parcel # 3213-06-013). – ArTriel Kirchner, Planning Director

Sheila Murphy is requesting a Special Use Permit to operate an Intermediate Care Home (1.420) at 1901 N. Elm Street (parcel # 3213-06-013). This property is zoned R-11 (residential single-family) and a Special Use Permit is required for Intermediate Care Homes within the R-11 zoning district.

The Planning Board unanimously recommended denial of the special use permit request. The planning staff recommends that the City Council hold tonight's public meeting and deny the special use permit request.

Mayor Davis opened a public hearing to consider a request for a Special Use Permit for property located at 1901 E. Elm Street to operate an Intermediate Care Home. City Clerk Mitchell-McIntosh presented the Affidavit of Publication showing that it was advertised in **The Robesonian**.

When considering a special use permit, City Attorney Holt Moore said, Council must consider the following: would the proposed use materially endanger public health and safety; would it substantially injure the value of nearby property; would it be in harmony with the surrounding area; and would it be consistent with the land use plan.

Ms. Bonnie and Jeff Lambdin, both are residents that reside on Elm Street, appeared to speak in opposition of the SUP. Ms. Biggs stated that they wanted to preserve the integrity and historical value of their home. She stated that she understands the need for the services being that she cared for her brother for years, however, she does not feel that it is right for the Elm Street Community.

Jeff Lambdin, stated that he is here to state the facts; he started by stating that intermediate care facilities are nowhere in the language of the R-11 zoning.

Mr. Lambdin stated that Olive Branch Integrated Community Development, the company owned by the applicant which was seeking to start the facility, was stated as a nonprofit on the application. Lambdin stated that there is no such nonprofit listed in the IRS database of tax-exempt organizations. One corporation, with the slightly different title of Olive Branch Integrated Care Services, was listed on the N.C. Secretary of State's listing of business corporations, according to Lambdin, but it is not listed a tax-exempt nonprofit.

Mr. Lambdin stated that Ms. Murphy, is listed as the registered agent for five corporations in which three are currently under administrative dissolution by the Secretary of State's office, and a fourth has had its articles of corporation suspended.

Lambdin also questioned the possibility of endangering public health and safety, including "inadequate infection control" due to close living quarters and potential errors in supervision of the residents.

The applicant, Sheila Murphy, did not speak.

No one else appeared to speak and the hearing was closed.

Councilman Thomas made a motion, seconded by Councilman Cantey, to deny the application for Special Use Permit for property located at 1901 North Elm Street, stating that it will materially endanger the public health or safety; and that it will substantially injure the value of adjoining or abutting property; and that it will not be in harmony with the area in which it is to be located; and that it will not be in general conformity with the Land Use Plan. The motion carried unanimously.

RESULT:	DENIED [8 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- B. Robert Hester is requesting a rezoning of parcel #'s 3214-01-03601, 3214-01-02601 and 3214-01-02601A located at 2100 N. Pine St. and 2200 N. Pine St. from B-2 (business community) to B-4 (general commercial). – ArTriel Kirchner, Planning Director
Robert Hester is requesting a rezoning of parcel #'s 3214-01-03601, 3214-01-02601 and 3214-01-02601A located at 2100 N. Pine St. and 2200 N. Pine St. from B-2 (business

community) to B-4 (general commercial) for the operation of a monument sales business (Cape Fear memorials).

The Planning Board recommended the rezoning of Lot 1 only (parcel #32140103601) to B-4 with the condition of monument sales only.

The planning staff recommends that City Council hold tonight's public meeting and approve the rezoning request.

Mayor Davis opened the public hearing to consider a request to rezone property located at 2100 & 2200 N. Pine Street from B-2 business-community to B-4 general commercial for the operation of a monument sales business. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in **The Robesonian**.

Robert Hester appeared to speak and stated that the planning board had recommended that the conditions of the rezoning include that the property could only be used as a monument sales business, but Hester stated that could be a hardship in the event he tries to sell the land in the future.

Mr. Mike Townsend appeared to speak and stated that Mr. Hester is losing his business to NCDOT from the widening of Fayetteville Road.

Councilman Carroll also agreed that the property should not have such limited restrictions and proposed that the property could be used for the designated uses in a B-4 zoning; however, with a few exceptions that I have highlighted and if you are willing to agree to the terms I don't see why that parcel should be restricted as well as the other 3 parcels being included (the highlighted uses are attached for reference).

Councilman John Carroll, in whose Precinct 3 the property sits, proposed that the conditions state that the property could be used for anything normally allowed under B-4 zoning with a few exceptions - it could not be used for: adult establishments; ABC stores; billiard parlors/pool halls and game centers; electronic gaming operations; organized shelter facilities; restaurants (with or without carry-out/delivery/drive-in with or without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-p clock am Section 8.150, 8.250, 8.350 and 8.450) and bars and nightclubs.

Mr. Hester and Mr. Townsend found the conditions to be satisfactory, and Council approved Councilman Carroll's motion.

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- C. Jona-Rae Locklear is requesting a rezoning of 2300 N. Pine St. from B-2 (business community) to B-4 (general commercial). – ArTriel Kirchner, Planning Director
 Analysis: Jona-Rae Locklear is requesting a rezoning of parcel #321401012, deed book 2165, pg. 93 located at 2300 N. Pine St. from B-2 (business community) to B-4 (general commercial). The applicant is requesting a rezoning to operate a mental health treatment facility - Locklear's Behavioral Health Services, PLLC.

The Planning board unanimously recommended approval of a conditional rezoning B-4 Mental Health Treatment only.

The planning staff recommends that the City Council hold tonight's public meeting and approve the rezoning request.

Mayor Davis opened the public hearing to consider a request to rezone property located at 2300 N. Pine Street from B-2 business-community to B-4 general commercial to operate a mental health treatment facility. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in **The Robesonian**.

Ms. Jona-Rae Locklear and Mr. Brad Martin appeared before Council. Ms. Locklear stated that the application basically speaks for itself. She would like to operate as a mental health facility and asking for the property to be rezoned as such. Mr. Martin stated that it will not be residential services. Mr. Martin asked if they could receive the same option as the previous applicant and Council approved his request for the same restrictions as stated in the previous application with the same exceptions - it could not be used for: adult establishments; ABC stores; billiard parlors/pool halls and game centers; electronic gaming operations; organized shelter facilities; restaurants (with or without carry-out/delivery/drive-in with or without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-p clock am Section 8.150, 8.250, 8.350 and 8.450) and bars and nightclubs.

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- D. Steven Branch is requesting to rezone 1140 N. Roberts Avenue (parcel # 1014-01-001), from B-4 (general commercial) to B-7 (general commercial/manufactured home sales). – ArTriel Kirchner, Planning Director
- Steven Branch is requesting to rezone property located at 1140 N. Roberts Avenue (parcel # 1014-01-001), from B-4 (general commercial) to B-7 (general commercial/manufactured home sales) for the operation of a manufactured home sales lot.

The Planning Board unanimously recommended approval of the rezoning request from B-4 to B-7.

The planning staff recommends that the City Council hold tonight's public meeting and approve the rezoning request.

Mayor Davis opened the public hearing to consider a request to rezone property located at 1140 N. Roberts Avenue from B-4 general commercial) to B-7 general commercial /manufactured home sales) for the operation of a manufactured home sales lot. City Clerk Mitchell-McIntosh submitted the Affidavit of Publication showing that it was advertised in **The Robesonian**.

Mr. Branch appeared to answer any questions that Council may have.

No one else appeared to speak and the hearing was closed

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

VII. AGENDA ITEMS FOR COUNCIL'S CONSIDERATION

- A. Approval of Rediscover Downtown Lumberton "RDL" Recognition Plaque – Sarah Ward, Downtown Coordinator

Friends of Main Street Lumberton is a recently established non-profit organization solely dedicated to helping with the revitalization of downtown Lumberton. We are a group of volunteers that work cohesively with the City Council appointed Advisory Board for Main Street Lumberton to achieve our common goal of creating a thriving downtown as a means to drive economic development in our entire city. Friends of Main Street Lumberton is the successor to Rediscover Downtown Lumberton. To recognize the hard work and efforts of "RDL", Friends of MSL is requesting a plaque to be placed in the Dick Taylor Plaza in recognition of Rediscover Downtown Lumberton. While RDL was active from 2013-2021, some of the achievements of this group include a performance stage and metal sculpture on the plaza, a building mural, a whisper bench on the Riverwalk, planters, wayfinding signs, and benches.

Attachment A is an example of the plaque.

Attachment B indicates with a star the location recommended for the plaque to be installed in the Dick Taylor Plaza.

Friends of Main Street Lumberton along with City Staff are recommending City Council approve a bronze plaque to be placed in the flower bed facing Elm Street in the Dick Taylor Plaza in recognition of Rediscover Downtown Lumberton and their efforts to move the needle forward on downtown revitalization.

Sarah Beth Ward, Downtown Coordinator, introduced Mr. Tate Johnson, President of Friends of Main Street Lumberton who presented this item before Council.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- B. Authorize the Lumberton Police Department to apply for and accept the FY23 JAG Grant – Michael McNeill, Police Chief

The Lumberton Police Department is requesting permission to apply for and accept the 2023 JAG Grant. This grant will fund training in the amount of \$5,254.00 and purchase four in - car cameras for approximately \$24,000.00.

It is recommended that the Lumberton Police Department be granted permission to apply for and accept the 2023 JAG Grant in the amount of \$29,254.00.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

C. Acceptance of 2024 GHSP Grant – Michael McNeill, Police Chief

The Lumberton Police Department is requesting permission to accept the 2024 GHSP Grant in the amount of \$151,500.00 This is the fourth year the DWI team would be funded, and there is a 50% match.

It is recommended that the Lumberton Police Department be granted permission to accept the 2024 GHSP Grant in the amount of \$151,500.00.

Councilman Cantey asked Chief McNeill what line item would the match. Chief replied lapsed salaries.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	John Cantey, Precinct 5
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

D. Adopt an Ordinance Erecting "No Thru Truck Traffic" Signs on Center, Front and Main Streets – Michael McNeill, Police Chief

The Police Department received concerns from Councilman Cantey in reference to large trucks using Center, Front and Mains Streets as a pass through / or alternate route to MLK which is damaging the roads and overhead lines. The main concern is that they are speeding through the residential area. After further investigation, we see the concerns as valid and of importance to the residents of South Lumberton and especially to those who live on the listed streets.

Main Street, from Martin Luther King, Jr., Drive to Kenny Biggs Road is designated as a "No thru truck traffic."

Please see the attachment for the definition of trucks.

The Police Department recommendation is that these streets be marked with signs showing that no through trucks are permitted in accordance with Sec. 14-24, of the Code of Ordinances.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

E. Water Plant AC Units – Rob Armstrong, Public Works Director

The Water Treatment Plant has 2 AC units that have stopped working after various attempts at repair. Public Works has sought quotes from 3 different HVAC companies for this replacement. All Seasons Air Conditioning & Heating, Inc. is the low bid at \$14,800.00. Southern Heating & a/C, Inc. came in at \$18,484.00, and Certified Heating & Air conditioning came in at \$19,669.18.

Public Works is recommending council approval of All Seasons Air Conditioning & Heating, Inc. for the replacement of 2 HVAC units at the Water Treatment Plant in the amount of \$14,800.00. Funds would be paid via operations code 60-00-7120-3520.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- F. Noir Street Sewer Outfall Evaluation – Rob Armstrong, Public Works Director
In June Public Works advertised a Request for Qualifications for the Noir Street Sewer Outfall Evaluation. The Wooten Company submitted the only response to the RFQ. Public Works is requesting that Council select the Wooten Company as the Engineer for the Noir Street Sewer Outfall Evaluation. Once selected as the most qualified engineer to perform the evaluation, Public Works will bring a contract that includes the cost of the project back to Council for approval next month. The project is being funded by a NCDEQ AIA grant.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- G. Pines and Lovette Rd LS Pumps – Rob Armstrong, Public Works Director
Public Works is seeking to purchase 2 new Flyght pumps for the Pines and Lovette Rd Lift Stations in order to make them a triplex station. Currently there are only 2 pumps at each station, but the stations are built to have a 3rd pump installed. Due to the increased flow from the hauled waste and the new industrial park, this section of sewer collection piping is seeing more flow and in need to the build out to a triplex station. Public Works has received a quote from Xylem Water Solutions USA, Inc., the sole source provider for these pumps in our region, in the amount of \$131,742.90 for both pumps. The current Capital Budget contains \$75,000.00 for one pump for the Pines LS, and \$70,000.00 for wear rings for the Lovette Rd LS, for a total of \$145,000.00
Public Works recommends council approval to purchase 2 70HP Flyght pumps from Xylem Water Solutions USA, Inc. in the amount of \$131,742.90, with funds coming from the capital codes of 60-00-8332-5960.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- H. Purchase New Sewer Flusher / Vacuum Truck – Rob Armstrong, Public Works Director
Public Works has \$560,000 in the Capital Budget to purchase a new Flusher / Vacuum Truck using funds from the Water and Sewer Capital Reserve. The flusher truck is a critical piece of equipment that responds to emergency sewer calls as well as performs routine maintenance and cleaning on the City’s sanitary sewer collection system. Our current flusher truck is a 2012 model and has experienced mechanical problems in the last year. It’s difficult to obtain repair parts quickly if at all for the current truck. Public Works is requesting Council Approval to purchase a Super Products Camel Max Model 1200 flusher / vacuum truck on a 2023 Freightliner chassis for \$548,289.72 from the North Carolina Sheriffs Association Contract. The current delivery time is approximately 8 months. Public Works is requesting Council Approval to purchase a Super Products Camel Max Model 1200 Flusher / Vacuum Truck on a 2023 Freightliner chassis for \$548,289.72 from the North Carolina Sheriffs Association Contract (NCSA Contract # NC 08-24-0421) using funds budgeted in Water and Sewer Capital Code 60-00-8221-5460.

RESULT:	APPROVED [8 TO 0]
MOVER:	Owen Thomas, Precinct 8
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- I. Purchase of a New Knuckle Boom Truck – Rob Armstrong, Public Works Director
Public Works is requesting Council approval to purchase a new knuckle boom debris collection truck offered by Joe Johnson Equipment Company on the NC Sheriffs Association Contract (Contract # 1773) for \$203,657.00. This purchase is not a previously approved Capital Item. Public Works would like to pay for the truck from the Sanitation Fund cash reserve which currently has a balance of approximately \$500,000. This truck will bring efficiency to our own collection efforts that are focusing on illegal and nonconforming debris dumping that is not part of the Waste Management contract. Currently, Public Works has to pick these piles up using a back hoe and tandem trucks. This method requires a back hoe operator, a truck driver (sometimes two) and a ground guide. Because of the resources required, the debris collection is often done after hours, on overtime, after the crew has completed their regular work assignments. With the boom truck, one operator can collect the illegal and non-conforming debris.
Public Works is requesting Council approval to purchase a new knuckle boom truck from Joe Johnson Equipment Co. off of the NC Sheriff Association Contract, Contract # 1773, for \$203,657.00 to be paid for from the Sanitation Fund cash reserve.

Councilman Howard asked Director Armstrong, where will this debris. Councilman Howard’s concern is that he gets so many calls. Director Armstrong stated that at the land field and have to pay a tipping fee. He stated

that on the calls; many time I send my staff out there to evaluate and many times it turns out to be an abandoned home and Waste Management will not pick up that trash.

RESULT:	APPROVED [8 TO 0]
MOVER:	Chris Howard, Precinct 6
SECONDER:	Eric Chavis, Precinct 7
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

J. Terry Wethington Contiguous Annexation - HWY 41 N. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation. Specifically, Terry Wethington is requesting a contiguous annexation of property located on NC HWY 41 N. parcel #10120200102 deed bk. 017595, pg #895 and parcel #10120200103, deed bk 00694, pg. 74. The property has been rezoned from agriculture to B7 for a proposed self-storage facility. Annexation is required for water and sewer services. The 2 parcels are located in ETJ.

The Land Use Plan designates the future use of this parcel as low intensity and is located in the ETJ.

Authorize City Clerk to investigate said petition.

RESULT:	APPROVED [8 TO 0]
MOVER:	Melissa Robinson, Precinct 2
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

K. Proposal from David King to develop an RV Park Ordinance – ArTriel Kirchner, Planning Director

The Planning staff received a request from David King to develop an RV park. Currently, there is not a land use category which accommodates the development of Recreational Vehicle (RV) Park(s) within the City's jurisdiction.

The Planning Department proposes to create a new, standalone land use category and ordinance which accommodates RV parks, furthermore, authorizing this use within the City's jurisdiction.

The Planning Staff ask Council to authorize the Planning Department to develop an ordinance addressing Recreational Vehicle Parks and present a draft to the Planning Board for discussion, and to present their recommendation to City Council for review and final decision.

RESULT:	REFERRED [8 TO 0]	Next: 8/22/2023 6:00 PM
MOVER:	Eric Chavis, Precinct 7	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

L. Matthew Blanks Rezoning Request - 2406 N. Roberts. Ave. – ArTriel Kirchner, Planning Director

Matthew Blanks is requesting to rezone property located at 2406 Roberts Avenue (parcel # 3206-01-0071), from B-3 (office/residential) to B-4 (general commercial for the operation of a funeral home).

Future land use of the parcel as low intensity and is located in precinct 3.

Council review the request, refer the petition to the August 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/22/2023 6:00 PM
MOVER:	John R. Carroll, Precinct 3	
SECONDER:	Leroy Rising, Precinct 1	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

M. Contiguous Annexation Request - Ernest McArn- 44 Lorraine Dr. – ArTriel Kirchner, Planning Director

The Planning & Neighborhood Services Department received an application for annexation from Ernest McArn, Sr. and Gladys B. Love, requesting a contiguous annexation of property located on Meadow Road parcel 10090102001, Deed Book 02326, pg. 037/Map Book 57, pg. 177. The property is currently zoned City of Lumberton Agriculture therefore a rezoning is not required. The property is located within the City's ETJ.

Authorize City Clerk to investigate said petition.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Chris Howard, Precinct 6
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

N. Jason Britt Rezoning Request - Old Whiteville Rd./202 Taylor Dr. MHP – ArTriel Kirchner, Planning Director

Jason Britt is requesting to rezone property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007), from M-1 (manufacturing) to R-20 (residential mobile home park) for the development of a mobile home park.

City Council review the request, refer the petition to the August 22nd, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/22/2023 6:00 PM
MOVER:	Karen Higley, Mayor Pro Tem	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- O. Jason Britt SUP Request - Old Whiteville Rd./202 Taylor Dr. MHP – ArTriel Kirchner, Planning Director

Jason Britt is requesting a special use permit property located at 202 Taylor Drive/Old Whiteville Rd. (parcel # 290501007) for the development and operation of a mobile home park.

City Council review the request, refer the petition to the August 22nd, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/22/2023 6:00 PM
MOVER:	Karen Higley, Mayor Pro Tem	
SECONDER:	John R. Carroll, Precinct 3	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- P. Special Use Permit: Ryan Locklear/Retro City Arcade, LLC - 328 E 24th St. – ArTriel Kirchner, Planning Director

Ryan Locklear is requesting a Special Use Permit to operate an amusement arcade dba Retro City Arcade LLC at 328 E. 24th. St. Parcel #32140100801. The amusement arcade will consist of retro arcade games, a bar (alcohol), and snack bar. Proposed operating hours are M-Thrus. 4pm – 11 pm, Fri-Sat 4pm – 2 am, and Sunday from 4pm – 10pm. Uses 6.150 Billiard Parlors/pool halls & game centers (no electronic gaming), 8.5 Bars/nightclubs, & 8.150 Restaurants with operating hours 11:00 pm to 6:00 am. all require a special use permit. Council review the request, refer the petition to the August 22nd, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

RESULT:	REFERRED [8 TO 0]	Next: 8/22/2023 6:00 PM
MOVER:	John R. Carroll, Precinct 3	
SECONDER:	Owen Thomas, Precinct 8	
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas	
ABSTAIN:	Davis	

- Q. Lease of Property on Grace Street – Holt Moore, City Attorney

The City has been approached by Rivers of Life Ministries, located on Coree Street, about a lease of a portion of a City-owned parcel which fronts Grace Street, in order to assist with their parking and recreational activities. The City has a drainage ditch on the property, a utility line and power lines. These would not be impacted by the lease. The church has indicated they can afford \$400 a year and will maintain the portion they wish to lease, which

is that north of the drainage ditch that runs diagonally across the property. Maps are attached of: 1- the church and property (southeast of intersection of Coree and Grace), 2- church parcel in blue, our parcel in red, and 3- the area to be leased shown in yellow (church parcel also in yellow). Staff has no problem with the lease, would recommend a 5 year period to start, and legal will draft a release that the church will need to sign. Approve lease to church.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

R. Declare 201 Dresden Surplus for Sale – Holt Moore, City Attorney

The property located at 201 Dresden Ave was acquired by the City in foreclosure. An individual has expressed interest in purchasing the property and staff recommends selling it. We request that the property be declared surplus and that staff be authorized to conduct a sealed bid sale.

<< Recommendation >>

RESULT:	ADOPTED [8 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	John R. Carroll, Precinct 3
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

S. Consideration of NCDOT Offer - P212 – Holt Moore, City Attorney

Staff has negotiated a purchase price of \$18,275 on the parcel designated as P212 by NCDOT. Maps and other information relating to this parcel are attached. Approve offer of purchase from NCDOT on P212.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

T. Consideration of NCDOT Offer - Parcel 273A – Holt Moore, City Attorney

Staff believes a fair price of \$3050 has been offered for the parcel NCDOT has identified as 273A. This is exclusively for an easement. Approve offer from NCDOT for parcel 273A.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- U. Consideration of NCDOT Offer - Parcel 161B – Holt Moore, City Attorney
Staff has negotiated a price for right of way and easement on what NCDOT has identified as parcel 161B. We believe that a reasonable price of \$3225 has been reached. Some of the documents were amended to reflect that NCDOT decided to take less property than originally envisioned.

Approved sale of easement and right of way to NCDOT on parcel 161B.

RESULT:	APPROVED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- V. Request by First Baptist Church to Close Block of 6th Street – Holt Moore, City Attorney
First Baptist Church, 606 N. Walnut Street, has requested that the City officially close the block of E. 6th Street, between Pine and Walnut Streets. The rationale for the request is set forth in the attached letter from Senior Pastor Joshua Owens.
Review the request, and if so inclined, pass the attached Resolution of Intent to close the street, so that staff can perform the normal departmental reviews, postings, etc., and bring the matter back for public hearing in September.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Cantey, Precinct 5
SECONDER:	Owen Thomas, Precinct 8
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- W. E911 Memorandum of Understanding – Holt Moore, City Attorney
For some time, while the City of Lumberton has been dispatching police and fire calls in the city, all EMS calls (city and county) have been dispatched by Robeson County. City and County staff have agreed that a memorandum of understanding clearly setting out the duties and responsibilities of each party with regard to the EMS dispatching would be best. A draft agreement approved by both staffs is attached.
Approve E911 MOU.

RESULT:	APPROVED [8 TO 0]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- X. Adopt a Resolution for the Acceptance for a State Loan for the 2020 Well Replacement Project from the Department of Environmental Quality - Project No. WIF-2020 – Wayne Horne, City Manager

The City of Lumberton has been approved for loan from the Additional Supplemental Appropriations for Disaster Relief Act of 2019 (ASARDA) in the amount of \$2,316,900 and all principal will be forgiven for the 2020 Well Replacement Project. The attached resolution must be adopted by City Council, accepting the loan offer and making applicable assurances contained therein.

Staff, along with the Public Works Department, recommends that Council accept the Additional Supplemental Appropriations for Disaster Relief Act of 2019 in the amount of \$2,316,900 State Loan with all principal forgiven for the 2020 Well Replacement project by adopting the attached resolution.

RESULT:	ADOPTED [8 TO 0]
MOVER:	Leroy Rising, Precinct 1
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- Y. Flock Safety System – Wayne Horne, City Manager

Chief McNeill has secured the following estimate for establishing a pilot program with the Flock Safety System which would include 5 cameras, installation, maintenance and data storage. The user has the ability to get notification any time a stolen tag is read passing a camera. If a tag is registered to an individual who has a warrant for arrest entered into NCIC a notification can be delivered to the user. The system has the option to network with other community systems such as Elizabethtown, Fairmont and Robeson County.

Staff recommends that City Council approve the first-year contract with startup and operational cost of \$33,250.00 with the second-year renewal fee of 15,000.00 for the Flock Safety System. Additional cameras can be added at a cost of \$2,500.00 each.

RESULT:	APPROVED [8 TO 0]
MOVER:	Karen Higley, Mayor Pro Tem
SECONDER:	Leroy Rising, Precinct 1
AYES:	Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas
ABSTAIN:	Davis

- Z. Approve the Christmas Holiday Schedule as December 25th , 26th & 27th as Paid Christmas Holidays and December 28th and 29th as Required Vacation or Leave Without Pay Days Off or Christmas Holidays as Designated by City Council – Wayne Horne, City Manager
- The City of Lumberton Personnel Ordinance Sec. 16-165 designates the following holidays

with pay for the City employees; Christmas Eve and Christmas Day, and

- Sec. 10 – Any other day designated as a Christmas Holiday by both the State and the County.
- Sec. 11 – Any other day designated by the City Council

Recommend that City Council review the following dates and approve a vacation schedule for City Employees:

Current Policy

- 1) Monday, Dec. 25th, Christmas Day, Tuesday, Dec. 26th, and Wednesday, Dec 27th, as scheduled days off.

Additional Days:

- 2) Thursday, Dec. 28th, and Friday, Dec. 29th, approved by the County as holidays. (County Employees are required to take vacations days or leave without pay)

That the City will follow the County holiday schedule.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John R. Carroll, Precinct 3
SECONDER:	Karen Higley, Mayor Pro Tem
AYES:	Davis, Rising, Robinson, Carroll, Higley, Cantey, Howard, Chavis, Thomas

VIII. CLOSED SESSION

IX. ADJOURNMENT - THERE BEING NO FURTHER BUSINESS TO COME BEFORE COUNCIL, THE MEETING WAS ADJOURNED.

X. ADJOURNMENT

Minutes Acceptance: Minutes of Aug 7, 2023 6:00 PM (Minutes Approval)

Change Order No. 04

Date of Issuance: 06/19/2023
Owner: City of Lumberton
Contractor: Terrahawk, LLC
Engineer: The Wooten Company
Project: Tanglewood Drainage Improvements

Effective Date: 06/06/2023
Owner's Contract No.: 1
Contractor's Project No.: 21025
Engineer's Project No.: 2799-BY
Contract Name:
EDA Project No. 04-79-07424

The Contract is modified as follows upon execution of this Change Order:

Description:

	Unit Price	Estimated Quantity	Change to Contract Price
CO 4.1 – Place and compact ABC stone provided by the City of Lumberton. Trucking by contractor. Change Order 3 established a unit price for this work which included City of Lumberton trucking but due to unavailability of city trucks, Terrahawk took over trucking	\$30.00	4,301 SY	(+) \$129,030.00
CO 4.2 – Quantity Adjustments to reflect actual work in place per attached spreadsheet.		1 LS	(-) 21,670.10
Total			(+) \$107,359.90
Increase contract time by 60 days. Additional excavation between MH #2 and #8 to avoid existing SS line (36 days), ABC Stone prep (10 days), 24" storm drain conflict at 23 rd & Riverwood (7 days), Hospital delivery coordination (7 days).			

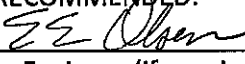
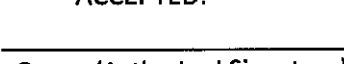
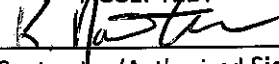
Attachment: FinalChangeOrder (4066 : Ratification of Tanglewood Drainage Change Order)

Descriptions/Attachments:

Quantity adjustment spreadsheet.

June 16, 2023 Time Extension Request Letter

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>8,502,294.18</u>	Original Contract Date: <u>06/09/2021, NTP 07/14/2021</u> Substantial Completion: <u>335 days; 06/14/2022</u> Ready for Final Payment: <u>365 days; 07/14/2022</u> days or dates
Increase from previously approved Change Orders No. <u>1</u> through No. <u>3</u> : \$ <u>434,754.84</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> through No. <u>3</u> : Substantial Completion: <u>595 calendar days</u> Ready for Final Payment: <u>625 calendar days</u> days or dates
Contract Price prior to this Change Order: \$ <u>8,937,049.02</u>	Contract Times prior to this Change Order: Substantial Completion: <u>03/01/2023</u> Ready for Final Payment: <u>03/31/2023</u> days or dates
Increase of this Change Order: (+) \$ <u>107,359.90</u>	Increase of this Change Order: Substantial Completion: <u>60 calendar days</u> Ready for Final Payment: <u>60 calendar days</u> days or dates
Contract Price incorporating this Change Order: \$ <u>9,044,408.92</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>655 calendar days 04/30/2023;</u> Ready for Final Payment: <u>685 calendar days 05/30/2023</u> days or dates

RECOMMENDED:		ACCEPTED:		ACCEPTED:	
By: <u></u>	By: <u></u>	By: <u></u>			
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)			
Title: <u>Construction Administrator</u>	Title: _____	Title: <u>PRESIDENT</u>			
Date: <u>06/19/2023</u>	Date: _____	Date: <u>06/20/2023</u>			

Approved by Funding Agency (if
applicable)

By: _____ Date: _____
Title: _____

Attachment: FinalChangeOrder (4066 : Ratification of Tanglewood Drainage Change Order)

Change Order #4

June 19, 2023

Contractor's Name

Terrahawk, LLC

Project Name

Tanglewood Drainage Improvements

Prepared By

THE WOOTEN COMPANY

120 NORTH BOYLAN AVE.

RALEIGH, NORTH CAROLINA 27603

TWC #2799-BY

EDA #04-79-07424

Item No.	Description of Item of Work	Bid Quantities	Unit	Unit Price	Bid Contract Price	Change Order #1 Qty	Change Order #1 Amt	Change Order #2 Qty	Change Order #2 Amt	Change Order #3 Qty	Change Order #3 Amt	Change Order #4 Qty	Change Order #4 Amt	New Contract Amount	New Qty
1	Mobilization	1	LS	\$254,000.00	\$ 254,000.00		\$ -		\$ -		\$ -		\$ -	\$ 254,000.00	1.00
2	96" Storm Sewer 8-10 ft	5	LF	\$3,485.39	\$ 17,426.95		\$ -		\$ -		\$ -		\$ -	\$ 17,426.95	5.00
3	96" Storm Sewer 10-12 ft	28	LF	\$1,140.78	\$ 31,941.84		\$ -		\$ -		\$ -		\$ -	\$ 31,941.84	28.00
4	96" Storm Sewer 12-14 ft	21	LF	\$1,278.24	\$ 26,843.04		\$ -		\$ -		\$ -		\$ -	\$ 26,843.04	21.00
5	96" Storm Sewer 14-16 ft	11	LF	\$1,331.46	\$ 14,846.06		\$ -		\$ -		\$ -		\$ -	\$ 14,846.06	11.00
6	96" Storm Sewer 16-18 ft	11	LF	\$1,386.68	\$ 15,253.48		\$ -		\$ -		\$ -		\$ -	\$ 15,253.48	11.00
7	96" Storm Sewer 18-20 ft	13	LF	\$1,468.71	\$ 19,093.23		\$ -		\$ -		\$ -		\$ -	\$ 19,093.23	13.00
8	96" Storm Sewer 20-22 ft	23	LF	\$1,577.34	\$ 36,278.82		\$ -		\$ -		\$ -		\$ -	\$ 36,278.82	23.00
9	96" Storm Sewer 22-24 ft	321	LF	\$2,317.11	\$ 743,792.31		\$ -		\$ -		\$ -		\$ -	\$ 743,792.31	321.00
10	96" Storm Sewer 24-26 ft	457	LF	\$1,824.24	\$ 839,377.68		\$ -		\$ -		\$ -		\$ -	\$ 839,377.68	457.00
11	90" Storm Sewer 20-22 ft	591	LF	\$1,352.10	\$ 799,091.10		\$ -		\$ -		\$ -		\$ -	\$ 799,091.10	591.00
12	90" Storm Sewer 22-24 ft	72	LF	\$1,578.45	\$ 113,648.40		\$ -		\$ -		\$ -		\$ -	\$ 113,648.40	72.00
13	78" Storm Sewer 16-18 ft	425	LF	\$801.97	\$ 340,837.25		\$ -		\$ -		\$ -		\$ -	\$ 340,837.25	425.00
14	78" Storm Sewer 18-20 ft	898	LF	\$988.31	\$ 887,502.38		\$ -		\$ -		\$ -		\$ -	\$ 887,502.38	898.00
15	78" Storm Sewer 20-22 ft	74	LF	\$1,237.41	\$ 91,568.34		\$ -		\$ -		\$ -		\$ -	\$ 91,568.34	74.00
16	60" Storm Sewer 12-14 ft	386	LF	\$628.10	\$ 242,446.60		\$ -		\$ -		\$ -		\$ -	\$ 242,446.60	386.00
17	60" Storm Sewer 14-16 ft	534	LF	\$667.99	\$ 356,706.66		\$ -		\$ -		\$ -		\$ -	\$ 356,706.66	534.00
18	60" Storm Sewer 16-18 ft	134	LF	\$757.93	\$ 101,562.62		\$ -		\$ -		\$ -		\$ -	\$ 101,562.62	134.00
19	48" Storm Sewer 10-12 ft	278	LF	\$514.87	\$ 143,133.86		\$ -		\$ -		\$ -		\$ -	\$ 143,133.86	278.00
20	48" Storm Sewer 12-14 ft	262	LF	\$620.05	\$ 162,453.10		\$ -		\$ -		\$ -		\$ -	\$ 162,453.10	262.00
21	30" Storm Sewer 0-6 ft	18	LF	\$385.20	\$ 6,933.60		\$ -		\$ -		\$ -		\$ -	\$ 6,933.60	18.00
22	30" Storm Sewer 8-10 ft	1,124	LF	\$389.43	\$ 437,719.32		\$ -		\$ -		\$ -		\$ -	\$ 437,719.32	1,124.00
23	30" Storm Sewer 10-12 ft	723	LF	\$395.99	\$ 286,300.77		\$ -		\$ -		\$ -		\$ -	\$ 286,300.77	723.00
24	30" Storm Sewer 12-14 ft	241	LF	\$452.26	\$ 108,994.66		\$ -		\$ -		\$ -		\$ -	\$ 108,994.66	241.00
25	15" Storm Sewer 0-6 ft	104	LF	\$161.17	\$ 16,761.68		\$ -		\$ -		\$ -		\$ -	\$ 16,761.68	104.00
26	96" ECC Tee w/ 5" Dia Riser 22-24 ft	1	EA	\$25,117.30	\$ 25,117.30		\$ -		\$ -		\$ -		\$ -	\$ 25,117.30	1.00
27	96" ECC Tee w/ 5" Dia Riser 24-26 ft	1	EA	\$31,331.69	\$ 31,331.69		\$ -		\$ -		\$ -		\$ -	\$ 31,331.69	1.00
28	96" Elbow	1	EA	\$18,036.60	\$ 18,036.60		\$ -		\$ -		\$ -		\$ -	\$ 18,036.60	1.00
29	90" ECC Tee w/ 5" Dia Riser 20-22 ft	2	EA	\$14,901.86	\$ 29,803.72		\$ -		\$ -		\$ -		\$ -	\$ 29,803.72	2.00
30	90" ECC Tee w/ 5" Dia Riser 22-24 ft	1	EA	\$23,589.34	\$ 23,589.34		\$ -		\$ -		\$ -		\$ -	\$ 23,589.34	1.00
31	78" ECC Tee w/ 5" Dia Riser 16-18 ft	2	EA	\$18,016.56	\$ 36,033.12		\$ -		\$ -		\$ -		\$ -	\$ 36,033.12	2.00
32	78" ECC Tee w/ 5" Dia Riser 18-20 ft	3	EA	\$21,123.76	\$ 63,371.28		\$ -		\$ -		\$ -		\$ -	\$ 63,371.28	3.00
33	60" ECC Tee w/ 5" Dia Riser 12-14 ft	2	EA	\$12,853.22	\$ 25,706.44		\$ -		\$ -		\$ -		\$ -	\$ 25,706.44	2.00
34	60" ECC Tee w/ 5" Dia Riser 14-16 ft	3	EA	\$14,717.55	\$ 44,152.65		\$ -		\$ -		\$ -		\$ -	\$ 44,152.65	3.00
35	10x12x12" Conc. Base w/ 5" Dia Riser 16-18 ft	1	EA	\$66,810.52	\$ 66,810.52		\$ -		\$ -		\$ -		\$ -	\$ 66,810.52	1.00
36	10x12x12" Conc. Base w/ 5" Dia Riser 20-22 ft	1	EA	\$69,045.38	\$ 69,045.38		\$ -		\$ -		\$ -		\$ -	\$ 69,045.38	1.00
37	10x12x12" Conc. Base w/ 5" Dia Riser 22-24 ft	1	EA	\$68,814.08	\$ 68,814.08		\$ -		\$ -		\$ -		\$ -	\$ 68,814.08	1.00
38	6.25x6.5x6.5" Conc. Base w/ 5" Dia Riser 12-14 ft	1	EA	\$19,870.07	\$ 19,870.07		\$ -		\$ -		\$ -		\$ -	\$ 19,870.07	1.00
39	5.25x5.33x5.33" Conc. Base w/ 5" Dia Riser 10-12 ft	3	EA	\$17,410.55	\$ 52,231.65		\$ -		\$ -		\$ -		\$ -	\$ 52,231.65	3.00
40	5" Dia MH 8-10 ft	4	EA	\$5,809.89	\$ 23,239.56		\$ -		\$ -		\$ -		\$ -	\$ 23,239.56	4.00
41	5" Dia MH 10-12 ft	4	EA	\$5,351.61	\$ 21,406.44		\$ -		\$ -		\$ -		\$ -	\$ 21,406.44	4.00
42	5" Dia Flat Top w/ Drop Inlet	3	EA	\$916.09	\$ 2,748.27		\$ -		\$ -		\$ -		\$ -	\$ 2,748.27	3.00
43	5" Dia Flat Top w/ R&C	25	EA	\$916.09	\$ 22,902.25		\$ -		\$ -		\$ -		\$ -	\$ 22,902.25	25.00

Change Order #4										Prepared By									
June 19, 2023										THE WOOTEN COMPANY									
Terrahawk, LLC										120 NORTH BOYLAN AVE.									
Contractor's Name										RALEIGH, NORTH CAROLINA 27603									
Project Name										TWC #2799-BY EDA #04-79-07424									
Tanglewood Drainage Improvements																			
Item No.	Description of Item of Work	Bid Quantities	Unit Price	Unit	Bid Contract Price	Change Order #1 Qty	Change Order #1 Amt	Change Order #2 Qty	Change Order #2 Amt	Change Order #3 Qty	Change Order #3 Amt	Change Order #4 Qty	Change Order #4 Amt	New Contract Amount	New Qty				
CO1.5	24" SS Crossing in 36" Steel Casing		\$45,816.84	LS		1	\$ 45,816.84		\$ -		\$ -		\$ -	\$ 45,816.84	1.00				
CO2.1	Convert MH #22 to conflict box						\$ -		\$ -		\$ -		\$ -	\$ -	0.00				
CO2.2	Tie exist. drainage from Riverside to DI #2		\$15,513.16	LS			\$ -	1	\$ 15,513.16		\$ -		\$ -	\$ 15,513.16	1.00				
CO2.3	Existing Utility Repairs on 27th Street		\$7,738.99	LS			\$ -	1	\$ 7,738.99		\$ -		\$ -	\$ 7,738.99	1.00				
			\$7,516.51	LS			\$ -	1	\$ 7,516.51		\$ -		\$ -	\$ 7,516.51	1.00				
							\$ -		\$ -		\$ -		\$ -	\$ -	0.00				
CO3.1	Select Backfill for final backfill, COL trucking		\$26.10	CY			\$ -		\$ -	8,000	\$ 208,800.00	-1,774	\$ (46,301.40)	\$ 162,498.60	6,226.00				
CO3.2	Select Backfill for pipe embedment, COL trucking		\$16.50	CY			\$ -		\$ -	4,500	\$ 74,250.00	-1,073	\$ (17,704.50)	\$ 56,545.50	3,427.00				
CO3.3	Place & Compact ABC furnished by COL		\$22.00	SY			\$ -		\$ -	12,450	\$ 273,900.00	-4,957	\$ (109,054.00)	\$ 164,846.00	7,493.00				
CO3.4	Select Backfill for Pipe embedment zone		\$19.35	CY			\$ -		\$ -	4,663	\$ 90,229.05	775	\$ 14,996.25	\$ 105,225.30	5,438.00				
							\$ -		\$ -		\$ -		\$ -	\$ -	0.00				
CO4.1	Place & Compact ABC trucking by Terrahawk		\$30.00	SY			\$ -		\$ -		\$ -	4,301	\$ 129,030.00	\$ 129,030.00	4,301.00				
							\$ -		\$ -		\$ -		\$ -	\$ -	0.00				
Total CO No. 01						\$ 111,604.32		Total CO No. 03		\$ 309,377.75		Total CO No. 04		\$ 9,044,408.92					
New Contract Amount						\$ 8,613,898.50		New Contract Amount		\$ 8,937,049.02		New Contract Amount		\$ 107,359.90					
Total CO No. 02						\$ 13,772.77		Total CO No. 04		\$ 8,627,671.27		New Contract Amount		\$ 9,044,408.92					

TERRAHAWK, LLC

Civil Contractors



TERRAHAWK

June 16, 2023

Eric Olsen, PE
The Wooten Company
120 N. Boylan Ave.
Raleigh, NC 27603

Reference: Tanglewood Drainage Improvements (RFC # 08 – Time Extension Request)

Mr. Olsen,

Pursuant to the contract terms and conditions, please except this letter as the necessary justification to extend the current contract times as listed below.

1. As a result of the conflicting sewer line on 23rd St., the 78" pipe from MH 3 to MH 8 had to be installed at a lower elevation. The additional trench depth, excavation, spoil handling, dewatering and associated production loss caused a delay of 36 calendar days. The original date of 09/20/2022 to be at MH #8 was shifted to 10/26/2022.
2. The C.O.L requested Terrahawk fine grade and prepare the ABC stone base to be paved by others. An additional 10 days were required throughout the project to complete this task.
3. Due to an unknown 24" storm drain located at the intersection, the project was delayed to field adjust and modify the proposed design to accommodate the unforeseen conditions. This delayed the project by 7 days. 23rd Street and Riverwood Ave.
4. To accommodate the Hospital's delivery schedule and coordinate emergency vehicle traffic the project incurred an additional 7 days.

Please reach out with any questions or concerns.

Total: 60 calendar days

Best Regards,

K. Daniel Horne, MCE
President

TERRAHAWK

PO Box 37205
Raleigh, NC 27627

Phone: 919-372-8982
Email: info@terrahawkncc.com
Web: terrahawkncc.com

Mitchell-Mcintosh, Laney

From: Owen Thomas <ojt001@icloud.com>
Sent: Thursday, July 13, 2023 8:21 AM
To: Mitchell-Mcintosh, Laney
Subject: Kiwanis golf support

Hey, please put me down for \$150, John Carroll has also confirmed \$150 . For Aug meeting hopefully others give so we can go to \$1000

Attachment: Kiwanis golf support (4053 : P8 - Ratify CRF for Kiwanis of Robeson-Lumberton)

Thank you!!

Attachment: Kiwanis golf support (4053 : P8 - Ratify CRF for Kiwanis of Robeson-Lumberton)

**CELEBRATING
99 YEARS OF SERVICE
In Robeson County
1924-2023**

KIWANIS empowers communities to improve the world by making an impact in the lives of children. 100% of tournament profits go to programs providing support, guidance and protection to children. YOUR support allows us to provide local programs as:

- **Mac Starke Clothing Closet**
- **Read Across Robeson**
- **Terrific Kids**
- **Scholarships - UNCP & RCC**
- **Lumberton High Key Club**
- **UNCP Circle K**
- **Take a Kid to a Game**
- **CIS - Backpack Pals**

Official Entry Form

GOLFER ONE

Name:

Phone:

Email:

GOLFER TWO

Name:

Phone:

Email:

(Tee-times will be emailed and published in The Robesonian)

Circle Preferred tee time:

8:00-
10AM

10AM-
Noon

Noon-
1:30PM

**\$250 due with entry
by August 10, 2023**

Mail Check to:
Kiwanis of Robeson - Lumberton
Children's Foundation
PO Box 2705
Lumberton, NC 28359

Attachment: Kiwanis golf support (4053 : P8 - Ratify CRF for Kiwanis of Robeson-Lumberton)

Owen Thomas

Sent from my iPhone

Attachment: Kiwanis golf support (4053 : P8 - Ratify CRF for Kiwanis of Robeson-Lumberton)



BLADENBORO FIRE DEPARTMENT

PO BOX 455 – BLADENBORO, NC 28320

Jackie Coleman, Chief

Andrew Coleman, Deputy Chief

Shane McKnight, Assistant Chief

Jeremy Richardson, Captain

Anthony Coleman, Captain

James Freeman, Lieutenant

Howard Spence, Lieutenant

Jerry Sweat, Lieutenant

Joey Coleman, Lieutenant

Chief Christopher West
600 N. Cedar Street
Lumberton, NC 28359

Greetings:

Congratulations! We understand that you have recently obtained some new equipment. If you have surplus equipment that could be used by our volunteer department please feel free to contact me.

Sincerely,

Jackie Coleman, Chief
910.374.4870

Attachment: Bladenboro (4057 : Authorize donation of a Turnout Gear Dryer)

RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY AS ALLOWED BY LAW - DONATION

WHEREAS, the City of Lumberton has certain personal property which is surplus to its needs;
and

WHEREAS, N.C.G.S. 160A-280 authorizes the City of Lumberton to dispose of its surplus property by means of donation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton that the hereinafter described property is hereby declared as surplus and that the City Manager or his designee be and are hereby authorized to dispose of said property as allowed by law.

List of Personal Property:

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>SERIAL NUMBER</u>
1996	UNIMAC	GDE3/Gear Dryer Compressor	Green Tag – 104766 Green Tag – 110476 - 942734A

On motion of Council , seconded by Council , the foregoing Resolution was adopted on the 11th day of September, 2023.

Bruce W. Davis, Mayor

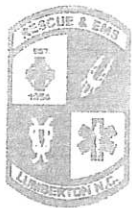
ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Holt Moore III, City Attorney

Resolution No. 2023.09.01



Lumberton Rescue and
Emergency Medical Service, Inc.
"Trained to Save, Dedicated to Serve"

Post Office Box 166
2391 North Roberts Avenue
Lumberton, NC 28358
Phone: (910) 738 7275
Fax: (910) 738 7292

May 31, 2023

Chief Chris West
Lumberton Fire Department
P.O. Box 1388
Lumberton, N.C. 28359

Dear Chief West:

In conversations with Chief Cox, it has been mentioned your department will be taking out of service your Star Air Systems compressed breathing air system. We have used this system many times over the years to refill our air system on our heavy rescue truck.

Lumberton Rescue and EMS would be interested in obtaining this system for use at our building. We currently have three phase power in our outside storage building and would continue to utilize the system for our heavy rescue truck air system. It would also be available to your department should the need arise in the future.

Please let me know if this is feasible and what we will need to do to make this happen. Thank you for your consideration.

Sincerely,

Robert D. Ivey, Jr.
Commander

RDI/si

cc. Assistant Chief Eddie Cox

RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY AS ALLOWED BY LAW - DONATION

WHEREAS, the City of Lumberton has certain personal property which is surplus to its needs;
and

WHEREAS, N.C.G.S. 160A-280 authorizes the City of Lumberton to dispose of its surplus property by means of donation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton that the hereinafter described property is hereby declared as surplus and that the City Manager or his designee be and are hereby authorized to dispose of said property as allowed by law.

List of Personal Property:

Cascade System	Compressor	Green Tag – 110476 - 942734A
-----------------------	-------------------	-------------------------------------

On motion of Council _____, seconded by Council _____, the foregoing Resolution was adopted on the 11th day of September, 2023.

Bruce W. Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Holt Moore III, City Attorney

Resolution No. 2023.09.02

Attachment: 2023.09.02 - Resolution Declaring Personal Property As Surplus- Compressor (4058 : Authorize the donation of a cascade system)

CITY OF LUMBERTON
REQUISITION

C 0 2011
7.C.a

Assigned PO Number: _____

Vendor Xylem Water Solutions USA, Inc
14125 South Bridge Circle
Charlotte, NC 28273

Ship To: Lumberton Water Plant
1451 Lowery Street
Lumberton NC 28358

FOB	SHIP VIA	REQUESTING DEPARTMENT	TERMS		DATE
	UPS	Environmental Services Dept.	Net 30		7/14/2023
QTY.	UNIT	DESCRIPTION	UNIT	PRICE	CODE
1	each	Flygt Model- NP-3202.185 8" volute Submersible pump 480Volt/3 phase/60 hertz 60 HP, 1150RPM motor, 640 impeller, 1 X 50 Ft. submersible cable, FLS leakage detector. Discharge modified for Wilo coupling	\$53,589.79	\$53,589.79	6000 8332 5960
			\$0.00	\$0.00	
			\$0.00	\$0.00	
		REQ26580	\$0.00	\$0.00	
		Wilo coupling provided to Flygt for modification and installation	\$0.00	\$0.00	
			\$0.00	\$0.00	
		Units for Kenny Biggs Lift Station	\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			SUBTOTAL	\$53,589.79	
			TAX	\$0.00	
			SHIPPING	\$0.00	
			TOTAL	\$53,589.79	

Funds are available for the above item(s).

Finance Director

Purchasing Agent

Kevin Burns 7/14/2023
Requisitioner Date

Department Head Date

City Manager Date

Attachment: BP-50C31_20230724_131246 (4016 : Kenny Biggs LS Pump)



CORPORATE OFFICE
2100 Carolina Place Drive
Fort Mill, SC 29708
(803) 802-0060

sales@lordandcompany.com
lordandcompany.com



Quotation

March 24, 2023

SUBJECT: Jim Bullock
Plant Influent Pump Station Control Panel PLC Upgrade
Town of Lumberton, NC
L&C Quotation No. LCQQ9542

We are pleased to present our quotation for the equipment and services as requested.

We appreciate the opportunity to meet your instrumentation and control needs for this project and desire to give your company a firsthand experience of working with Lord & Company. As a **CSIA Certified** System Integrator (**CSIA website:** <https://www.csiaexchange.com/2368/Lord-Company-Inc>) we are certain that we will prove our excellent reputation of over 40 years for quality equipment, timely services and experienced engineers.

Lord & Company, Inc. is a very high-quality SCADA System Integrator and Supplier that utilize all the major manufacturers of hardware and software. We have been certified and factory trained on many major equipment manufacturers. Our expertise and familiarity with all manufacturers make us highly qualified to provide a complete and working system and our CSIA Certification, superior customer training and documentation add value to any system.

We have a full-time in-house control panel assembly shop that is **UL-508A** and **UL-698A certified**. We also employ a full time registered professional engineer **PE** and full-time registered Project Management Professionals "**PMP**".

The detail of our offering is as follows –

The following modifications shall be made to the existing control panels:

Attachment: BP-50C31_20230724_131255 (4017 : WWTP Influent PLC Upgrade)

YOUR PARTNER IN PROCESS SOLUTIONS



lordandcompany.com
AN EMPLOYEE-OWNED COMPANY



L&C Quotation No. LCQQ9542

Page 2 of 3

Panel/Tag	NEMA Rating	Description
Plant Influent Pump Station Control Panel (Existing)	Existing	The existing pump alternator and speed indication display shall be replaced with new 12" OIT. OIT shall be installed in the field. The existing PLC equipment shall be removed and returned to the owner. New Modicon M340 series PLC processor and associated IO cards shall be provided and installed to replace the existing PLC equipment. 24VDC power supply shall be provided to power OIT.

Important Notes:

- Isolation relays shall be provided for both DI and DO.
- Terminal blocks shall be provided for all IO. All IO shall be wired down to terminal blocks.

Included:

- Modifications stated above.
- Testing in the field to ensure new equipment is working correctly.
- New 12" OIT and required programming.
- Modicon M340 series PLC and associated IO cards with required programming.
- Installation of new OITs and PLCs
- On-site startup
- Field wire terminations
- Training
- Drawing for modifications done to control panel.

Excluded:

- Spare parts
- Existing control Panel drawings
- PLC, HMI software of any kind
- Expedited Delivery on equipment
- Signal cable, interconnecting wiring, conduit, duct bank or any other electrical equipment

Pricing

\$54,417.00 No Sales Taxes Included

Warranty

Damaged equipment must be shipped to L&C for repair. Service on-site is available at our current labor rates.

Notes

Unless **specifically set forth** in the scope of this proposal, this offer does not include:

- ◇ Interconnecting wiring or conduit

YOUR PARTNER IN PROCESS SOLUTIONS



lordandcompany.com
AN EMPLOYEE-OWNED COMPANY



L&C Quotation No. LCQQ9542

Page 3 of 3

- ◇ Fiber Optic Cable
- ◇ Communication Connectors
- ◇ Installation
- ◇ Installation of antenna, antenna towers, cable, conduit & wire
- ◇ Wire termination's
- ◇ TVSS enclosures
- ◇ Enclosure Rated for Class I, Division 2 hazardous location.
- ◇ Misc. hardware and mounting equipment such as stands, poles, anchors, etc.

Delivery 10 to 12 weeks after release for production.
Due to a Global shortage on components and factors out of our control, all lead times and ship dates are estimates only and not a guarantee.

Terms Monthly progress payments for milestones, design, material shipments, startup, etc.; Net 30 days after date of invoice. A 1 1/2% monthly interest charge shall apply to all invoices over 15 days past due. No statement or condition contained in any order submitted by Buyer which modifies, adds to, is different from or inconsistent with any item or condition of this Quotation shall be binding on the Seller unless the Seller shall have expressly consented in writing to such statement or condition. Reference this quotation number on all correspondence concerning this project, including purchase orders and/or contracts.

Pricing Valid for 30 days – Contact to confirm pricing after 30 days

Freight Shipment is F.O.B. factory - full freight allowed to jobsite.

We sincerely thank you for the opportunity to work with you on this project and hope that you are richly blessed with the Grace of God in your life. If you have any question or concerns pertaining to this scope of work, please feel free to contact me or Joseph Dickson.

Sincerely,
Samuel Hemmerich



2100 Carolina Place Drive
Fort Mill, SC 29708
Email: shemmerich@lordandcompany.com
Website: www.lordandcompany.com



cc: Joseph Dickson – Lord & Company, Inc.
Cell Phone: 803-371-4755
Email: jdickson@lordandcompany.com

YOUR PARTNER IN PROCESS SOLUTIONS

Gregory Poole
Power Systems


Gregory Poole Equipment Company

CVA - CUSTOMER VALUE AGREEMENT (MAINTENANCE SERVICES PROGRAM)

3201 Integrity Drive • Garner, NC. 27529 • Phone 800-447-3144 • Direct 919-755-7088 • Fax 919-755-7039 • www.GregoryPoole.com

Quotation No: PME-L451346491

KM

C068993

City Of Lumberton

Springhill Lift Station #60 5128 Fayetteville Rd

Lumberton, NC. 28359

Contact: JAMES BULLOCK

Phone No: 910-374-5511

E-Mail: JBULLOCK@CI.LUMBERTON.NC.US

Other Phone No:

Contract Date: July 27, 2023

Contract Rep: Kassidee Miller

Phone No: (919) 755-7058

Email: kassidee.miller@gregpoole.com

Maintenance Agreement Start Date: November 1, 2023Coverage Years: 2**Site/Job Specific Requirements (Check all that apply)**

- ☐ Site Considerations / Safety Training
☐ Fluid Handling Requirements / MSDS
☐ Terms and Conditions (Required)
☐ Third Party Involving

Scheduling Preference:

- ☒ Regular Time ☐ Over Time ☐ Premium Time
 Weekday Hours Evenings & Saturdays Sundays & Holidays

Total Estimate (Year Price)

Includes Estimated Taxes

Total Price for Generator/Engine Services \$43,128.94**Total Price for ATS/Switchgear Services** \$0.00**Total Price for UPS Services** \$0.00**Total Price for Additional Services** \$0.00**\$43,128.94**

Total Tax: \$2,821.52

Total Estimate (Multi Year Price)Purchase Order total must reflect Multi Year Price to lock in quoted totals for duration of contract.....

Includes Estimated Taxes

\$88,414.32

Total Tax: \$5,784.12

Agreement Notes:

Effective with the date of this agreement, Gregory Poole Power Systems is authorized to perform Scheduled Programmed Maintenance as outlined in the applicable PM checklists. This agreement covers parts, labor, and fluids to provide maintenance services at various interval levels (PM level I and PM level II inspection). These services are provided for a charge as listed above per unit / equipment from Gregory Poole Power Systems Maintenance Services Pricing Schedule. All travel charges are included in the PM pricing. If repairs or adjustments are necessary, Gregory Poole Power Systems will advise and secure customer's permission before proceeding with repairs. If a customer requests an estimate before repairs are made, prices will be provided. Travel time and mileage will be charged if additional trips are necessary. Charges for labor and parts for additional services will be billed at rates in effect at the time of repair.

In accepting this agreement, the customer agrees to allow Gregory Poole Power Systems personnel reasonable access to the equipment to perform the services during normal working hours. If the equipment is not released for service as previously scheduled, the trip will be charged at prevailing rates. Site safety considerations or training need to be indicated before pricing contract, or they will be billed separately. The customer can request prices to have work performed at overtime or double time rates up front in the pricing of the contract.

**This agreement becomes effective upon execution by both parties and will continue in effect for the number of coverage years listed above.
 PO, if required, must reflect.**

Oil surcharge may be added to the total flat rate amount, if prevailing rates increase greater than 15%.

Delays in performance by Gregory Poole Power Systems or its suppliers shall be excused if by natural catastrophes, strikes, or other causes beyond the control of Gregory Poole Power Systems or its suppliers. It is the ultimate responsibility of the customer to ensure that Scheduled Programmed Maintenance is performed in a timely manner by providing sufficient lead time for scheduling services at proper PM intervals. In no event shall Gregory Poole Power Systems be liable for loss of use or other consequential damages. We agree to pay Gregory Poole Power Systems for the services rendered pursuant to this agreement by cash or upon terms and conditions of our open account. Agreement may be terminated by either party upon giving sixty (60) days prior written notification at the address shown Above.

Terms and Conditions:

- Pricing for the above estimate is valid for sixty days
- Price is based on customer providing ready access to equipment for continuous, uninterrupted work. Any unusual delays not caused by Gregory Poole will be billed at the applicable Regular or Overtime Rates
- Customer provides written notification of any site-specific safety practices prior to start of work that need to be included in this estimate for additional time for site entry or application related concerns (such as security). In the absence of site-Specific safety practices, Gregory Poole will follow the safety procedures in the Gregory Poole Safety Policy and Procedure Manual
- Proposal must be approved, signed with Purchase Order (if required by your company), and returned to the location listed at the top of this quote before maintenance can be scheduled.
- Materials and supplies pricing are subject to change based on or conditions outside of our control

AUTHORIZED SIGNATURE

PO NUMBER

BY GREGORY POOLE EQUIPMENT COMPANY

Date:

Packet Pg. 183

Attachment: BP-50C31_20230824_093259 (4054 : Generator service Agreement)

CITY OF LUMBERTON
REQUISITION

7.F.a

Assigned PO Number: _____

Vendor: Tencarva Machinery Company
1115 Pleasant Ridge Road
Greensboro, NC 27409

Ship To: Lumberton Water Plant
1451 Lowery Street
Lumberton NC 28358

FOB	SHIP VIA	REQUESTING DEPARTMENT	TERMS		DATE
	UPS	Environmental Services Dept.	Net 30		8/16/2023
QTY.	UNIT	DESCRIPTION	UNIT	PRICE	CODE
2	each	TSURUMI 3" CUTTER PUMP	\$3,160.00	\$6,320.00	6000-7132-3550
2	each	ANSI FLANGE ADAPTOR	\$395.00	\$790.00	
1	each	LABOR	\$1,000.00	\$1,000.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
		REQ26936	\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			\$0.00	\$0.00	
			SUBTOTAL	\$8,110.00	
			TAX	\$497.70	
			SHIPPING	\$0.00	
			TOTAL	\$8,607.70	

Funds are available for the above item(s).

Finance Director

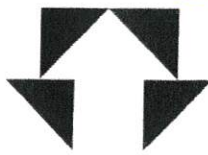
Purchasing Agent

Kevin Burns 8/16/2023
Requisitioner Date

Department Head Date

City Manager Date

Attachment: BP-50C31_20230824_093330 (4056 : Cricklewood LS Pumps)



CAPE FEAR LIFT TRUCKS

a Southeast Handling Systems Company

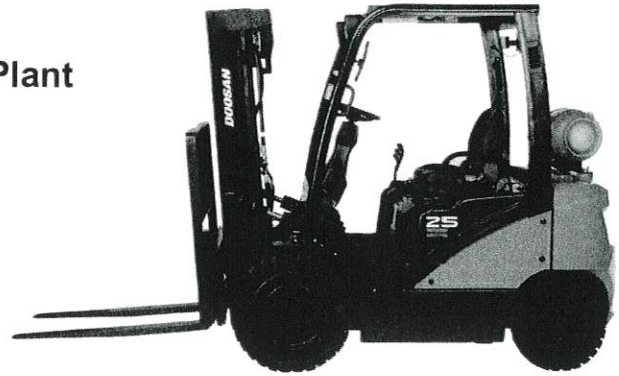
Cape Fear Lift Trucks

2515 Downing Rd.
Fayetteville, NC 28312
910-710-3201

TO : **Lumberton Public Works / Water Plant**
1451 Lowery Street
Lumberton, NC 28358

Attention : **Jim Bullock**
Telephone : 910-374-5511

Prepared By : Jacob Colburn
Date : 8/21/2023



We are pleased to submit the following quotation for your consideration

(1) Doosan G33P-7 MMC 2.4L Engine 6,500 lb. Capacity, I. C. Solid Tire Forklift

Configured Options

UL Rating	UL Rated Type LP
Brakes	Oil-Cooled Disc Brakes
Tires	Single Solid Soft-Ride 8.15-15 Drive / 6.50-10 Steer
Mast	3-Stage Full Free Triple Wide View MFH 189" OAL 86" FFH 57"
Tilt Cylinders	6° Forward / 5° Back
Sideshifter	Integral Sideshifting Fork Positioner 46" Wide
Carriage	Included with Integral Attachment
Forks	Hook Type - Pallet - 1.8" x 5" x 47"
Load Backrest	Included with Fork Positioner
Overhead Guard	High Visibility
Hydraulic Lines	4-Way For Sideshifting Fork Positioner
Hydraulic Control Valve	4 Section with 4 Levers
Mirrors	Large Rear View Mirrors - Unbreakable Glass
Seat	Vinyl Suspension Seat
Seat Belt	Orange
Direction Control	Standard - Lever Direction Control
Grab Bar	Rear Grab Bar with Horn Button
LP Tank Cradle	Standard Mounting
Warning Lights	Strobe - Amber - Mounted Below OHG
Warning Device	Back-Up Alarm (Inside Mount)
Front Work Lights	(2) Front Flood Lights - LED
Rear Work Lights	(1) Rear Flood Light - LED
Fire Extinguisher	3 lb. ABC Type
Warranty	Doosan Assurance - Standard 2 Year / 3,000 Hour, Powertrain 3 Year / 6,000 Hour, OCDB 5 Year / 10,000 Hour
PowerPlus Warranty	Extended Carriage to Counterweight Coverage - 5 Years / 10,000 Hours

Attachment: BP-50C31_20230824_093306 (4055 : Forklift)

12V Power Supply
 Cup Holder
 Mirror - Panoramic
 Open Core Radiator
 Pre-Cleaner
 Radiator Screen
 Seat Belt Interlock
 Steering Wheel Knob

Standard Equipment

MMC 2.4L G424P Engine
 Power Shift Transmission
 Oil Cooled Disc Brakes
 Power Steering
 Tilttable Steering Column
 Engine Shutdown
 Dual Element Air Cleaner
 Tilt Cylinder Covers
 Counterweight

Total Equipment And Accessories:

\$ 37,926.⁶³

FOB: Delivered

Estimated DOD : 4/21/2024

Terms and Conditions

F.O.B: Delivered to above noted address.

Prices are inclusive of any sales or use taxes currently in force. Actual sales taxes may vary depending on future changes by any federal, state, or local governments. Lease offerings are subject to credit approval.

Some operations and configurations may Void UL.

Performance and specifications stated are based on specific testing and operating conditions. Actual performance and specifications may vary based on application, option configuration, operating conditions, and environmental factors.

Conditions subject to change to those in effect at time of delivery.

Your signature on this proposal institutes a firm order.

Should you choose to not protect your equipment with a Full Maintenance Agreement, we will protect your investment by adding this equipment shipped into SHS territory to a Planned Maintenance Service Agreement unless declined and initialed here

_____ Customer will be responsible for costs associated with these services.

Proposal Authorization:

Signed and accepted on behalf of:

Lumberton Public Works / Water Plant

Signature

Printed Name

Title

Date

Signed and accepted on behalf of:

Cape Fear Lift Trucks

Jacob M. Colburn

Signature

Jacob M. Colburn

Printed Name

Territory Support Manager

Title

08/21/2023

Date

September 01, 2023

Mr. Danny Smith
City of Lumberton
215 S Cedar Street
Lumberton, NC 28358

Danny,

We are pleased to provide H-GAC sale pricing for (1) Godwin Dri-Prime model CD150S 6" Critical Silenced Centrifugal Pump on a road going trailer.

The CD150S is a member of the Godwin S Series of Smart pumps, equipped with a new generation of Field Smart Technology (FST) for remote monitoring and control (requires monthly charges). In addition to improved hydraulic efficiency, greater fuel economy and streamlined serviceability. The CD150S is an automatic self-priming (to 28 feet) centrifugal pumpset driven by an Isuzu 4LE2 FT4 water cooled diesel engine mounted on a Series 6 road going trailer containing a 75 gallon fuel tank.

The Godwin Primeguard Controller is fully programmable microprocessor engine controller that can start and stop (Pressure or Level) a Dri-Prime pump automatically with no operator intervention required.

Our priming system is unique, in that it utilizes compressed air (driven off the engine) through a set of venturi. The air is then evacuated to atmosphere, priming the pump. The compressor runs continually, therefore, the pump primes and re-priming quickly. With its oil bath mechanical seal, it can run dry indefinitely without damage. The Dri-Prime with its superior materials of construction, i.e. hardened steel impeller (3" solids handling), provides longer wear resistance. All of these features make the CD150S the preferred pump for sewer bypasses.

Our critically Silenced unit is engineered from start to finish for quiet operation. The enclosure consists of 14 gauge sheet metal lined with 1" & 2" layers of polydamp acoustical sound deadening material with hinged, lockable doors to provide convenient access to operating controls and service locations. To further reduce operating noise, the engine has been designed with a critically grade silenced muffler and silenced priming exhaust.

Please see the attached system curve and H-GAC sale quotation for your consideration. These units can be manufactured in 22 weeks after receipt of order. We look forward to working with you on these critical applications!

Thanks for the opportunity,
Jim

Xylem Dewatering Solutions, Inc.
Jim Lehmann
Sales Representative
4113 Highway 421 North Wilmington, NC
Phone-(910)-383-1106
Cell-(910) 409-7075

Home Office:

84 Floodgate Road, Bridgeport, NJ 08014 • www.godwinpumps.com • (856) 467-3636 • (856) 467-4841

Attachment: City of Lumberton H-GAC CD150S Letter-September 2023 (4067 : Purchase New Portable Sewer Bypass Pump)

Mr. Danny Smith
City of Lumberton, NC.

September 01, 2023

H-GAC CM02-21 Sale Quotation 672-22 (Xylem Dewatering Solutions, Inc.)

Qty	Description	MFG Part #	Unit Price	Total Price
(1)	6" x 6" Godwin Dri-Prime CD150S Critical Silenced Skid (75 gallon) Isuzu 4LE2X FT4	PMCD060DCN284	\$53,751.75	\$ 53,751.75
(1)	Series 6 Trailer	TRGLNA000008	\$ 4,418.25	\$ 4,418.25
(1)	2 Float Assembly for Primeguard Control Panel	CAPGMA005	\$ 450.75	\$ 450.75
(1)	Battery Charge-12 volt trickle	ACCE0004	\$ 420.75	\$ 420.75
(1)	Block Heater-110 volt	ACCE0005	\$ 162.00	\$ 162.00
Total Sale Price less Tax-Isuzu				\$ 59,203.50
(1)	Freight In		\$ 767.00	\$ 767.00

Qty	Field Smart Technology (FST) Description	MFG Part #	Monthly	Monthly Total
(1)	FST Base plan	FSTBASEPLANS	\$ 18.00	\$ 18.00
(1)	FST Advanced Data Service	FSTADV DATS	\$ 18.00	\$ 18.00
(1)	FST Basic Satellite Connectivity Service	FSTSATCONNS	\$ 54.00	\$ 54.00
(1)	FST Premium Satellite Connectivity Service	FSTSATPREMS	\$ 369.00	\$ 369.00
(1)	Remote Control Service	FSTREMCNTRL	\$ 54.00	\$ 54.00
(1)	Telephone Alarming Service	FSTPHONEALARMS	\$ 216.00	\$ 216.00

*1.FST base plan allows users to access and view FST equipment devices, text and email notifications, and includes access to the following d
Devise name, Device Alias, physical location, hours, key switch state, run status, common alarms, and service alarms.

*2. FST Advanced data service includes base plan plus the following: Speed (RPM), Engine temperature, battery voltage, oil pressure, load, f
burn rate, fuel level, DEF level, Engine soot, (*Suction Pressure, *Discharge Pressure, *TDH, *Flow, and *sump level-*additional items
required)

Also provides access to historical data and provides the ability to download data log files

*3. FST Basic and Premium Satellite Connectivity Service-allows the FST to communicate over satellite where cell service is not available
Basic-will only transmit data when there is a state of change (pump start, pump stop or alarm condition)

Premium-will transmit data once per hour, in addition to a state change or alarm

(if one of the satellite service plans is not enabled, the FST will not communicate if cell communication is lost)

*4. FST Remote Control Service- will allow the user to remotely control the pump

*5. FST Telephone Alarming Service-will allow the FST to make telephone alarm calls

Example. If automatic Telephone Alarm Service is needed, the base plan + telephone alarming service would have to be added

SHORT FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES

THIS IS AN AGREEMENT effective as of August 29, 2023 ("Effective Date") between

City Of Lumberton ("Owner")

and

L.E. Wooten & Company dba The Wooten Company ("Engineer").

Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as follows: 2022 Main (Noir St) Sewer Interceptor Study ("Project").

Engineer's services under this Agreement are generally identified as follows: Evaluate approximately 7,000 feet of sewer main (approx. 36" to 42" in diameter) from Lift Station #1 discharge on Paul Street to the WWTP. ("Services").

Owner and Engineer further agree as follows:

1.01 *Basic Agreement and Period of Service*

- A. Engineer shall provide or furnish the Services set forth in this Agreement. If authorized by Owner, or if required because of changes in the Project, Engineer shall furnish services in addition to those set forth above ("Additional Services").
- B. Engineer shall complete its Services within the following specific time period: **18 months**. If no specific time period is indicated, Engineer shall complete its Services within a reasonable period of time.
- C. If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer's Services is impaired, or Engineer's Services are delayed or suspended, then the time for completion of Engineer's Services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.

2.01 *Payment Procedures*

- A. *Invoices:* Engineer shall prepare invoices in accordance with its standard invoicing practices and submit the invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Engineer for Services, Additional Services, and expenses within 30 days after receipt of Engineer's invoice, then (1) the amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day, and (2) in addition Engineer may, after giving seven days written notice to Owner, suspend Services under this

Agreement until Engineer has been paid in full all amounts due for Services, Additional Services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension.

- B. *Payment:* As compensation for Engineer providing or furnishing Services and Additional Services, Owner shall pay Engineer as set forth in Paragraphs 2.01, 2.02 (Services), and 2.03 (Additional Services). If Owner disputes an invoice, either as to amount or entitlement, then Owner shall promptly advise Engineer in writing of the specific basis for doing so, may withhold only that portion so disputed, and must pay the undisputed portion.

2.02 *Basis of Payment—Lump Sum*

- A. Owner shall pay Engineer for Services as follows:

A Lump Sum amount of \$ 59,000

- a) **Develop Bidding Documents \$20,000**
- b) **Bidding and Negotiation Services \$5,000**
- c) **CCTV Engineering Administration and Observation Services \$20,000**
- d) **Summary Report Services \$9,000**
- e) **Funding administration Services \$5,000**

In addition to the Lump Sum amount, reimbursement for the following expenses: \$ NA.

- B. The portion of the compensation amount billed monthly for Engineer's Services will be based upon Engineer's estimate of the percentage of the total Services actually completed during the billing period.

3.01 *Termination*

- A. The obligation to continue performance under this Agreement may be terminated:

- a) For cause,

- a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party. Failure to pay Engineer for its services is a substantial failure to perform and a basis for termination.

- b. By Engineer:

- 1) *upon seven days written notice if Owner demands that Engineer furnish or perform services contrary to Engineer's responsibilities as a licensed professional; or*
- 2) *upon seven days written notice if the Engineer's Services are delayed for more than 90 days for reasons beyond Engineer's control, or as the result of the presence at the Site of undisclosed Constituents of Concern, as set forth in Paragraph 5.01.I.*

- c. Engineer shall have no liability to Owner on account of a termination for cause by Engineer.
- d. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under Paragraph 3.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its substantial failure to perform and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

b) For convenience, by Owner effective upon Engineer's receipt of written notice from Owner.

- B. In the event of any termination under Paragraph 3.01, Engineer will be entitled to invoice Owner and to receive full payment for all Services and Additional Services performed or furnished in accordance with this Agreement, plus reimbursement of expenses incurred through the effective date of termination in connection with providing the Services and Additional Services, and Engineer's consultants' charges, if any.

4.01 *Successors, Assigns, and Beneficiaries*

- A. Owner and Engineer are hereby bound and the successors, executors, administrators, and legal representatives of Owner and Engineer (and to the extent permitted by Paragraph 4.01.B the assigns of Owner and Engineer) are hereby bound to the other party to this Agreement and to the successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.
- B. Neither Owner nor Engineer may assign, sublet, or transfer any rights under or interest (including, but without limitation, money that is due or may become due) in this Agreement without the written consent of the other party, except to the extent that any assignment, subletting, or transfer is mandated by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.
- C. Unless expressly provided otherwise, nothing in this Agreement shall be construed to create, impose, or give rise to any duty owed by Owner or Engineer to any Constructor, other third-party individual or entity, or to any surety for or employee of any of them. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of Owner and Engineer and not for the benefit of any other party.

5.01 *General Considerations*

- A. The standard of care for all professional engineering and related services performed or furnished by Engineer under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Engineer makes no warranties, express or implied, under this Agreement or otherwise, in connection with any services performed or furnished by Engineer. Subject to the foregoing standard of care, Engineer and its consultants may use or rely upon design elements and information ordinarily or customarily furnished by others, including, but not limited to, specialty contractors, manufacturers, suppliers, and the publishers of technical standards.

- B. Engineer shall not at any time supervise, direct, control, or have authority over any Constructor's work, nor shall Engineer have authority over or be responsible for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, or the safety precautions and programs incident thereto, for security or safety at the Project site, nor for any failure of a Constructor to comply with laws and regulations applicable to such Constructor's furnishing and performing of its work. Engineer shall not be responsible for the acts or omissions of any Constructor.
- C. Engineer neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform its work.
- D. Engineer's opinions (if any) of probable construction cost are to be made on the basis of Engineer's experience, qualifications, and general familiarity with the construction industry. However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual construction cost will not vary from opinions of probable construction cost prepared by Engineer. If Owner requires greater assurance as to probable construction cost, then Owner agrees to obtain an independent cost estimate.
- E. Engineer shall not be responsible for any decision made regarding the construction contract requirements, or any application, interpretation, clarification, or modification of the construction contract documents other than those made by Engineer or its consultants.
- F. All documents prepared or furnished by Engineer are instruments of service, and Engineer retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. Owner shall have a limited license to use the documents on the Project, extensions of the Project, and for related uses of the Owner, subject to receipt by Engineer of full payment due and owing for all Services and Additional Services relating to preparation of the documents and subject to the following limitations:
 - a) Owner acknowledges that such documents are not intended or represented to be suitable for use on the Project unless completed by Engineer, or for use or reuse by Owner or others on extensions of the Project, on any other project, or for any other use or purpose, without written verification or adaptation by Engineer;
 - b) any such use or reuse, or any modification of the documents, without written verification, completion, or adaptation by Engineer, as appropriate for the specific purpose intended, will be at Owner's sole risk and without liability or legal exposure to Engineer or to its officers, directors, members, partners, agents, employees, and consultants;
 - c) Owner shall indemnify and hold harmless Engineer and its officers, directors, members, partners, agents, employees, and consultants from all claims, damages, losses, and expenses, including attorneys' fees, arising out of or resulting from any use, reuse, or modification of the documents without written verification, completion, or adaptation by Engineer; and
 - d) such limited license to Owner shall not create any rights in third parties.

- G. Owner and Engineer may transmit, and shall accept, Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, in accordance with a mutually agreeable protocol.
- H. To the fullest extent permitted by law, Owner and Engineer (1) waive against each other, and the other's employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to this Agreement or the Project and (2) agree that Engineer's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Engineer, whichever is greater.
- I. The parties acknowledge that Engineer's Services do not include any services related to unknown or undisclosed Constituents of Concern. If Engineer or any other party encounters, uncovers, or reveals an unknown or undisclosed Constituent of Concern, then Engineer may, at its option and without liability for consequential or any other damages, suspend performance of Services on the portion of the Project affected thereby until such portion of the Project is no longer affected, or terminate this Agreement for cause if it is not practical to continue providing Services.
- J. Owner and Engineer agree to negotiate each dispute between them in good faith during the 30 days after notice of dispute. If negotiations are unsuccessful in resolving the dispute, then the dispute shall be mediated. If mediation is unsuccessful, then the parties may exercise their rights at law.
- K. This Agreement is to be governed by the law of the state in which the Project is located.
- L. Engineer's Services and Additional Services do not include: (1) serving as a "municipal advisor" for purposes of the registration requirements of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) or the municipal advisor registration rules issued by the Securities and Exchange Commission; (2) advising Owner, or any municipal entity or other person or entity, regarding municipal financial products or the issuance of municipal securities, including advice with respect to the structure, timing, terms, or other similar matters concerning such products or issuances; (3) providing surety bonding or insurance-related advice, recommendations, counseling, or research, or enforcement of construction insurance or surety bonding requirements; or (4) providing legal advice or representation.

6.01 *Total Agreement*

- A. This Agreement (including any expressly incorporated attachments), constitutes the entire agreement between Owner and Engineer and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

7.01 *Definitions*

- A. *Constructor*—Any person or entity (not including the Engineer, its employees, agents, representatives, and consultants), performing or supporting construction activities relating to the Project, including but not limited to contractors, subcontractors, suppliers, Owner's work forces, utility companies, construction managers, testing firms, shippers, and truckers, and the employees, agents, and representatives of any or all of them.

- B. *Constituent of Concern*—Asbestos, petroleum, radioactive material, polychlorinated biphenyls (PCBs), hazardous waste, and any substance, product, waste, or other material of any nature whatsoever that is or becomes listed, regulated, or addressed pursuant to (a) the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§9601 et seq. (“CERCLA”); (b) the Hazardous Materials Transportation Act, 49 U.S.C. §§5101 et seq.; (c) the Resource Conservation and Recovery Act, 42 U.S.C. §§6901 et seq. (“RCRA”); (d) the Toxic Substances Control Act, 15 U.S.C. §§2601 et seq.; (e) the Clean Water Act, 33 U.S.C. §§1251 et seq.; (f) the Clean Air Act, 42 U.S.C. §§7401 et seq.; or (g) any other federal, State, or local statute, law, rule, regulation, ordinance, resolution, code, order, or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic, or dangerous waste, substance, or material.

8.01 *Attachments:*

Appendix 1 – Scope of Services

Appendix 2 - Engineer's Standard Hourly Rates

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

Owner:

City of Lumberton

By: _____

Print name: **Bruce Davis**

Title: **Mayor**

Date Signed: _____

Engineer:

L.E. Wooten & Company dba The Wooten Company

By: _____

Print name: **W. Brian Johnson, PE**

Title: **Vice President**

Date Signed: _____

Engineer License or Firm's Certificate No. (if required):

F-0115

State of: **North Carolina**

Address for Owner's receipt of notices:

600 N. Cedar Street

Lumberton, NC 28359

Address for Engineer's receipt of notices:

120 N. Boylan Avenue

Raleigh, NC 27603

PRE-AUDITED STATEMENT

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

Print Name: **Alisha Armstrong**

Title: **Director of Finance**

By (Signature): _____

Date Signed: _____

This is **Appendix 2, Engineer's Standard Hourly Rates**, referred to in and part of the Short Form of Agreement between Owner and Engineer for Professional Services.

Engineer's Standard Hourly Rates

APPENDIX 1
TO THE
ENGINEERING SERVICES AGREEMENT
BETWEEN
THE CITY OF LUMBERTON
AND
L.E. WOOTEN & COMPANY DBA THE WOOTEN COMPANY
FOR
SCOPE OF SERVICE
TO
2022 Main (Noir St) Sewer Interceptor Study

The following Attachment shall become a part of the Contract Agreement.

PROJECT INCLUDES

The project includes the following proposed improvement **Evaluate approximately 7,000 feet of the sewer main from Lift Station #1 discharge on Paul Street to the WWTP which is 36 to 42 inches in diameter** PRELIMINARY ENGINEERING

STUDY WASTEWATER

- (1) Schedule and conduct kick-off meeting.
- (2) Gather available information from Owner.
- (3) Cleaning & Television Inspection
 - a) Prepare a bid package, consisting of the following: a map showing location of sewers to be inspected, specifications for completing the work, method of debris/detritus removal and disposal, traffic control and description of deliverables (video discs (CDs), recordation of stationing, 360° inspection of problem areas, description of infiltration/inflow (I/I) conditions encountered correlating to sewer location, recordation of encountered structural deficiencies and time for completion.
 - b) Bidding and Negotiation
 - Assist the Owner in sending the advertisement for bids to at least 3 CCTV contractors.
 - Furnish copies of the bidding documents as requested by the contractors.
 - Prepare, as may be required, written addenda amending the bidding documents.
 - Assist the Owner in the receiving of bids, tabulate same for ready comparison, collect required data from Low Bidder and provide to Owner,

and advise the Owner to the best of our ability as to proper and judicious award of contracts.

- After award of contract(s), the Engineer will prepare the contract documents for execution by the contractor and the Owner.
- c) Provide an observer onsite for a total of 80 hours when cleaning and TV inspection is in progress. Responsibilities of the observer include the following: maintain a log of work accomplished; monitor the cleaning and TV inspection; direct inspection effort as necessary for a more thorough inspection of suspected problem area; document infiltration/inflow sources; correlate subsurface observation of obvious problem areas with surface conditions to better determine source of problem; communicate with Owner's staff and/or Engineer's Project Manager as necessary to resolve issues, report on progress, and invite Owner and Engineer on site to observe findings; and maintain appropriate records of work in order to review and recommend approval of periodic payment requests by the Contractor. Initially, it is envisioned that the Engineer's observer will visit the job site and review operations approximately 2 day(s) per week for 5 weeks.
- d) The contract for the cleaning and TV inspection will be between the Owner and the Contractor. The Engineer's observer will serve as the Owner's agent.
- e) The Engineer will also provide administrative services during the CCTV efforts for addressing questions by the Contractor or Owner, review the cleaning and video process proposed for the project, review and process pay requests from Contractor and review data provided by Contractor for completeness.
- (4) Final Report –
- a) Combine Television Inspection Reports in a single document, complete with maps, raw data sheets, data summaries, and video discs covering TV inspection.
 - b) Schedule and conduct meeting regarding available capacity.
 - c) Provide Cost Opinion for repairs.
 - d) Write Report summarizing data and recommendation.
 - e) Schedule and conduct meeting with Owner to present results.

FUNDING ADMINISTRATION

- (1) Assist Owner with submission of required documents by Division of Water Infrastructure (DWI) to begin reimbursement process.
- (2) Prepare reimbursement documents for Owner to review and sign.
- (3) Submit reimbursement documents to DWI.

- (4) Provide requests for additional information to DWI.
- (5) Provide copies of final report to DWI.

ADDITIONAL SERVICES

In addition to the foregoing services being performed, the following services may be provided upon prior written authorization of the Owner.

- (1) Conduct research and surveys and prepare necessary plats and maps for the determination of property Ownership and identification of sites and easements to be acquired for the construction of the project.
- (2) Provide Levels "A" and "B" Subsurface Utility Engineering (SUE) services through the project corridor or critical areas within the corridor. Level "A" shall be paid by each excavation performed and Level "B" shall be paid by the linear foot surveyed. All Level "C" SUE services are provided as part of the Basic Services of the contract as stated under above in Section 1.A Design Services.
- (3) Prepare downstream sewer analysis if required by Division of Water Quality to support permit application to construct.
- (4) Prepare USACE Individual Permit.
- (5) Prepare Storm Water Management plan.
- (6) Prepare redesigns for the Owner after Final Plans and Specifications have been accepted by the Owner.
- (7) Appear before courts or boards on matters of litigation or hearings related to the project.
- (8) Design other additional utilities improvements not included in the original scope of services.
- (9) Conduct additional work or extended services during construction due to the fault of the Contractor or due to the overrun in time for construction.
- (10) Geotechnical Services.

SERVICES PROVIDED BY THE OWNER

- (1) Designate a person to act as the Owner's representative with respect to the work to be performed under the agreement. Such person shall have complete authority to transmit instructions, receive information, interpret, and define the Owner policies.
- (2) Provide such legal accounting and insurance counseling services as may be required for the project and such auditing services as the Owner may require to ascertain how or for what purpose any contractor has used the monies paid to him under the construction contract.
- (3) Pay all permit and application fees required for the project approval and construction.

- (4) Assist the Engineer by placing at his disposal all available information pertinent to the projects as may be required by the Engineer.
- (5) Guarantee access to and make all provisions for the Engineer to enter upon public and private property as required to perform his services.
- (6) Examine all sketches, drawings, specifications, proposals, and other documents presented by the Engineer, obtaining advice of an attorney, insurance counselor, and other consultants as the Owner deems appropriate for such examination.
- (7) Provide frequent observation of the project to apprise the Engineer of specific matters relating to the project that would foster good relations among all parties involved as well as to allow work to progress in an orderly manner.
- (8) Give prompt written notice to the Engineer whenever the Owner observes or otherwise becomes aware of any defect in the project or changed circumstances.
- (9) Furnish the Engineer in a timely manner with copies of pertinent correspondence relating to the project which would not otherwise have been delivered to the Engineer.
- (10) Bear all cost of incidentals for the compliance with the requirements of this article and the foregoing article entitled "Additional services".
- (11) Provide E-verify affidavit document for Engineer's execution.

<http://www.nclm.org/SiteCollectionDocuments/E-Verify%20FAQs%20-%20Sept2013.pdf>



Member of the SNC-Lavalin Group

Mr. Rob Armstrong, PE
 Director of Public Works
 City of Lumberton
 215 South Cedar Street
 Lumberton, NC 28358

August 31, 2023

Subject: Amendment #4- Portable Pump Station, Geotechnical support, Site Design and Project Management Support for W. Lumberton Flood gate project

Dear Rob,

As requested, Atkins is submitting the following scope and fee estimates for additional H&H, stakeholder coordination and project management support for W. Lumberton Flood gate project:

1. Geotechnical design support (B&E)
2. Internal drainage sizing and portable pumps QC (Atkins)
3. Construction document support (McGill)
4. Portable pump design and structural support (LH&J)
5. Project management (Atkins)

Each of these items are independent tasks and are described in detail in the following sections:

Task 3.1 – Geotechnical design support

Our Team will provide geotechnical engineering information to complete the 95%-design documents for the floodgate. The task will require coordination with Civil and Structural disciplines.

Task 3.2- Internal drainage sizing and portable pumps QC

Atkins will update the existing model and provide size of two (2) pipes under the I-95 embankment. Atkins will also provide quality control on the pump design.

Task 3.3 – Construction documents support

Our Team will provide internal drainage outfalls design assistance and the addition of two bid assistance phases. Due to the timing of the I-95 design/build project, it has become necessary to bid and construct the Internal Drainage Outfalls ahead of the Flood Gate project. As such, the first round of bid assistance will encompass installation of Internal Drainage Outfalls through the existing and future I-95 embankments. The second round of bid assistance will encompass installation of flood gates from the original project.

Task 3.4 – Portable pump design and structural support

Our Team will provide design for two drainage pump stations that will be operated using portable pumps. The portable pump flows are estimated to be 10cfs per pump station, totalling 20cfs for both pump stations. The scope of work also assumes that the two drainage pump stations will be small, unmanned stations with no fixed buildings or covers for the pumps and/or any fuel or power supply; and it excludes designs of backflow prevention at existing gravity lines through the I-95 embankment.

Task 4.1 – Project Management

Atkins will conduct monthly progress meetings (including meeting agenda, follow up, and notes). Atkins will participate in coordination meetings with project stakeholders (i.e. NCDOT, CSX, USACE etc). Atkins will also perform regular project management tasks related to contracting and invoices.

Deliverables

- Task 3.1: Updated Geotechnical Report
- Task 3.2: Drainage design narrative
- Task 3.3: Construction documents
- Task 3.4: Pump design Report
- Task 4.1: Meeting agendas and notes

Assumptions/Exclusions

This scope of work does not include development or implementation of any operational and/or logistics plan for the mobilization and operation of the portable pumps including providing a fuel or power supply. Additional Topographic surveys and geotechnical investigations are not included in this scope of work.

Schedule

Atkins expects the design and permitting work to be completed by May 31, 2024, barring any unexpected delays during design, coordination, R/W acquisition, permitting.

Fee

This scope of work will be completed for a lump sum cost of **\$646,317.48**. Fee changes to the respective tasks are summarized in the table below.

Task	Current Contract \$	Amendment	Changed to \$
1.1 Data Collection (Survey, SUE, Geotech)	\$349,027.20		\$349,027.20
1.2 Existing Conditions Hydrologic and Hydraulic Analysis	\$196,383.00		\$196,383.00
1.3 Hydraulic Modeling of Alternatives	\$92,763.16		\$92,763.16
1.4 Environmental Investigation and Permitting	\$25,252.50		\$25,252.50
1.5 Preliminary Design	\$142,832.38		\$142,832.38
2.1 Geotechnical Design	\$25,475.00		\$25,475.00
2.2 Site/Civil and Roadway Design	\$101,708.00		\$101,708.00
2.3 Structural Final Design	\$174,947.41		\$174,947.41
2.4 Traffic Engineering Design	\$16,371.45		\$16,371.45
2.5 R/W Plans	\$28,977.20		\$28,977.20
2.6 Flood Response Plan	\$23,951.60		\$23,951.60
2.7 Quality Management	\$27,320.40		\$27,320.40
2.8 Bid Documents Preparation and Support	\$76,181.20		\$76,181.20

2.9. Dam Safety Permitting	\$46,942.80		\$46,942.80
3.1. Geotechnical design support		\$10,175.00	\$10,175.00
3.2. Internal drainage sizing and portable pumps QC		\$55,795.68	\$55,795.68
3.3. Construction document support		\$67,430.00	\$67,430.00
3.4. Portable pumps design and structural support		\$370,683.50	\$370,683.50
4.1 Project Management	\$187,334.24	(+) \$142,233.30	\$329,567.54
4.2 Stakeholder Coordination	\$101,627.04		\$101,627.04
4.3. EA/FONSI Determination	\$10,256.07		\$10,256.07
Total	1,627,350.65	(+) \$646,317.48	\$2,273,668.13

Please let me know if you have any questions or need any clarifications. I may be reached at 919.431.5253 or amit.sachan@atkinsglobal.com. We look forward to the opportunity to serve you.

Sincerely,



Amit Sachan, PE, CFM
Sr. Project Director, Atkins

***** The Resolution and the Form for Certification by the Recording Officer MUST be included in the Application Package *****

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The **City of Lumberton** has need for and intends to construct, plan for, or conduct a study in a project described as **PFAS Study at Wastewater Treatment Plant** of the project(s) in the application(s)), and

WHEREAS, The **City of Lumberton** intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LUMBERTON:

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

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

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

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

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

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

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

Adopted this the September 2023 at _____, North Carolina.

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting **City Clerk** of the **City of Lumberton** does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the **City Council** of the **City of Lumberton**, duly held on the _____ day of _____, 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

(Signature of Recording Officer)

(Title of Recording Officer)

***** The Resolution and the Form for Certification by the Recording Officer MUST be included in the Application Package *****

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The **City of Lumberton** has need for and intends to construct, plan for, or conduct a study in a project described as **PFAS Study at Water Treatment Plant** of the project(s) in the application(s)), and

WHEREAS, The **City of Lumberton** intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF LUMBERTON:

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

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

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

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

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

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

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

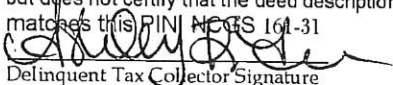
Adopted this the September 2023 at _____, North Carolina.

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting **City Clerk** of the **City of Lumberton** does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the **City Council** of the **City of Lumberton**, duly held on the _____ day of _____, 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

(Signature of Recording Officer)

(Title of Recording Officer)

This certifies that PIN: **100901020**
is free of any delinquent ad valorem Tax liens
charged to the Robeson County Tax Collector;
but does not certify that the deed description
matches this PIN. NC GS 161-31

Delinquent Tax Collector Signature
Ashley R. Torre



1/11/2022

2022000360

ROBESON CO, NC FEE \$26.00

NO TAXABLE CONSIDERATION

PRESENTED & RECORDED:

01-11-2022 04:56:38 PM

VICKI L LOCKLEAR

REGISTER OF DEEDS

BY: CHISA WAINWRIGHT-LOCKLEAR

DEPUTY

BK: D 2326

PG: 37-40

Excise Tax \$0.00

Parcel No. **A portion of 100901020** *W*Brief Description: Meadow Road,
Lumberton Township

Mail after recording to: PAGE & ROGERS, P.A.

This instrument was prepared by D. Jeffrey Rogers, PAGE & ROGERS, P. A., Lumberton,
NC

NO OPINION OF TITLE IS MADE BY PREPARER

NORTH CAROLINA WARRANTY GIFT DEED

THIS DEED made this 11th day of January, 2022, by and between:

GRANTOR

MARYLYN LINKHAW BRITT, widow
and LISA LINKHAW RHODES, and
HUSBAND, WESLEY RHODES4100 CRICKLEWOOD
LUMBERTON, N.C. 28358

GRANTEE

EARNEST McARN, SR.

44 LORRAINE DRIVE
LUMBERTON, N.C. 28358

The designation Grantor and Grantee as used herein shall include said parties, their
successors and assigns, and shall include singular, plural, masculine, feminine or neuter
as required by context.

WITNESSETH, that the Grantor, for love and affection has and by these presents does
grant and convey unto the Grantee in fee simple, all that certain lot or parcel of land
situated in Lumberton Township, Robeson County, North Carolina and more particularly
described as follows:

Attachment: MCarn annexation application petition et al (4081 : Ernest McArn Contiguous Annexation Request)

Being all of that certain tract and parcel of land located in Lumberton, Lumberton Township, Robeson County, N.C. and being more particularly described in that certain map book recorded in Book: M 57, at page 177, Robeson County Registry Book of Maps. Being a portion of 100901020 containing 3.4 acres.

The property herein above described was acquired by Grantors by instrument recorded in Deed Book 1675, Page 870, Robson County Registry.

This is not the primary residence of the Grantors.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantors covenants with the Grantee, that Grantors is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whosoever except for the exceptions hereinafter stated. Title to the property herein above described is subject to the following exceptions:

Subject to ad valorem taxes; all applicable zoning and land use ordinances, statutes and regulations; and to the provisions of all applicable restrictive covenants and utility easements of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hand and seal, the day and year first above written.

Marylyn Linkhaw Britt (SEAL)
MARYLYN LINKHAW BRITT

Lisa Linkhaw Rhodes (SEAL)
LISA LINKHAW RHODES

Wesley Rhodes (SEAL)
WESLEY RHODES

NORTH CAROLINA - COUNTY OF ROBESON

I, Penny S. Oxendine, a Notary Public of the County and State aforesaid, certify that Marylyn Linkhaw Britt personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 11th day of January, 2022.

Penny S. Oxendine Notary Public

My commission expires: 10-7-2026

Attachment: MCarn annexation application petition et al (4081 : Ernest McAarn Contiguous Annexation Request)

STATE OF Pennsylvania Schuylkill COUNTY

I, a Notary Public of the County and State aforesaid, certify that Lisa Linkhaw Rhodes personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 23 day of December, 2021.

Commonwealth of Pennsylvania - Notary Seal
Jodi A. Hoy-Kaiser, Notary Public
Schuylkill County
My commission expires January 14, 2023
Commission number 1075310
Member, Pennsylvania Association of Notaries

My commission expires: 1-14-2023

Jodi A. Hoy-Kaiser Notary Public

STATE OF Pennsylvania Schuylkill COUNTY

I, a Notary Public of the County and State aforesaid, certify that Wesley Rhodes personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 23 day of December, 2021.

My commission expires:

1-14-2023

Jodi A. Hoy-Kaiser Notary Public

Commonwealth of Pennsylvania - Notary Seal
Jodi A. Hoy-Kaiser, Notary Public
Schuylkill County
My commission expires January 14, 2023
Commission number 1075310
Member, Pennsylvania Association of Notaries

Attachment: MCarn annexation application petition et al (4081 : Ernest MCarn Contiguous Annexation Request)

Certificate of Ownership and Dedication
The undersigned hereby acknowledge that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plat with my (our) free consent and that I (we) hereby dedicate all items as specifically shown or indicated on said plat.

NAME MARYLYN LINKHAW BRITT (Signed *Marylyn Linkhaw Britt*) Date *5-22-2021*

NAME LISA LINKHAW RHODES (Signed *Lisa Rhodes*) Date *March 22, 2021*

STATE OF NORTH CAROLINA
COUNTY OF ROBESON

Jerry W. Lee REVIEW OFFICER OF ROBESON COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
DATE *3/24/2021*

PLEASANT MEADOW ROAD
SR 1953
(60' PUBLIC R/W)

MEADOW ROAD

NOT TO SCALE
VICINITY MAP

CERTIFICATE OF APPROVAL:

I HEREBY CERTIFY THAT THE PARCEL SHOWN ON THIS PLAT DOES NOT INVOLVE THE CREATION OF NEW PUBLIC STREETS OR CHANGE AN EXISTING STREET THE PARCEL SHOWN IS IN ALL RESPECTS COMPLIANCE WITH CHAPTER 35 OF THE LUMBERTON CITY CODE, AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY THE LUMBERTON PLANNING AND INSPECTIONS DIRECTOR, SUBJECT TO IT BEING RECORDED IN THE ROBESON COUNTY REGISTRY WITHIN 30 DAYS OF THE DATE BELOW.

Jerry W. Lee
DATE *3/23/21* PLANNING AND NEIGHBORHOOD DIRECTOR

2021011714
ROBESON CO, INC FEE \$21.00
PRESENTED & RECORDED
12-08-2021 12:09:59 PM
VICKI L LOCKLEAR
BY TAMARA MORALES FEATY
NOTARY

BK: M 57
PG: 177-177

RETURN: PAGE & ROGERS

177

NORTH CAROLINA
ROBESON COUNTY

I, JERRY W. LEE, PLS -4249, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND DESCRIPTION RECORDED IN DEED BOOK(S) REFERENCED, THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITION ACCURACY STANDARDS, USING N.C. RTK NETWORK AND TRADITIONAL TRAVERSE; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 OR GREATER, THAT THE BOUNDARY NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION IN BOOKS REFERENCED, THAT THIS MAP MEETS REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA G.S. 47-10 AS AMENDED WITNESS MY HAND AND SEAL THIS DAY OF MARCH 16 TH, 2021.

EXEMPT FROM ROBESON COUNTY SUBDIVISION ORDINANCE UNDER ARTICLE V, SECTION 50(d).

THIS PLAT IS OF A SURVEY OF AN EXISTING PARCEL OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

REGISTRATION NO. *L-4249* LAND SURVEYOR

SURVEY SEAL

GRAPHIC SCALE

LEGEND

MNF-MAG NAIL FOUND
MNS-MAG NAIL SET
IPF-IRON PIPE FOUND
IPS-IRON PIPE SET
IRF-IRON ROD FOUND
IRS-IRON ROD SET
AF-AXLE FOUND
CMF-CONCRETE MONUMENT FOUND
RRSF-RAILROAD SPIKE FOUND
CP - CALCULATED POINT
PPF - PUMP PIPE FOUND
R/W MON- RIGHT OF WAY MONUMENT FOUND
CH- CHORD

TAX MAP NO.: 100901020
MARYLYN LINKHAW BRITT & LISA L RHODES
DB 1675 PG 870
MB 44 PG 69

3.40 ACRES
INCLUDING ROAD R/W
TAX MAP # 100901020

TAX MAP NO.: 10090102201
GLADYS STOKES BREEDLOVE
DB 2048 PG 263
MAP BK 51 PG. 07

TAX MAP NO.: 100901020
MARYLYN LINKHAW BRITT & LISA L RHODES
DB 1675 PG 870
MB 44 PG 69

CONTROL CORNER
MAG NAIL SET
N 327572.0270
E 2006735.3110
NAD 83, 2011 DATUM

SR 1953
(60' PUBLIC R/W)

I, JERRY W. LEE, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

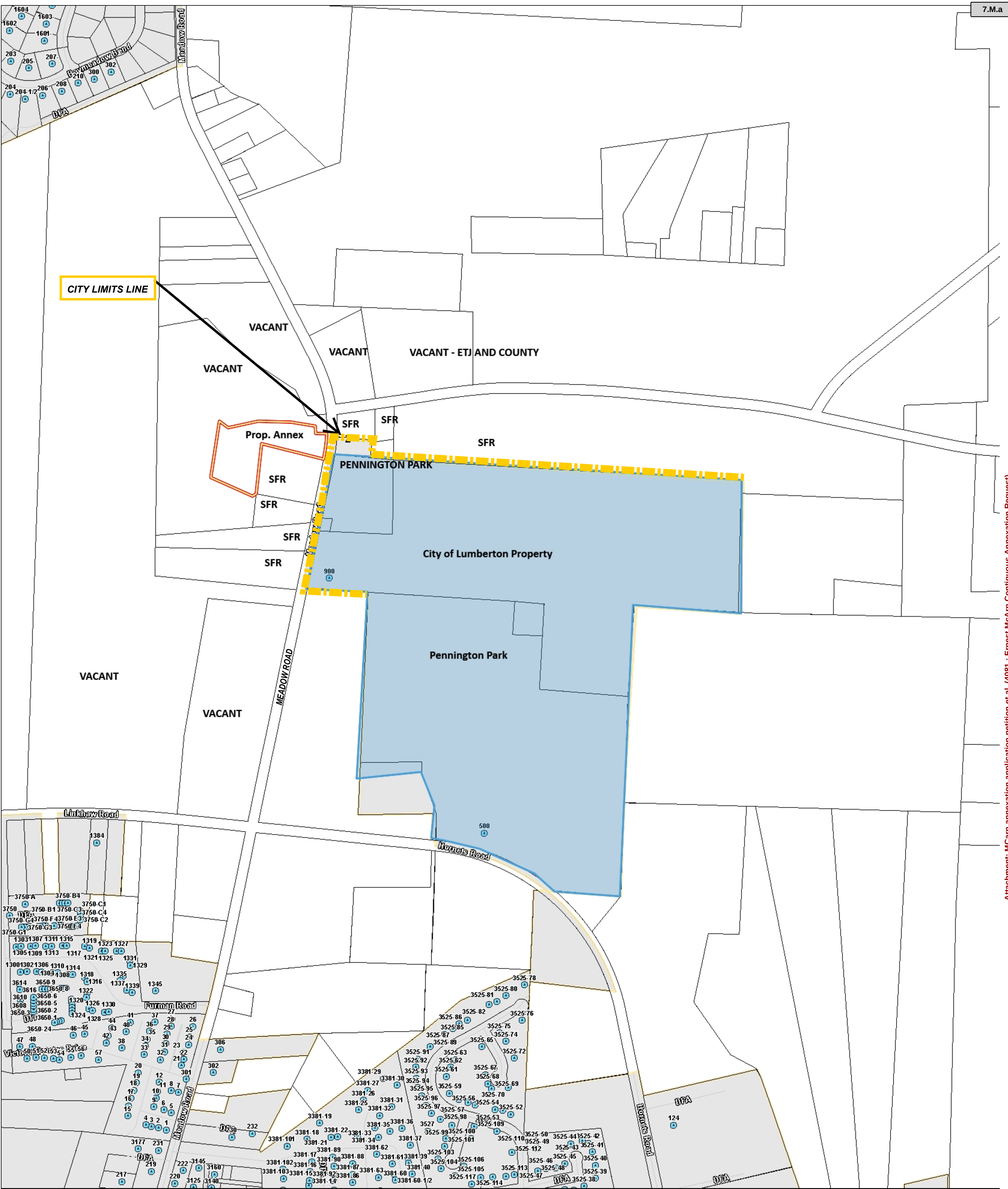
- (1) CLASS OF SURVEY: CLASS B
- (2) POSITIONAL ACCURACY: 0.12' HORIZONTAL
- (3) TYPE OF GPS FIELD PROCEDURE: RTK
- (4) DATES OF SURVEY: MARCH 16, 2021
- (5) DATUM/EPOCH: NAD 83 (NSRS 2011)
- (6) PUBLISHED/FIXED-CONTROL USE: 2001
- (7) GEOD MODEL: GEOD 12A
- (8) COMBINED GRID FACTOR: 0.99995211
- (9) UNITS: US SURVEY FEET

NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND.
2. AREA COMPUTED BY THE COORDINATE METHOD.
3. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHT OF WAYS OF RECORD.
4. THIS SURVEY IS SUBJECT TO ANY FACTS DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.

SURVEY FOR
**MARYLYN LINKHAW BRITT
and LISA LINKHAW RHODES**
LUMBERTON TOWNSHIP
ROBESON COUNTY NORTH CAROLINA
DATE- MARCH 16, 2021 SCALE: 1"=50'
TITLE REFERENCE: DB 1675 PG 867
MB 44 PG 69
A PORTION OF TAX MAP NO.: 100901020

JERRY W. LEE L-4249
PROFESSIONAL LAND SURVEYOR
P.O. BOX 3364
LUMBERTON, NC 28359
PHONE: 910-734-6809
jwsurveying@bellsouth.net



Lumberton, North Carolina

July 12, 2023

GIS METADATA OVERVIEW

GRID COORDINATE SYSTEM: NORTH CAROLINA STATE PLANE
SPCS ZONE IDENTIFIER: NORTH CAROLINA
DATUM: NAD83
UNITS: US SURVEY FEET

The locations of underground utilities as shown hereon are based upon record drawings and general locations as identified by the client and/or his agents. Locations of underground utilities/structures may vary from the locations shown. Additional buried utilities/structures may exist. No excavations were made to locate or verify the buried utilities/structures shown.



1 in. = 332ft.

Site Address

Road

Parcel

City

City Limit Basemap

Attachment: MCarn annexation application petition et al (4081 : Ernest McCarn Contiguous Annexation Request)

Packet Pg. 213



Lumberton, North Carolina

July 12, 2023

SFR - SINGLE FAMILY RESIDENTIAL

GIS METADATA OVERVIEW

GRID COORDINATE SYSTEM: NORTH CAROLINA STATE PLANE

SPCS ZONE IDENTIFIER: NORTH CAROLINA

DATUM: NAD83

UNITS: US SURVEY FEET



1 in. = 332ft.

The locations of underground utilities as shown hereon are based upon record drawings and general locations as identified by the client and/or his agents. Locations of underground utilities/structures may vary from the locations shown. Additional buried utilities/structures may exist. No excavations were made to locate or verify the buried utilities/structures shown.

Site Address

Zoning Label

Road

Parcel

City





Lumberton, North Carolina

July 12, 2023

SFR - SINGLE FAMILY RESIDENTIAL

GIS METADATA OVERVIEW

GRID COORDINATE SYSTEM: NORTH CAROLINA STATE PLANE
SPCS ZONE IDENTIFIER: NORTH CAROLINA
DATUM: NAD83
UNITS: US SURVEY FEET

The locations of underground utilities as shown hereon are based upon record drawings and general locations as identified by the client and/or his agents. Locations of underground utilities/structures may vary from the locations shown. Additional buried utilities/structures may exist. No excavations were made to locate or verify the buried utilities/structures shown.



1 in. = 83ft.

 Site Address

 Zoning Label

 Road

 Parcel

 City

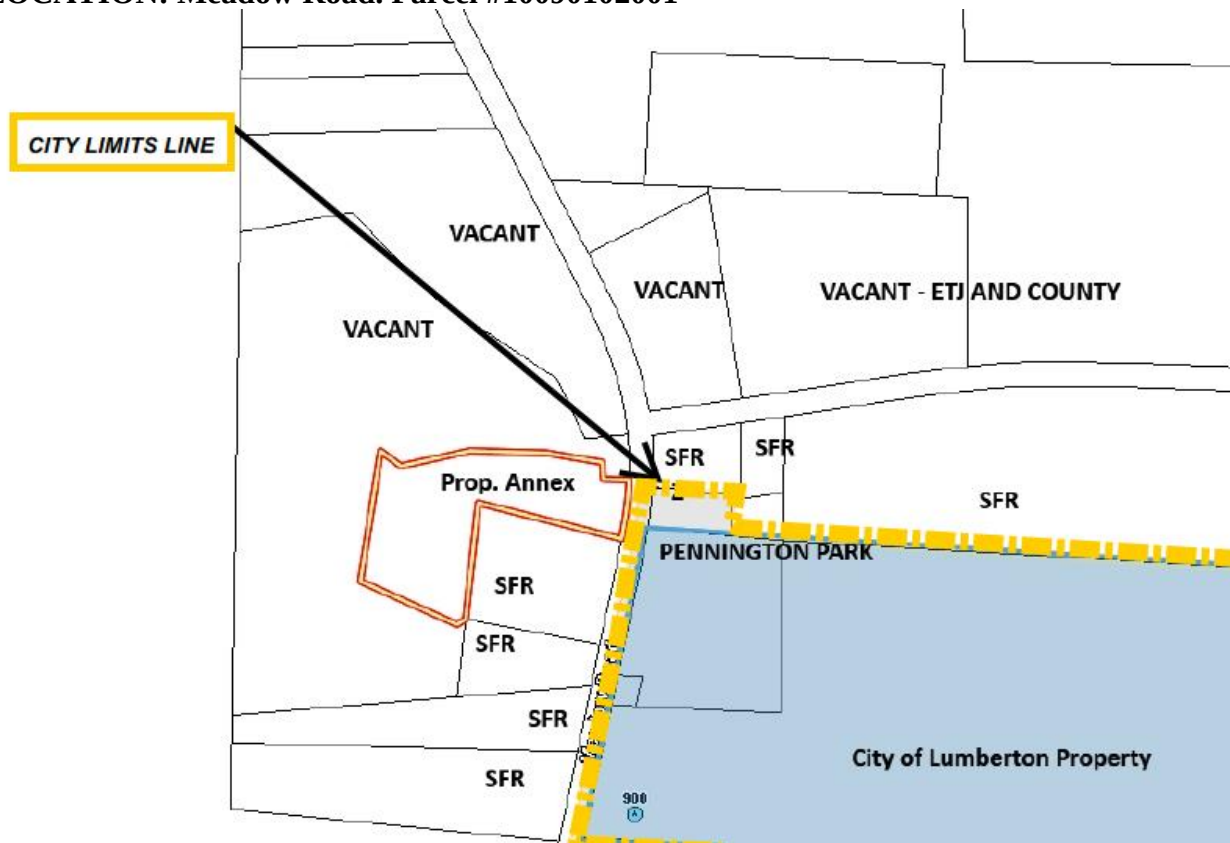
City of Lumberton

Planning & Neighborhood Services

Request for Annexation 5.131 Off of Meadow Road

PETITIONER(S):	OWNER(S):
Name of Petitioner: Ernest McArn, Sr. and Gladys B. Love	Name of Owner: Ernest McArn, Sr.
Address: 44 Loreen Drive	Address: 44 Loreen Drive
City/State/Zip: Lumberton, NC 28358	City/State/Zip: Lumberton, NC 28358

LOCATION: Meadow Road. Parcel #10090102001

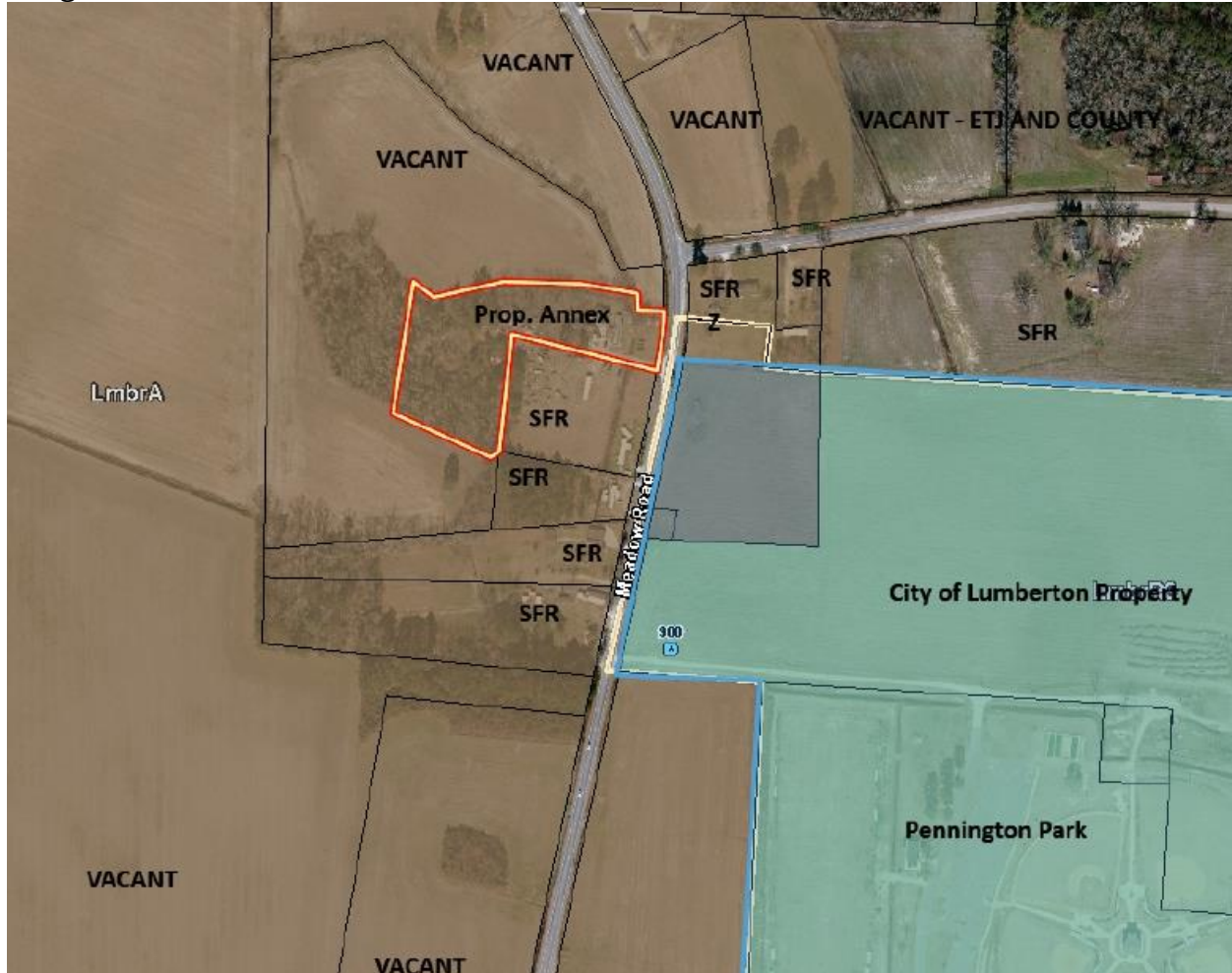


Attachment: Staff Report (4081 : Ernest McArn Contiguous Annexation Request)

City of Lumberton

Planning & Neighborhood Services

Zoning:



PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
Ernest McArn, Sr.	10090102001	Agriculture	3.40 acres 148,104 sq. ft.

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	Agriculture	vacant
South	Agriculture	Residential
East	Agriculture	Residential Pennington Park
West	Agriculture	vacant



Planning & Neighborhood Services

STAFF ANALYSIS

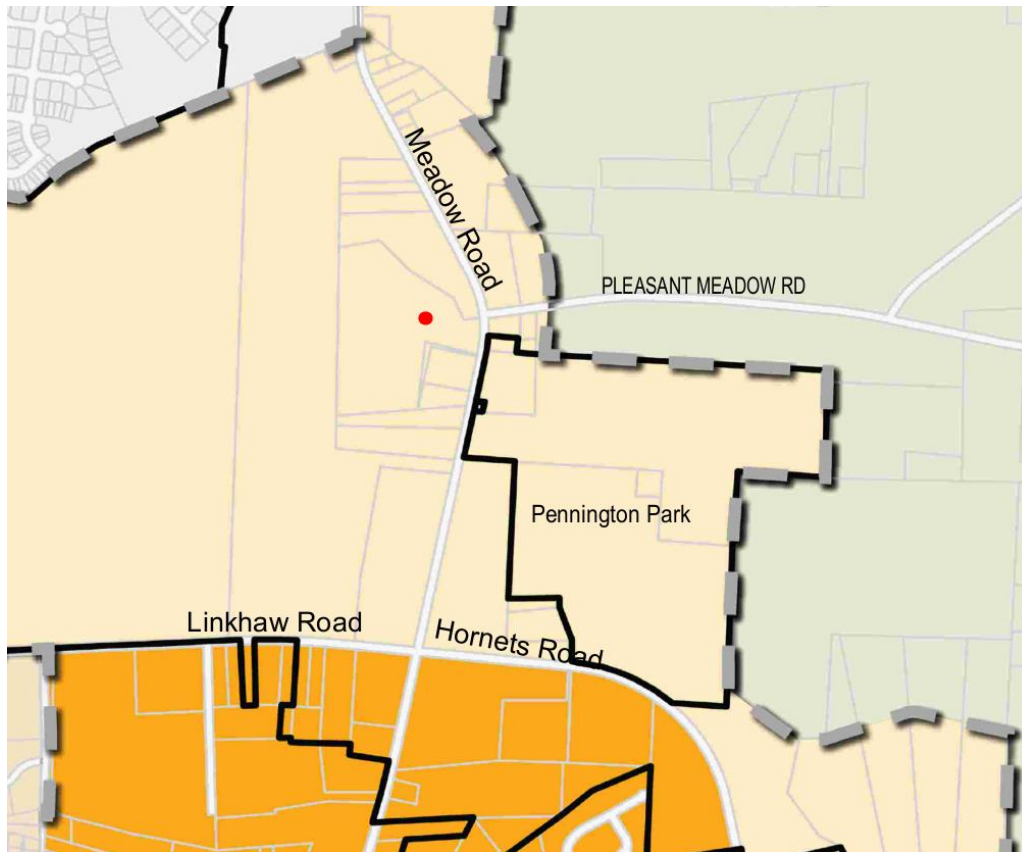
PROJECT OVERVIEW

Annexation: Ernest McArn, Sr. and Gladys B. Love is requesting a contiguous of parcel 10090102001, Deed Book 02326, pg. 037/Map Book 57, pg. 177.

Analysis: The Planning & Neighborhood Services Department received an application for annexation from Ernest McArn, Sr. and Gladys B. Love, requesting a contiguous annexation of property located on Meadow Road parcel 10090102001, Deed Book 02326, pg. 037/Map Book 57, pg. 177. The property is currently zoned City of Lumberton Agriculture therefore a rezoning is not required. The property is located within the City's ETJ.

PLANNING & ZONING

Land Use Plan: This property is currently zoned Agriculture and is located in Area 3 of our Land Use Plan. The Land Use Plan designates the future use of this parcel as low intensity.



City of *Lumberton*
Planning & Neighborhood Services

LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

DEPARTMENT COMMENTS:

Tax:

Police: I do not see where this would cause the Police Department any more manpower or impact our delivery of service. (7-12-2023)

Public Works: City water is not available at this site. Gravity sewer is not available. The City has a sewer force main that runs this property on Meadow Road but any connection to the force main would require a pump station to be engineered by the site developers in order to pump sewage into our pressurized force main.

Fire:

Electrical Utilities:

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Zone X: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

Map Number: 3720030200K **Panel Effective Date:** 12/6/2019

PLANNING STAFF RECOMMENDATION TO CPC

Authorize City Clerk to investigate said petition.

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY**NORTH CAROLINA****CITY OF LUMBERTON****ROBESON COUNTY**

**IN THE MATTER OF THE ANNEXATION)
 OF CERTAIN LANDS INTO THE CITY)
 OF LUMBERTON)**

P E T I T I O N**TO THE CITY COUNCIL OF LUMBERTON**

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Lumberton.

2. The area to be annexed is contiguous to the City of Lumberton and the boundaries of such territory are described in the attached legal description labeled as Exhibit "A".

3. A map showing the area to be annexed is attached hereto as Exhibit "B"

4. Tax Parcel Number: 1012-02-00103 - Deed BK 00694 / 0074
1012-02-00102 - Deed BK 01795 / P6 895
 (Map #) (Block #) (Parcel #)

This the 10 day of July, 20 23.

PROPERTY OWNER(S)

Name: Terry Wethington

Address: 1100 Washington Post Rd

Telephone: 252-670-2664

New Bern, NC
28560

Signature: Terry Wethington

Name: _____

Address: _____

Telephone: _____

Signature: _____

Attachment: petition (4080 : Terry Wethington Annexation Request)

City of



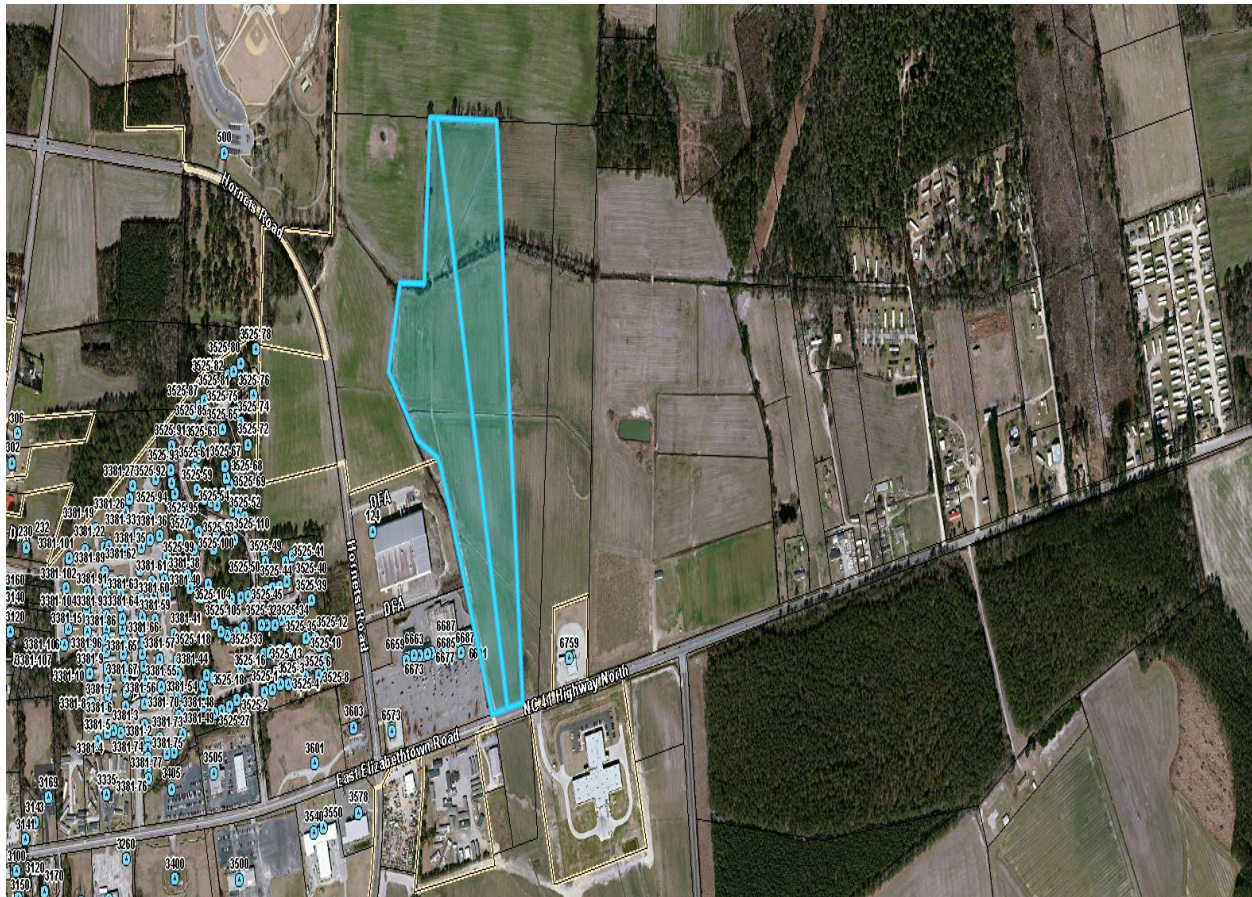
Lumberton

Planning & Neighborhood Services

Request for Annexation
5.132 Hwy 41 N.

PETITIONER(S):	OWNER(S):
Name of Petitioner: Terry Wethington	Name of Owner: Terry Wethington
Address: 1100 Washington Post Rd.	Address: 1100 Washington Post Rd.
City/State/Zip: New Bern, NC 28560	City/State/Zip: New Bern, NC 28560

LOCATION: HWY 41 N. Parcel #10120200102 & 10120200103

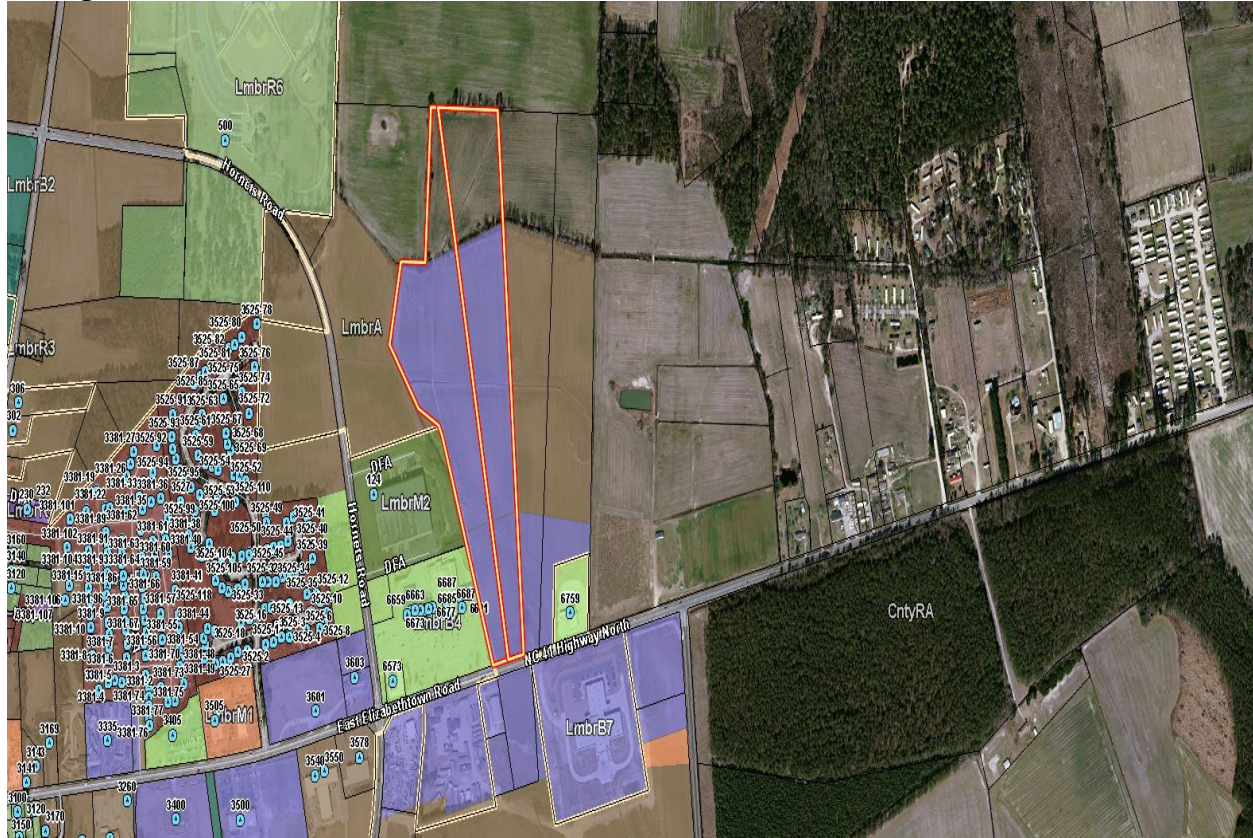


Attachment: staff report cpc (4080 : Terry Wethington Annexation Request)

City of Lumberton

Planning & Neighborhood Services

Zoning:



PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area
Terry Wethington	10120200102 & 10120200103	B7	Combined approx. 5,219.96 sq ft.

Attachment: staff report cpc (4080 : Terry Wethington Annexation Request)



Planning & Neighborhood Services

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
North	County – Agriculture Residential	Farmland
South	B-7 General commercial/MH Sales	Farmland Convenience store/Gas sales
East	B-7 General commercial/MH sales 'A' Agriculture County Agriculture Residential,	Farmland Convenience store/Gas sales
West	B-4 General commercial M-2 Heavy Manufacturing 'A' Agriculture (min 40,000 sf)	Shopping center Distribution center Farmland

STAFF ANALYSIS

PROJECT OVERVIEW

Annexation: Terry Wethington is requesting a contiguous annexation of property located on NC HWY 41 N. parcel #10120200102 deed bk. 017595, pg #895 and parcel #10120200103, deed bk 00694, pg. 74.

Analysis: The Planning & Neighborhood Services Department received an application for annexation from Terry Wethington is requesting a contiguous annexation of property located on NC HWY 41 N. parcel #10120200102 deed bk. 017595, pg #895 and parcel #10120200103, deed bk 00694, pg. 74. The property has been rezoned from agriculture to B7 for a proposed self-storage facility. Annexation is required for water and sewer services. The 2 parcels are located in ETJ.

PLANNING & ZONING

Land Use Plan: This property is currently zoned B-7. The Land Use Plan designates the future use of this parcel as low intensity and is located in the ETJ.

Department Comments:

Tax:

Police: This property is well within the one mile and ETJ' This will not have a significant impact on the Police Department.

Public Works: Sanitary Sewer is several would have to be extended to the site by the developer. There is no gravity sewer deep enough to extend into the site the owner will need to pump waste

City of *Lumberton*

Planning & Neighborhood Services

water back to the City collection system. Water is available on the opposite side of NC 41 and will need to be extended across the road by the developer.

Fire: No issues for the Fire Department. Owner must meet water flow requirements prior to building storage facilities.

Electrical Utilities:

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

Map Number: 3720030200K **Panel Effective Date:** 12/6/2019

PLANNING STAFF RECOMMENDATION TO CPC (8/7/23)

Authorize City Clerk to investigate said petition.

Attachment: staff report cpc (4080 : Terry Wethington Annexation Request)

NORTH CAROLINA

CERTIFICATION

ROBESON COUNTY

CITY OF LUMBERTON

IN THE MATTER OF THE CONTIGUOUS)
 ANNEXATION OF CERTAIN PROPERTY)
 INTO THE CITY OF LUMBERTON:)
 Terry Wethington)
 Parcel # 1012-02-00102)
Deed Book 01760 Page 0792)

The undersigned, Laney Mitchell-McIntosh, first being duly sworn, deposes and says that she is the duly sworn and acting City Clerk of the City of Lumberton; and that she has investigated the sufficiency of a petition filed on 10th of July, 2023, requesting contiguous annexation into the corporate limits of the City of Lumberton of an area:

Pin: 1012-02-00102 & 1012-02-00103/Deed Book 01760 Page: 0792

16.94 Acre Annexation

Parcel 1012-02-00102

In Lumberton Township, Robeson County, North Carolina and being all of Tract Number One (1) as shown on Map No. One (1) for "Gracie Lee Stone Walters Estate", surveyed in November 1989 by Johnny W. Nobles & Associates and recorded in Book of Official Maps Number 31, at Page 6, Robeson County Registry, reference to which map is hereby made for a more particular description of said tract and for the purpose of incorporating the same in this description as if the same were fully set forth herein. Tract No. One (1) contains 16.94 acres, more or less. And being the same property conveyed by Deed dated 20 December 1989 from Nancy W. Wilcox to Nancy W. Wilcox et vir, George Wilcox and duly record in Book 696, at Page 341, Robeson County Registry.

Parcel 1012-02-00103

In Lumberton Township, Robeson County, North Carolina, and being all of Tract Number TWO (2), as shown on Map No. One (1) for Gracie Lee Stone Walters Estate, surveyed in November, 1989, by Johnny W. Nobles & Associates and recorded in Book of Official Maps Number THIRTY-ONE (31), at page SIX (6), Robeson County Registry, reference to which map is hereby made for a more particular description of said tract and for the purpose of incorporating the same in this description as if the same were fully set forth herein. Tract No. Two (2) contains SIXTEEN AND NINETY-FOUR ONE HUNDREDTHS (16.94) ACRES, more or less.

This the 6th day of September, 2023.

 Laney Mitchell-McIntosh, City Clerk

Sworn to and subscribed before me
 this the 6th day of September, 2023.

_____(SEAL)
 Notary Public

My Commission Expires: _____

Attachment: Certificate of Sufficiency....Terry Wethington (4080 : Terry Wethington Annexation Request)

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Legal Name: A/C Properties
GMC Construction

Physical Address: Hwy 301 N
Lumberton NC 28360

Mailing Address:

Telephone: 910-258-1673

Name of Business:

EMAIL: gmcconstruction7@gmail.com

Owner:

Legal Name: A/C Properties
GMC Construction of NC Inc

Physical Address: 9820 Hwy 301 N
Lumberton NC 28360

Mailing Address: Same

Telephone: 910-802-4959

Business Address:

Description of Property:

<u>2.</u>	<u>Hwy 301 N</u>	<u>2397</u>	<u>596</u>
	(Address)	(Deed Book)	(Page)
(Map Book)	(Page)	(Frontage)	(Area)

3. Tax Map Identification (parcel number): 100203006

4. Proposed Use of Property: Residential

5. Zoning District Designation of Property: R-20

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- That it will not materially endanger the public health or safety; and
- That it will not substantially injure the value of adjoining or abutting property; and
- That it will be in harmony with the area in which it is to be located; and
- That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

Attachment: Application (4064 : SUP Request - GMC Construction HWY 301 N.)

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

Creation of a 7 lot Subdivision for Residential
Stick Built Homes.

- A) DOT Has approved driveway access
B) This project should not have effect any value of prop
C) This maintains the harmony of the surrounding area

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Greg Chandler 9820 Hwy 301 N Lumberton NC 2836
Name Physical Address

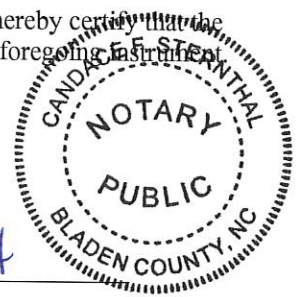
Applicant: [Signature]
Signature

STATE OF North Carolina COUNTY OF Robeson

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

WITNESS my hand and Notarial Seal this 30th day of August, 2023

Candace F. Sternthal My Commission Expires: 10/10/2024
Notary Public Signature



Owner: _____
Name Physical Address

Owner: _____
Signature

STATE OF _____ COUNTY OF _____

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

WITNESS my hand and Notarial Seal this _____ day of _____, 20____.

Notary Public Signature My Commission Expires: _____

Attachment: Application (4064 : SUP Request - GMC Construction HWY 301 N.)

City of Lumberton

Planning & Neighborhood Services

Special Use Permit Request 7.177 GMC Construction/Greg Caulder

PETITIONER(S):	OWNER(S):
Name of Petitioner: A/C Properties & GMC Construction	Name of Owner: A/C Properties GMC Construction of NC, Inc.
Address: HWY 301 N.	Address: 9820 Hwy 301 N.
City/State/Zip: Lumberton, NC 28360	City/State/Zip: Lumberton, NC 28360
Mailing Address: HWY 301 N.	Mailing Address: Hwy 301 N.
City/State/Zip: Lumberton, NC 28360	City/Sate/Zip: Lumberton, NC 28360

SUP Request: Greg Caulder with GMC Construction is requesting a special use permit for the creation of a 7-lot subdivision for residential stick-built homes.

LOCATION:

HWY 301 N. Parcel # 100203006



Attachment: Staff Rpt - CPC (4064 : SUP Request - GMC Construction HWY 301 N.)

City of Lumberton

Planning & Neighborhood Services

Zoning:



PROJECT OVERVIEW

Analysis: Greg Caulder with GMC Construction is requesting a special use permit for the creation of a 7-lot subdivision for residential stick-built homes, parcel #100203006 deed book 2397, pg. 596

Attachment: Staff Rpt - CPC (4064 : SUP Request - GMC Construction HWY 301 N.)

City of Lumberton

Planning & Neighborhood Services

PLANNING & ZONING

Parcel #(s)	Zoning	Width	Area	Limits of Construction
100203006	R20		3.94 Acres	3.94 Acres

MINIMUM (MAX) SETBACK AND LOT SIZE REQUIREMENTS

Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback (right of way)	Min. Side Setback	Min. Rear Setback	Max. Height
Existing Zoning R20	20,000 sq. ft.	100'	30'	10'	10'	35 feet

ADJACENT PROPERTY SITE DATA

	Zoning	Zoning Description	Land Use
Subject Property	R-20	Residential	Residential/Vacant
North	R-20 & R-3	Residential	Residential
South	R-20	Residential	Residential/Single Family
East	R-20	Residential	Residential/Single Family
West	R-20	Residential	Residential/Single Family

EXISTING LOT INFORMATION: Current use of property – Solar Farm.

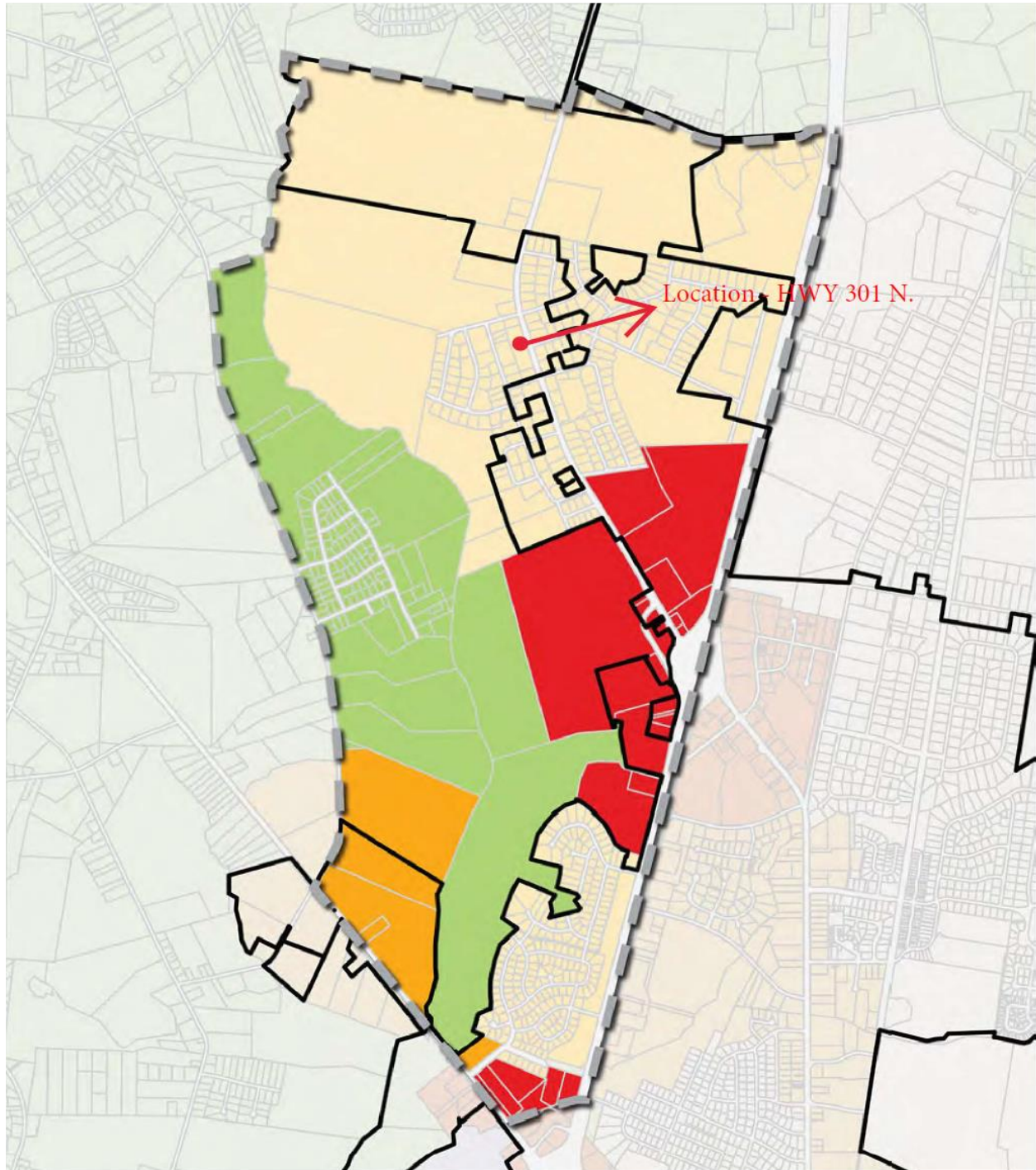
Land Use Plan: Future use of the parcel is low intensity and is located in the ETJ.

City of



Lumberton

Planning & Neighborhood Services



Attachment: Staff Rpt - CPC (4064 : SUP Request - GMC Construction HWY 301 N.)

City of *Lumberton*

Planning & Neighborhood Services

LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone.

Map Number: 3710939400k **Panel Effective Date:** 12/6/2019

DEVELOPMENT UPON APPROVAL

If the special use permit request is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval.

PLANNING STAFF RECOMMENDATION TO COUNCIL (9/11/2023)

City Council review the request, refer the petition to the September 26th, 2023 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

PLANNING BOARD RECOMMENDATION TO COUNCIL –

Attachment: Staff Rpt - CPC (4064 : SUP Request - GMC Construction HWY 301 N.)

FUTURE LAND USE

The Future Land Use Map is intended to serve as a guide for the City's elected leaders, the Planning Board, planning staff, property owners and developers as the City moves forward with the implementation of the Land Use Plan. This map supports the City's vision and goals for its future by establishing a spatial plan for the ongoing growth, development and redevelopment of the City that focuses on its core assets and takes advantage of past investments in utility and transportation infrastructure. This, in turn, will allow the City to maximize its return on those investments and better plan for additional strategic investments that are coordinated with its vision for growth.

LAND USE CATEGORIES

The following general land use categories are intended to support the overall framework for future land use and development in the City of Lumerton. As generalized categories of land use, they are not intended to translate directly into any particular zoning district, but rather guide decision-making by appointed and elected officials as legislative and policy decisions are made about growth, land use, infrastructure and the provision of municipal services.

LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare

centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

HIGH INTENSITY

The High Intensity land use category is intended to accommodate regional scale commercial and employment centers, as well as auto-oriented retail uses and services for transient customers at strategic locations along primary highway corridors and other prominent locations in the city. Where appropriate, this land use category can also accommodate more intensive residential development, typically in a mixed-use setting. In areas not located directly along primary transportation corridors, small scale assembly, fabrication, logistics, warehousing and similar uses that do not create off-site environmental impacts are appropriate within areas designated as high intensity.

DOWNTOWN

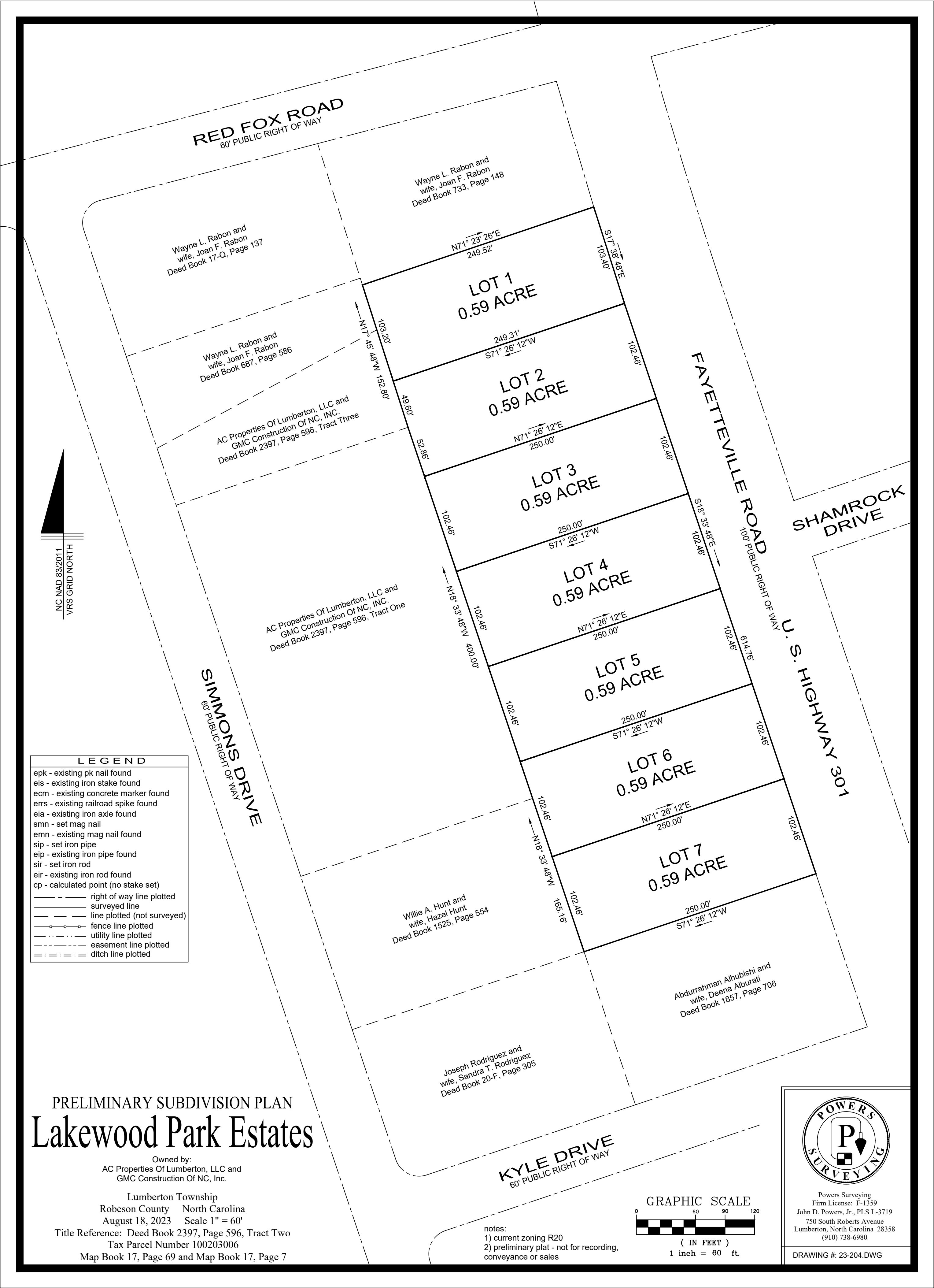
The Downtown land use category is intended to accommodate a wide range of uses at varying intensities and densities in a physical environment that is consistent with a traditional urban setting. Appropriate uses include a range of retail, office, public, institutional and public service establishments that cater to the needs of both a local and regional customer base. Such uses are typically mixed both horizontally along blocks and vertically within buildings in this urban setting, including mixed residential/commercial buildings. Residential uses, while generally encouraged throughout this area, should be limited to upper stories to encourage active use of street frontages.

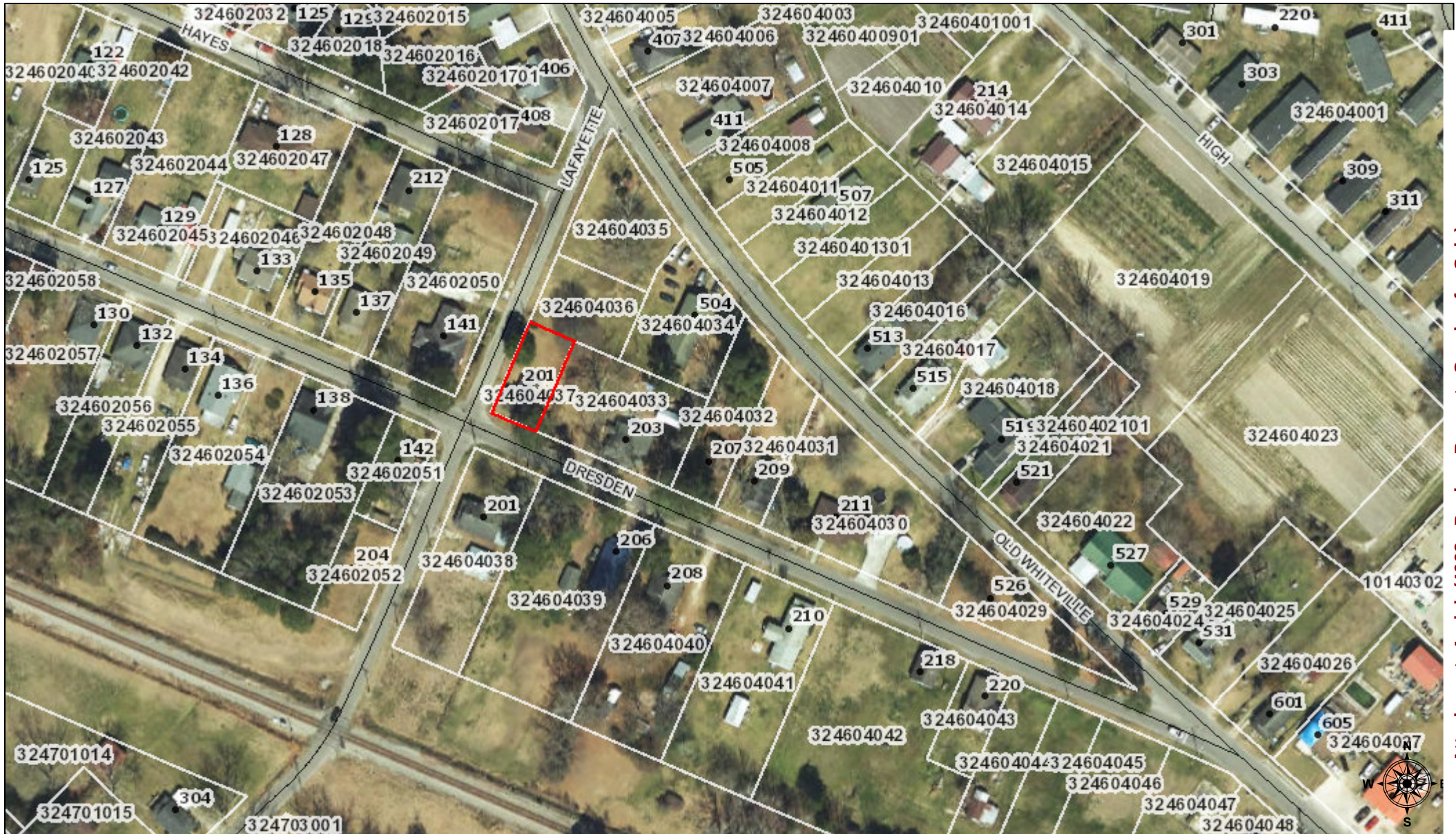
INDUSTRIAL

The Industrial land use category is intended to promote economic development by providing significant freedom in land use for the purposes of manufacturing, assembly, processing, fabrication, transportation, warehousing and logistics at a variety of intensities and scales. While not exclusively industrial in nature, commercial or other nonresidential uses which do not directly support the function of the industrial base within these areas should be discouraged in order to promote the compatible use of land and to preserve this land resource for industries that will promote stable employment growth in the region.

RURAL

The Rural land use category is applied to those areas which are situated outside of areas deemed to have the most growth potential. Where development does occur in these areas, it is expected to be at less than 1 dwelling unit per acre and to not be served by the city's wastewater system. While generally agricultural and low density residential in character, certain nonresidential land uses that serve the surrounding rural community are appropriate when sited in locations that do not negatively impact the character, such as small convenience retail uses at rural crossroads or larger scale commercial uses that are intended to directly support the rural agricultural economy.

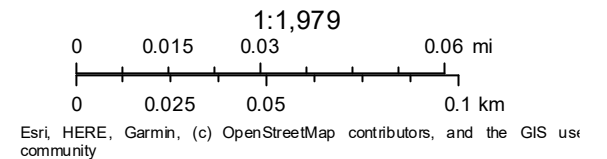




Attachment: Aerial (4062 : Declare Property Surplus for Sale)

July 28, 2023

- Address Points
- ▣ Parcels
- ▣ County Line
- Streets



Google Maps 200 Dresden Ave

Lumberton, North Carolina

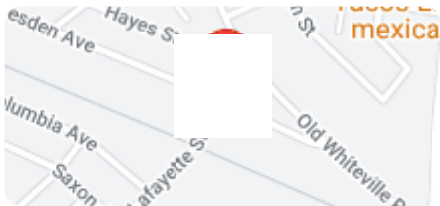
Google Street View

Mar 2023

See more dates



Image capture: Mar 2023 © 2023 Google



Attachment: 201DresdenStreetView (4062 : Declare Property Surplus for Sale)



Robeson County Government

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Account Details for **CITY OF LUMBERTON**

New Search

Property Owner CITY OF LUMBERTON	Owner's Mailing Address PO BOX 1388 LUMBERTON , NC 28358	Property Location Address 201 DRESDEN AVE
Administrative Data Parcel Ref No. 324604037 PIN 030142489200 Account No. 46821002 Tax District TOWN LUMBERTON Land Use Code E-70 Land Use Desc RP LOCAL GOVT. (TWP & BD) Subdiv Code Subdiv Desc Neighborhood 32065	Administrative Data Legal Desc LTS L RICHARDSON SD Deed Bk/Pg 02306 / 0003 Plat Bk/Pg / Sales Information Grantor ARNETTE ROBERT Sold Date 2017-09-20 Sold Amount 0 \$	Valuation Information Market Value \$ 26,100 Market Value - Land and all permanent improvements, if any, effective January 1, 2010, date of County's most recent General Reappraisal Assessed Value \$ 26,100 If Assessed Value not equal Market Value then subject parcel designated as a special class -agricultural, horticultural, or forestland and thereby eligible for taxation on basis of Present-Use and/or reduction from a formal appeal procedure

Back to Results

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New Search

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Attachment: TaxInfo (4062 : Declare Property Surplus for Sale)

RESOLUTION DECLARING REAL PROPERTY AS SURPLUS AND AUTHORIZING THE
DISPOSITION OF SAID PROPERTY BY ADVERTISEMENTS FOR SEALED BIDS

WHEREAS, the City of Lumberton has certain real property which is surplus to its needs; and

WHEREAS, N.C.G.S. 160A-266 authorizes the City of Lumberton to dispose of its surplus real property by advertisement for sealed bids;

Robeson County Tax Parcel Number: 324604037

All of Lot Numbers Seven (7) and Eight (8) as shown and designated on a map entitled "Map of Subdivision of Lot Nos. 58-59 of a division of East Park owned by L. Richardson," by H.T: Schnibben, Registered Surveyor, recorded in Book of Maps No. 13, Page 86, Robeson County Registry, to which map reference is hereby made for a more particular description and which map is by reference incorporated herein.

Subject to restrictive covenants and easements of record.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton that the above-described property is hereby declared as surplus; and

1. The City Council hereby authorizes the sale of the above-described property by advertisements for sealed bids.

2. The City will accept bids for the property until **September 8, 2023 at 12 Noon;** after which time no bids shall be accepted. The bids may be mailed to Holt Moore, City Attorney, PO Box 1388, Lumberton, NC 28359, or delivered to the front desk at City Hall, 500 N. Cedar Street, Lumberton, NC, addressed to Holt Moore.

3. The real property listed above shall be advertised for sale in a newspaper of general circulation in the community at least once not less than thirty days (30) days before the date bids will be opened, and the opening date will be **Monday, September 11, 2023 at 2 PM,** in the Community Room, 1st Floor, City Hall, 500 N. Cedar Street, Lumberton, NC. The bids shall be opened in public and each bid shall be recorded. The record of bids shall be reported to the City Council at their regular meeting in September.

4. The City Council will determine the highest responsible bidder for the property and will award the bid as soon as possible. Bids will remain open and subject to acceptance until the City Council awards the bid.

5. To be responsible a bid must be accompanied by a bid deposit of five percent (5%) of the amount of the bid. A bid deposit may take the form of cash, a cashier's check, a certified check, or a surety bond. The deposit of the bidder to whom the award is made will be

held until sale of the property is closed; if that bidder refuses at any time to close the sale, the deposit will be forfeited to the city. The deposits of other bidders will be returned at the time the City Council awards the property to the highest responsible bidder.

6. In addition, to be responsible, a bidder must be current on payment of all property taxes owed to the city.

7. The city reserves the right to withdraw the property from sale at any time, and the right to reject all bids.

8. The intent of the city will be to reject all bids if no bid above \$8,500.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton that the hereinabove described property is hereby declared as surplus and that the City Manager or his designee be and are hereby authorized to sell the property by advertisement for sealed bid as described above.

On motion of Councilman Cantey, seconded by Councilman Howard, the foregoing Resolution was adopted on the 7th day of August, 2023.

Bruce W. Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

E. Holt Moore III, City Attorney

Resolution No. 2023.08.02

Attachment: 2023.08.02 - Resolution Declaring Property Surplus (201 Dresden Avenue) (4062 : Declare Property Surplus for Sale)

Memorandum

To: Mayor Davis, City Council
From: Holt Moore, City Attorney
Re: NCDOT Taking of Portion of Humane Society Property
Date: September 6, 2023

Mayor and Council,

As you may recall, the City conveyed the property where the Robeson County Humane Society is located to the Humane Society for a dollar, but the deed contained various restrictions.

NCDOT has indicated the need to take approximately a third of an acre of this property as part of the I95 widening. A price of \$52,000 has been negotiated for the right-of-way subject to your approval.

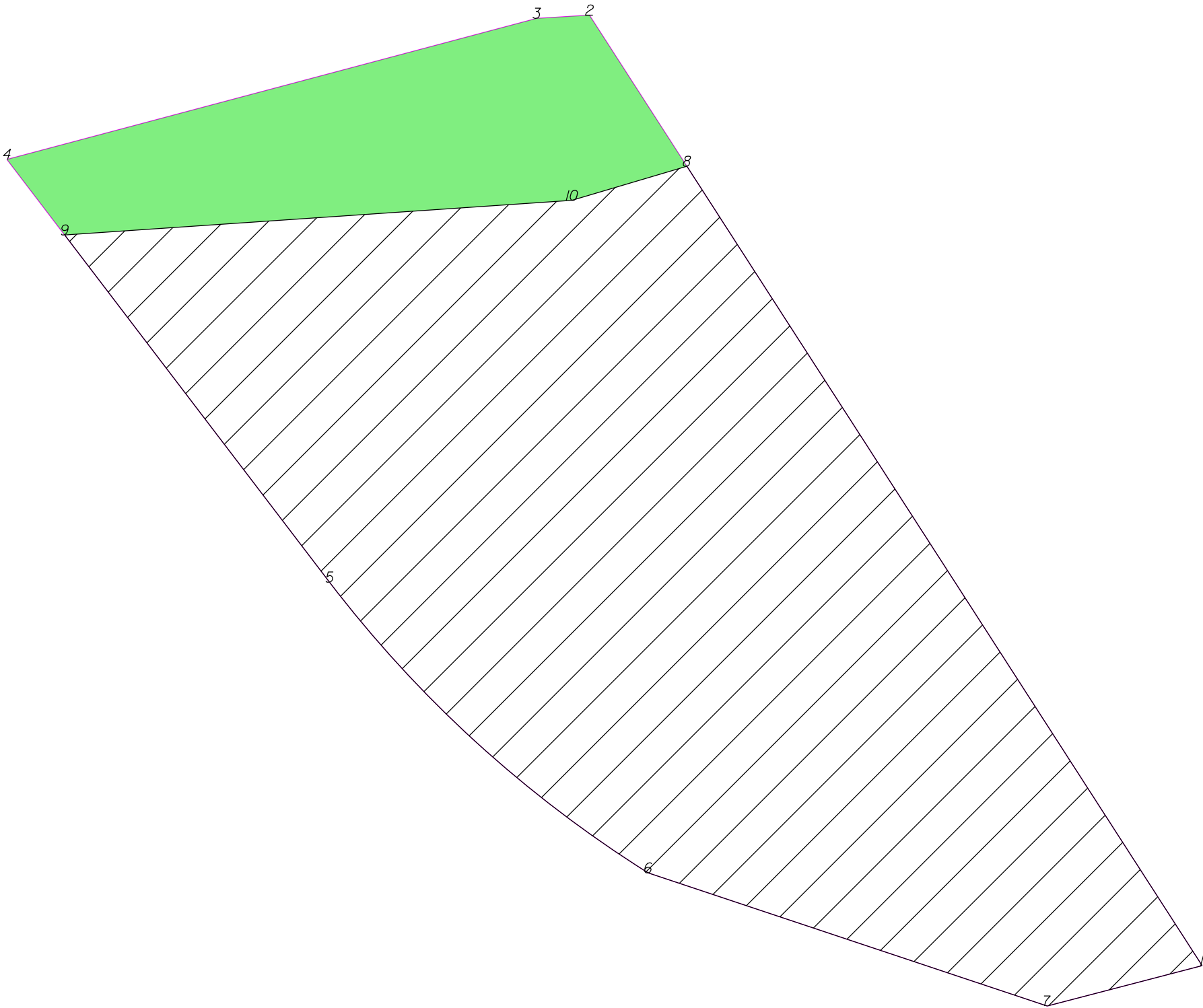
The reason this is being brought to you is that the deed from the City to the Humane Society indicates that if the property is no longer used as a humane society, it shall revert back to the City, and that if the Humane Society sells, conveys or transfers said property to a third party, the City gets the property back. Arguably those provisions will be triggered by NCDOT taking the third of an acre (that small portion will be transferred and no longer used as humane society property).

So staff and the Humane Society are seeking your approval for the Humane Society to convey this property (the 1/3 acre) to NCDOT and to receive the \$52,000 and use it for their capital and/or operating expenses. This would be a waiver of those terms in the deed.

Attachment: NCDOTTakingMemo (4065 : Approval of DOT Taking of Portion of Humane Society Property)



-L-*Sta.270+00*



THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THE PROPERTY SHOWN ON THIS MAP WAS LOCATED FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR HIGHWAY DESIGN PURPOSES. SOME ERROR MAY EXIST BETWEEN THE GRAPHICAL AND ACTUAL GROUND LOCATIONS OF PROPERTY LINES. THIS MAP IS TO BE USED AS A GRAPHICAL REPRESENTATION OF THE NCDOT'S INTENT TO ACQUIRE PROPERTY FOR RIGHT OF WAY PURPOSES, AND IN NO WAY REPRESENTS AN ACTUAL BOUNDARY SURVEY OF THIS PROPERTY.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY BRANCH	
THE CITY OF LUMBERTON	01-20-2023
PARCEL # III	C:\Users\Chris\Dropbox\ROWCS\2
DB 1363 PG 52	UNKNOWN SCALE

	SQR FT		ACRES		SQR M		HECTARES	
ROW Right	14190.793		0.326		1318.373		0.132	
FROM - TO	DISTANCE (FT/M)		BEARING	RADIUS (FT/M)			CURVE LENGTH (FT/M)	
-L-Sta.270+00 - 3	129.561	39.490	S 22°13'36.4" E					
3 - 4	222.551	67.834	S 75°05'16.4" W					
4 - 9	38.626	11.773	S 37°19'51.2" E					
9 - 10	206.379	62.905	N 86°05'33.6" E					
10 - 8	48.691	14.841	N 73°29'11.2" E					
8 - 2	73.046	22.265	N 32°47'23.1" W					
2 - 3	21.432	6.533	S 86°26'58.9" W					

		SQR FT		ACRES		SQR M		HECTARES	
REM Right		74204.861		1.704		6893.885		0.689	
FROM - TO	DISTANCE (FT/M)		BEARING		RADIUS (FT/M)		CURVE LENGTH (FT/M)		
-L-Sta.270+00 - 10	203.920	62.155	S 18°04'39.0" E						
10 - 9	206.379	62.905	S 86°05'33.6" W						
9 - 5	177.303	54.042	S 37°19'51.2" E						
5 - 6	175.149	53.385	S 47°36'28.1" E		490.871	149.618	176.091	53.673	
6 - 7	170.743	52.043	S 71°31'57.6" E						
7 - 1	65.000	19.812	N 75°22'38.0" E						
1 - 8	386.179	117.708	N 32°47'23.1" W						
8 - 10	48.691	14.841	S 73°29'11.2" W						

TYPE	COUNT	SQR FEET	ACRES
Parcel	1	88395.655	2.029
ROW Right	1	14190.793	0.326
REM Right	1	74204.861	1.704
ROW Left	0	0.000	0.000
PDE Left	0	0.000	0.000
PDE Right	0	0.000	0.000
TDE Left	0	0.000	0.000
TDE Right	0	0.000	0.000
TCE Left	0	0.000	0.000
TCE Right	0	0.000	0.000
PUE Left	0	0.000	0.000
PUE Right	0	0.000	0.000
TSE Left	0	0.000	0.000
TSE Right	0	0.000	0.000
DUE Left	0	0.000	0.000
DUE Right	0	0.000	0.000
DTE Left	0	0.000	0.000
DTE Right	0	0.000	0.000
AUE_Left	0	0.000	0.000
AUE_Right	0	0.000	0.000
PCE Left	0	0.000	0.000
PCE Right	0	0.000	0.000
TUE Left	0	0.000	0.000
TUE Right	0	0.000	0.000
REM Left	0	0.000	0.000
Other Left	0	0.000	0.000
Other Right	0	0.000	0.000
PE Left	0	0.000	0.000
PE Right	0	0.000	0.000

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NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	
RIGHT OF WAY BRANCH	
THE CITY OF LUMBERTON	01-20-2023
PARCEL # III	C:\Users\Chris\Dropbox\ROWCS\2
DB 1363 PG 52	UNKNOWN SCALE

County of Robeson, NC

BASE MAPS

0

MAP LAYERS

0

MAP TOOLS

0

SEARCH

0

PRINT

0

EXTRACT DATA

0

SHARE

0

HELP

/ROKMAPS_HEL




BASE MAPS
0

MAP LAYERS
0

MAP TOOLS
0

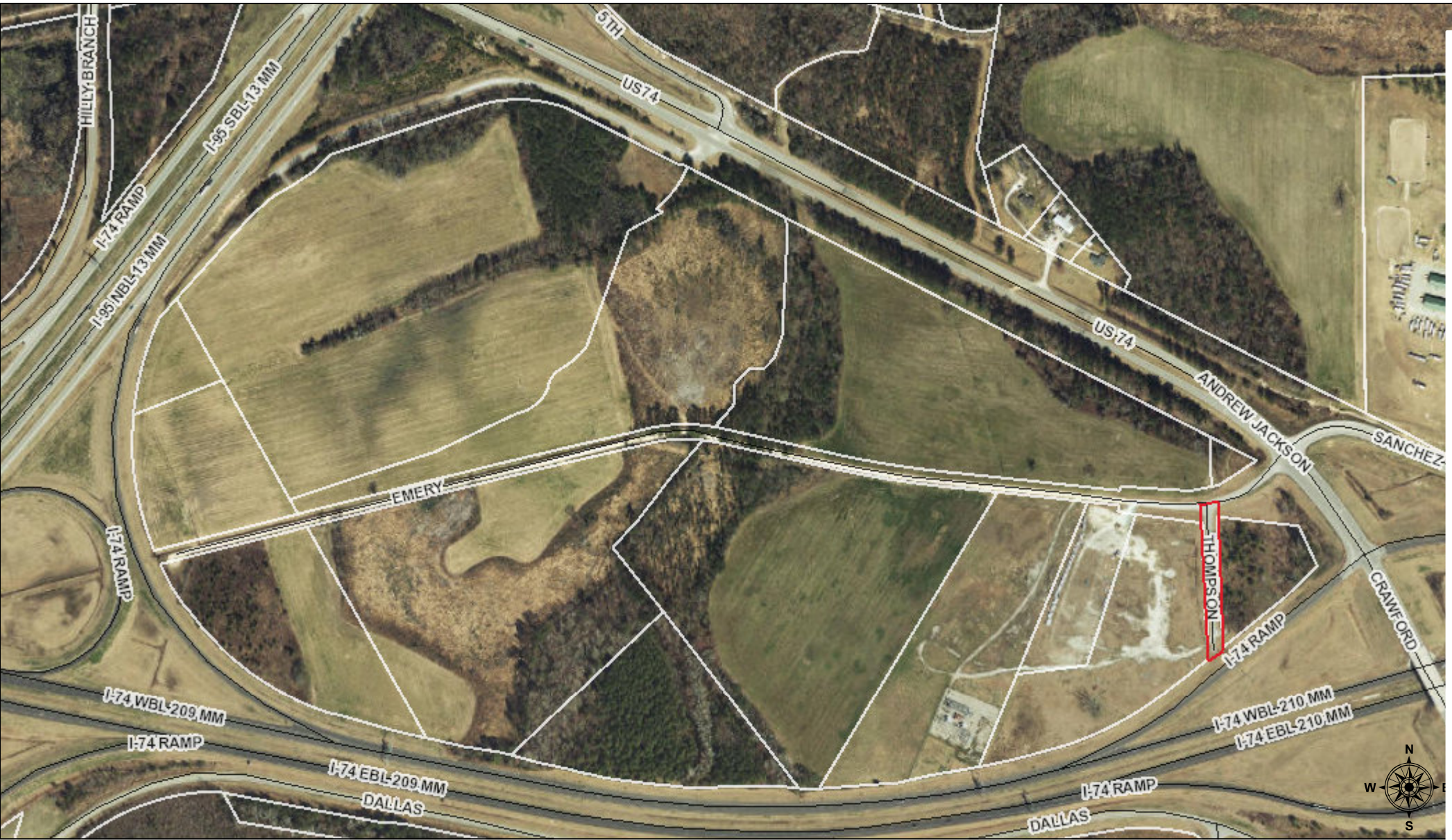
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PRINT
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EXTRACT DATA
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SHARE
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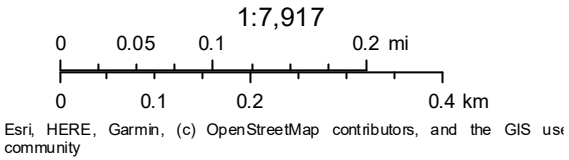
HELP
/ROKMAPS_HEL



Attachment: Map (4074 : Acceptance of Section of Thompson Road from NCDOT)

September 6, 2023

- County Line
- Streets
- Parcels



Google Maps 1177 Thompson Rd



Lumberton, North Carolina

Google Street View

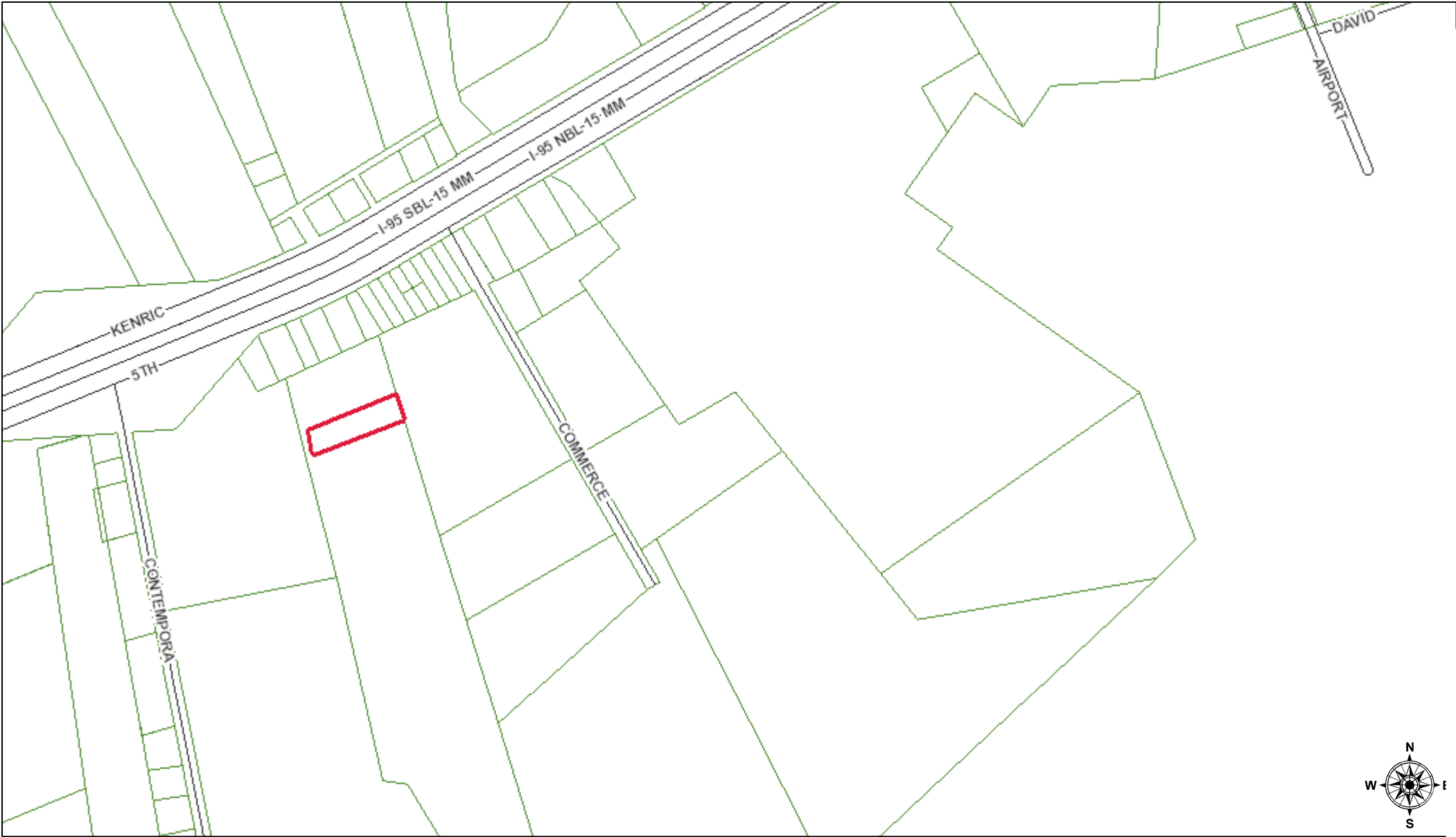
Apr 2013

Google

Image capture: Apr 2013 © 2023 Google



Attachment: ThompsonRd (4074 : Acceptance of Section of Thompson Road from NCDOT)



September 7, 2023

- County Line
- Streets
- Parcels

1:7,917

0 0.05 0.1 0.2 mi

0 0.1 0.2 0.4 km

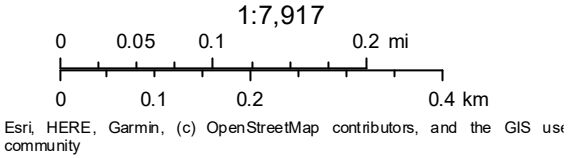
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Attachment: Map (4076 : Declared Parcel Near Commerce & W 5th Surplus, Authorize Sale)



September 7, 2023

-  County Line
-  Streets
-  Parcels



Attachment: Aerial (4076 : Declared Parcel Near Commerce & W 5th Surplus, Authorize Sale)



Robeson County Government

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Select Search:

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Account Details for **CITY OF LUMBERTON**

New Search

Property Owner CITY OF LUMBERTON	Owner's Mailing Address PO BOX 1388 LUMBERTON , NC 28358	Property Location Address .
Administrative Data Parcel Ref No. 101501035 PIN 937173748900 Account No. 46821002 Tax District TOWN LUMBERTON Land Use Code E-70 Land Use Desc RP LOCAL GOVT. (TWP & BD) Subdiv Code Subdiv Desc Neighborhood 32C30	Administrative Data Legal Desc A E/S SR2513 Deed Bk/Pg 02317 / 0208 Plat Bk/Pg / Sales Information Grantor JONES JAMES & ERNESTINE Sold Date 2021-11-22 Sold Amount 0 \$	Valuation Information Market Value \$ 6,000 Market Value - Land and all permanent improvements, if any, effective January 1, 2010, date of County's most recent General Reappraisal Assessed Value \$ 6,000 If Assessed Value not equal Market Value then subject parcel designated as a special class -agricultural, horticultural, or forestland and thereby eligible for taxation on basis of Present-Use and/or reduction from a formal appeal procedure

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New Search

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Attachment: Robeson County - Account Information (4076 : Declared Parcel Near Commerce & W 5th Surplus, Authorize Sale)



**Robeson County
Partnership for Children, Inc.**

210 East 2nd Street, Lumberton, NC 28358 • Tel. (910) 738-6767 • Fax (910) 342-7029 • www.robesonpartnership.org

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Chris Locklear

Vice Chair

Kriston Jacobs

Assistant Vice Chair

Rhonda Dial

Treasurer

Debra Graham

Assistant Treasurer

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Leslie Bell

Tonie Brite

Normie Bullard

Carla Clark

Katie Fountain

Jennifer Hanna

Kriston Jacobs

Jason King

June Locklear

Vicki L. Locklear

Sonya Morris

Velvet Nixon

MaryJane Richardson

Eric Sanders

Owen Thomas

Mayor Bruce Davis And
The Lumberton City Council
500 N. Cedar Street
Lumberton, NC 28358

Dear Friends,

First let me thank you for removing the building next to Exploration Station. It had become an unsafe place in many ways. But, it did have a lovely mural on the side, which several have commented that they miss.

Tim Little has met with the Main Street Lumberton and Friends of Main Street Lumberton committees to discuss some ways to make downtown more family friendly and appealing. In that vein, Robeson County Partnership for Children would like to request permission to lease the property on which the storage building sat for one dollar per year in order to create an outdoor learning space on that lot. This project would be completed with input from Robeson County Public Library, Main Street Lumberton and appropriate committees and employees at Robeson County Partnership for Children.

Sincerely,

Jessica Lowery Clark, Ph.D.
Executive Director
Robeson County Partnership for Children

Attachment: RequestLtr (4078 : Request by Robeson Co. Partnership for Children for Lease)





Attachment: Aerial (4078 : Request by Robeson Co. Partnership for Children for Lease)

September 7, 2023

 County Line

— Streets

1:990

0 0.0075 0.015 0.03 mi

A horizontal number line representing distance in kilometers. The line starts at 0 and ends at 0.05 km. Major tick marks are labeled at 0, 0.0125, 0.025, and 0.05 km. There are 8 equal intervals between 0 and 0.05 km, with minor tick marks at the midpoints of these intervals.

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

SUMMARY STATEMENT/CONTINGENT OFFER TO PURCHASE REAL PROPERTY
DUE TO THE ACQUISITION OF RIGHT OF WAY AND DAMAGES

TO: City of Lumberton, a North Carolina Municipal Corporation
PO Box 1388
Lumberton, NC 28359

DATE: 08JUL23
TO: Lessee, if Applicable

TIP/PARCEL NO.: I-5879 / 214
COUNTY Robeson
DESCRIPTION: I-95 widening and pavement rehabilitation from I-74 (Exit 13) to south of US 301 (Exit 22) and I-95/ SR 1536 (Carthage Road) Interchange Improvements for NCDOT I-6064
WBS ELEMENT: 53079.2.1

Dear Property Owner:

The following contingent offer of just compensation is based on the fair market value of the property and is not less than the approved appraised value for the appropriate legal compensable interest or interests. The approved value disregards any increase or decrease in the fair market value of the property acquired due to influence caused by public knowledge of this project. The contingent offer of just compensation is based on an analysis of market data, comparable land sales, and, if applicable, building costs in the area of your property. **Please retain this form as it contains pertinent income tax information.**

Value of Right of Way to be Acquired	\$ 1,375
Value of Permanent Easements to be Acquired	\$ 8,700
Value of Temporary Easement (Rental of Land) to be Acquired	\$ 75
Value of Improvements to be Acquired	\$ -0-
Damages, if any, to Remainder	\$ -0-
Benefits, if any, to Remainder	minus \$ -0-
TOTAL CONTINGENT OFFER	\$ 10,150.00

The total contingent offer includes all interests other than leases involving Federal Agencies and Tenant owned improvements.

(A) Description of the land and effects of the acquisition

Subject property described in Deed Book 490, page 340, Robeson County Registry, contains approximately 8.200 acres of which 0.048 acres is being acquired as right of way, leaving 8.152 acres remaining on the right with access to Capuano St. Also being acquired is a Temporary Drainage Easement containing approximately 0.011 acres, Permanent Utility Easement containing approximately 0.222 acres, and a Drainage/Utility Easement containing approximately 0.117 acres.

(B) The TOTAL CONTINGENT OFFER includes payment for the improvements and appurtenances described below:
None

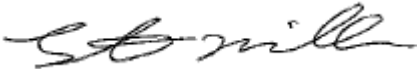
Provided there is sufficient time remaining in the project schedule, you may repurchase these improvements for a retention value, with the stipulation that you remove them from the acquisition area at no expense to the Department.

(C) Should you desire to sell the Department the portion of your property considered to be an uneconomic remnant or buildable lot, as explained to you by the Right of Way Agent, the total contingent offer would be: \$ N/A . Please note that any contingent offer to purchase a remnant/buildable lot is conditioned upon the remnant/buildable lot being environmentally clean prior to the conveyance to the Department. You may be required to provide the Department with a release from the appropriate environmental agency stating that all contaminants have been remediated and/or removed to their standards.

The original of this form was handed/mailed, if out of state owner, to City of Lumberton, a North Carolina Municipal Corporation
on 08AUG 20 23 . Owner was furnished a copy of the Right of Way Brochure/Owner's Letter.

I will be available at your convenience to discuss this matter further with you. My telephone number is 404-431-8946

Please be advised that the agent signing this form is only authorized to recommend settlement to the North Carolina Department of Transportation, and any recommended settlement is not a binding contract unless and until accepted by the North Carolina Department of Transportation by its formal execution of documents for conveyance of Right of Way, Easements, and/or other interests.

(Signed) 
Trent Miller - Right of Way Agent

Aerial Photograph



Attachment: Map (4086 : NCDOT Offer - p214)

North Carolina Department of Transportation-Right of Way Unit

REVIEW CERTIFICATION

Parcel No.: I-5879 / 214 **WBS Element:** 53079.2.1 **County:** Robeson
Owner(s): City of Lumberton, a North Carolina Municipal Corporation **Fed Aid Project:** NHP-0095(006)

I HEREBY CERTIFY THAT, to the best of my knowledge and belief the facts and data reported by me and used in the review process are true and correct.

I understand that this estimate of value is to be used in connection with a highway project and/or NCDOT Real Estate transaction.

The analyses, opinions, and conclusions in this **Review Report** are limited only by the critical assumptions and limiting conditions stated in this **Review Report** and are my personal, unbiased professional analyses, opinions, and conclusions.

I have no direct or indirect, present or prospective interest in the subject property or in any benefit from the acquisition of the subject property and I have no personal interests or bias with respect to the parties involved

I have ☐, have not ☒, performed any appraisal and / or other services as a review appraiser and / or any other capacity, regarding the property that is the subject of this appraisal within the three-year period immediately preceding acceptance of this assignment.

My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this **Review Report**.

My estimate of the value of all items which are Compensable under State law but not eligible for Federal Aid reimbursement is \$0.

I did ☒, did not ☐, personally inspect the subject parcel. I did ☒, did not ☐, personally inspect all sales/rentals considered to be comparable to the subject parcel. *If "did not", please explain in detail.*

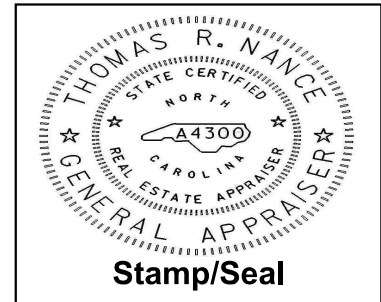
My analyses, opinions, and conclusions were developed, and this **Review Report** was prepared, in compliance with **NCDOT Real Estate Appraisal Standards and Legal Principles** and the **Uniform Standards of Professional Appraisal Practice**. The appraisals in this assignment are to be made in accordance with requirements set out in the **NCDOT Real Estate Appraisal Standards and Legal Principles** and the **Uniform Standards of Professional Appraisal Practice** and shall also comply with all applicable **Local, State, and Federal** laws, ordinances, regulations, restrictions and/or requirements; and any additions, revisions and/or supplements thereto. No one provided me with significant professional assistance with this **Review Report**.

The value opinion stated in the appraisal report is adequately supported as the estimate of just compensation. The difference indicated, if any, in the "**Market Value**" of the entire tract **Before the Acquisition** and the "**Market Value**" of the remaining property immediately **After the Acquisition** is \$ 10,150, as allocated:

Allocation

Right Of Way	\$ <u>1,375</u>
Permanent Easements	\$ <u>8,700</u>
Temporary Easements	\$ <u>75</u>

Total Value of Land Acquired	\$ <u>10,150</u>
Value of Improvements Acquired	\$ <u>-0-</u>
Damage to Remainder	\$ <u>-0-</u>
Benefits to Remainder	\$ <u>-0-</u>
DIFFERENCE	\$ <u>10,150</u>



Stamp/Seal

July 3, 2023
DATE OF CERTIFICATION

Thomas R. Nance
REVIEW APPRAISER

Un-Economic Remnant to the Owner is a Factor ☐ Yes ☒ No
 Area N/A Amount N/A

Administrative Approval Only

Donna Rodgers
ADMINISTRATIVE APPROVAL BY:

07/05/2023

DATE:

North Carolina Department of Transportation

Right of Way Branch

Appraisal Summary Sheet

1. **TIP/Parcel No.:** I-5879 214 **WBS Element:** 53079.2.1 **County:** Robeson

2. **Owner(s):** The City of Lumberton **Fed Aid Project:** NHP-0095(006)

3. **Plan Sheet No.:** 24 **Survey Stations:** SS 21+75, 41+00 to SS 23+00, 44+50 SL -SR2- Right, -SR2- Right

4. Land Areas:	AREA LT. OF R/W	AREA IN R/W	AREA RT. OF R/W	TOTAL
	0.000 AC	0.048 AC	8.152 AC	8.200 AC
5. Less: Land Area in Existing R/W:	0.000 AC	0.000 AC	0.000 AC	0.000 AC
6. Appraisal Net Areas	0.000 AC	0.048 AC	8.152 AC	8.200 AC

Easements:

TCE:	<u>0.000</u>	AC	AUE:	<u>0.000</u>	AC	PDE:	<u>0.000</u>	AC
TDE:	<u>0.011</u>	AC	PUE:	<u>0.222</u>	AC	PCE:	<u>0.000</u>	AC
TUE:	<u>0.000</u>	AC	DUE:	<u>0.117</u>	AC	Other:	<u>0.000</u>	AC

8. Improvements Lt. of R/W	Improvements to be Acquired	Improvements Rt. of R/W
N/A	Misc trees, forested area	Misc trees, forested areas

9. Rights and Interests to be Appraised: **Unencumbered Fee Simple Interest**
(Subject to Existing Easements and Restrictions as Affected by Highway Acquisition.)

10. Estimated "**MARKET VALUE**" of Property Immediately Before:

Land	<u>\$233,700</u>	
Improvements	<u>\$0</u>	
TOTAL		<u>\$233,700</u>

11. Estimated "**MARKET VALUE**" of Property Immediately After:

Land	<u>\$223,550</u>	
Improvements	<u>\$0</u>	
TOTAL		<u>\$223,550</u>

12. "**DIFFERENCE**" Between Before and After Value (If Benefited, Type "**BENEFITS**") \$10,150

W. Christopher Morris

Signed

May 12, 2023

Date of Appraisal

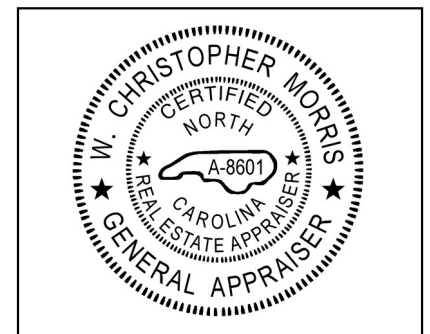
Name: W. Christopher Morris

Phone: 919.847.1717

Address: 8382 Six Forks Road, Suite 200

Raleigh, North Carolina 27615

E-Mail Address: wcmorris@irr.com



Attachment: AppraisalSelectedDocs (4086 : NCDOT Offer - p214)



Parcel 214
Capuano St.
Lumberton, North Carolina

Photograph Location Map



Attachment: AppraisalSelectedDocs (4086 : NCDOT Offer - p214)

****Note: The original appraiser shall be notified and provided a copy of the revision****

Revision: 26JUL23 *R.B.R.*

North Carolina Department of Transportation-Right of Way Unit REVIEW CERTIFICATION

TIP/Parcel No.: I-6064B/269 WBS Element: 49067.2.2 County: Robeson
Owner(s): City of Lumberton FedAid Project: NA

I HEREBY CERTIFY THAT, to the best of my knowledge and belief the facts and data reported by me and used in the review process are true and correct.

I understand that this estimate of value is to be used in connection with a highway project and/or NCDOT Real Estate transaction.

The analyses, opinions, and conclusions in this **Review Report** are limited only by the critical assumptions and limiting conditions stated in this **Review Report** and are my personal, unbiased professional analyses, opinions, and conclusions.

I have no direct or indirect, present or prospective interest in the subject property or in any benefit from the acquisition of the subject property and I have no personal interests or bias with respect to the parties involved.

I have ☐, have not ☒, performed an appraisal and / or other services as an appraiser or any other capacity, regarding the property that is the subject of this appraisal within the three year period immediately preceding acceptance of this assignment.

My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this **Review Report**.

My estimate of the value of all items which are Compensable under State law but not eligible for Federal Aid reimbursement is \$ 0

I did ☒, did not ☐, personally inspect the subject parcel. I did ☒, did not ☐, personally inspect all sales/rentals considered to be comparable to the subject parcel. *If "did not", please explain in detail.*

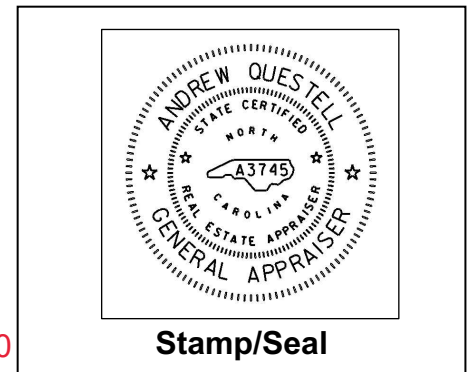
My analyses, opinions, and conclusions were developed and this **Review Report** was prepared in compliance with NCDOT Real Estate Appraisal Standards and Legal Principles and the Uniform Standards of Professional Appraisal Practice. The appraisals in this assignment are to be made in accordance with all of the requirements set out in the NCDOT Real Estate Appraisal Standards and Legal Principles and the Uniform Standards of Professional Appraisal Practice and shall also comply with all applicable Local, State, and Federal laws, ordinances, regulations, restrictions and/or requirements; and any additions, revisions and/or supplements thereto. No one provided me with significant professional assistance with this **Review Report**.

The value opinion stated in the appraisal report is adequately supported as the estimate of just compensation. The difference indicated, if any, in the "**Market Value**" of the entire tract **Before the Acquisition** and the "**Market Value**" of the remaining property immediately **After the Acquisition** is ~~\$25,575~~ as allocated:

~~\$26,880~~

Allocation

Right Of Way	\$ <u>12,575</u>	
Permanent Easements	\$ 10,475	\$11,125
Temporary Easements	\$ 2,525	\$2,050
Total Value of Land Acquired	\$ 25,575	\$25,750
Value of Improvements Acquired	\$ -0-	\$1,130
Damage to Remainder	\$ -0-	
Benefits to Remainder	\$ -0-	
DIFFERENCE	\$ 25,575	\$26,880



April 5, 2023

DATE OF CERTIFICATION

Andrew Questell

REVIEW APPRAISER

Un-Economic Remnant to the Owner is a Factor ☐ Yes ☒ No

Area Amount \$

Andrew Questell

Administrative Approval Only

Donna Rodgers

04/06/2023

ADMINISTRATIVE APPROVAL BY:

DATE:

****NOTE: The original appraiser (W. Christopher Morris) provided a value for the metal swing gate from the Marshall Valuation Services (MVS) based on the size: 20ft long and 4ft high = \$1,130.**

FRM5-S

Revised: 05-01-2020

VOIDS AND SUPERCEDES PRIOR APPROVED APPRAISALS

****Note: The original appraiser shall be notified and provided a copy of the revision**

7.V.a

Revision: 26JUL23 North Carolina Department of Transportation

**Right of Way Branch
Appraisal Summary Sheet**

1. TIP/Parcel No.: I-6064B / 269 WBS Element: 49067.2.2 County: Robeson

2. Owner(s): City of Lumberton Fed Aid Project: N/A

3. Plan Sheet No.: 27-28 Survey Stations: SS 437+00 to SS 445+00 SL -L- Right

4. Land Areas:	AREA LT. OF R/W	AREA IN R/W	AREA RT. OF R/W	TOTAL
	0.000 AC	0.440 AC 0.482	2.104 AC 2.062	2.544 AC
5. Less: Land Area in Existing R/W:	0.000 AC	0.000 AC	0.000 AC	0.000 AC
6. Appraisal Net Areas	0.000 AC	0.440 AC 0.482	2.104 AC 2.062	2.544 AC

Easements:

TCE:	0.352 0.285	AC	AUE:	0.000	AC	PDE:	0.407	AC
TDE:	0.000	AC	PUE:	0.000	AC	PCE:	0.000	AC
TUE:	0.000	AC	DUE:	0.000 0.432	AC	Other:	0.000	AC

8. Improvements Lt. of R/W	Improvements to be Acquired	Improvements Rt. of R/W
None	Metal swing gate (Do not appraise. Will be relocated), soil drive	None

9. Rights and Interests to be Appraised: **Unencumbered Fee Simple Interest**
(Subject to Existing Easements and Restrictions as Affected by Highway Acquisition.)

10. Estimated "MARKET VALUE" of Property Immediately Before:

Land	\$72,750
Improvements	N/A \$1,130
TOTAL	\$72,750 \$73,880

11. Estimated "MARKET VALUE" of Property Immediately After:

Land	\$47,175
Improvements	\$0
TOTAL	\$47,175 \$47,000

12. "DIFFERENCE" Between Before and After Value (If Benefited, Type "BENEFITS")

~~\$25,575~~ \$26,880

W. Christopher Morris

Signed

February 21, 2023

Date of Appraisal

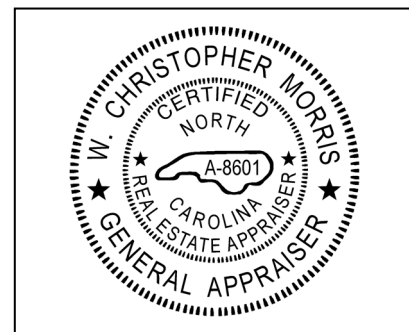
Name: W. Christopher Morris

Phone: 919.847.1717

Address: 8382 Six Forks Road, Suite 200

Raleigh, North Carolina 27615

E-Mail Address: wcmorris@irr.com



Mr. Neil Burleson
 THC, Inc.
 April 4, 2023
 Page 2

Based on the valuation analysis in the accompanying report, and subject to the definitions, assumptions, and limiting conditions expressed in the report, the concluded opinions of value are as follows:

Value Conclusions

Value Type & Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value Before Taking	Fee Simple	February 21, 2023	\$72,750 \$73,880
Market Value After Taking	Fee Simple	February 21, 2023	\$47,175 \$47,000
Difference in Value Before and After Taking	Fee Simple	February 21, 2023	\$25,575 \$26,880

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions. An extraordinary assumption is an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.

- The taking will occur in accordance to the plans and specifications provided to the appraiser.
 The value conclusions are based on the following hypothetical conditions. A hypothetical condition is a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.
- This appraisal involves estimating the value of a property before and after the proposed project and additional right of way is established with additional consideration for damages, benefits, or both. The property is appraised "as is", before consideration of the proposed acquisition and impact of the project. Next, the property is appraised under the hypothetical condition that the proposed project is complete as of the appraisal date. Consideration is given to the impact on value for the use of the right of way or easement areas and any benefits or damages resulting from the project. The hypothetical condition is used in this instance to properly develop credible opinions and conclusions for purposes of reasonable analysis, and the use of the hypothetical condition results in a credible analysis consistent with the intended use of the appraisal report. The hypothetical condition is prominently displayed and explained in accordance with the requirements set forth in the Uniform Standards of Professional Appraisal Practice (USPAP) for hypothetical conditions.

The use of any extraordinary assumption or hypothetical condition may have affected the assignment results.

Attachment: P269Offer (4085 : NCDOT Offer - P269)

Reconciliation and Conclusion of Before Value

Reconciliation involves the weighting of alternative value indications, based on the judged reliability and applicability of each approach to value, to arrive at a final value conclusion. Reconciliation is required because different value indications result from the use of multiple approaches and within the application of a single approach. The values indicated by our analyses are as follows:

Summary of Before Value Indications		
	Market Value Before Taking	
Cost Approach	Not Used	
Sales Comparison Approach	\$72,750	\$73,880
Income Approach	Not Used	
Reconciled	\$72,750	\$73,880 (value of improvement added)
Allocation of Before Value		
Value of Land Before Taking	\$72,750	
Value of Improvements Before Taking		
Building Improvements	\$0	
Site Improvements	\$0	\$1,130
Total Improvements Before Taking	\$0	
Total Before Value	\$72,750	\$73,880

Cost Approach

The cost approach is most reliable for newer properties that have no significant amount of accrued depreciation. Based on the scope of the assignment and purposes being for eminent domain, we believe the cost approach to be a reliable valuation method for the subject. However, the subject is vacant land and the cost approach is not applicable.

Sales Comparison Approach

The sales comparison approach is most reliable in an active market when an adequate quantity and quality of comparable sales data are available. In addition, it is typically the most relevant method for owner-user properties, because it directly considers the prices of alternative properties with similar utility for which potential buyers would be competing. There is a reasonably active market for comparable properties, and this approach most closely reflects buyer behavior. Accordingly, the sales comparison approach is given greatest weight in the value conclusion.

Income Capitalization Approach

The income capitalization approach is usually given greatest weight when evaluating investment properties. The value indication from the income capitalization approach is supported by market data regarding income, expenses and required rates of return. As previously discussed, the Income Approach is judged to be inapplicable and is not utilized.

Description of the Acquisition

Land

The following land areas will be acquired and/or encumbered as a result of this project:

Land Areas Acquired		
Description	Area (Acre)	Location
Fee Simple Land Area To Be Acquired	0.482 0.440	The land to be acquired in fee is located adjacent to the existing R/W.
Temporary Construction Easement (TCE)	0.285 0.352	The TCE is located adjacent to the existing R/W.
Permanent Drainage Easement (PDE)	0.432 0.407	The PDE is located adjacent to the existing R/W.
Drainage/Utility Easement		DUE

Description of Remainder and Effects of the Acquisition

Description of the Remainder

Land

After the taking, the land area will be reduced from 2.544 acres to ~~2.104~~ ^{2.062} acres. The physical characteristics of the remainder and availability of utilities are essentially the same as in the before condition.

The remaining land area will also be encumbered by the following easements: temporary construction easement (TCE; ~~0.352~~ ^{0.285} acres) and permanent drainage easement (~~PDE, 0.407~~ ^{DUE 0.432} acres).

Land Areas After Taking				
Subject	Fee Simple	TCE	PDE	DUE
Parcel 269	2.104	0.352 ^{0.285}	0.407	^{0.432}

Effects of the Acquisition

Land

After completion of the project, the usable land area after the taking will be reduced by 0.440 acres; therefore, reflecting a remaining area of ~~2.104~~ ^{2.062} acres. The land will also be encumbered by ~~0.352~~ ^{0.285} acres of temporary construction easement and ~~0.407~~ ^{0.432} acres of ~~permanent drainage~~ ^{Drainage/Utility} easement.

Highest and Best Use of the Remainder

The highest and best use of the subject, as vacant, after the project is the same as before the project, which is for assemblage with an adjoining property for commercial use.

Valuation of the Property After the Taking

The value was estimated in the before valuation analysis using the sales comparison approach. We have therefore utilized the results of the sales comparison approach as the basis for the valuation of the remaining property.

Land Valuation

The same comparable land sales used before the taking are used in the land value analysis after the taking.

As previously described, it is our opinion that the reduction in size from 2.544 acres to ~~2.104~~ ^{2.062} acres does not have an adverse effect on the site. Therefore, we have utilized the same per acre value concluded to in our before analysis for our concluded per acre value in the after analysis, which is \$28,600 per acre.

Land Valuation After Taking				
Land Type	Land Area (Acre)	Value per Acre	Value	Rounded
Fee Simple	2.104	\$28,600	\$60,174	\$60,175
	2.062		\$58,973	\$58,975

Easement Analysis

Temporary Construction Easement (TCE)

The Temporary Construction Easement (TCE) has a total land area of ~~0.352~~ ^{0.285} acres. Based on information provided by the NCDOT, a Temporary Construction Easement is described as follows:

Based on information provided by the NCDOT, it is understood and agreed that the NCDOT shall have the right to construct and maintain the cut and/or fill slopes in the above-described temporary easement area(s) until such time that the property owners alter the adjacent lands in such a manner that the cut and/or fill slopes are no longer needed for the lateral support of the roadway. Any additional construction areas lying beyond the cut and/or fill slopes and extending beyond the right of way limits and beyond any permanent easement areas will terminate upon completion and acceptance of the project. The underlying fee owner shall have the right to continue to use the TCE area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the NCDOT, obstruct or materially impair the actual use of the easement area(s) by the NCDOT, its agents, assigns, and contractors. Based on information provided by the NCDOT, the TCE will terminate upon completion and acceptance of the project.

We have applied a discount of 25% to the fee simple value of the TCE area to account for the impacts of the TCE. The residual value of the land area to be encumbered by the TCE is therefore 75% of the fee simple value of this area.

Drainage/Utility Easement (DUE)

~~Permanent Drainage Easement (PDE)~~

0.432

The Permanent Drainage Easement (PDE) has a total land area of ~~0.407~~ acres. Based on information provided by the NCDOT, a ~~Permanent Drainage Easement~~ is described as follows:

Drainage/Utility Easement

~~Said PDE in perpetuity is for the installation and maintenance of drainage facilities, and for all purposes for which the NCDOT is authorized by law to subject same. The NCDOT and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the NCDOT shall have the right to construct and maintain the cut and/or fill slopes in the above-described PDE area(s). It is further understood and agreed that PDE shall be used by the NCDOT for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the PDE area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the NCDOT, obstruct or materially impair the actual use of the easement area(s) by the NCDOT, its agents, assigns, and contractors.~~

DUE

The ~~PDE~~ will primarily be located inside the subject's setback zoning requirements after the taking and would therefore not be able to be developed. We have applied a discount of 90% to the fee simple value of the ~~PDE~~ area to account for the impacts of the ~~PDE~~. The residual value of the land area to be encumbered by the ~~PDE~~ is therefore 10% of the fee simple value of this area.

DUE

DUE

The loss in value to the remainder as a result of this easement is summarized in the following table.

Easement Valuations						
Easement	After Land Value (\$/acre)		% Discount for Easement Impact	Easement Acquired Value/Acre	Encumbered Area (Acre)	Value Loss Due to Easement Rounded
TCE	\$28,600	x	25%	= \$7,150	x 0.352	= \$2,517 \$2,525
PDE DUE	\$28,600	x	90%	= \$25,740	x 0.407	= \$10,476 \$10,475
					0.285	\$2,037
					0.432	\$11,119
						\$2,050
						\$11,125

Said Permanent Drainage/Utility easement in perpetuity is for the installation and maintenance of drainage facilities and/or utilities, and for all purposes for which the DEPARTMENT is authorized by law to subject same. The Department and its agents or assigns shall have the right to construct and maintain in a proper manner in, upon and through said premises a drainage facility and/or utility line or lines with all necessary pipes, poles and appurtenances, together with the right at all times to enter said premises for the purpose of inspecting said drainage facility and/or utility lines and making all necessary repairs and alterations thereon; together with the right to cut away and keep clear of said drainage facility and/or utility lines, all trees and other obstructions that may in any way endanger or interfere with the proper maintenance and operation of the same with the right at all times of ingress, egress and regress. It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above-described permanent drainage/utility easement area(s). It is further understood and agreed that Permanent Drainage/Utility Easement shall be used by the Department for additional working area during the above described project. The underlying fee owner shall have the right to continue to use the Permanent drainage/Utility Easement area(s) in any manner and for any purpose, including but not limited to the use of said area for access, ingress, egress, and parking, that does not, in the determination of the Department, obstruct or materially impair the actual use of the easement area(s) by the Department of Transportation, its agents, assigns, and contractors.

Land Value Conclusion – After the Taking

Based on the preceding analysis, we reach a land value conclusion, after the taking, as follows:

Value of Remaining Land		
Remaining Fee Simple Land Value After Taking	\$60,175	
Less TCE	-\$2,525	\$2,050
Less PDE DUE	-\$10,475	\$11,125
Value of Land After Taking	\$47,175	
Rounded	\$47,175	\$47,000

Total Value of the Remainder

The total value of the remainder is as shown in the following table.

Summary of Value After Taking		
Value of Land After Taking	\$47,175	\$47,000
Value of Improvements After Taking	\$0	
Total Value After Taking	\$47,175	\$47,000
Rounded	\$47,175	

Difference in Before and After Value

The difference in the before and after value is as follows:

Difference In Before And After Value			
Difference			
Before Value			
Land Value	\$72,750		
Improvement Value	N/A	\$1,130	
Total Before Value		\$72,750	\$73,880
After Value			
Land Value	\$47,175	\$47,000	
Improvement Value	\$0		
Total After Value		\$47,175	\$47,000
Difference		\$25,575	\$26,880
Allocation of Value			
Value of Land Acquired		\$25,575	\$25,750
Value of Improvements Acquired		\$0	\$1,130
Cost to Cure		\$0	
Damages to the Remainder - Land		\$0	
Damages to the Remainder - Improvements		\$0	
Benefits to the Remainder		\$0	
Total		\$25,575	\$26,880

Description of Allocation of Values

The value of the land acquired equals the concluded per acre value before the taking of \$28,600 per acre multiplied by the land area acquired in fee (~~0.440~~ acres x \$28,600/acre = ~~\$12,584~~, rounded to ~~\$12,575~~) plus the value loss attributable to the TCE (~~\$2,525~~) and PDE (~~\$10,475~~). Therefore, the total value of the land acquired equals ~~\$25,575~~.

\$13,800

0.482

\$13,785

\$26,880

\$2,050

DUE \$11,125

and 20ft metal swing gate (MVS- \$1,130)
*value provided by original appraiser

Attachment: P269Offer (4085 : NCDOT Offer - P269)

Conclusion of Value

Based on the preceding valuation analysis and subject to the definitions, assumptions, and limiting conditions expressed in the report, our opinions of value are as follows:

Value Conclusions			
Value Type & Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
Market Value Before Taking	Fee Simple	February 21, 2023	\$72,750 \$73,880
Market Value After Taking	Fee Simple	February 21, 2023	\$47,175 \$47,000
Difference in Value Before and After Taking	Fee Simple	February 21, 2023	\$25,575 \$26,880

Extraordinary Assumptions and Hypothetical Conditions

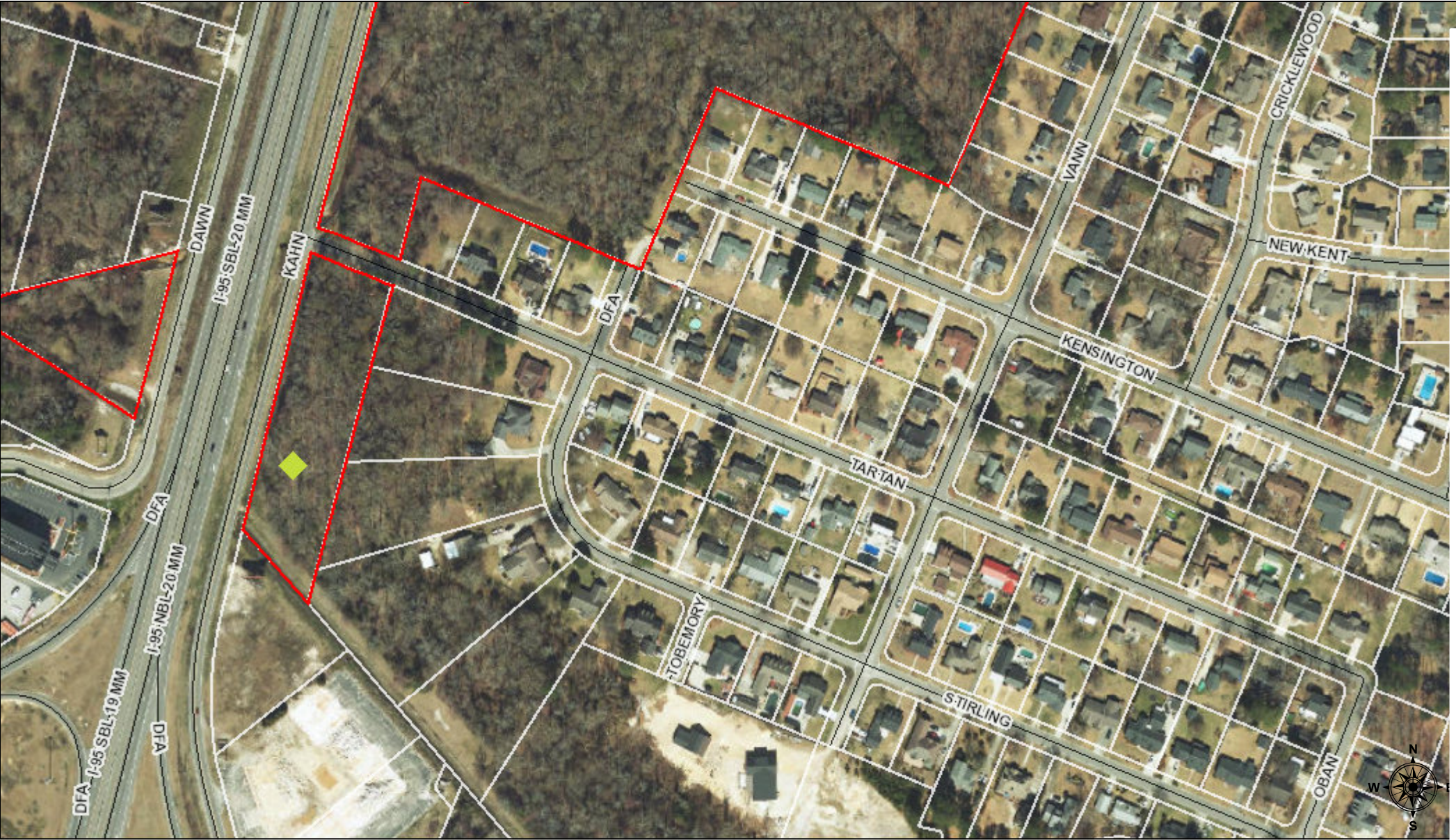
The value conclusions are subject to the following extraordinary assumptions. An extraordinary assumption is an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.

- The taking will occur in accordance to the plans and specifications provided to the appraiser. The value conclusions are based on the following hypothetical conditions. A hypothetical condition is a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.
- This appraisal involves estimating the value of a property before and after the proposed project and additional right of way is established with additional consideration for damages, benefits, or both. The property is appraised "as is", before consideration of the proposed acquisition and impact of the project. Next, the property is appraised under the hypothetical condition that the proposed project is complete as of the appraisal date. Consideration is given to the impact on value for the use of the right of way or easement areas and any benefits or damages resulting from the project. The hypothetical condition is used in this instance to properly develop credible opinions and conclusions for purposes of reasonable analysis, and the use of the hypothetical condition results in a credible analysis consistent with the intended use of the appraisal report. The hypothetical condition is prominently displayed and explained in accordance with the requirements set forth in the Uniform Standards of Professional Appraisal Practice (USPAP) for hypothetical conditions.

The use of any extraordinary assumption or hypothetical condition may have affected the assignment results.

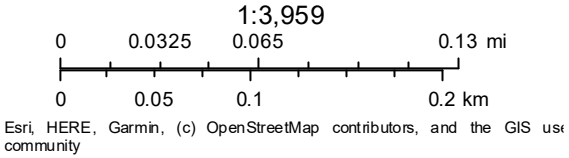
Exposure Time

Exposure time is the length of time the subject property would have been exposed for sale in the market had it sold on the effective valuation date at the concluded market value. Exposure time is always presumed to precede the effective date of the appraisal. Based on our review of recent sales transactions for similar properties and our analysis of supply and demand in the local market, it is our opinion that the probable exposure time for the subject at the concluded market values stated previously is 6 to 12 months.

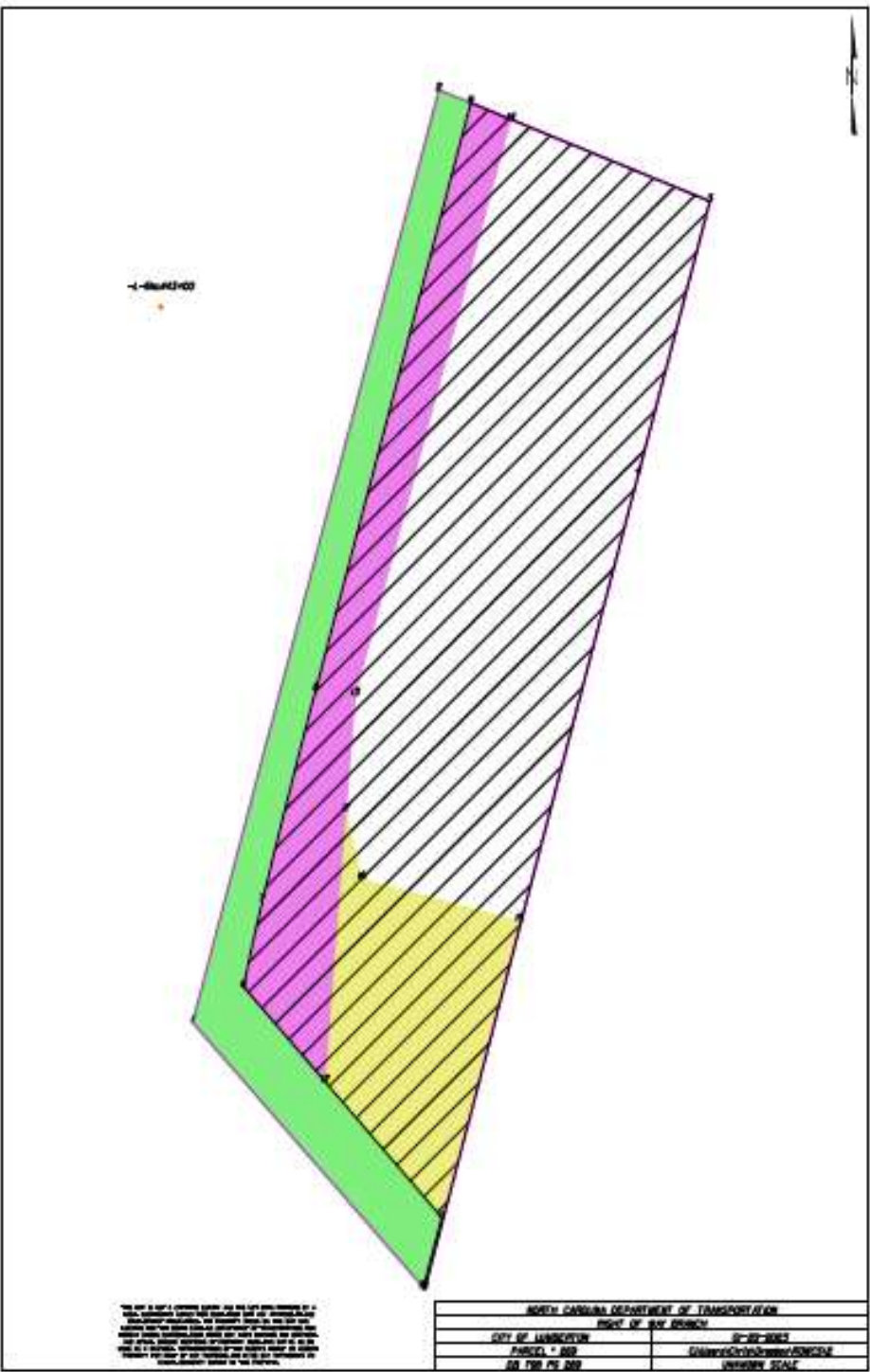


June 6, 2023

- Address Points
- ▣ County Line
- Streets
- Parcels



NCDOT Survey – I-6064B / Parcel 269



Attachment: P269Schematic (4085 : NCDOT Offer - P269)



Bid Title: HVAC CITY HALL RFQ
Category: Public Works
Status: Closed

Description:

REQUEST FOR QUALIFICATIONS

July 27, 2023

Design Services for HVAC Replacement

The City of Lumberton requests Statements of Qualifications for Design Services for upcoming HVAC infrastructure improvements. This request for qualifications (RFQ) solicitation does not commit the City of Lumberton to award a contract, to pay any cost associated with the preparation of this proposal, or to procure or contract for these services. Pursuant to North Carolina General Statute 143-64.31, the City of Lumberton utilizes a "qualifications-based" selection process without consideration of fee during the initial phase in hiring design firms.

RFQ INFORMATION

1. Project site(s):

1. HVAC Infrastructure – Lumberton City Hall, 500 N Cedar Street, Lumberton, NC 28358

1. Project scope: The City of Lumberton is soliciting proposals for the design of HVAC infrastructure improvements. The project includes designing the mechanical replacement system at Lumberton City Hall (including any temporary climate control measures needed to maintain minimal building operations during installation of the replacement system), coordinating the design with local permit authority and owner, preparing project specifications and bid contract documents, bidding the project, construction management and construction observation.

1. Anticipated project budget:

1. Total Project Cost Opinion \$1,350,000.00.

1. Project schedule:

1. RFQ posted August 1, 2023

2. Proposals submitted by 4:00 PM August 31, 2023

1. Qualifications selection

criteria and criteria weighting: An Evaluation Committee will consider the following criteria in evaluating proposals. These categories may not be weighted equally, but rather on importance and significance to this project. City Staff will recommend to Lumberton City Council the responding firm that is deemed most qualified and is determined to provide the greatest value for this project.

	Evaluation Criteria	Maximum Points
A	Training and experience of the professional service provider, especially in related projects	15

B	Experience in mechanical design, including reputation for accuracy and sufficiency of detail, planning ability and promptness	15	7.W.a
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C	Experience in the design of HVAC systems similar to the existing system being replaced	20
D	Reputation for quality of design and construction management	15
E	History of successful completion of similar projects	10
F	Timely completion of project design and schedule for bidding	15
G	Relationships with engineers and designers	5
H	Any other factors the City of Lumberton or Evaluation Committee deems relevant	5
	Total Points To Be Earned	100

1. Notice of the City rules, ordinances, or goals (presumably related to the project), including goals (or Minority Women-owned Business Enterprises (MWBE) and small business participation: The City encourages the use of MWBE, small and Historically Underutilized Businesses.

1. Each Offeror shall submit with its proposal an explanation of its design team selection consisting of:

- a. List of design professionals the design firm proposes to use on the project which must include licensed engineers, designers, project technicians and project manager(s).

QUALIFICATION SUBMISSION

1. Submission Questions

Any questions that are necessary to complete proposals should be sent in writing to Brandon Love, Deputy City Manager using the email address provided below by August 21, 2023, at 3:00 PM EST. Question submittals should include a reference to the applicable RFQ section and/or page number. Any questions submitted after August 21, 2023, at 3:00pm EST will not be addressed. All questions received and corresponding answers will be posted in an addendum to the RFQ on The City of Lumberton's Website by August 25, 2023, by 11:00 am EST.

Please use the provided contact and do not contact other staff or elected officials regarding this procurement process. Improper contact may result in disqualification of your proposal. A voluntary pre submission and site review will be held on Thursday, August 10th at 10:00am. Brandon Love, AIA – Deputy City Manager, Ben Andrews – Chief Building Inspector, Tim Taylor – Director of Internal Services and Rob Armstrong – Public Works Director will be attending the meeting to answer questions about the project and to grant access to existing HVAC system. Meeting location is in the Community Room on the 1st floor of Lumberton City Hall, 500 N Cedar Street, Lumberton, NC 28358

1. Submission Requirements and Due Date

Three (3) copies of the submission, as well as a thumb drive with a digital copy, are due by 4:00 PM, Thursday, August 31, 2023. Submissions of qualifications received after that time will not be considered. Copies via email will not be accepted. The City is not responsible for late submissions due to mail delays. Mark the outside of the package with a label titled "RFQ SUBMISSION – Lumberton City Hall HVAC Replacement" and hand deliver or mail to the following address:

Brandon Love, AIA – Deputy City Manager
500 North Cedar Street Lumberton, NC 28358

Email: bllove@ci.lumberton.nc.us Schedule/Process

1. Following evaluation of the qualification statements submitted, the design firms shall be ranked in accordance with the scoring criteria above.

1. Selection Criteria & Format of Proposal

The offerors should address the following in their statements:

A. Executive Summary

Responding firm may highlight the firm's unique value, qualifications, and services that should be considered by The City of Lumberton for this project.

A. Firm Qualifications

1. Firm Profile

1. Firm name and corporate address

1. Overview of Firm's history, current licenses held, and MWSBE status

1. Current insurance certifications and bonding information

1. Main contact person with full contact information, and NC office address, if applicable

2. Describe your firm's services, product lines, and manufacturing capability, if applicable

1. Describe your project management capability, including number of project managers employed directly with your firm, as well as expertise.

1. Litigation history in the state of North Carolina

A. Project Team Qualifications and Experience

1. Project Team

1. An organizational chart that illustrates the structure and roles of your Project Team.

1. Roles and Responsibilities of each key team member. No more than five (5) members should be listed.

Resume summaries of in-house project team members, including project role, relevant project experience, and any other pertinent information.

1. Experience of Respondent

1. Provide at least three (3) project references; none of which can be previous work with The City of Lumberton as they already has knowledge of that experience. Each project description shall describe the services provided, project price, and contract term. Provide client names with a contact person's phone number and email or address.

A. Technical Approach/Methodology/Innovation

1. Provide a plan describing how your firm will manage the numerous project phases- from initial project development and design through construction, installation, startup and commissioning. Describe the processes that will be used for the assignment of tasks, and project scheduling.

1. Describe how your firm will address innovative approaches and solutions to meet the long term needs of the City.

Other Conditions:

The Offeror certifies that to the best of its knowledge no employee of the Owner nor any member thereof, nor any public agency or official affected by the proposal, has a pecuniary interest in the business of the Offeror, and that no person associated with the Offeror has any interest that would conflict in any manner with the performance of the proposal.

This public body does not discriminate against faith-based organizations or against a bidder or offeror because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

Minority/Women and Small Business Enterprises It is the policy of the District to provide minorities, women, and small business enterprises equal opportunity for participating in all aspects of contracting and procurement programs, including but not limited to employment construction development projects, and materials/services, consistent with the laws of the State of North Carolina. The policy prohibits discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, disability, or veteran's status. To qualify as a MBE/HUB, at least fifty-one percent (51%) of the business must be owned by one or more persons who are members of at least one of the groups set forth in subsection (b) of this section, or in the case of a corporation, at least fifty-one percent (51%) of the stock is owned by one or more persons who are members of at least one of the groups set forth in §143-128.4.

Submitting Confidential Information. Each proposal becomes the property of the City and is considered a public record except for material that qualifies as "Trade Secret" information under North Carolina General Statute 66-152 et seq. To properly designate material as a trade secret under these circumstances, each firm must take the following precautions: (a) any trade secrets submitted by the firm should be submitted in a separate, sealed envelope marked "Trade Secret Confidential and Proprietary Information-Do Not Disclose Except for the purpose of Evaluating this Proposal," and (b) the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope. Any firm that designates its entire proposal as a trade secret may be disqualified from consideration.

Publication Date/Time:

8/1/2023 12:01 AM

Closing Date/Time:

8/31/2023 5:00 PM

Related Documents:
[HVAC RFQ FINAL - City Hall](#)
[Return To Main Bid Postings Page](#)


Helpful Links

[Bid Postings](#)
[Job Opportunities](#)
[Lumberton MuniCode](#)
[Ordinance & Application for Renewable Energy Generation System \(PDF\)](#)
[Planning / Inspections Applications](#)

Quick Links

[Electric Service Industrial Rates](#)
[Electric Service Residential Rates](#)
[Electric Special Rates](#)
[Public Schools of Robeson County](#)
[Robeson County GIS](#)

Frequently Asked Questions

1. [What do I need to do to establish new service or disconnect my service?](#)
2. [I am opening a business, do I need a privilege license?](#)
3. [When will I receive my property tax bill, when is it due, and when will interest begin?](#)
4. [What is included in the Summer Day Camp Program?](#)



CITY OF LUMBERTON STATEMENT OF QUALIFICATIONS

**DESIGN SERVICES FOR
HVAC REPLACEMENT
AUGUST 31, 2023**

Wooten

COVER LETTER

August 31, 2023

Brandon Love, AIA
Deputy City Manager
City of Lumberton
500 North Cedar Street
Lumberton, NC 28358



RE: Design Services for HVAC Replacement

Mr. Love,

The opportunity for The Wooten Company to work with the City of Lumberton on another project is exciting. While we have not recently completed an HVAC project with the City, we have and continue to work on several Civil projects in and around the City.

We have been involved with the design of new construction, and renovation, projects for public entities and municipalities in North Carolina for more than 86 years. We have been part of many HVAC renovations where the evolution of the Mechanical systems was needed.

We are familiar with the full range of available HVAC systems for buildings of all sizes. We are experienced with rooftop DX systems, Variable refrigerant Flow systems, air cooled and water-cooled chillers, variable volume air handling units, gas fired boilers (condensing and non-condensing), cooling towers and ice storage systems and the Building Automation Systems associated with the proper operation of the mechanical systems associated with each of these pieces of equipment.

The existing experienced professionals and the new staff we have hired, at The Wooten Company, are confident that our ability to provide full in-house services will enable us to assist the City of Lumberton with completing a successful construction project.

We appreciate the opportunity to submit our Statement of Qualifications and look forward to the prospect of assisting you and your team. Please call our office or email me with any questions.

Respectfully,

THE WOOTEN COMPANY

Robert Egan, PE - Principal-In-Charge
120 N. Boylan Avenue, Raleigh, NC 27603
919.828.0531 - began@thewootencompany.com

EXECUTIVE SUMMARY

For 80 years across North Carolina, the question “Why Wooten?” has been answered time and time again. For the City of Lumberton, we’ve boiled it down to two words. Experience and Value.

We’ve assembled a strong combination of talent to assist Lumberton in completing this project. In keeping with our core Mission Statement to, “Be the professional services firm of choice for client satisfaction, quality of service and technical expertise”, we recognize that every project, no matter the size, requires a carefully prepared approach and understanding. Since we strive to provide full-service engineering design in-house, over the past couple of years we have even further bolstered our team with the Building Systems Group and throughout the firm. This added capability pushes our efficiencies higher and allows for stronger communication throughout every project. We do still have a few subconsultants on hand to round out our teams, however, rest assured that each of these partners have performed successful work alongside The Wooten Company over many projects, as we firmly believe that strong relationships are the key to great work.

Experience can be defined as “practical contact with, and observation of, facts or events.” This relates well to the relevant project experience described in further detail in this Statement of Qualifications. Experience also has a second definition that is not always associated with engineering work: “A particular instance of personally encountering or undergoing something”. At The Wooten Company, we aim to deliver a positive experience for every client in the form of a project delivered on time, within budget, and through positive outcomes in the delivery of the finished product.

Our second answer to “Why Wooten?” is value. Our value comes in the form of our expertise in HVAC systems, our project delivery, and our focus on forming relationships with clients and stakeholders during the life of a project.

The Wooten Company’s experience and value offered have resulted in numerous long term clients whose relationships with us date back more than 60 years. We look forward to forging the same type of partnership with Lumberton, delivering a positive experience and true value.

A tradition of
DESIGNING THE FUTURE ►

September 5, 2023

City of Lumberton Mayor and Council Members
500 North Cedar Street
Lumberton, NC 28358

Dear Mayor and Council Members,

Lumber River United Way is grateful for the continuous support and efforts in our partnership with the City of Lumberton. As our community continues to grow and change, we are faced with many hurdles. One of the hurdles the children of Robeson County face every year is the challenge of being prepared to start school on an equal level with their classmates. For many of us, we place great importance on preparing our children and grandchildren by supplying them with books, reading books to them, and helping them comprehend the stories we read. Our goal is to instill a love for knowledge. When our children enter school having books in the home, having family members read to them, learning the basics of front and back, sentences, paragraphs, and storylines, these children are more prepared. In Robeson County, not every child has books in their home and it's not their fault.

We believe that every child should have the necessities to prepare them for an education. We implemented Dolly Parton's Imagination Library 11 years ago. As of this writing, the monies donated to United Way have provided over 250,000 books to Robeson County Children. The majority of the children enrolled in this program live in the City of Lumberton zip codes. Lumber River United Way needs your help and support to continue to provide this program to our children. Any child between birth and 5 years old is eligible to receive the books.

Thank you for considering the children,



Tomeika Munn
Director of Community Impact

PATRIOTS COVE 2ND ANNUAL



.AC.a

Registration at n
Start at 1 pm

A

g. 283

for \$75 per player
\$200 per team

players &
included

Contact Mike Day 910-636-8908

General Inquiries 910-636-8908

Ben Wagner 910-740-0400

"Serving Those Who Served Us"

Benefits: Helping Veterans, First Responders and Care Givers

CITY OF LUMBERTON, NC

APPLICATION – COMMUNITY REVITALIZATION FUNDS

Please submit no less than 5 business days before Council meeting at issue.

If applicable, Councilperson to whom request directed: _____ or
check here for Mayor _____ Council meeting date: _____ 9/11/23 _____

Name of individual or entity requesting funds: _Patriots Cove, Ben Wagner

Contact person name, mailing address, physical address, best phone no., & email address: _

Ben Wagner, 4334 SR 29 South, Noxen, PA 18636, wagnerb1215@yahoo.com, 910-740-0439

If applicant is an entity, please state nature of entity (LLC, 501(c)(3), sole proprietorship, etc).

_____ 501(c)(3) _____ Also check as appropriate below:

_____ Individual _____ church ☒ civic organization _____ school _____ other

Please state the primary activity(ies) of the applicant, and how long they have been engaged in said activities: ___Please see materials attached.

Please state the nature of the request, the amount sought, and the purpose for the funds requested (attach additional sheet if necessary). ___Requesting support of golf tournament on September 16, 2023 which will benefit first responders, veterans, and their caregivers.

To whom would the check be made, and what is that person or entity's relationship to the applicant? _____ Patriots Cove _____

What other funding has been or is being sought, and what other funds have already been received, for this purpose? _____ Entrance fees and other donations are being received on an ongoing basis.

Local government funds must be used to benefit the public as opposed to a limited few; please state how the funds you seek would satisfy this requirement: ___We believe the purposes as described above and in more detail in the enclosed materials are valid governmental public purposes.

_____/s/ Ben Wagner _____ 9/6/23 _____

Signature

Date

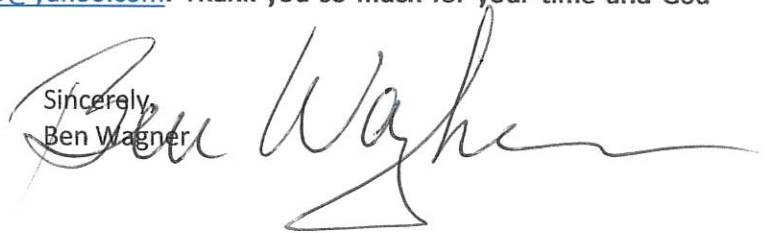
From: Ben Wagner (Volunteer member " Patriots Cove"

To: Council Members " City of Lumberton"

Subject: Patriots Cove Sponsorship

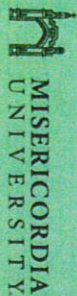
Council Members of the City of Lumberton, my name is Ben Wagner. Thank you for this opportunity to tell you about a topic that is near and dear to my Heart , those that have served our country and our community. I served our county as a Deputy Sheriff for 11 years and my country as a retired Master Sergeant of 21 years. I love my country and my community and that is why I support "Patriots Cove" a non-profit organization geared to helping those who have served as First Responders , Veterans and their caregivers to heal and adapt to life after service. We have several Veterans in Robeson County helping and supporting our efforts as well as businesses. I have two attached papers explaining our Mission and an upcoming Golf Tournament at Pinecrest Golf Club on Saturday the 16th of September starting at 11:30 am. Each and everyone of you are invited to come see some of the great things happening in our wonderful Robeson County. I feel this is a very worthy cause in need of your monetary support. Here are some ways you can help.(A.) By sponsoring a Golf Team \$280 (B) By becoming a Gold Sponsor \$500, Silver Sponsor \$250 or Bronze Sponsor \$100. This is gonna be a great event on the 16th of September so please come out and support us. My contact information is 910-740-0439 or you may email me at wagnerb1215@yahoo.com. Thank you so much for your time and God Bless You.

Sincerely,
Ben Wagner



Attachment: Patriots Cove Sponsorship Letter (4059 : P7 - CRF - Patriots Cove 2nd Annual Golf Tournament)

Design services provided by Service by Design, a student media organization sponsored by the Department of Mass Communications and Design at Misericordia University.



To all the PC Team
Thank you for your efforts and dedication to what Patriots Cove is all about. By doing what you do lives are touched beyond belief.
- Mike



For more information about events:

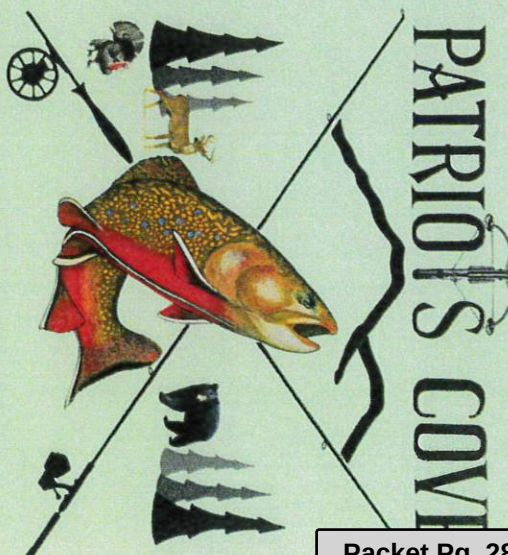
Phone: 814-934-6812

Email: info@patriotscove.org

Address: 4334 SR 29 South, Noxen, PA



Scan the QR code to connect with us or register for an event. Or find us at www.patriotscove.org



SERVING THOSE WHO SERVED US

Patriots Cove is a non-profit 501(c)(3) organization in northeastern Pennsylvania and founded by a military veteran and his spouse to empower other veterans, first responders, and their caregivers to heal and adapt to life after service.

Military, Veterans, and First Responders:

Cove outdoor retreats and caregiver activities are exclusive to veterans and first responders with service-connected injuries and illnesses, as well as those caring and advocating for their needs. Outdoor and Caregiver Community events provide free meals, lodging, and equipment.

Retreats and Activities:

- i Fishing
- i Hunting
- i Fly-Tying
- i Fishing Tournaments



Our Mission:

Helping veterans, first responders, and their caregivers heal. Promote camaraderie through service to others.



Patriots Cove is an amazing place where veterans can come and hangout with other Brothers and Sisters who understand. There's no judgment, only fellowship. - Chad

Our property:

18-acre refuge nestled in the northeastern mountains of Pennsylvania, including a mile-long trout stream and fruit orchard. The Cove is wheelchair accessible with two lodge homes, an activities center, an outdoor pavilion, fishing docks, trails, rest areas, and a campfire pit.



It's a place for caring, sharing, and native brook trout. How could you possibly beat that? - Scott

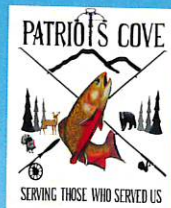


Patriots Cove is absolutely amazing. My husband enjoyed some great fishing with some great people and I was able to spend time with other caregivers. I laughed and made new friends. - Nicole

PATRIOTS COVE 2ND ANNUAL

GOLF

TOURNAMENT



September 16, 2023

Pine Crest Country Club

Registration at noon

Start at 1 pm

SPONSOR PACKAGES

GOLD \$500
SILVER \$250
BRONZE \$100

Price \$70 per player
 \$280 per team

Mulligans &
 Red Tees Included

Contacts Mike Ivey 910-536-8408

Dennis Kinlaw 910-827-0834

Ben Wagner 910-740-0439

"Serving Those Who Served Us"

Benefits: Helping Veterans, First Responders and Care Givers

Attachment: Patriots Cove Sponsorship Letter (4059 : P7 - CRF - Patriots Cove 2nd Annual Golf Tournament)



2nd Annual Cheer Xcel Booster Club Open

Sponsor a Hole \$100

- Business name will be placed on a sign at a hole on the course.
- In Memory of Sign placed at a hole on the course.

Silver Sponsor \$250.00

- Business name will be placed on a sign at a hole on the course.
- Business name will be placed on a banner and displayed at Golf tournament.

Gold Sponsor \$500.00

- Business name will be placed on a sign at a hole on the course.
- Business name will be placed on a banner and displayed at Golf tournament.
- Three-person team to play in tournament.

Sponsorship Chosen: _____

Company Name: _____

Phone #: _____

Make checks payable to Cheer Xcel Booster:

EIN# 93-2084156

Contact:

Tennille Lowery: 910-785-0602
Lindsay Hunt: 919-889-5967

Hollie Davis: 910-251-0000

www.cheerxcelallstars.com

Mitchell-Mcintosh, Laney

From: Owen Thomas <ojt001@icloud.com>
Sent: Thursday, September 7, 2023 11:55 AM
To: Mitchell-Mcintosh, Laney
Subject: Crf Christmas show

Hey please put me 250, Leroy 250, Eric 250 and any others

Attachment: Crf Christmas show (4084 : P8 - - CRF for 12th Annual Robeson County Christmas Show)

Greetings:

We're reaching out to the community and local businesses to help gain n seasonal production, **"The 12th annual Robeson County Christmas Sh**

Our annual sell-out attracting more than 5,000 attendees "The 12th annual created and directed by the theater's resident artist, Kendrix Singletary, i musical revue for the entire family features the best regional singers and dancing of "The Civettes" as well as performances by the show's youth be beautifully decorated for Christmas, and of course, there will be speci Snowman, The Grinch, and Santa Claus! Because it is a professionally e this magnitude requires a great deal of effort and resources to produce. S Carolina Civic Center has received a great deal of recognition and has be *Weekend*, and *Time Warner's "Around the Carolinas"* and others.

As a valued supporter you will join other civic-minded, culturally active that support the arts and understand the importance of the arts in this cor with a most worthy cause of promoting the art of live entertainment, you show, and advertisement in our program.

It is our hope to keep this production an annual Christmas tradition at the for many years to come. With proper advertising and marketing this sho

Ad Sale Form

Your support for this production is greatly appreciated and your success. Thank you again

Please select how you wish to show

_____ CASH DONATION (

_____ SHOW SUPPORT SPONSOR

_____ SHOW AD FULL PAGE

_____ SHOW AD HALF PAGE

PLEASE INDICATE HOW YOU WOULD LIKE YOUR AD TO

_____ Ad slick enclosed

_____ I will send my advertising information via email to Jon

_____ Please create my ad, I trust

_____ Please print my ad as it appears

Attachment: Crf Christmas show (4084 : P8 - - CRF for 12th Annual Robeson County Christmas Show)

Owen Thomas

Sent from my iPhone

Attachment: Crf Christmas show (4084 : P8 - - CRF for 12th Annual Robeson County Christmas Show)

THE **ADAMS COMPANY** INC.

ENGINEERING AND DESIGN

708 Abner Phillips Road
Warsaw, North Carolina 28398
Phone (910) 293-2770
Fax (910) 293-2766
Firm License No. C-4438

MEMO

To: Stephanie Canady

From: L. Ben Jones

Subject: Recommendation of Award (Surveying)
2021 Lumberton CDBG-NR

Date: September 6, 2023

The following Surveying Companies were contacted by phone or email and expressed interest in providing surveying services for Lumberton's CDBG-NR Program.

Johnny J. Williams Land Surveying
P.O. Box 778
Beulaville, NC 28518

Anderson Surveying
202 East 5th St.
Tabor City, NC 28463

Soles & Walker Land Surveying
205 S Cypress St.,
Elizabethtown, NC 28337

We recommend that surveying services be awarded to Anderson Surveying based on his qualifications at a cost of \$1,000 per lot. Please confirm acceptance of this recommendation by signature below.

City of Lumberton

Bruce Davis, Mayor

Date

Attachment: Lt21 Memo Survey.ROA (4094 : CDBG-NR Surveying Services)

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Firm License No. C-4438

MEMO

To: Stephanie Canady

From: L. Ben Jones

Subject: Recommendation of Award (Legal Services)
2021 Lumberton CDBG-NR

Date: September 6, 2023

The following Attorneys were contacted by phone or email and expressed interest in providing legal services for Lumberton's CDBG-NR Program.

William Grey, JD, Town Attorney.
3662 Big Oak Rd.
Kinston, NC

Robert E. Price Law Firm
408 N Chestnut St,
Lumberton, NC

Huggins Davis & Associates, LLP
503 N Elm St.,
Lumberton, NC

We recommend that legal services be awarded to the Robert E. Price Law Firm at a cost of \$350.00 per title opinion because he is priced the best and has a good relationship with the city. Please confirm acceptance of this recommendation by signature below.

City of Lumberton

Bruce Davis, Mayor

Date

Attachment: Lt21 Memo Legal.ROA (4093 : CDBG-NR Legal Services)

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ENGINEERING AND DESIGN

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Warsaw, North Carolina 28398

Phone (910) 293-2770

Fax (910) 293-2766

Firm License No. C-4438

MEMO

To: Stephanie Canady

From: L. Ben Jones

Subject: Recommendation of Award (Asbestos Inspection)
2021 Lumberton CDBG-NR

Date: September 6, 2023

The following Asbestos Companies were contacted by phone or email and expressed interest in providing asbestos inspection services for Lumberton's CDBG-NR Program.

Keenan Construction & Consulting Co.
542 Long Leaf Acres Dr
Wilmington, NC

Matrix Health & Safety
2900 Yonkers Rd.
Raleigh, NC

Phoenix EnviroCorp
4020 Chipyard Blvd A,
Wilmington, NC

We recommend that asbestos inspection services be awarded to Keenan Construction at a cost of \$575.00 per property for inspection and \$75.00 per property for clearance. Please confirm acceptance of this recommendation by signature below.

City of Lumberton

Bruce Davis, Mayor

Date

Attachment: Lt21 Memo Asbestos.ROA (4092 : CDBG-NR Asbestos Services)