

REVISED

**GOLDSBORO CITY COUNCIL
REGULAR MEETING AGENDA
MONDAY, FEBRUARY 12, 2024**



(Please turn off, or silence, all cellphones upon entering the Meeting)

I. WORK SESSION-5:00 P.M. – LARGE CONF. RM, CITY HALL ADDITION, 200 N. CENTER ST., ROOM 206

1. ROLL CALL

2. ADOPTION OF THE AGENDA

3. OLD BUSINESS

- a. Goldsboro Collection System Phase 3 Update (WCDA and TA Loving)
- b. WWTP Expansion Update (City Manager's Office)
- c. Public Safety Complex Update (Public Works)
- d. HOME-ARP Update (Community Relations & Development)
- e. Goldsboro Police Department Salary Proposal (Police)
- f. Boards and Commissions Vacancy Discussion (City Manager's Office)

4. NEW BUSINESS

II. CALL TO ORDER – 7:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER STREET

Invocation (Rev. Dr. Noé Juarez, First Presbyterian Church)
Pledge of Allegiance

III. ROLL CALL

IV. PRESENTATIONS

- A. Employee Performance Awards
- B. Resolution Expressing Appreciation for Services Rendered by Jeffrey Cooke as an Employee of The City of Goldsboro for More Than 34 Years

V. PUBLIC HEARINGS

Withdrawn

- C. Z-18-23 Borden Mills Lofts Residential (R-6) and General Industrial (I-2) to Residential (R-6) Conditional Zoning District – Northeast and Northwest side of the intersection of Royal Avenue and North William Street (Planning) – **Continued from January 8, 2024**
- D. SU-04-24 Convenience Store with Fuel (Planning) **Continued to March 18, 2024**

VI. PUBLIC COMMENT PERIOD

VII. CONSENT AGENDA ITEMS

- E. Designation of a City Official to make recommendations to the North Carolina ABC Commission for ABC Permits (Planning)
- F. Non-Contiguous (Satellite) Annexation Petition – Benjamin Carl Price – Corner of S. US 117 Hwy., S. US 13 Hwy., and Carolina Street (Planning)
- G. Establishing and adopting a Preaudit and Disbursement Policy (FINP-016.0) (Finance)
- H. Authorization of sale of jointly owned property for 111 W. Pine Street (Henry Battle) (Finance)
- I. Resolution to approve master cost per copy rental contract agreement with CopyPro (Finance)
- J. Establishing and adopting a Utility Customer Service Policy and Procedure Manual for Utility Billing and Revenue Collection (FINP-017.0) (Finance)
- K. Establishing and adopting an Identity Theft Prevention Program (Red Flag) Policy for Utility Billing and Revenue Collection (FINP-018.0) (Finance)
- L. Homebuyer Assistance Program Policy Update (Community Relations & Development)
- M. Residential Construction Management Policy (Community Relations & Development)
- N. Early Loan Forgiveness for 2019 Urgent Repair Program Deceased Recipient Emma L. Jones (Community Relations & Development)
- O. Resolution Approving the Engineering Procedures Manual (Engineering)

- P. Resolution accepting the grant and authorizing the City Manager and Engineering Services Manager to execute documents related to the NC State Appropriations Act of 2023 funding for the City of Goldsboro (Engineering)
- Q. Resolution Authorizing the City Manager to Execute a Contract with the NC State University Coastal Dynamics Design Lab (CDDL) for Professional Services in reference to the Big Ditch Stream Restoration and Infrastructure Improvements (Engineering)
- R. Welcome Sign Agreement (Parks and Recreation)
- S. North Carolina Main Street – Temporary Street Closure (March 12 thru March 14) (Police)
- T. St. Baldrick’s “Cuts for Cures” Event – Temporary Street Closure (Police)
- U. Public Safety Complex Repairs (Public Works)
- V. Public Comment Period and Public Hearing Policy Revision (City Manager’s Office)
- W. Ratification of Boards and Commission Appointment Resolution 2021-82 and 2023-41 (City Manager’s Office)
- X. Advisory Boards and Commissions Appointments (City Manager’s Office)
- Y. Amending Chapter 30: City Council, of the City of Goldsboro’s Code of Ordinances (City Manager’s Office)
- Z. Amending Chapter 72: Stopping, Standing and Parking, of the City of Goldsboro’s Code of Ordinances (City Manager’s Office)
- AA. Establishing and adopting a Utility Customer Adjustment Policy for Utility Billing and Revenue Collection (FINP-019.0) (Finance)
- BB. Adoption of a Resolution approving the revised City of Goldsboro Travel Policy (FINP-020.0) (Finance)

VIII. ITEMS REQUIRING INDIVIDUAL ACTION

- CC. Demolition of City owned property located at 612 S. John Street (Code Enforcement)
- DD. Resolution Authorizing an Increase in Police Department Salaries (Police)

IX. CITY MANAGER’S REPORT

X. CEREMONIAL DOCUMENTS

XI. MAYOR AND COUNCILMEMBERS’ COMMENTS

XII. CLOSED SESSION

EE. Agreement and General Release of City Manager Tim Salmon

XIII. ADJOURN

Wayne County Development Alliance
Mount Olive Pickle Company Sewer Improvements
State Fiscal Recovery Funds (SFRF) - Grant #58567
Goals and Accomplishments as of December 31, 2023

<p>Project Objective: Make upgrades and improvements to the City of Goldsboro's wastewater system in a way designed to accommodate Mount Olive Pickle Company's (MOPCO) pickle processing operation at its newly acquired facility in the City of Goldsboro.</p>	<p>Proposed Completion of all Work: <u>October 2025</u></p>
Goals	Accomplishments
<p><u>Engineering Services</u></p> <p>Preconstruction Engineering, Surveying, and Design of wastewater facilities to serve MOPCO by WithersRavenel engineering firm.</p> <p>Phase 1 Constuction</p>	<p>100% Complete</p>
<p>Rehabilitate existing sewer pump station at MOPCO to meet sewer demands of new pickle production facility.</p> <p>Install new sewer force mains and gravity sewer lines to connect MOPC sewer pump station to existing gravity sewer line manhole in Jeffery's Lane.</p> <p>Install wastewater pretreatment facilities at MOPCO to meet industrial discharge standards of the City of Goldsboro prior to the wastewater entering the pump station.</p> <p>Phase 2 Construction</p>	<p>100% Complete</p> <p>100% Complete</p> <p>100% Complete</p>
<p>Construct new River Bend Sewer Pump Station and appurtenances to replace two existing inadequate pump stations located in the floodplain.</p> <p>Decommission two existing sewer pump stations.</p> <p>Install new sewer force mains and gravity sewer lines to connect the River Bend Pump Station to force main at MOPCO pump station.</p> <p>Phase 3 Construction</p>	<p>55% Complete</p> <p>60% Complete</p>
<p>Rehabilitate existing US Hwy 117 sewer pump station to accommodate sewer flow from MOPCO's pickle production processes.</p> <p>Install new sewer force mains and gravity sewer lines from US 117 pump station, across US Hwy 117, and to an existing manhole and sewer line near George St that will accommodate MOPCO's increased sewer flow.</p>	<p>Work delayed due to insufficient grant funding. City of Goldsboro received \$5,000,000 FY 2023-2024 appropriation from General Assembly for sewer project. WCDA to combine remaining SFRF funds and City contribution to accomplish Phase 3 construction. Change Order for Phase 3 to be executed in early 2024.</p>

Wayne County Development Alliance
Mount Olive Pickle Company Sewer Improvements
State Fiscal Recovery Funds (SFRF) - Grant #58567
Revised Revenues and Expenditures - Phase 1, 2, & 3

	Budget	Funds Received: Advance Requests #1-#5	Grant Funds Remaining (Not Requested)
<u>Revenues</u>			
SFRF Grant Funds Construction	\$ 20,680,000.00	\$ 18,766,662.00	\$ 1,913,338.00
City of Goldsboro Grant Contribution	\$ 5,000,000.00	\$ -	\$ 5,000,000.00
Subtotal Construction	\$ 25,680,000.00	\$ 18,766,662.00	\$ 6,913,338.00
SFRF Administration	\$ 660,000.00	\$ 430,000.00	\$ 230,000.00
TOTAL REVENUES*	\$ 26,340,000.00	\$ 19,196,662.00	\$ 7,143,338.00

	Contract	Payments	Balance
<u>Expenditures</u>			
Construction			
T A Loving Company Payments #1-#11**	\$ 23,600,405.00	\$ 11,626,122.46	\$ 11,974,282.54
WithersRavenel (WR) Design Services	\$ 3,200,000.00	\$ 3,200,000.00	\$ -
Non-Contact Cooling Permit-WR	\$ 35,000.00	\$ 35,000.00	\$ -
Ash St Easement-State Property Office	\$ 3,960.00	\$ 3,960.00	\$ -
<u>Estimated</u> Carver Blvd Easement Costs***	\$ 17,000.00	\$ -	\$ 17,000.00
Apply Grant Contingency to Construction	\$ -	\$ -	\$ -
Total Construction	\$ 26,856,365.00	\$ 14,865,082.46	\$ 11,991,282.54
Administration			
WCDA	\$ 320,000.00	\$ -	\$ 320,000.00
RSM Harris Associates Inc	\$ 330,000.00	\$ -	\$ 330,000.00
Saylors Real Estate & Appraisals LLC	\$ 5,000.00	\$ 3,500.00	\$ 1,500.00
The L. Williford Company Inc (Appraiser)	\$ 5,000.00	\$ 3,500.00	\$ 1,500.00
Total Administration	\$ 660,000.00	\$ 7,000.00	\$ 653,000.00
TOTAL EXPENDITURES	\$ 27,516,365.00	\$ 14,872,082.46	\$ 12,644,282.54
Budget Shortfall (from City)	\$ (1,176,365.00)		

* Does not include City local contribution.

**T A Loving Contract contains \$463,930.70 in contract contingencies for unforeseen expenses to be used by the contractor for Phases 1, 2, & 3. Any balance remaining after construction goes to WCDA. (i.e. WCDA applies to construction costs and reduces City's costs)

*****Estimated Carver Blvd Easement Costs**

Carver Blvd Easement Offer Amount	\$ 3,500.00
Depriest St/Carver Blvd Offer Amount	\$ 3,500.00
Legal Fees for Condemnation	\$ 10,000.00
Total	\$ 17,000.00

Wayne County Development Alliance
Mount Olive Pickle Company Sewer Improvements
State Fiscal Recovery Funds (SFRF) - Grant #58567
Status of T A Loving Contract - Phase 1, 2, & 3

	Contract	Payments #1-#11	Balance
<u>T A Loving Contract - Sewer Construction</u>			
Phase 1A - Ash St Pump Station - MOPC	\$ 3,041,000.00	\$ 3,021,578.87	\$ 19,421.13
Phase 1B - Pretreatment Facilities	\$ 2,300,500.00	\$ 2,183,602.11	\$ 116,897.89
Contract Contingency	\$ 530,000.00	\$ 349,258.44	\$ 180,741.56
Subtotal Phase 1	\$ 5,871,500.00	\$ 5,554,439.42	\$ 317,060.58
Phase 2 Pipe	\$ 4,495,337.00	\$ 3,726,211.11	\$ 769,125.89
Phase 2 River Bend Pump Station	\$ 6,028,163.00	\$ 2,173,413.00	\$ 3,854,750.00
Contract Contingency	\$ 305,000.00	\$ 21,810.86	\$ 283,189.14
Subtotal Phase 2	\$ 10,828,500.00	\$ 5,921,434.97	\$ 4,907,065.03
Stored Materials	\$ -	\$ 150,248.06	\$ (150,248.06)
Phase 3 - US Hwy 117 Pump Station	\$ 6,900,405.00	\$ -	\$ 6,900,405.00
Total Sewer Construction Contract	\$ 23,600,405.00	\$ 11,626,122.45	\$ 11,974,282.55
<u>Breakdown Contract and Contingencies</u>			
Contraction Phases 1, 2, & 3	\$ 22,765,405.00	\$ 11,255,053.15	\$ 11,510,351.85
Contract Contingencies	\$ 835,000.00	\$ 371,069.30	\$ 463,930.70
Total Sewer Construction Contract	\$ 23,600,405.00	\$ 11,626,122.45	\$ 11,974,282.55

Project Butter

Mt. Olive Pickle Co – Goldsboro Plant

Status Update for
City of Goldsboro Collection System Enhancements



Project Outcomes Specific to Project

- \$35 million private capital investment
- Created 167 new jobs
- Secured \$22 million grant for collection system improvements
- Secured additional \$5 million allocation 2023-24 state budget

Added Benefit

- Addressed items previously identified by staff and engineers in the Sewer Asset Management Plan
 - \$3,231,900 - Replace Little Cherry to Highway 117 Pump Station Outfall
 - \$8,262,000 - Replace RCP Sewer main Big Ditch Stream
 - \$6,840,000 – Install Force Main and Pump Station for Fork Township
 - \$27,000 – Replace Little Cherry Force Main



GOLDSBORO PLANT

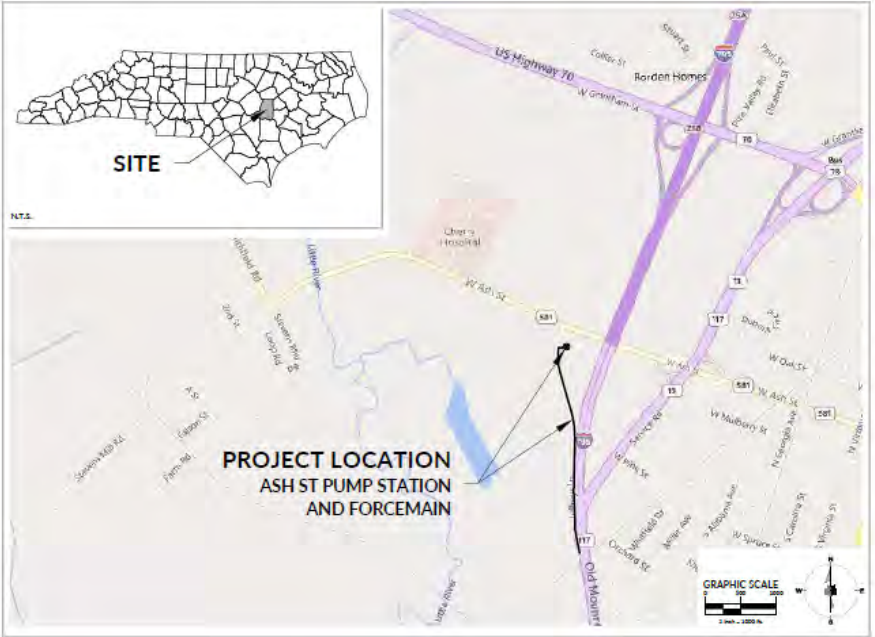
CONSTRUCTION PLANS

DESIGN BUILD SERVICES

FOR GOLDSBORO COLLECTION SYSTEM IMPROVEMENTS

PHASE I - ASH ST PUMP STATION IMPROVEMENTS

GOLDSBORO, NC | WAYNE COUNTY
SEPTEMBER 19, 2022



INDEX OF SHEETS	
NUMBER	TITLE
	COVER
G1.00	GENERAL NOTES AND LEGEND
C1.00	EXISTING CONDITIONS AND DEMOLITION PLAN
C1.01	PUMP STATION SITE PLAN
C2.00	PLAN AND PROFILE 10+00 - 24+50
C2.01	PLAN AND PROFILE 24+50 - END
C3.00	CIVIL DETAILS
M1.00	PUMP STATION MECHANICAL PLAN AND SECTION
M2.00	MECHANICAL DETAILS

SURVEY BENCHMARK

BENCHMARK IS LOCAL TO SITE.
SEE SHEET C1.00 FOR BENCHMARK INFORMATION.
VERTICAL DATUM BASED ON NAVD 88.

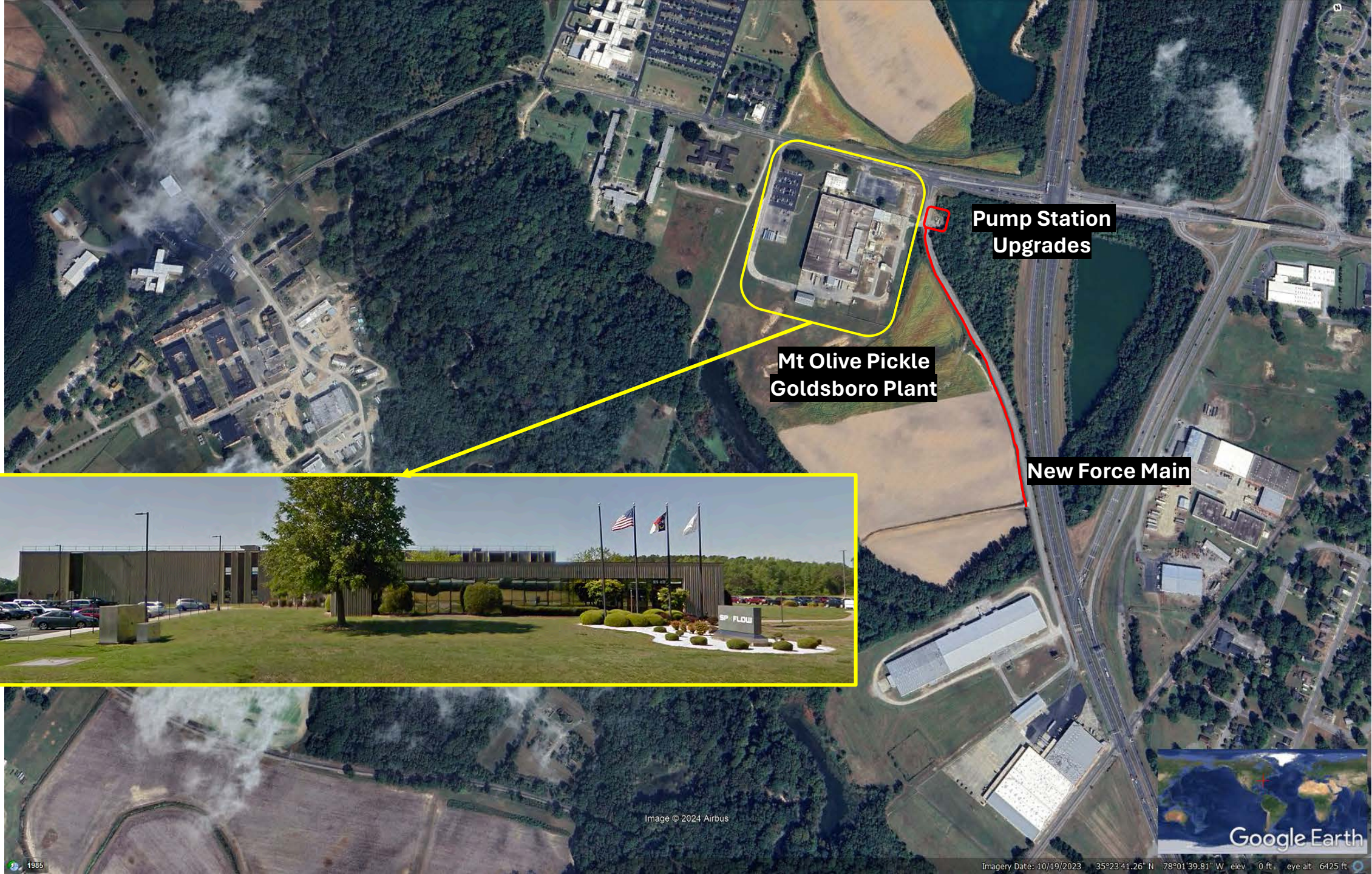


Image © 2024 Airbus

Google Earth

Imagery Date: 10/19/2023 35°23'41.26" N 78°01'39.81" W elev 0 ft eye alt 6425 ft



PHASE I CONSTRUCTION

CONSTRUCTION PLANS

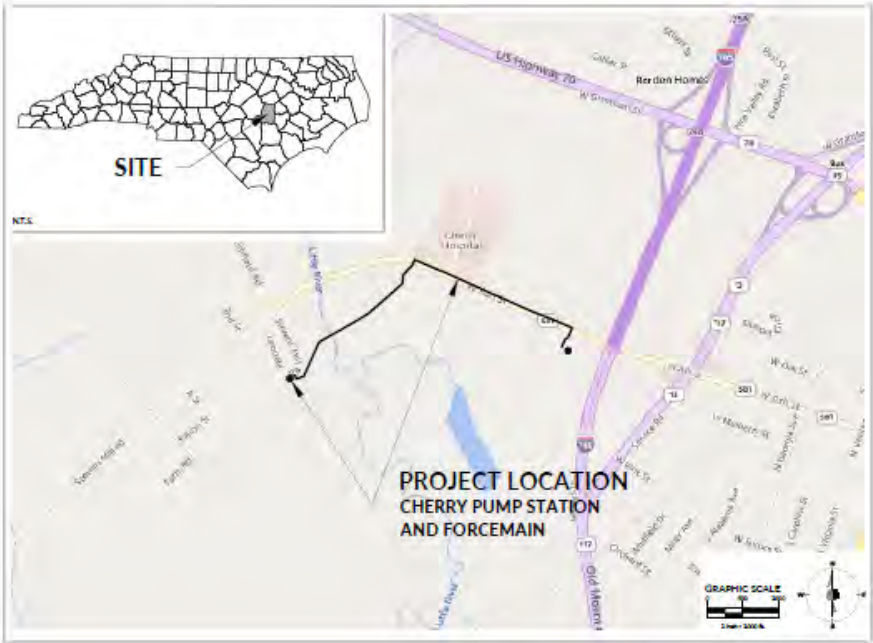
DESIGN BUILD SERVICES

FOR GOLDSBORO COLLECTION SYSTEM IMPROVEMNETS

PHASE II

GOLDSBORO, NC | WAYNE COUNTY

AUGUST 8, 2022



INDEX OF SHEETS

NUMBER	TITLE
G1.00	GENERAL NOTES AND LEGEND
C1.00	PUMP STATION SITE PLAN
C2.00	FORCEMAIN PLAN & PROFILE 10+00 - 24+00
C2.01	FORCEMAIN PLAN & PROFILE 14+00 - 38+00
C2.02	FORCEMAIN PLAN & PROFILE 38+00 - 52+00
C2.03	FORCEMAIN PLAN & PROFILE 52+00 - END
C2.04	GRAVITY SEWER LINE 'A' PLAN & PROFILE
C2.05	GRAVITY SEWER LINE 'B' & 'C' PLAN & PROFILE

SURVEY BENCHMARK

BENCHMARK IS LOCAL TO SITE.
SEE SHEET XXXX FOR BENCHMARK INFORMATION.
VERTICAL DATUM BASED ON NAVD 88.

New Force Main

**Decommission
Little Cherry
Pump Station**

**New River Bend
Pump Station**

**Mt Olive Pickle
Goldsboro Plant**

**Decommission
Big Cherry
Pump Station**

Image © 2024 Airbus

Google Earth

Imagery Date: 10/19/2023 35°23'41.26" N 78°01'39.81" W elev 0 ft eye alt 6425 ft



PHASE II CONSTRUCTION

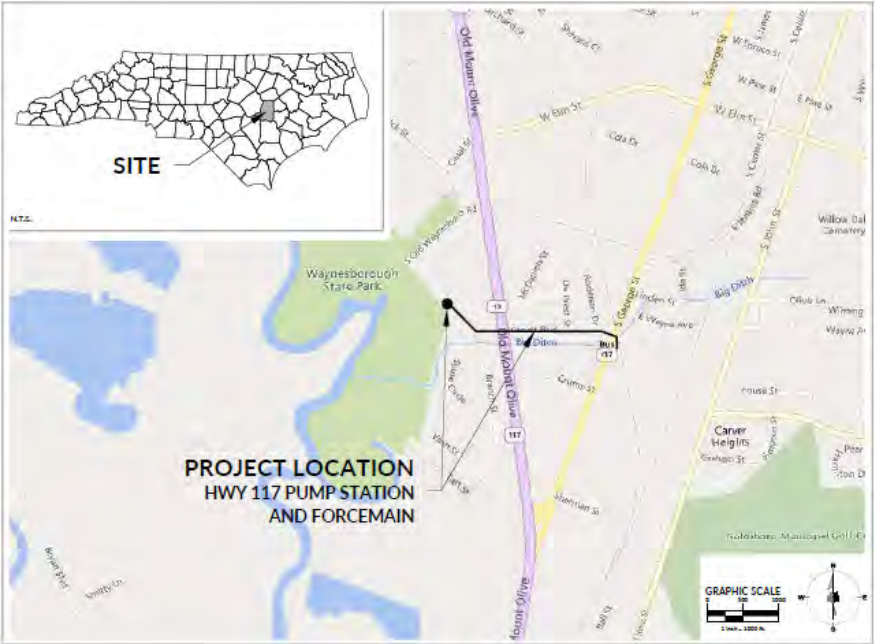
CONSTRUCTION PLANS

GOLDSBORO COLLECTION SYSTEM IMPROVEMENTS

PHASE III

HWY 117 PUMP STATION IMPROVEMENTS

GOLDSBORO, NC | WAYNE COUNTY
FEBRUARY 6, 2023



SURVEY BENCHMARK

BENCHMARK IS LOCAL TO SITE.
SEE SHEET C2.00 FOR BENCHMARK INFORMATION.
VERTICAL DATUM BASED ON NAVD 88.

INDEX OF SHEETS

NUMBER	TITLE
—	COVER
G1.00	GENERAL NOTES AND LEGEND
C1.00	WESTBROOK PUMP STATION SITE PLAN
C1.01	HWY 117 PUMP STATION SITE PLAN
C2.00	FORCEMAIN PLAN & PROFILE 10+00 - 24+00
C2.01	FORCEMAIN PLAN & PROFILE 24+00 - END
C3.00	CIVIL DETAILS
C3.01	CIVIL DETAILS
C4.00	NCG01
C4.01	EROSION CONTROL NOTES
C4.02	EROSION CONTROL DETAILS
C4.03	EROSION CONTROL DETAILS
M1.00	HWY117 PUMP STATION BARSCREEN MODIFICATIONS
M1.01	HWY 117 PUMP STATION DEMOLITION PLAN
M1.02	HWY 117 PUMP STATION MODIFICATIONS
E0.01	ELECTRICAL LEGEND AND ABBREVIATIONS
E1.01	MCC ONE LINE DIAGRAM
E1.02	CONTROL SCHEMATICS
E2.00	ELECTRICAL DEMO PLAN
E2.01	ELECTRICAL POWER PLAN PUMP STATION
E3.01	ELECTRICAL POWER PLAN BAR SCREEN

**117 Pump Station
Upgrades**

**Properties
Needing Acquired**

New Force Main

Image © 2024 Airbus



Google Earth

Questions?

HOME-ARP Update

Community Relations & Development
Feb. 12, 2024



Allocation Breakdown



Total Allocation	\$907,913
Administration (15%)	\$136,186.95
Remaining Allocation	\$771,726.05
Non-Congregate Shelter (60%)	\$463,035.63
Supportive Services (40%)	\$308,690.42

Timeline of Events

- Oct. 17, 2022: Invited non-profits made presentations to Council on how their respective agencies could best utilize HOME-ARP funding.
- Dec. 19, 2022 : CR&D updated Council and informed that the initial focus for HOME-ARP dollars should be centered on which eligible activities the City wishes to fund. Council moved to use funding for Non-congregate Shelter (NCS) & Supportive Services.
- Jan. 10, 2023: CCRD agreed to recommend to Council that the HOME-ARP allocation be split at 60% for NCS and 40% for Supportive Services.
- Jan. 23, 2023: CR&D and CCRD presented to Council. CCRD Chair made the recommendation of the 60/40 allocation split. Council moved to distribute remaining funds (minus 15% Admin. dollars) at the 60/40 split as recommended.



Timeline of Events, cont.'d..

- Throughout 2023: CR&D staff combed through regulations and developed required policies and standard operating procedures for Non-Congregate Shelter, Supporting Services, and Underwriting/Subsidy Layering for HOME-ARP, as well as an RFP-Application for NCS & SS; Sought out potential suitable properties; met with interested community stakeholders; had discussions with interested agencies.
- Oct. 17, 2023 : Ahead of the RFP-Application launch, CR&D held an advertised public HOME-ARP Non-Congregate Shelter & Supportive Services Pre-Application Information Session at City Hall. *There were 4 attendees (Self-certifying homeless citizen, United Way Rep., City Council Candidate, City Employee)
- Oct. 30, 2023: The City published the RFP-Application through the City's Bid Listing Portal and made an official announcement of Notice of Funding Availability (NOFA) on the City's website. *1 sealed bid was received but not opened due to lack of competition.



HOME-ARP: Effective Administration of Funds

HOME-ARP is a one-time allocation to be used for strategic local investments in housing, homelessness assistance, and supportive services. implementation.

Participating Jurisdictions (PJs) are responsible for managing the day-to-day operations of HOME-ARP programs and should assess and expand capacity as needed to ensure effective program implementation.

- Identify the knowledge, skills, and abilities necessary for development, performance, and compliance
- Assess gaps in current internal capacity

Assess Internal Capacity

Assess External Capacity

- Assess capacity of existing and potential subrecipient, state recipient, and development partners
- Identify the knowledge, skills, and abilities of external partners
- Evaluate how your partners can support short-term and long-term success

Expand Capacity

- Hire temporary or permanent staff to fill gaps
- Use consultants to meet capacity needs, such as hiring an underwriter or construction manager for a rental project

Reminder!

HOME-ARP provides PJs with the flexibility to fund non-profit operating and capacity building assistance.

Use this funding to ensure your non-profit partners hire staff and authorize training opportunities needed to carry out HOME-ARP activities.



HOME-ARP: Pillars of Success



Ensure your team has the skills necessary to support a successful HOME-ARP program through September 2030.

HOME-ARP: Pillars of Success

Program Administration

Underwriting and Due Diligence tasks:

- Assess project viability and long-term financial feasibility for construction projects
- Determine funding gaps and confirm needed HOME-ARP investment for capital projects
- Assess and right-size HOME-ARP TBRA and supportive services assistance for qualifying populations

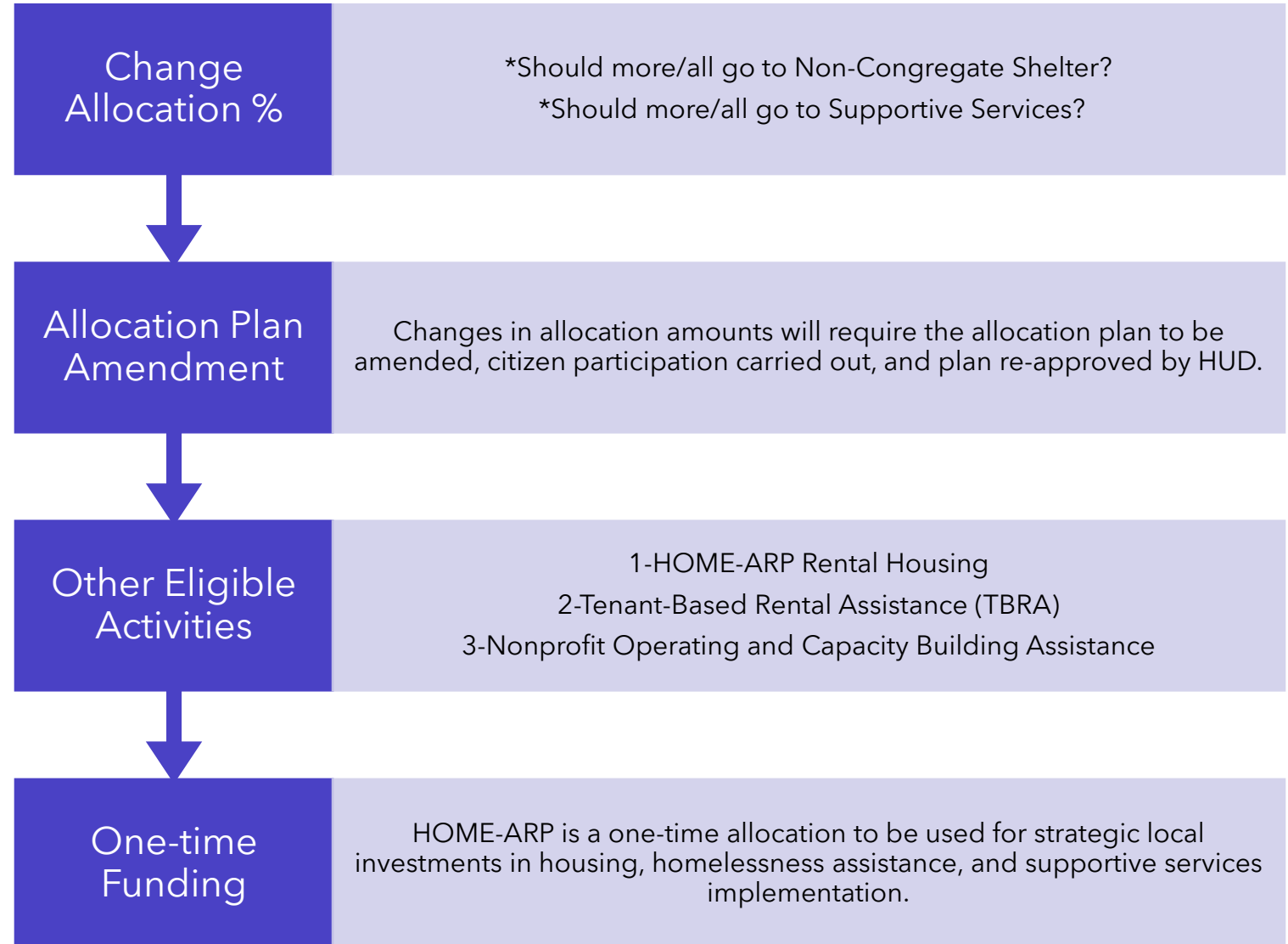
Policies and Procedures for:

- Administering HOME-ARP program (ongoing assessment of staff capacity, implement project selection process, and distribute funding)
- Operating non-congregate shelter, rental housing, tenant-based rental assistance, and supportive services projects
- Overseeing developers, subrecipients, and contractors

Asset Management of activities through the applicable program compliance period:

- Document Qualifying Population (QP) eligibility (at lease up) & income determinations (throughout tenancy)
- Inspect properties
- Complete required reporting
- Evaluate performance
- Prepare for audits
- Provide ongoing educational opportunities to ensure compliance during monitoring

For Consideration...





Thank you

Community Relations & Development

GOLDSBORO POLICE DEPARTMENT

Michael D. West, Chief of Police

February 12, 2024



SALARY COMPARISONS

ENTRY BASE	Goldsboro	WCSO	Wilson	Princeton	Kinston	Garner	Clayton	Smithfield	Raleigh	Chapel Hill
2024	\$47,739	\$50,000	\$49,859	\$45,385	\$41,288	\$54,708	\$54,392	\$49,773	\$50,301	\$50,000

Other Agency Incentives:

- Raeford PD offers \$2,500.00 sign on bonus and longevity
- RDU Airport Authority Police offers sign on bonuses based on experience from \$1,000 to \$10,000
- Edgecombe County SO offers longevity
- Southern Shores PD offers \$8,400 Cafeteria Plan (base pay, 401K contribution, insurance) and longevity
- Ayden PD offers \$3,000 sign on bonus
- Benson PD offers \$2,500 sign on bonus

Current GPD Incentives:

- CJ Standards Probation = 5%
- Sworn service/ military service = 1%/year
- Career Progression I, II, Senior = 5% (each level)
- Education = 2.5% to 5%
- Language = 5%
- FTO = 5%
- K9 Officer = 5%
- Traffic Officer = 5%

COST FY24

FY 24 ALL FUNDED (except 20 frozen)	ADOPTED	PROJECTED	DIFFERENCE
Total Approx. Salaries through FY 2024	\$5,787,592.80	\$5,851,381.70**	-63,788.90

** Plan B implemented on October 4, 2023; Vacancies: Major, Corporal and 8 Officer. If Plan A is implemented on March 6, 2024

PAY GRADE

Position		Current Pay Grade/Salary		Proposed Pay Grade (Plan A)	
	Police Officer Trainee	75	\$45,466.45 - \$71,837.01	76	\$47,739.78 - \$75,428.85
60	Police Officer	76	\$47,739.77 - \$75,428.85	77	\$50,126.77 - \$79,200.29
	Police Officer I	77	\$50,126.76 - \$79,200.29	78	\$52,633.10 - \$83,160.30
	Police Officer II	78	\$52,633.10 - \$83,160.30	79	\$55,264.75 - \$87,318.56
23	Senior Officer/ Corporal/ Investigator	79	\$55,264.75 - \$87,318.56	80	\$58,027.99 - \$91,684.24
11	Sergeant	81	\$60,929.39 - \$96,268.45	82	\$63,975.87 - \$101,081.86
8	Captain	83	\$67,174.65 - \$106,135.97	84	\$70,533.40 - \$111,442.76
3	Major	86	\$77,763.06 - \$122,865.98	86	\$77,763.07 - \$122,865.98
1	Chief	89	\$90,020.46 - \$139,443.48	89	\$90,020.47 - \$142,232.35
106					

SALARY RANGE

Police Major	\$ 104,910.18
Police Major	\$ 112,974.80
Police Major	\$ 91,035.00

Police Captain	\$ 94,987.23
Police Captain	\$ 99,836.04
Police Captain	\$ 89,651.53
Police Captain	\$ 96,307.87
Police Captain	\$ 96,088.57
Police Captain	\$ 93,749.36
Police Captain	\$ 94,629.11
Police Captain	\$ 96,408.35

Police Sergeant	\$ 86,040.19
Police Sergeant	\$ 77,243.70
Police Sergeant	\$ 82,335.61
Police Sergeant	\$ 81,658.78
Police Sergeant	\$ 87,714.73
Police Sergeant	\$ 88,116.68
Police Sergeant	\$ 90,733.22
Police Sergeant	\$ 75,951.87
Police Sergeant	\$ 90,491.54
Police Sergeant	\$ 87,855.94
Police Sergeant	\$ 79,491.75

Police Corporal	\$ 79,698.93
Police Corporal	\$ 69,512.74
Police Corporal	\$ 63,538.01
Police Corporal	\$ 90,485.47
Police Corporal	\$ 78,547.09
Police Corporal	\$ 68,593.07
Police Corporal	\$ 75,674.55
Police Corporal	\$ 70,050.67
Police Corporal	\$ 70,091.70
Police Corporal	\$ 63,527.36
Police Corporal	\$ 64,350.25

Police Investigator	\$ 63,538.01
Police Investigator	\$ 80,536.10
Police Investigator	\$ 72,335.12
Police Investigator	\$ 71,625.94
Police Investigator	\$ 73,409.38
Police Investigator	\$ 69,904.70
Police Investigator	\$ 65,777.73
Police Investigator	\$ 76,319.41
Police Investigator	\$ 86,226.15
Police Investigator	\$ 74,077.27
Police Investigator	\$ 64,906.37

SALARY RANGE

Police Officer	\$ 72,141.62
Police Officer	\$ 66,366.08
Police Officer	\$ 65,475.35
Police Officer	\$ 64,133.24
Police Officer	\$ 62,166.19
Police Officer	\$ 61,815.62
Police Officer	\$ 61,603.23
Police Officer	\$ 60,784.15
Police Officer	\$ 57,739.69
Police Officer	\$ 56,629.25
Police Officer	\$ 55,534.57
Police Officer	\$ 53,400.05
Police Officer	\$ 53,294.26
Police Officer	\$ 52,296.55

Police Officer	\$ 51,845.54
Police Officer	\$ 50,756.43
Police Officer	\$ 50,756.43
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Police Officer	\$ 50,756.43
Police Officer	\$ 50,756.43
Police Officer	\$ 50,126.77
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Police Officer	\$ 50,126.77
Police Officer	\$ 50,126.77
Police Officer	\$ 50,126.77
Police Officer	\$ 50,126.76
Police Officer	\$ 60,049.45

Police Officer	\$ 56,517.95
Police Officer	\$ 54,733.61
Police Officer	\$ 50,756.43
Police Officer	\$ 50,126.77
Police Officer	\$ 50,126.77
Police Officer	\$ 50,126.76
Police Officer (SRO)	\$ 57,144.51
Police Officer Trainee	\$ 57,516.61
Police Officer Trainee	\$ 55,014.42
Police Officer Trainee	\$ 52,628.34
Police Officer Trainee	\$ 52,513.76
Police Officer Trainee	\$ 50,126.76

COST FY25

FY 25 PROPOSAL A ALL FUNDED (except 20 frozen)	ADOPTED FY24	PROJECTED FY25	DIFFERENCE
Total Approx. Salaries	\$5,787,592.80	\$6,668,530.91	-\$880,938.11
Total Approx. Benefits (+27%)	\$1,562,650.06	\$1,800,503.35	-\$237,853.29
Total Salaries and Benefits	\$7,350,242.86	\$8,469,034.26	-\$1,118,791.40

FY 25 PROPOSAL A ALL FUNDED (except 10 frozen)	ADOPTED FY24	PROJECTED FY25	DIFFERENCE
Total Approx. Salaries	\$5,787,592.80	\$7,169,798.68	-1,382,205.88
Total Approx. Benefits (+27%)	\$1,562,650.06	\$1,935,845.62	-373,195.56
Total Salaries and Benefits	\$7,350,242.86	\$9,105,644.30	-1,755,401.44

QUESTIONS

Thank you for your time.

Chief Michael D. West

mwest@goldsboronc.gov

Office: 919-580-4231

CITY OF GOLDSBORO

THIS IS TO CERTIFY THAT

THE EMPLOYEE OF THE QUARTER AWARD (2nd Quarter, Fiscal Year 2023-2024)

HAS BEEN AWARDED TO
SUSAN THORNTON
FOR
OUTSTANDING ACHIEVEMENT

Susan Thornton has shown outstanding work and exemplary leadership in her role as Senior Human Resources Consultant. She has been an employee of the City of Goldsboro since November 2018, and has an enormous yet quiet impact.

Susan not only provides day-to-day oversight of the employees pay and compensation programs, but she is also a tireless advocate for the well-being of all employees. She is the system matter expert for our HRIS System (Neogov), and tirelessly administers and trains all staff on its daily operations. Susan is cross trained in all areas of HR, and is the backup for onboarding, benefits, retirement, disability, administrative and management duties, assists with employee health and drug screens, is highly capable of enforcing OSHA guidelines, and administering worker compensation and Family Leave Act programs.

Susan is the face of our training and recruitment; she provides tours and gives presentations to visitors and perspective employees. Susan takes an active role in the success of our employees, welcoming them by sharing employment tips, and encouraging them to work together and collaborate throughout their employment. Susan has an open-door policy for everyone and works tirelessly; well beyond a normal work week.

Susan possesses all of the qualities of any true leader. She demonstrates daily our values of professionalism, integrity, and customer focus, as well as caring, respect, humility, commitment, dedication, humor, empathy, transparency, hard work, and resiliency. A true HR Professional, Susan's work ethic and accomplishments reflect well on herself and the City of Goldsboro.

AWARDED THIS DAY
FEBRUARY 12, 2024


CHARLES GAYLOR, IV
Mayor
City of Goldsboro




TIMOTHY SALMON
City Manager
City of Goldsboro

CITY OF GOLDSBORO

THIS IS TO CERTIFY THAT

THE SUPERVISOR OF THE QUARTER AWARD (2nd Quarter, Fiscal Year 2023-2024)

HAS BEEN AWARDED TO
MATTHEW LANGLEY
FOR
OUTSTANDING ACHIEVEMENT

Matthew Langley is the Distribution Operations Manager for the Distribution and Collections Division of the Public Works Department. He always strives to improve the Division as a whole, which has been even more apparent in his accomplishments in recent months. His can-do attitude, steadfast dedication, and determination, enable his team to resolve every challenge; ensuring customer needs are met, while improving procedures and saving thousands of dollars.

Matthew approaches every task from a customer-first perspective, scheduling repairs to limit the negative impact on local businesses. In the last three months his team has completed a total of 119 work orders. In addition to routine maintenance, Matthew has played a key leadership role in the William Street widening and the Mt. Olive Pickle projects, actively participating in meetings to ensure success of the projects.

In November, Matthew took the lead to repair a significant sewer manhole failure. He coordinated getting bypass pumps set up, preventing sewage from backing up into resident's homes and averting a sanitary sewer overflow. The manhole was replaced without incident; saving the City approximately \$30K in contractor costs, and building confidence in staff.

Matthew recently obtained his A-Distribution certification, allowing him to officially become the City's Water Distribution Operator in Responsible Charge (ORC). And has successfully completed his Associate Degree from Liberty University.

Mathew's keen attention to detail and service mindset set him apart; he is 100% committed and a dedicated team player, who answers every call without fail. Matthew's work ethic and accomplishments reflect well upon himself and the City of Goldsboro.

AWARDED THIS DAY
FEBRUARY 12, 2024



CHARLES GAYLOR, IV
Mayor
City of Goldsboro



TIMOTHY SALMON
City Manager
City of Goldsboro



RESOLUTION NO. 2024- 10

**RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY JEFFREY COOKE
AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 34 YEARS**

WHEREAS, Jeffrey “Jeff” Cooke retired on February 1, 2024 as a GIS Manager, with more than 34 years of service with the Goldsboro Planning and Engineering Departments; and

WHEREAS, Jeff began his career on March 1, 1989 as a Planning Technician I with the Planning Department; and

WHEREAS, on June 24, 1998, Jeff was promoted to Planning Technician II with the Planning Department; and

WHEREAS, on December 6, 2001, Jeff’s position was reclassified to GIS Technician with the Planning Department; and

WHEREAS, on January 1, 2016, Jeff’s position was reclassified to GIS Specialist with the Planning Department; and

WHEREAS, on March 23, 2022, Jeff’s position was reclassified to GIS Manager with the Engineering Department, where he has served until his retirement; and

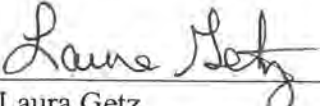
WHEREAS, Jeff has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro; and

WHEREAS, the Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees, and the citizens of the City of Goldsboro, of expressing to Jeff Cooke their deep appreciation and gratitude for the service rendered by him to the City over the years.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that we express to Jeff Cooke our very best wishes for success, happiness, prosperity, and good health in his future endeavors.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 12th day of February, 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024, CITY COUNCIL MEETING**

WITHDRAWN

SUBJECT:

**PUBLIC HEARING AND FINAL COUNCIL ACTION
(APPLICATION WITHDRAWN BY APPLICANT)**

**Z-18-23 Borden Mills Lofts Residential (R-6) and General Industrial (I-2)
to Residential (R-6) Conditional Zoning District** – Northeast and Northwest
side of the intersection of Royal Avenue and North William Street

ADDRESS: 800 Block of North Williams Street

PARCEL #: 3509-19-1639, 3509-19-6339

PROPERTY OWNER: BAP Partners LLC.

APPLICANT: Adventure One, LLC.

BACKGROUND:

The applicant is requesting a conditional rezoning from the Residential (R-6) and General Industry (I-2) zoning district to the Residential (R-6) Conditional Zoning District for the construction of a 141-unit multi-family housing complex utilizing portions of the Historic Borden Mills property.

Access: Greenleaf Street, North Williams Street and Royall Avenue.

Area: Approximately 12.9 acres

Utilities: The subject property has access to public water, sewer and electric service available at or near the property.

SURROUNDING ZONING:

North: General Industrial (I-2) and General Business (GB)
South: General Industrial (I-2) and General Business (GB)

East: Residential (R-9) and General Business (GB)

West: General Industry (I-2) Residential (R-6) and Office Institutional (O&I-1)

Existing Use: The property is currently vacant.

Land Use Plan: The City's Land Use Plan locates these parcels within the High-Density Residential and Industrial land use designations. The Residential (R-6) Zoning District is not a corresponding district for the Industrial land use designation. Despite this not being a corresponding zoning district, much of the surrounding area falls within the High-Density Residential land use designation. The availability of water and sewer also supports high-density development to occur on these parcels.

DISCUSSION:

This is a conditional rezoning that proposes to rezone two parcels totaling approximately 12.9 acres from the Residential (R-6) and General Industry (I-2) Zoning District to Residential (R-6) Conditional Zoning District. The subject

properties formerly known as Borden Mills contain structures identified as historic and listed on the National Register of Historic Places.

If rezoned to the Residential (R-6) Conditional Zoning District, the applicant is proposing to limit the use of the property to a multi-family complex consisting of approximately 141 housing units for historic adaptive re-use and renovation.

The Residential (R-6) Zoning District is established to accommodate both single and multifamily residential uses and to prohibit all activities of a commercial nature, except certain home occupations. The minimum lot size is six thousand square feet for a detached single-family dwelling. Multi-family dwellings shall have six thousand square feet of land area for the first unit with an additional two thousand square feet of land area required for each additional dwelling unit.

TRC REVIEW:

Staff has distributed this proposed rezoning to NCDOT. There are no comments at this time. If the rezoning is approved, formal comments will be generated once a site-specific plan is submitted for development.

STAFF EVALUATION

AND RECOMMENDATION: The proposed R-6 conditional zoning district is compatible with the City of Goldsboro Comprehensive Land Use Plan due to the fact that the proposed use promotes “in-fill” development or redevelopment of land that has been bypassed, remained vacant, and/or is underused as a result of the continuing urban development process. In addition, the site is readily accessible to water and sewer infrastructure provided by the City. The site is compatible with existing residential zoning and land-use patterns in proximity to the site which would support high-density development. Lastly, the proposed use would satisfy a growing need for housing for the City of Goldsboro. Staff is recommending approval of the conditional rezoning request based on the reasons stated above.

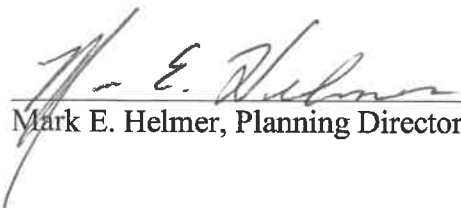
PLANNING COMMISSION

RECOMMENDATION: The City of Goldsboro Planning Commission met on November 27, 2023, to review and make a recommendation regarding the conditional rezoning request. Planning Commission voted 4 in favor 0 against.

REQUIRED ACTION:

At the December 4, 2023, Council meeting, City Council voted to continue the public hearing until January 8, 2024. At the January 8, 2024, Council meeting, City Council voted to continue the hearing until the February 12, 2024, meeting. The applicant is now requesting the application be withdrawn from consideration and no further action is requested from the City Council.

Date: 2/6/24


Mark E. Helmer, Planning Director

Date: 2/6/24


Timothy Salmon, City Manager

CITY OF GOLDSBORO PLANNING COMMISSION
Z-18-23
BORDEN MILLS LOFTS
WORKSHEET

Pursuant to NCGS 160D-604(d), when the Planning Board (Planning Commission) is conducting a review of a proposed zoning text or map amendment, the Planning Board (Planning Commission) shall advise and comment on whether the proposed action is consistent with the City of Goldsboro Land Use Plan. The Planning Board (Planning Commission) must provide the City of Goldsboro City Council with a written recommendation that addresses plan consistency or inconsistency and other matters as deemed appropriate by the Planning Board (Planning Commission).

Consistency Statement: The City of Goldsboro Planning Commission finds the proposed conditional rezoning to be consistent with the Residential land use designation and inconsistent with the Industrial land use designation. The City of Goldsboro Planning Commission finds that the conditional rezoning request is reasonable and in best public interest due to the fact that the proposed use promotes “in-fill” development or redevelopment of land that has been bypassed, remained vacant, and/or is underused as a result of the continuing urban development process. In addition, the site is readily accessible to water and sewer infrastructure provided by the City. The site is compatible with existing residential zoning and land-use patterns in proximity to the site which would support high-density development. Lastly, the proposed use would satisfy a growing need for housing for the City of Goldsboro. The City of Goldsboro Planning Commission finds the proposed conditional rezoning to be consistent with the Comprehensive Land Use Plan.

Voting Record for Recommendation:

Yes 4 No 0

Inconsistency Statement: The City of Goldsboro Planning Commission finds the proposed conditional rezoning to be inconsistent with the Industrial land use designation. Further, the Planning Commission finds that this conditional rezoning, if executed, would have a negative impact on the public due to the fact that the rezoning would be incompatible with the surrounding zoning patterns and existing and new land uses. The City of Goldsboro Planning Commission deems this proposed conditional rezoning to not be reasonable and does not recommend approval to the City of Goldsboro City Council. The City of Goldsboro Planning Commission finds the proposed conditional rezoning to be inconsistent with the Comprehensive Land Use Plan.

Voting Record for Recommendation:

Yes No

ORDINANCE NO. 2024 –

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF GOLDSBORO, NORTH CAROLINA**

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, on **Monday, December 4, 2023**, at 7:00 p.m., and continued to a certain date voted and approved by City Council, on **Monday, January 8, 2024**, at 7:00 p.m., for the purpose of considering and discussing the passing of an ordinance amending the Official Zoning Map of the City of Goldsboro, North Carolina, and the Planning Commission heard the item on **Monday, November 27, 2023**; and

WHEREAS, Adventure One, LLC. has submitted a petition to rezone Tax Parcels 3509-19-1639, 3509-19-6339 from Residential (R-6) and General Industry (I-2) zoning district to the Residential (R-6) Conditional Zoning District limiting the use of the property to a 141-unit multi-family housing complex; and

WHEREAS, the City of Goldsboro Comprehensive Land Use Plan places the proposed conditional rezoning area in the High-Density Residential and Industrial land use designations; and

WHEREAS, the proposed Residential (R6) Conditional Zoning District is consistent with the City's Comprehensive Land Use Plan; and

WHEREAS, the Residential (R6) Zoning District is to accommodate both single and multifamily residential uses and to prohibit all activities of a commercial nature, except certain home occupations; and

WHEREAS, multi-family dwellings in the Residential (R6) Zoning District shall have six thousand square feet of land area for the first unit with an additional two thousand square feet of land area required for each additional dwelling unit; and

WHEREAS, the proposed conditional rezoning would be consistent since the proposed use promotes "in-fill" development or redevelopment of land that has been bypassed, remained vacant, and/or is underused as a result of the continuing urban development process; and

WHEREAS, the proposed site for the conditional rezoning is readily accessible to water and sewer infrastructure provided by the City; and

WHEREAS, the proposed site for the conditional rezoning is compatible with existing residential zoning and land-use patterns in proximity to the site which would support high-density development; and

WHEREAS, the proposed conditional rezoning request is in the public's best interest since the proposed conditional rezoning the proposed use would satisfy a growing need for housing for the City of Goldsboro; and

WHEREAS, the proposed conditional rezoning request will not impair or injure the health, safety, and general welfare of the public; and

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Official Zoning Map of the City of Goldsboro be amended as herein below set forth.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Official Zoning Map of Goldsboro, North Carolina, be and the same is hereby amended by changing:

From Residential (R-6) and General Industrial (I-2) to Residential (R-6) Conditional Zoning District

Z-18-23 Borden Mills Lofts Residential (R-6) and General Industrial (I-2) to Residential (R-6) Conditional Zoning District

From Industrial to High-Density Residential Land Use Designation

Wayne County Tax Identification Numbers: 3509-19-1639, 3509-19-6339

2. The above amendment is effective upon the adoption of this Ordinance.

Adopted this 12th day of February, 2024.

Charles Gaylor, IV
Mayor

Attested by:

Laura Getz,
City Clerk



Planning Department
200 North Center Street
Goldsboro, NC 27530
(919) 580-4313

Application Fees:

Conditional Zoning \$550 (Includes advertisement fee)

General Zoning \$500 (Includes advertisement fee)

Received Date: _____

Initials: _____

CHANGE OF ZONE APPLICATION

Application Number: <u>Z-18-23</u>		Date processed: <u>11-06-23</u>	
Fee Type: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check # <u>7758</u> <input type="checkbox"/> Credit Card		Initials: <u>NW</u>	

Applicant Acknowledgement: Only applicable if Conditional Zoning

I understand that the City of Goldsboro must have three (3) sets of Site plans submitted along with an electronic site plan emailed to the Planning Administrative Assistant listed on the website at www.goldsboronc.gov/planning or they will not be able to send out my application for formal review. I understand my 30 day review period begins after the City of Goldsboro acknowledges they have an electronic PDF copy of the required site plan. Information on the site plan shall meet or exceed the City of Goldsboro Unified Development Ordinance (UDO). Site plan needs to be in sufficient detail and scale to display precisely how the use intends to operate. See attached sheet for common things expected on site plan. If a portion of the property is proposed to be rezoned then a survey is required for the proposed area or application will not be accepted.

Applicant Signature: _____

Application is hereby made to the City Council of the City of Goldsboro for a Rezoning request (Complete the following information):

☒ Conditional Zoning ☐ General Zoning (check which applies)

Name of Development: Borden Mill LoftsProperty Address: 811 N William StreetTotal Acreage: 12.9 Frontage: approx. 1,400 ft on East and West side of N. William; 850 ft on Royall Ave Depth: Approx. 850 ftWayne Co. Pin #: 3509191639; 3509196339 Current Zoning: R-6 and I-2 Proposed Zoning: All R-6

If Conditional Zoning, describe proposed use, justification and any uses prohibited for the request:

14/ units of multi-family housing using existing structures

Applicant (Print): Aventurine One, LLCApplicant Address: 10401 Covered Bridge Road City, State, Zip: Prospect, KY 40059Applicant Phone: 317-408-6628 Applicant Email: c.winter@oracledesign.net

I, Caryn Winter, do hereby consent to the specific conditions and or uses listed on this application. I acknowledge that if the Goldsboro City Council imposes additional conditions, I will be required to sign the Ordinance prior to Council signing the ordinance for approval.

Owner (Print): BAP Partners, LLCOwner Address: 1506 East Ash Street City, State, Zip: Goldsboro, NC 27530Owner Phone: 919-222-4301 Owner Email: lborden@realestateadvisorsinc.net

(If owner differs from applicant a Owners Authorization Form is required upon submission)

Surveyor/Site Designer (Print): Martin Riley Associates - Architects, P.C.Surveyor/Site Designer Address: 100 Crescent Center Pkwy City, State, Zip: Tucker Station, GA 30084Surveyor/Site Designer Phone: 404-373-2800 Surveyor/Site Designer Email: mriley@martinriley.com**SIGNATURE REQUIRED**

Caryn Winter
Applicant - Printed

[Signature]
Applicant Signature

11/8/23
Date

**CITY OF GOLDSBORO
OWNER'S AUTHORIZATION**

IF the owner(s) of this subject property are giving authorization for someone else to apply for an application with the City of Goldsboro, for any of the following City of Goldsboro applications:

Please check the applicable box(es):

☒ Rezoning

☐ Site Plan

☐ Board of Adjustment - Variance

☐ Subdivision

☒ Special Use Permit

☐ Home Occupation Permits

This authorization must be completed and submitted at time of application. I/(WE)

BAP Partners, LLC

_____.do(es) hereby certify that I/(WE)

(Name of owner(s) of subject property)

am/(are) the Owners of the property legally described below and hereby certify that I/(WE) have given authorization to the following person and/or corporation:

Aventurine One, LLC

_____.to submit an application

(Name of Company and Authorized Representative)

to the City of Goldsboro, NC for My/(OUR) property as listed below.

Wayne County Parcel Identification Number(s):

3509191639

Property Address:

811 N William Street

3509196339

309 Royall Ave

BAP Partners LLC

Property Owner – Print

th

Property Owner Signature

11/8/23

Date

NOTARY STATEMENT

Sworn to and subscribed before me the 8th day of November, 2023

Notary Public in and for the State of NC, County of Wayne

I, Amanda R. Price, Notary Public, do hereby certify that

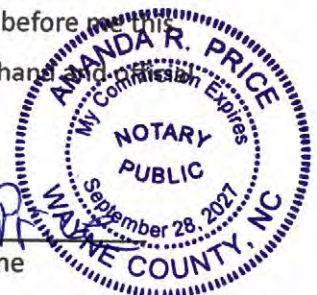
David M. Perry (name of individual(s) personally appeared before me this

day and acknowledged the due execution of the foregoing instrument. Witness my hand and official

seal this 8th day of Nov, 2023

Amanda R. Price
Official Signature of Notary

Amanda R. Price
Notary printed or typed name



SEAL

My commission expires: 9-28-2027

BORDEN MANUFACTURING MILL

GOLDSBORO, NC



PROJECT INFO:
SITE ACREAGE: 12.9 +/- ACRES

TO BE RESTORED

TO BE DEMOLISHED

1 DEMOLITION PLAN
1/8" = 1'-0"

0 25' 50' 100'
SCALE: 1/50

GENERAL INFORMATION

SITE ACREAGE: 12.9 +/- ACRES
PROPERTY TAX PARCEL #: 3509196339
EXISTING ZONING DISTRICT: R-6/I-2
PROPOSED ZONING DISTRICT: R-6
NUMBER OF DWELLING UNITS: 141

PROJECT INFO:

SITE ACREAGE: 12.9 +/- ACRES
141 APARTMENT UNITS

266 PARKING SPACES REQUIRED @ 1.4 PER 1BR UNIT
2 PER 2+BR UNIT
0.5 PER 3BR UNIT

266 TOTAL PARKING SPACES PROVIDED

UNIT MIX:

1 BEDROOM UNITS	50
2 BEDROOM UNITS	63
3 BEDROOM UNITS	28
TOTAL UNITS	141

BORDEN MANUFACTURING MILL

GOLDSBORO, NC

DETENTION
CENTER

FLOOD ZONE

VACANT
LAND

RECYCLING
CENTER

ENCLOSED DUMPSTER

8' HIGH FENCE IN
LIEU OF FULL 50'
BUFFER

2-BEDROOM
APARTMENT

APARTMENT
UNITS

(4) 2-BEDROOM
APARTMENTS

COMMUNITY
SPACE

N. WILLIAMS ST

STREET TREES
SPACED 40' AT
CENTER

NON-PROFIT
ORGANIZATION

APARTMENT
UNITS

COMMUNITY
SPACE

ROYALL AVENUE

20' STORM SEWER
EASEMENT P.C.K. SLD.46-A

TYPE A BUFFER

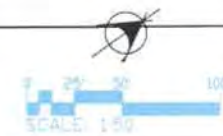
EXISTING FENCE LINE

30' UTILITY
EASEMENT P.O.J. SLD.46

GAS LINE

80' STORM DRAINAGE AND UTILITY EASEMENT
P.C.H. SLD.228

ENCLOSED DUMPSTER



BORDEN MANUFACTURING MILL

GOLDSBORO, NC

GENERAL INFORMATION

SITE ACREAGE: 12.9 +/- ACRES
PROPERTY TAX PARCEL #: 3509196339
EXISTING ZONING DISTRICT: R-6/I-2
PROPOSED ZONING DISTRICT: R-6
NUMBER OF DWELLING UNITS: 141

PROJECT INFO:

SITE ACREAGE: 12.9 +/- ACRES
141 APARTMENT UNITS

266 PARKING SPACES REQUIRED @ 1.4 PER 1BR UNIT
2 PER 2+BR UNIT
0.5 PER 3BR UNIT

266 TOTAL PARKING SPACES PROVIDED

UNIT MIX:

1 BEDROOM UNITS	50
2 BEDROOM UNITS	63
3 BEDROOM UNITS	28
TOTAL UNITS	141

RECYCLING
CENTER

ENCLOSED DUMPSTER

8' HIGH FENCE IN
LIEU OF FULL 50'
BUFFER

10' SOLID BUFFER OF EVERGREEN PLANTING

2-BEDROOM
APARTMENT

APARTMENT
UNITS

(4) 2-BEDROOM
APARTMENTS

COMMUNITY
SPACE

N. WILLIAMS ST

STREET TREES
SPACED 40' AT
CENTER

NON-PROFIT
ORGANIZATION

APARTMENT
UNITS

ROYALL AVENUE

COMMUNITY
SPACE

GAS LINE

ENCLOSED DUMPSTER

DETENTION
CENTER

TYPE A BUFFER

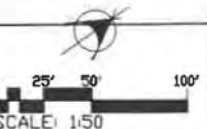
EXISTING FENCE LINE

30' UTILITY
EASEMENT P.C.J. SLD. 46

FLOOD ZONE

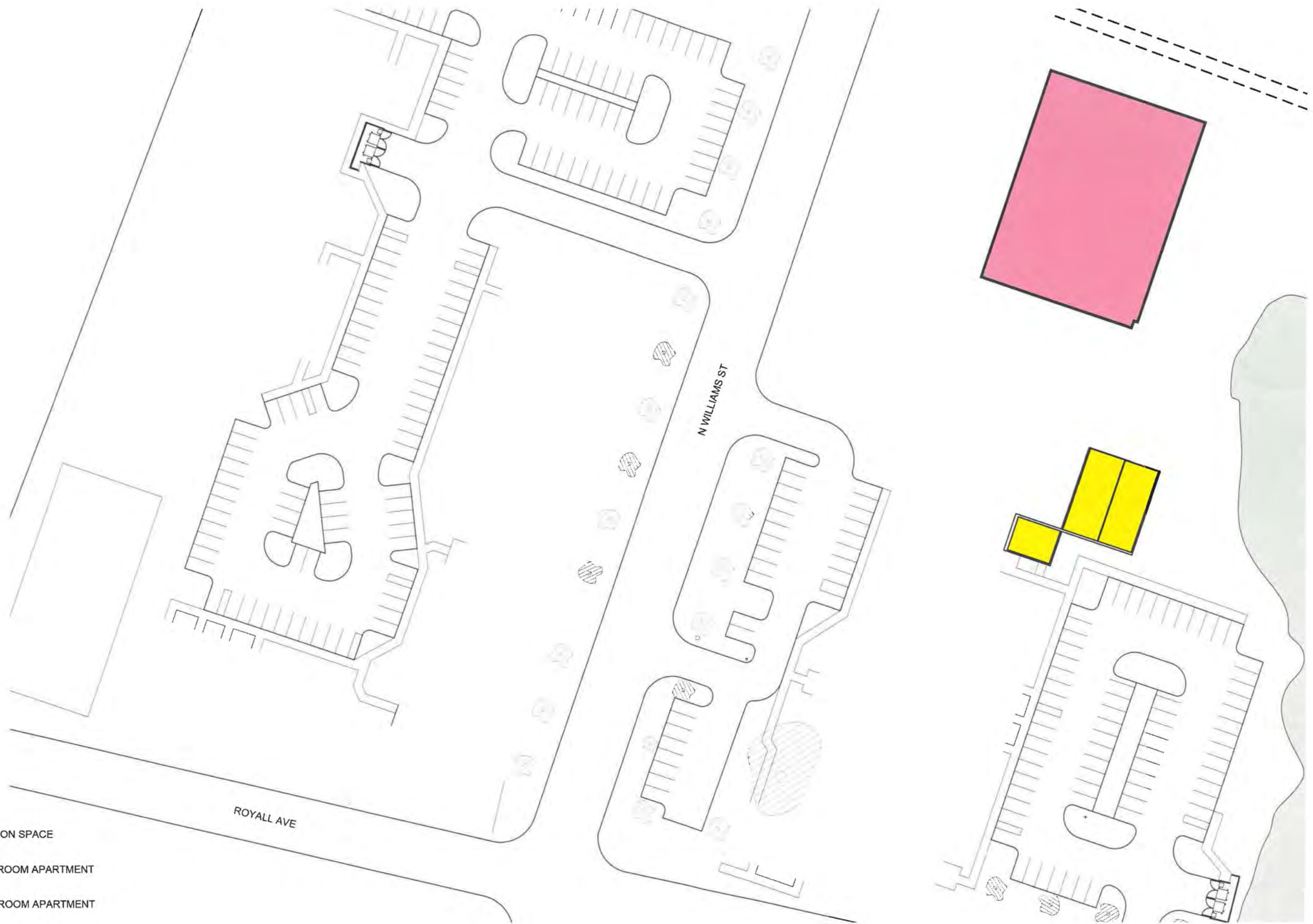
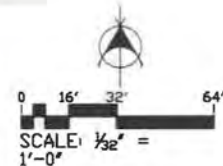
80' STORM DRAINAGE AND UTILITY EASEMENT
P.C.H. SLD. 228

VACANT
LAND



- COMMON SPACE
- 1 BEDROOM APARTMENT
- 2 BEDROOM APARTMENT
- 3 BEDROOM APARTMENT
- LIGHT WELL

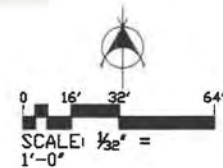
1 BUILDING BASEMENT FLOOR PLAN
1/32" = 1'-0"





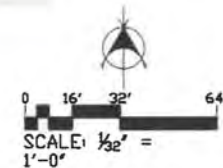
- COMMON SPACE
- 1 BEDROOM APARTMENT
- 2 BEDROOM APARTMENT
- 3 BEDROOM APARTMENT
- LIGHT WELL

1 BUILDINGS FIRST FLOOR PLANS
1/32" = 1'-0"



- COMMON SPACE
- 1 BEDROOM APARTMENT
- 2 BEDROOM APARTMENT
- 3 BEDROOM APARTMENT
- LIGHT WELL

1 BUILDINGS SECOND FLOOR PLANS
1/32" = 1'-0"





1 RECONSTRUCTED RENDER - BUILDING SOUTH - WEST ELEVATION (N WILLIAM STREET VIEW)
IMAGE NOT TO SCALE

Z-18-23 Borden Mill Lofts R-6 and I-2 to R-6 General Zoning



REZONING REQUEST:

CASE NO: Z-18-23
APPLICANT: Borden Mill Lofts
REQUEST: R-6 & I-2 to R-6 General Zoning)
LOCATION: Eastside of William Street between Royall venue and Tarboro St.
3509-19-1639, 3509-19-6339

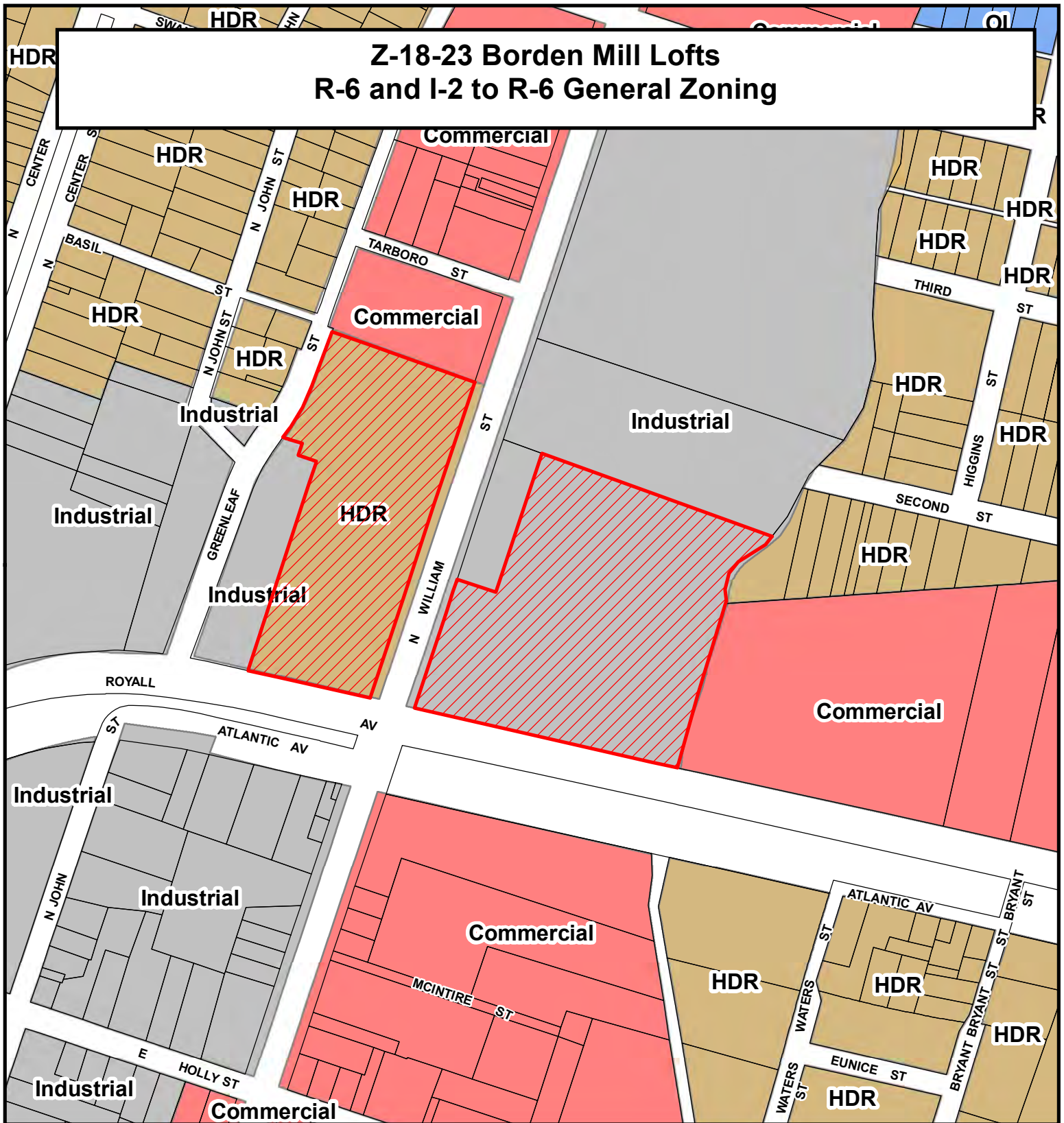
PIN #:

0 100 200 400
Feet



The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

Z-18-23 Borden Mill Lofts R-6 and I-2 to R-6 General Zoning



REZONING REQUEST:

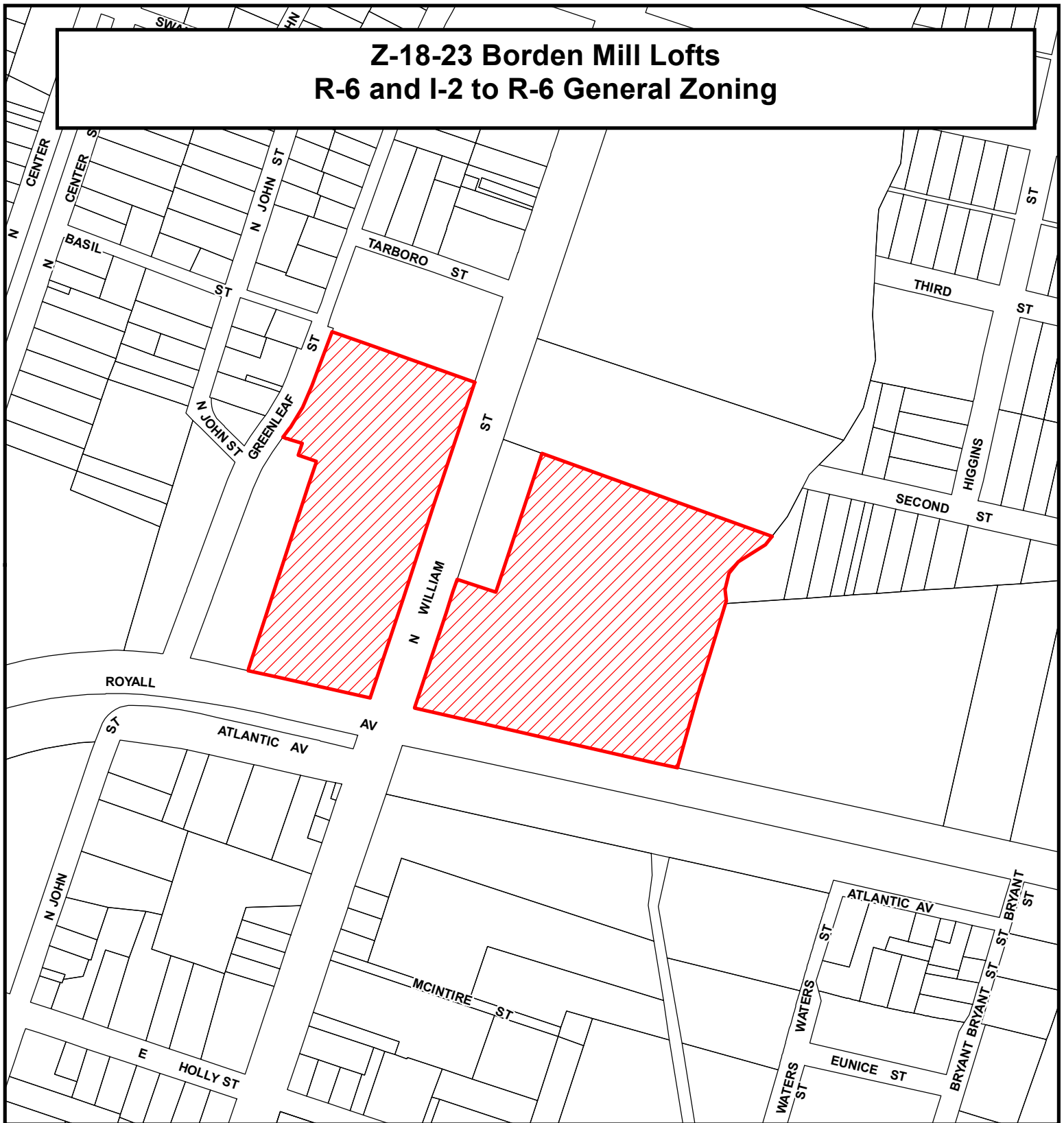
CASE NO: Z-18-23
APPLICANT: Borden Mill Lofts
REQUEST: R-6 & I-2 to R-6 General Zoning)
LOCATION: Eastside of William Street between Royall Avenue and Tarboro St.
PIN #: 3509-19-1639, 3509-19-6339

0 100 200 400
 Feet



The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

Z-18-23 Borden Mill Lofts R-6 and I-2 to R-6 General Zoning



REZONING REQUEST:

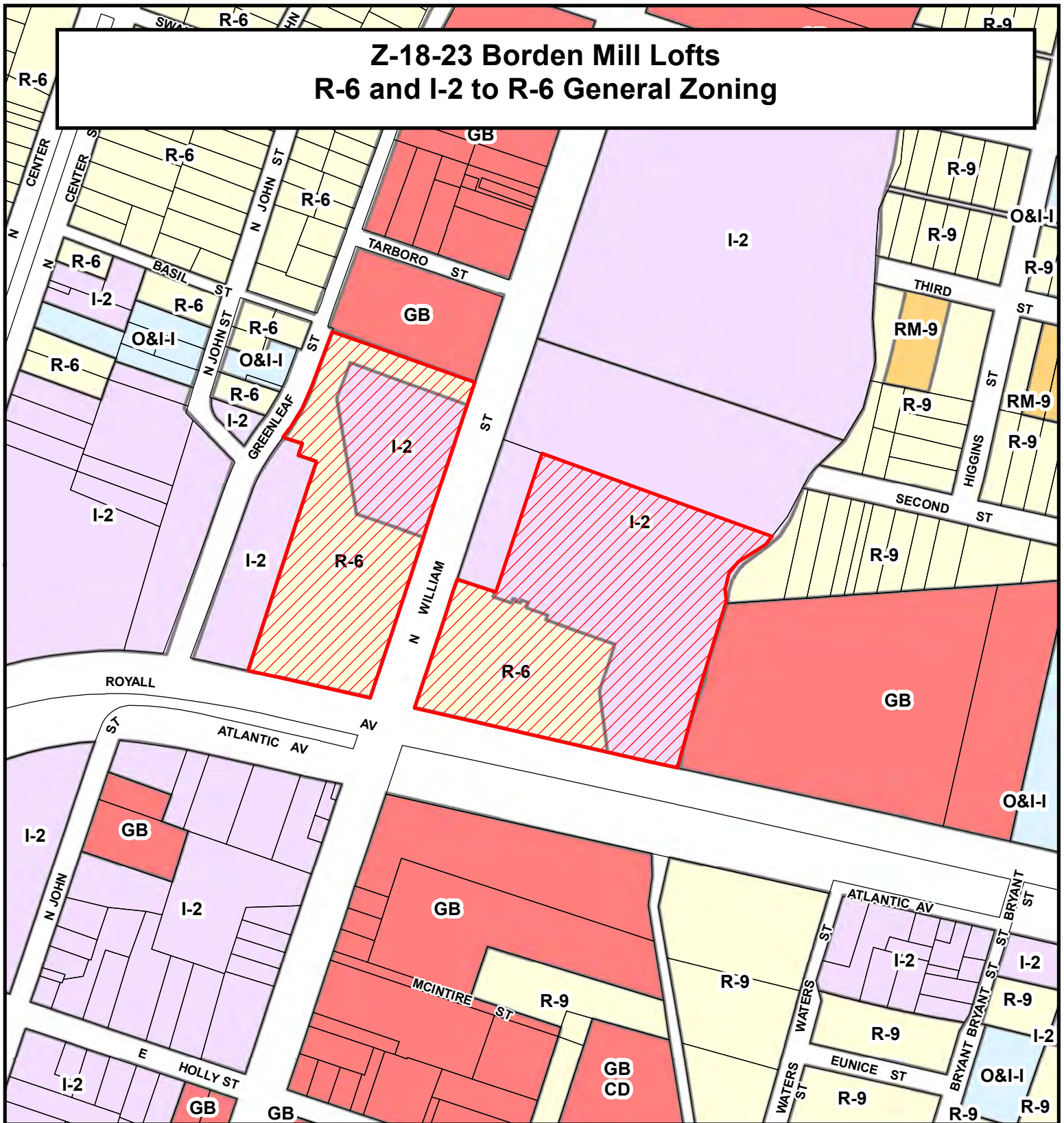
CASE NO: Z-18-23
APPLICANT: Borden Mill Lofts
REQUEST: R-6 & I-2 to R-6 General Zoning)
LOCATION: Eastside of William Street between Royall Avenue and Tarboro St.
PIN #: 3509-19-1639, 3509-19-6339

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Z-18-23 Borden Mill Lofts R-6 and I-2 to R-6 General Zoning



REZONING REQUEST:

CASE NO: Z-18-23
APPLICANT: Borden Mill Lofts
REQUEST: R-6 & I-2 to R-6 General Zoning)
LOCATION: Eastside of William Street between Royall venue and Tarboro St.
PIN #: 3509-19-1639, 3509-19-6339

0 100 200 400
 Feet



The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.

**PUBLIC HEARING NOTICE
CITY OF GOLDSBORO COUNCIL MEETING**

Notice is hereby given of a meeting of the Goldsboro City Council at **7 p.m. on Tuesday, December 4, 2023**, to consider the following applications. The Goldsboro City Council will hold their meeting in the City Council Chambers, 214 N. Center Street in the Historic City Hall building.

Please note: *The meeting will be streamed live on the City's Facebook and YouTube.*

Rezoning:

Z-17-23 Belfast Road Operations Center (GB, R-16, I-2 to I-2 Conditional Zoning) – East side of US I-795 Hwy northeast of Belfast Rd – The applicant is requesting a change of zone for the subject property from the General Business, Residential 16 and General Industry (I-2) Zoning District to the General Industry (I-2) Conditional Zoning District, limiting the use of the property to proposed utility contractor operations center to include warehouse storage, outside storage and a staging yard associated with electrical power outages and required maintenance of utility systems. The Wayne County Tax Identification Numbers are 3601137345, 3601231254, 3601243100, and 3601222553. The property consists of approximately 1,206,612 s.f. or 27.7 acres.

Z-18-23 Borden Mill Lofts (R-6 and I-2 to R-6 Conditional Zoning) – East side of N. William Street between Royall Avenue and Tarboro St. – The applicant is requesting a change of zone for the subject property from the Residential 6 and General Industry (I-2) Zoning District to the Residential 6 Conditional Zoning District, limiting the property to multi-family development consisting of 141 units. The Wayne County Tax Identification Number is 3509191639, 3509196339. The property consists of approximately 561,924 s.f. or 12.9 acres.

The City Council of the City of Goldsboro may change the existing zoning classification of the entire area covered by the application or any part or parts of such area, to the classification requested, or to a higher classification or classifications without the necessity of withdrawal or modification to the application.

All interested persons are invited to attend this public hearing and to be heard. Handicapped persons needing assistance or aids should contact the Clerk's office prior to the meeting at 919-580-4361 at least four (4) days prior to the meeting.

Laura Getz, City Clerk

Ronald Lawrence, City Attorney

PUBLISH: 11/16 & 11/23

Adjacent Property Owners of Z-18-23

PIN#	Name	Address	City	State	ZipCode	PropertyAddress
3509198739	County of Wayne	PO Box 227	Goldsboro	NC	27533	900 N William St
3509291519	Douglas Honeycutt	194 Airport Road	Goldsboro	NC	27863	
3509291234	Group W Management	PO Box 10273	goldsboro	NC	27532	401 Royall Ave
3509194602	Wayne County Partership for Wayne Co	PO Box 11557	Goldsboro	NC	27532	
3600102074	Moye-Corp LLC	PO Box 1704	Greenville	nc	27835	905 W William st
3509099502	Charles Woodard	209 Walnut Creek Dr	Goldsboro	NC	27534	800 Greenleaf st
3509098855	Ronald Mayo	429 Satterfield Drive	New Bern	NC	28560	Greenleaf st
3509099904	Goldsboro Eastern Chapel Missionary	1021 Bern St	New Bern	NC	27560	Greenleaf st
3509098986	Mount Carmel	1021 Bern St	New Bern	NC	27560	Greenleaf st
3600009076	MCLamb Fredda Everette & Heirs	PO BOX 14353	Raleigh	NC	27620	831 Greenleaf st
3600009155	ST Matthew AME Zion Church Trustee	PO BOX 211	GOLDSBORO	NC	27533	901 Greenleaf St

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

**CONTINUED TO
MARCH 18, 2024**

SUBJECT: PUBLIC HEARING: SU-04-24 Convenience Store with Fuel

ADDRESS: 704 West New Hope Road

PARCEL #: 3610814358

OWNER: Pope Family Investment LLC

APPLICANT: Pope Family Investment LLC

BACKGROUND: The applicant requests a Special Use Permit to construct and operate a convenience store with fuel at the southwest corner of the intersection of West New Hope Road and Cuyler Best Road. The property is located in the General Business (NB) Zoning District. The Neighborhood Business district is established to provide the services and commercial development needed to serve primarily the adjoining neighborhoods. The district is intended to promote the development of small pedestrian-oriented establishments whose character and use is compatible with nearby residential neighborhoods. The maximum building gross area is twenty-four thousand square feet.

According to the City's Unified Ordinance (UDO) Article 5, Table 5.4 Permitted Uses, a convenience store with fuel is a permitted use subject to a City Council-issued Special Use Permit.

Existing Use: The subject property is currently undeveloped wood lands and cleared land used for agricultural endeavors.

Adjacent Zoning and Land Uses		
North	R-6	Vacant Farmland
South	R-12	Vacant Farmland
East	R-12SF	Vacant Farmland
West	NB	Vacant & Single-Family Dwellings

Frontage: 315 feet on West New Hope Road
350 feet on Cuyler Best Road

Area: Lot area 2.43 acres

Zoning: Neighborhood Business

Land Use Plan: The property is identified as within Mixed Use I land use category. This land use category will allow a mixture of the following zoning districts: City of Goldsboro - O-R, O&I-1, O&I-2, NB (refer to previous district descriptions) and Wayne County - Village district. This category will allow a mixture of uses and have minimum impact on adjacent areas. This land use serves a localized area. The preferred land use mix is 40% or greater noncommercial zoning with both vertical and horizontal mixed-use allowed. Horizontal mixed use is preferred (see implementing strategy I.21, pages 8-12). It will generate lower traffic volumes than the Mixed-Use II category.

Although the requested use of convenience store with fuel is not a mixed-use project, it does provide needed services and can be considered beneficial to the citizens of nearby residential developments.

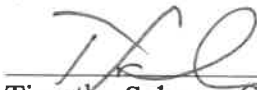
DISCUSSION: Per the Unified Development Ordinance (UDO), a special use permit is required to construct and operate a convenience store with fuel in the neighborhood business zoning district. Upon approval of the special use permit, the site plan will be reviewed by the City of Goldsboro Technical Review Committee for compliance with all required development standards of the UDO and design standards.

STAFF COMMENTS: The applicant has provided a site plan demonstration that all required standards of the City of Goldsboro UDO can and will be met. In addition, the applicant has provided the following information:

- The hours of operation will be 24 hours a day/7 days a week.
- Employees: 4 per shift
- Parking: 30 parking spaces

REQUIRED ACTION: The applicant is requesting the public hearing be postponed until the March 18, 2024 City Council Meeting. This request is in response to a staff request for a preliminary subdivision plan as a condition of approval of SU-04-24.

Date: 2/6/24 
Mark E. Helmer, Planning Director

Date: 2/6/24 
Timothy Salmon, City Manager

CITY COUNCIL WORK SHEET
SU-04-24 Convenience Store with Fuel
704 West New Hope Road

Staff comments in italics.

1. The proposal is to operate a convenience store with fuel. This use would not pose any immediate threat to public health or safety.

- Consider aspects of the proposed use or development that may have a negative impact on public health and safety.
- Discuss conditions, if any that Council might impose in order to make this finding.
- For each condition imposed, if any, state the reason the condition is necessary to protect public health and safety.
- Consider any conditions to be applied to the application.

___ **Yes, the use will not materially endanger the public health or safety**

___ **No, the use will materially endanger the public health or safety**

2. There was no evidence presented with the application that indicates the use will injure the beneficial use of adjoining or abutting property.

- Consider aspects of the proposed use or development that may have a negative impact on the value of adjoining properties.
- Consider aspects of the proposed use of development that make it a public necessity. (*Note: most private applications for a special use permit will not rise to the level of a “public necessity”*)
- Discuss conditions, if any, that the Council might impose to make this a finding.
- For each condition imposed, if any, state the reason the condition is necessary to protect the beneficial use of adjoining or abutting properties.
- Consider any conditions to be applied to the application.

___ **Yes, the use will not substantially injure the beneficial use of adjoining or abutting property**

___ **No, the use will substantially injure the beneficial use of adjoining or abutting property**

3. *The proposed use will be located in the Neighborhood Business zoning district. The proposed use would be in harmony with the district and is not anticipated to have a negative impact.*

- Consider aspects of the proposed use or development that may have a negative impact on the nature or character of the surrounding community.
- Consider whether the proposed use or development is in general conformity with the Unified Development Ordinance.
- Discuss conditions, if any, that Council might impose to make this finding.
- For each condition imposed, if any, state the reason the condition is necessary to ensure harmony with existing development and uses of the surrounding area.
- Consider any conditions to be applied to the application.

_____ **Yes, the use will be in harmony with existing development and uses within the area in which it is located**

_____ **No, the use will not be in harmony with existing development and uses within the area in which it is located**

4. *The Land Use Plan shows the property as being suitable for Mixed Uses. This proposed use will not serve as a detriment to this designation due to the fact this type of use will not generate any type of traffic or use impact that is not already in existence within this area.*

- Consider whether the proposed use or development is in general conformity with the City of Goldsboro Comprehensive Land Use Plan.
- Discuss conditions, if any, that the Board might impose to make this finding.
- For each condition imposed, if any, state the reason the condition is necessary to ensure general conformity with the City of Goldsboro Comprehensive Land Use Plan.
- Consider any conditions to be applied to the application.

_____ **Yes, the use will be in general conformity with the City of Goldsboro Comprehensive Land Use Plan**

_____ **No, the use will not be in general conformity with the City of Goldsboro Comprehensive Land Use Plan**

Received Date: 1/8/24
Initials: [Signature]

Application Fee: \$400 (Includes advertisement fee)

SPECIAL USE PERMIT APPLICATION

Application Number: <u>50-4-24</u>	For Office Use Only:	Date processed: <u>1/8/24</u>
Fee Type: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check <u>10448</u> <input type="checkbox"/> Credit Card		Initials: <u>[Signature]</u>

Applicant Acknowledgement:

I understand that the City of Goldsboro must have three (3) sets of paper Site plans submitted along with an electronic site plan emailed to the Planning Administrative Assistant listed on the website at www.goldsboronc.gov/planning or they will not be able to send out my application for formal review. Application is not complete and will not be sent out for review until after the City of Goldsboro acknowledges they have an electronic PDF copy of the required site plan along with the required paper copies plus the Site Plan Application Fee. Once application is acknowledged as complete, I understand my review period will begin on the identified date on the Departmental Review Schedule listed on the website. Information on the site plan shall meet or exceed the City of Goldsboro Unified Development Ordinance (UDO). Site plan needs to be in sufficient detail and scale. See attached sheet for common things expected on site plan.

Applicant Signature: [Signature]

Application is hereby made to the City Council of the City of Goldsboro for a Special Use Permit (Complete the following information):

Property Address: 714 W. New Hope Road, Goldsboro, NC 27530

Proposed Use: proposed convenience store

Number of Employees/Shift: 4 Days/Hours of Operation: 24 hours

Outdoor Storage: ☐ Yes ☒ No

Storage Type: _____

Total Acreage: 2.433 acres

Frontage: 315.64'

Depth: 341.42'

Wayne Co. Pin #: 3610814358

Current Zoning: NB

All businesses that operate within the city limits of Goldsboro must have a Business Registration certificate prior to opening a business. Please contact the City of Goldsboro Inspections Department at 919-580-4385 for all necessary permits, including ABC Permits, prior to operation or opening to the public.

Applicant (Print): Pope Family Investments LLC/Judson Pope

Applicant Address: 1092 N Breazeale Avenue

City, State, Zip: Mount Olive, N.C. 28365

Applicant Phone: 919-658-6566 X1122

Applicant Email: Judson Pope@eipope.com

Owner (Print): Pope Family Investments LLC/Judson Pope

Owner Address: 1092 N Breazeale Avenue

City, State, Zip: Mount Olive, N.C. 28365

Owner Phone: 919-658-6566 X1122

Owner Email: Judson Pope@eipope.com

(If owner differs from applicant a Owners Authorization Form is required upon submission)

Surveyor/Site Designer (Print): B. R. Kornegay, Inc.

Surveyor/Site Designer Address: 300 E. Walnut St.

City, State, Zip: Goldsboro, NC 27530

Surveyor/Site Designer Phone: 919-735-5886

Surveyor/Site Designer Email: jeffrey@kornegaysep.com

SIGNATURE REQUIRED

Judson Pope

Applicant - Printed

Applicant Signature

Date

1/4/24



Case Number: SU-04-24
 Request: Convenience Store with Fuel
 Owner: Pope Family Investment, LLC
 Location: Cuyler Best Rd & W New Hope Rd
 PIN# 3610814358

0 125 250 500 Feet



Legend

Future Land Use

- Commercial
- Office and Institutional
- Industrial
- Conservation

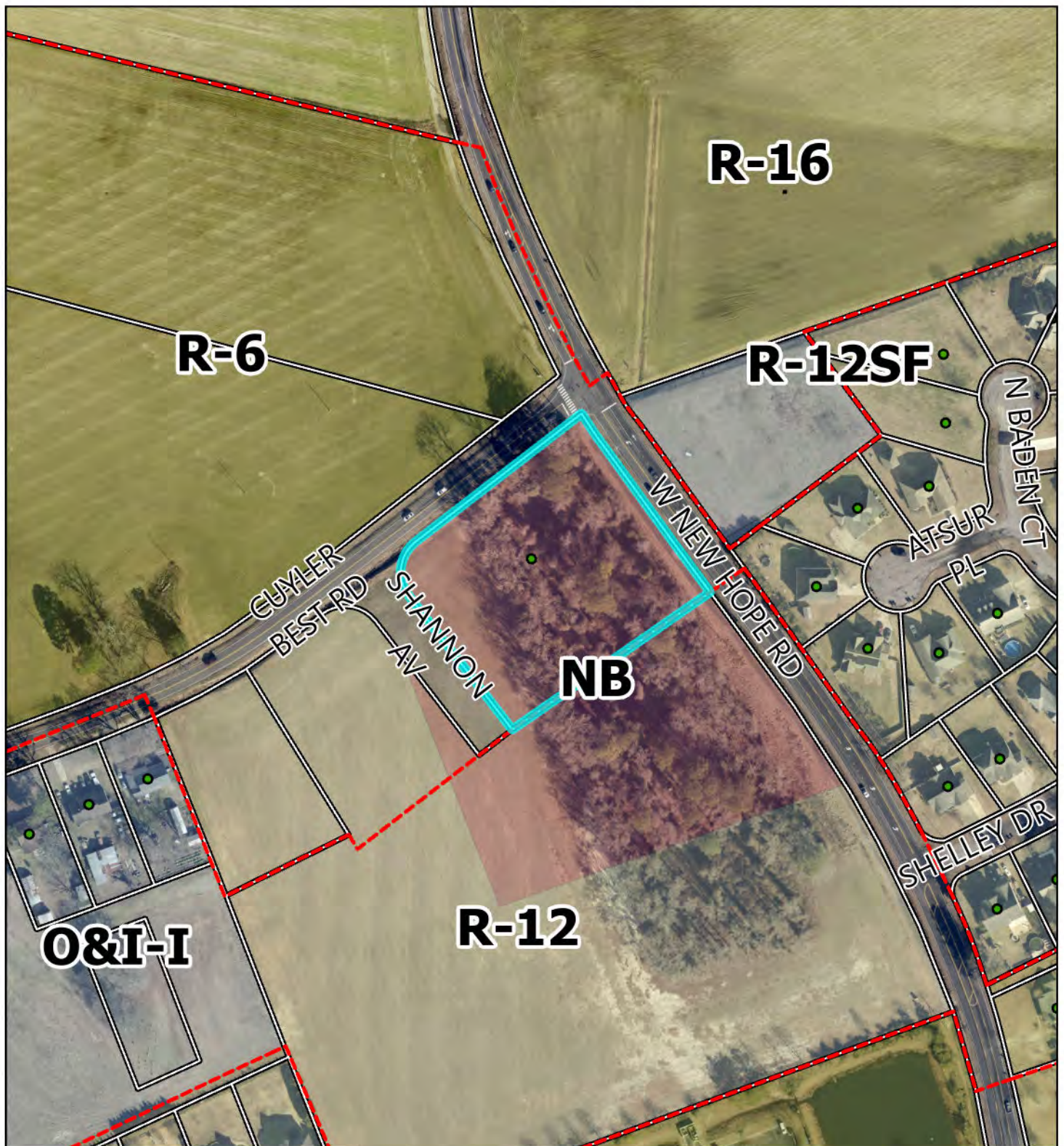
Mixed Use

- Mixed Use - Downtown
- Mixed Use I

Mixed Use II

Residential

- High Density Residential
- Medium Density Residential
- Low Density Residential
- Rural Residential/Agriculture



Case Number: SU-04-24

Request: Convenience Store with Fuel

Owner: Pope Family Investment, LLC

Location: Cuyler Best Rd & W New Hope Rd

PIN# 3610814358

0 125 250 500 Feet



ZONING

CURRENT ZONING

- AB
- AG
- CBD
- GB
- HB
- I-1
- I-2

- IBP-1
- M
- NB
- O&I-I
- O&I-II
- O-R
- PUD
- RM-8
- RM-9
- SC

Legend

- R-12
- R-12SF
- R-16
- R-20
- R-20A
- R-40
- R-6
- R-9
- R-9SF
- <all other values>



PLANNING DEPARTMENT

Mark E. Helmer, AICP, CFM,
Assistant Planning Director

Notice Of Public Hearing

Notice is hereby given that the City Council of the City of Goldsboro will conduct a public hearing during the course of their open meeting which starts at 7:00 P.M. on Monday, February 12, 2024, in the City Hall Council Chambers located at 214 North Center Street to consider the following request:

SU-04-24 Pope Family Investment LLC: The applicant is requesting a special use permit to allow for the construction and operation of a convenience store with fuel on property located within a Neighborhood Business (NB) zoning district. The property considered for approval is located on the southwest side of the intersection of West New Hope Road and Cuyler Best Road and further identified as NCPIN#3610-81-4358.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact City Hall if further assistance is needed. All inquiries regarding this matter may be directed to the City of Goldsboro Planning Department at (919) 580-4345 or online at www.goldsboronc.gov.




PLANNING DEPARTMENT

Mark E. Helmer, AICP, Assistant Planning Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, **Mark E. Helmer**, hereby certify that the property owner and adjacent property owners of the following petition, SU-04-24, were notified by First Class Mail on 1-30-24.

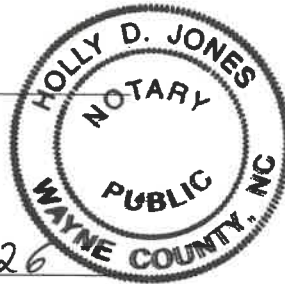

Signature

Wayne County, North Carolina

I, Holly D. Jones, Notary Public for Wayne County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

30th day of January, 2024


Notary Public Name



My Commission expires on July 29, 2026
(Seal)

Adjacent Property Owners of
SU-04-24

PIN	Owner	Address	City	St	Zip
	Pope Family Investment LLC	1092 Noth Breazeale Ave	Mount Olive	NC	28365
3610713058	BEST-ALLEN ASSOCIATES LLC	2815 CAROLINA COMMERCE DR	GOLDSBORO	NC	27530
3610723076	BEST-ALLEN ASSOCIATES LLC	2815 CAROLINA COMMERCE DR	GOLDSBORO	NC	27530
3610928845	PURNELL YVONNE W	428 BAYFIELD DR	WILMINGTON	NC	28411
3610817546	N-10 LLC	PO BOX 6069	RALEIGH	NC	27628
3610818294	AVERY CHRISTOPHER M	105 ATSUR PL	GOLDSBORO	NC	27534
3610818315	LEE ROBERT WINSTON ODOLPH JOHN	104 ATSUR PL	GOLDSBORO	NC	27534
3610818477	LEONARD JOSEPH D ETAL	102 ATSUR PL	GOLDSBORO	NC	27534
3610814065	STRICKLAND ROBERT W	1721 W NEW HOPE RD	GOLDSBORO	NC	27530
3610810028	STRICKLAND ROBERT W	1721 W NEW HOPE RD	GOLDSBORO	NC	27530

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Designation of a City Official to make recommendations to the North Carolina ABC Commission for ABC Permits

BACKGROUND: The North Carolina General States authorizes governing bodies to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits.

In 1998, a Resolution was adopted appointing the Planning and Community Development Director and/or the Assistant Director of Planning and Community Development as the designated official.


DISCUSSION: The attached Resolution would appoint the Planning Director, and in the absence of a Planning Director, the Assistant Planning Director, as the designated official to submit recommendations regarding the suitability of persons and locations for ABC permits to the ABC Commission.

RECOMMENDATION: It is recommended that Council adopt the attached Resolution designating officials to make recommendations on ABC permit applications within the City's jurisdiction.

Date: 2/6/24


Mark E. Helmer, Planning Director

Date: 2/6/24


Timothy Salmon, City Manager

RESOLUTION NO. 2024- 11

**RESOLUTION DESIGNATING AN OFFICIAL TO MAKE RECOMMENDATIONS
TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION
FOR ABC PERMIT APPLICATIONS**

WHEREAS, NCGS 18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS, the City of Goldsboro wishes to notify the North Carolina ABC Commission of its designation as required by G. S. 18B-904(f).

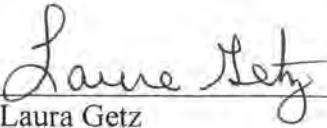
NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The Planning Director, and in the absence of a Planning Director, the Assistant Planning Director, is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Goldsboro regarding the suitability of persons and locations for ABC permits within its jurisdiction; and
2. Notices to the City of Goldsboro should be emailed, mailed, or delivered to the Planning Director, and in the absence of a Planning Director, the Assistant Planning Director, at the following address:

200 North Center Street
Goldsboro, NC 27530

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro and shall be in full force and effect from and after this 12th day of February 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION
(919) 779-0700**

Location: 400 E. Tryon Road
Raleigh, NC 27610

Mail: 4307 Mail Service Center
Raleigh, NC 27699-4307

RESOLUTION OF THE CITY OF Goldsboro, COUNTY OF Wayne, REGARDING THE DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

WHEREAS G.S.18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the City of Goldsboro, County of Wayne, wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f); Planning Director; in the absence of a Planning Director, the Assistant Planning Director

BE IT THEREFORE RESOLVED that (Name of Official), (Title or Position)

is hereby designated to notify the North Carolina Alcoholic Beverage Control Commission of the recommendations of the City of Goldsboro, County of Wayne, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED THAT notices to the City of Goldsboro, County of Wayne, should be mailed or delivered to the official designated above at the following address:

Mailing address:	<u>PO Drawer A</u>
Office location:	<u>200 North Center Street</u>
City:	<u>Goldsboro</u> , NC
Zip Code:	<u>27530</u> Phone #: <u>919-580-4313</u>

This the 12th day of February, 2024.



(Signature)
(Mayor/Chairman)

Sworn to and subscribed before me this the 13th day of February, 2024.

(Signature)
(Clerk)

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: **CERTIFICATION OF SUFFICIENCY**
Non-Contiguous (Satellite) Annexation Petition – Benjamin Carl Price – Corner of S. US 117 Hwy., S. US 13 Hwy., and Carolina Street

Tax Parcels #: 2587753560/2587754563/2587754329/2587754313/2587753294

Acreage: 1.626 acres

BACKGROUND: The applicant is requesting that non-contiguous property described by the attached metes and bounds description be annexed into the City of Goldsboro. Maps showing the property proposed to be annexed are attached as well.

DISCUSSION: Pursuant to G.S. 160A-31, City Council shall fix a date for public hearing on the proposed annexation if the petition is considered sufficient by the City Clerk. Sufficiency requires the City Clerk to make the following findings:

1. The nearest point on the proposed satellite corporate limits must be not more than three miles from the primary corporate limits of the annexing city;
2. No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city;
3. The area must be situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits;
4. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed 10% of the area within the primary corporate limits of the annexing city.

The City Council, at their meeting on February 12, 2023⁴ would request the City Clerk to determine the sufficiency of the petition. If the petition is determined to be sufficient, a public hearing would be scheduled and a report would be prepared by the Planning Department, in conjunction with other City departments, for submission to the Council.

RECOMMENDATION: By motion, request that the City Clerk examine the annexation petition to determine its sufficiency.

Date: 2/6/24


Mark Helmer, Planning Director

Date: 2/6/24


Timothy Salmon, City Manager

PETITION FOR ANNEXATION
OF NONCONTIGUOUS REAL PROPERTY
TO THE CITY OF GOLDSBORO, NORTH CAROLINA

Date Submitted: 9/15/2023

To the City Council of the City of Goldsboro, North Carolina:

1. The undersigned, owner(s) of the noncontiguous real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Goldsboro, North Carolina.

2. The area requested to be annexed is not contiguous to the City of Goldsboro and is described by metes and bounds as follows: (Attach separate sheets if necessary.)
See attached sheets for metes and bounds description.

3. We acknowledge that any zoning vested rights acquired pursuant to G. S. 160D-108 & 108.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

<u>Name and Signature of Owner(s)</u>	<u>Address</u>	<u>Phone</u>	<u>Do you declare vested rights? (Indicate Yes or No)</u>
Price Benjamin Carl	2808 US 117-S	(919) 734-3025	



Contact Person: _____ Phone No. _____

ALL INFORMATION MUST BE **LEGIBLE AND CORRECT**.
IF THE PETITION IS NOT CURRENTLY THE LEGAL OWNER OF THE PROPERTY,
THE LEGAL OWNER MUST SIGN THE PETITION.

PLEASE SUBMIT ORIGINAL PETITION TO THE OFFICE OF
THE PLANNING DEPARTMENT

APPENDIX F – PETITION FOR ANNEXATION

BEING THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 299 AT PAGE 171, DEED BOOK 319 AT PAGE 365, DEED BOOK 319 AT PAGE 367 AND DEED BOOK 2728 AT PAGE 456 ALL OF THE WAYNE COUNTY PUBLIC REGISTRY, THE PROPERTY OF BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE AS RECORDED IN DEED BOOK 728 OF DEEDS AT PAGE 458 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 10 AND A PORTION OF LOT 9 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY), THE PROPERTY OF BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE AS RECORDED IN DEED BOOK 787 AT PAGE 180 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 11 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY) AND THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 425 AT PAGE 339 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 8 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY) AND TOGETHER IN TOTAL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND CONCRETE MONUMENT ON THE WESTERLY LINE OF US HIGHWAY 117 (VARIABLE WIDTH RIGHT-OF-WAY) BEING THE NORTHEASTERLY CORNER OF THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 299 AT PAGE 171, DEED BOOK 319 AT PAGE 365, DEED BOOK 319 AT PAGE 367 AND DEED BOOK 2728 AT PAGE 456 ALL OF THE WAYNE COUNTY PUBLIC REGISTRY, HAVING NC STATE PLANE COORDINATES NAD 83(2011) N:575555.06 E: 2287543.89; THENCE WITH SAID WESTERLY LINE OF US HIGHWAY 117 THE FOLLOWING TWO (2) COURSES AND DISTANCES:

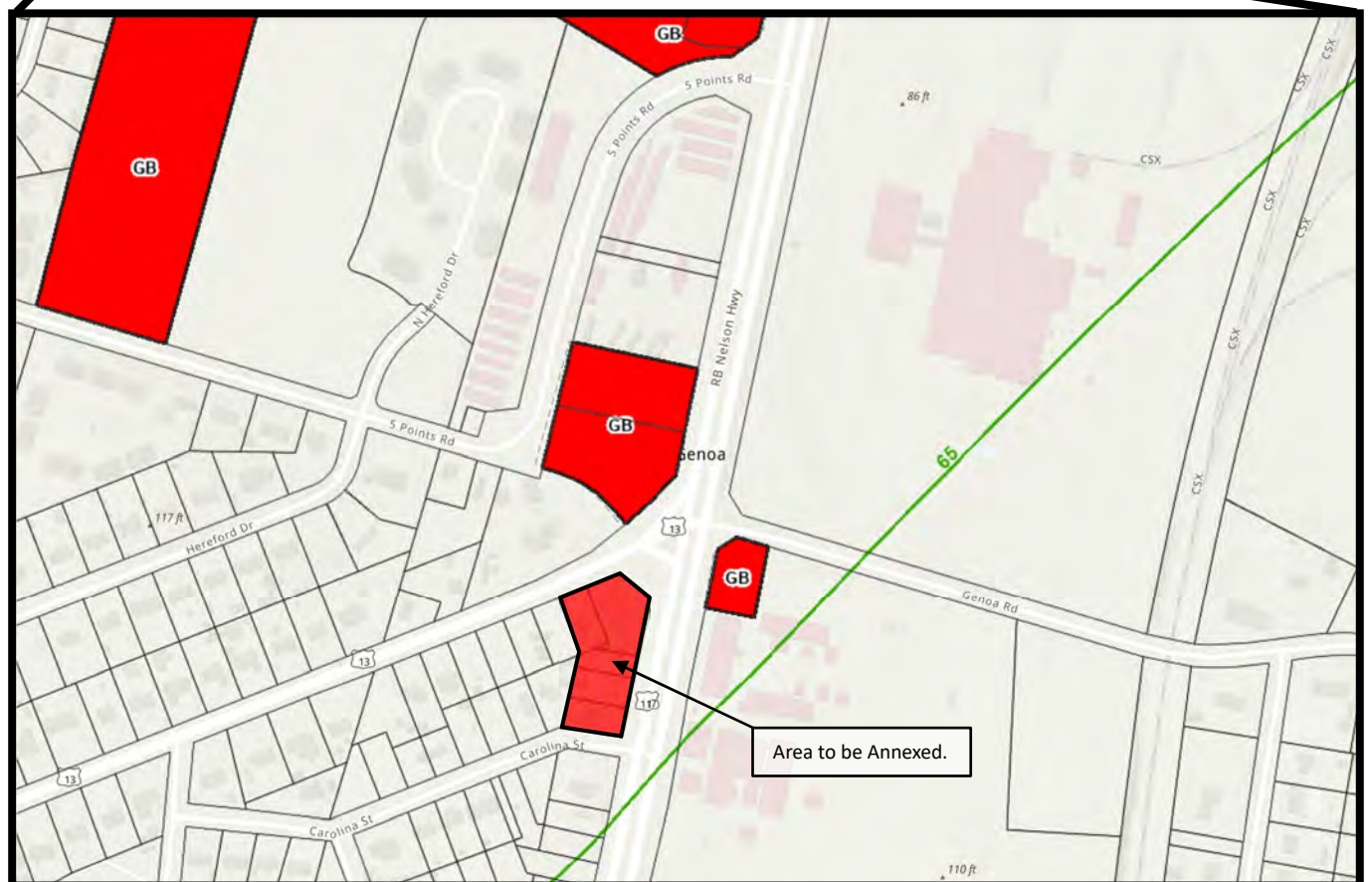
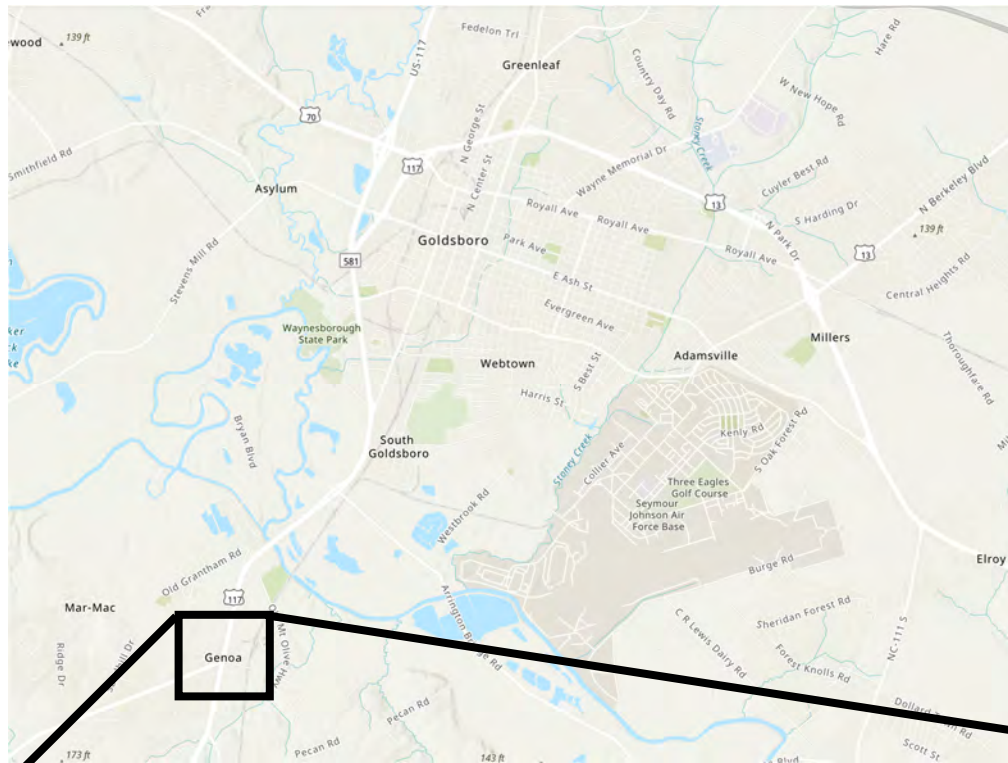
1.) S 12°01'34" W FOR A DISTANCE OF 158.64 FEET TO A POINT; THENCE

2.) S 11°18'12" W FOR A DISTANCE OF 220.00 FEET TO A POINT ON THE NORTHERLY LINE OF CAROLINA STREET (60' RIGHT-OF-WAY) AND BEING THE SOUTHEASTERLY CORNER OF THE PROPERTY OF BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE AS RECORDED IN DEED BOOK 787 AT PAGE 180 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 11 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID NORTHERLY LINE OF CAROLINA STREET THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1.) N 78°41'48" W FOR A DISTANCE OF 155.58 FEET TO A POINT; THENCE

2.) S 67°48'12" W FOR A DISTANCE OF 5.30 FEET TO A POINT ON THE EASTERLY LINE OF THE PROPERTY OF OUTLAW MOBILE HOME INC. AS RECORDED IN DEED BOOK 3506 AT PAGE 652 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 13 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID EASTERLY LINE OF OUTLAW MOBILE HOME INC N 11°18'12" E FOR A DISTANCE OF 191.56 FEET TO A POINT ON THE SOUTHERLY LINE OF THE PROPERTY OF BASS DEVELOPMENT INC AS RECORDED IN DEED BOOK 3309 AT PAGE 309 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 7 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID SOUTHERLY LINE OF THE PROPERTY OF BASS DEVELOPMENT INC N 67°48'12" E FOR A DISTANCE OF 13.07 FEET TO A POINT ON THE EASTERLY LINE OF THE PROPERTY OF BASS DEVELOPMENT INC AND BEING THE WESTERLY LINE OF THE PROPERTY OF M.B. PRICE AS RECORDED IN DEED BOOK 425 AT PAGE 339 OF THE WAYNE COUNTY PUBLIC REGISTRY (BEING LOT 8 AS SHOWN ON PLAT BOOK 6 AT PAGE 82 OF THE WAYNE COUNTY PUBLIC REGISTRY); THENCE WITH SAID LINE N 22°11'48" W FOR A DISTANCE OF 160.00 FEET TO A POINT ON THE SOUTHERLY LINE OF US HIGHWAY 13 (VARIABLE WIDTH RIGHT-OF-WAY); THENCE WITH SAID SOUTHERLY LINE US HIGHWAY 13 N 68°10'15" E FOR A DISTANCE OF 178.20 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY LINE OF US HIGHWAY 117; THENCE WITH SAID WESTERLY LINE OF US HIGHWAY 117 S 50°39'04" E FOR A DISTANCE OF 102.18 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 71,0320 SQUARE FEET OR 1.631 ACRES OF LAND, MORE OR LESS.

RF #520 – City of Goldsboro Annexation Map



NOTES

- THE SURVEYED PROPERTY DELINEATED HEREON IS LOCATED IN WAYNE COUNTY, NORTH CAROLINA AS TMS ##2587754313, #2587754329, #2587753294, #2587754563 AND #2587753560.
- THE SURVEYED PROPERTY IS CURRENTLY IN THE NAME OF M.B. PRICE, BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE RECORDED IN DEED BOOK 299, PAGE 171, DEED BOOK 728, PAGE 458 AND DEED BOOK 787, PAGE 180 IN THE ROD OFFICE OF WAYNE COUNTY, NORTH CAROLINA.
- BOUNDARY INFORMATION AS SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED BY BOWMAN CONSULTING GROUP, LTD. ON 08/23 - 08/25/2023. SURVEY REPRESENTS A SURVEY OF OCCUPATION USING EVIDENCE FOUND AND REFERENCES SHOWN.
- UNDERGROUND UTILITY INFORMATION SHOWN IS BASED ON FIELD EVIDENCE AS IDENTIFIED BY NC811 AND FIELD SURVEY BY BOWMAN CONSULTING GROUP ON 08/23 - 08/25/2023. CONSIDERABLE EFFORT HAS BEEN MADE TO DETERMINE THE LOCATION OF UNDERGROUND UTILITIES. SOME LOCATIONS ARE ACTUAL FIELD MEASUREMENTS AND SOME ARE TAKEN FROM UTILITY RECORDS. THIS PLAN DOES NOT WARRANT THAT UTILITIES ARE SHOWN ACCURATELY NOR THAT ALL UTILITIES ARE SHOWN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES PRIOR TO BEGINNING DIGGING OPERATIONS. CALL PALMETTO UTILITIES PROTECTION SERVICE AT 1-888-721-7077 A MINIMUM OF 3 WORKING DAYS BEFORE DIGGING. ANY UTILITIES DAMAGED OR DISTURBED DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE. ADDITIONALLY, THE CONTRACTOR SHALL CONFIRM THE CONNECTION POINTS OF NEW UTILITIES TO EXISTING UTILITIES PRIOR TO BEGINNING NEW CONSTRUCTION.

NOTE:
ONLY THE UNDERGROUND WATER LINE WAS MARK ON SUBJECT PROPERTIES AT THE TIME OF SURVEY.
- THE SURVEYED PROPERTIES AS SHOWN HEREON ARE SUBJECT TO ALL COVENANTS AND RESTRICTIONS OF RECORD AND THOSE RECORDED HERewith. BOWMAN CONSULTING GROUP, LTD., WAS PROVIDED WITH A COPY OF FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE JUNE 30, 2023, AT 8:00 AM, LAST REVISED FOR TITLE INSURANCE, AND SCHEDULE B - SECTION II EXEMPTIONS ARE ADDRESSED IN THE TITLE COMMITMENT REVIEW. **NOT ALL DOCUMENTS REFERENCED IN THE TITLE PACKAGE WERE PROVIDED FROM THE TITLE COMPANY.**
- THE SURVEYED PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN ZONE X AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP FOR WAYNE COUNTY, NORTH CAROLINA, COMMUNITY PANEL NUMBER 3720258700K, EFFECTIVE DATE 06/20/2018.
- THE LOCATION OF ALL VISIBLE BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE SURVEYED PROPERTY, WHICH HAS BEEN CAREFULLY ESTABLISHED BY THE CLASSIFICATION AND FIELD SPECIFICATIONS FOR CADASTRAL SURVEYS, ARE CORRECTLY SHOWN AT THE TIME OF THE SURVEY.
- ALL EASEMENTS AND RIGHTS-OF-WAY APPARENT FROM A CAREFUL PHYSICAL INSPECTION OF THE SURVEYED PROPERTY, OR AS IDENTIFIED IN SCHEDULE B - SECTION II OF THE COMMITMENT FOR TITLE INSURANCE ARE CORRECTLY SHOWN UNLESS OTHERWISE NOTED.
- THERE ARE NO VISIBLE ENCRoACHMENTS ON ADJOINING PREMISES, STREETS OR EASEMENTS, BY VISIBLE BUILDINGS, STRUCTURES, NOR VISIBLE ENCRoACHMENTS ON SAID PROPERTY BY VISIBLE STRUCTURES SITUATED ON ADJOINING PREMISES EXCEPT AS SHOWN.
- NORTH MERIDIAN INFORMATION AS SHOWN HEREON IS BASED ON NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NAD 83 US SURVEY FOOT, DISTANCES SHOWN ARE HORIZONTAL "GROUND DISTANCES".
- AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADJUSTMENTS ON THE REMAINING SUBJECT PROPERTIES.
- AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF WETLAND DELINEATION WITHIN THE PROPERTY.
- AS OF THE DATE OF THE SURVEY, THERE WAS NO OBSERVED EVIDENCE OF PARKING SPACES WITHIN THE PROPERTY.
- AS OF THE DATE OF THE SURVEY, A ZONING REPORT HAS NOT BEEN PROVIDED.
- ADDRESS: #119 SOUTH US HIGHWAY 13, #129 SOUTH US HIGHWAY 13 AND #2808 SOUTH US HIGHWAY 117.

REFERENCES

- PLAT PREPARED BY: C. BEEMS
RECORDED: FEBRUARY 21, 1955
PLAT CABINET D, SLIDE 191
PLAT BOOK 6, PAGE 82
- DEED BOOK 299, PAGE 171
- DEED BOOK 728, PAGE 458
- DEED BOOK 787, PAGE 180
- DEED BOOK 433, PAGE 95
- NCDDOT PROJECT: 8.1286004

LEGAL DESCRIPTION PER TITLE COMMITMENT NCF423-2661

All that certain lot or parcel of land situate in the County of Wayne, State of North Carolina, and being more particularly described as follows:

TRACT 1

Beginning at a stake in the Western right-of-way line of U. S. Highway No. 117, said stake being N. 15° 46' E. 80 feet from the Northeastern intersectional corner of said highway and Carolina Street, as shown on the map hereinafter referred to, and runs thence with said right-of-way line N. 15° 46' E. 140 feet to a stake, the Southeastern corner of the lot of Major Benjamin Price and wife, Edna Jimette Price, thence N. 74° 14' W. with the Price line about 125 feet to a stake in the Southern line of Lot No. 8 of Genoa Terrace; thence with the Southern line of Lot Nos. 8 and 7 S. 72° 16' W. about 52 feet to a stake, the Northeastern corner of Lot No. 13 thence with the line of Lot No. 13 S. 15° 46' W. 108.94 feet to a stake, the Northwestern corner of Lot No. 11, thence with the line of Lot No. 11 S. 74° 14' E. 160 feet to the point of beginning, and being all of Lot No. 10 and 60 feet off of the Southern side of Lot 9 of Genoa Terrace according to a map prepared by C. Beems, Registered Surveyor, in November, 1954, which is recorded in Map Book 6, at Page 82, of the Wayne County Registry. And being the same property conveyed to the parties of the first part herein by D. J. Rose and wife, Virginia H. Rose, by deed dated February 5, 1969, which will be found duly recorded in the Wayne County Registry, to which reference is hereby made.

TRACT 2

BEGINNING at a concrete monument in the Western edge of Federal Highway #117, it being at the intersection of the Western edge of Highway #117 and the Northern edge of Carolina Street, and runs thence with the Northern edge of said Street N. 74° 14' W. 155.58 feet to a stake; thence S. 72° 16' W. 5.30 feet to a stake; thence N. 15° 46' E. 82.93 feet to a stake; thence S. 74° 14' E. 160 feet to a stake in the Western edge of Highway #117; thence with the Western edge of Highway #117 S. 15° 46' W. 80 feet to the point of beginning, and being Lot No. 11 of the subdivision known as Genoa Terrace, as shown on a map thereof recorded in Map Book 6 at Page 82 of the Wayne County Registry. And being the same lot of land conveyed to Lester Ingram and wife by Lester G. Davis and wife by deed recorded in Book 693 at page 84 in the Wayne County Registry.

TRACT 3

BEGINNING at a stake in the line of 117 Highway South from the intersection of 102 Highway, and runs said line N. 15 1/2 E. 165 feet to the curve; thence along the line of the curve westward to the line of 102 Highway; thence with said line S. 72 1/2 W. 165 feet to a stake; thence S. 17 1/2 E. 160 feet to a stake; thence S. 74 1/2 E. 160 feet to the beginning containing one acre more or less.
LESS AND EXCEPT FROM Tract 3 that portion conveyed to the State Highway and Public Works Commission in that Right of Way Agreement recorded in Book 433, Page 95, Wayne County Register of Deeds.

TRACT 4

Beginning at a stake in the Western right-of-way line of U. S. Highway No. 117, being the Northeastern corner of Lot No. 9 of Genoa Terrace and being the Southeastern corner of the property of Major Benjamin Price and wife, Edna Jimette Price, and runs thence with the right-of-way of said highway S. 15° 46' W. 20 feet to a stake; thence N. 74° 14' W. about 125 feet to a stake in the Southern line of Lot No. 8 of Genoa Terrace; thence with the line of Lot No. 8 N. 72° 16' E. about 35 feet to a stake in the Southeastern corner of said Lot No. 8, thence with the Northern line of Lot 9 86 feet to the point of beginning, and being a 20 foot strip off of the Northern side of Lot No. 9 of Genoa Terrace according to a map prepared by C. Beems, Registered Surveyor, in November, 1954, which is recorded in Map Book 6, at page 82, of the Wayne County Registry.

TRACT 5

Being Lot No. 8 of the subdivision known as Genoa Terrace according to a plat hereof prepared by C. Beems, surveyor, dated September 1, 1954 and recorded in Plat Book 6 page 82 in the Office of the Register of Deeds for Wayne County, reference to which plat is hereby made for a more detailed and complete descriptions.

TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE DATE JUNE 30, 2023 AT 8:00 AM, LAST REVISED AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

- Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met. **"Not a survey matter."**
- (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public records. **"Not a survey matter."**
- Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession in the Land. **"Not a survey matter."**
- Easements, liens or encumbrances, or claims thereof, not shown by the Public Records. **"Not a survey matter."**
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
- Taxes and assessments for the year 2023 and subsequent years, not yet due and payable.
Tax Parcel Number: 2587754329 (S. US 117 HWY)

2022 Wayne County, North Carolina real estate property taxes in the base amount of \$260.81 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

Tax Parcel Number: 2587754313 (S. US 117 HWY)

2022 Wayne County, North Carolina real estate property taxes in the base amount of \$323.25 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE DATE JUNE 30, 2023 AT 8:00 AM, LAST REVISED AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

6. CONTINUED:

Tax Parcel Number: 2587754563 (S. US 117 HWY)

2022 Wayne County, North Carolina real estate property taxes in the base amount of \$2,274.77 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

Tax Parcel Number: 2587753294 (2808 S. US 117 HWY)

2022 Wayne County, North Carolina real estate property taxes in the base amount of \$833.14 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

Tax Parcel Number: 2587753560 (129 S. US 13 HWY)

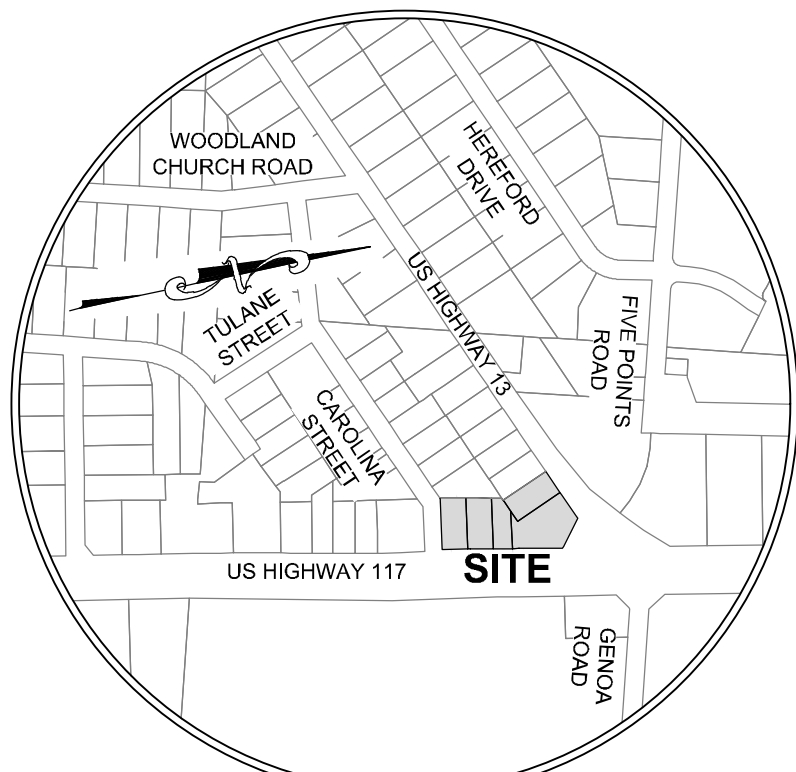
2022 Wayne County, North Carolina real estate property taxes in the base amount of \$217.08 were paid on January 5, 2023. Tax bills are usually generated in July each year and due on or before September 1st. Taxes are delinquent on January 6th. A 2% penalty is applied for the month of January. After February, a 0.75% penalty is applied monthly until taxes are paid. **"Not a survey matter."**

- Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records. **"Not a survey matter."**
- Rights or claims of parties in possession not shown by the public records. **"Not a survey matter."**
- Rights of tenants, as tenants only in possession of subject property. **"Not a survey matter."**
- Any charges for Municipal services (i.e., water, sewer, correction of nuisance conditions, etc.) are the responsibility of the parties to this transaction. For information regarding existence of any bills, contact the appropriate municipal office. **"Not a survey matter."**

TITLE COMMITMENT SCHEDULE B-SECTION II REVIEW

I FURTHER CERTIFY THAT (I) I HAVE EXAMINED TITLE DOCUMENTS FOR THE PROPERTY HEREIN DESCRIBED PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER NCF423-2661, EFFECTIVE DATE JUNE 30, 2023 AT 8:00 AM, LAST REVISED AND (II) WITH RESPECT TO THE ITEMS IDENTIFIED IN SCHEDULE B - SECTION II WITH RESPECT TO THE PROPERTY.

- No insurance is afforded as to the exact amount of acreage contained in the property described herein. **"Not a survey matter."**
- Any mineral or mineral rights leased, granted or retained by current or prior owners. **"Not a survey matter."**
- Title to any portion of said land lying in the bed or banks of any waterway, stream or creek lying within the bounds of subject property, the rights of upper and lower riparian owners to the free and unobstructed flow of said waters, without diminution or pollution; and the consequences of any past or future change in the location of said waters. **"Not a survey matter."**
- All matters appearing on Plat recorded in Plat Cabinet D, Slide 191, also identified as Map Book 6, Page 82, aforesaid records, (Tracts 1, 2, 4 and 5) **"As shown on survey."**
- Agreement between Jesse M. Thompson and wife, Catherine O. Thompson, Willie Lancaster and wife, Virginia Lancaster, William Johnson and wife, Everette Johnson, Cecil McLavhorn and wife, Mildred McLavhorn and Ben Price and wife, Connie Price, dated March 2, 1963 and recorded on March 8, 1963 in Book 1044, Page 774, aforesaid records, (Tract 2) **"Not a survey matter."**
- Easement from Edna Jimette Price by Jan B. Price, as Attorney-in-Fact, and Carolina Power & Light Company, dated February 20, 2008 and recorded on April 10, 2008 in Book 2614, Page 866, aforesaid records. (Tract 3) **"General in nature and cannot be plotted with document provided."**
- Right of Way Agreement between M.B. Price and wife Edna J. Price in favor of State Highway and Public Works Commission, dated January 31, 1955 and recorded on May 24, 1955 in Book 433, Page 95, aforesaid records. (Tract 3) **"May affect subject property, but cannot be plotted with the document provided."**
- Easement between M.B. Price and wife Edna J. Price in favor of Carolina Power & Light Company, dated December 31, 1962 and recorded on January 7, 1963 in Book 587, Page 226, aforesaid records. (Tracts 3 & 4) **"General in nature and cannot be plotted with document provided."**
- Easement between M.B. Price and wife Edna J. Price in favor of Carolina Power & Light Company, dated November 14, 1984 and recorded on June 6, 1985 in Book 1101, Page 735, aforesaid records. (Tracts 3-5) **"General in nature and cannot be plotted with document provided."**



VICINITY MAP

SCALE: 1" = 600'

LEGEND

- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- EDGE OF PAVEMENT
- CURB AND GUTTER
- PROPERTY LINE
- ADJOINER PROPERTY LINE (NOT SURVEYED)
- FENCE LINE
- SWALE / DITCH LINE
- SANITARY SEWER
- STORM SEWER
- UNDERGROUND WATER LINE
- UNDERGROUND COMMUNICATION SERVICE
- UNDERGROUND GAS SERVICE
- UNDERGROUND ELECTRIC SERVICE
- OVERHEAD ELECTRIC
- BUILDING
- CONCRETE
- DIRT ROAD
- GRAVEL DRIVE
- IRON REBAR FOUND (SIZE NOTED)
- IRON PIPE FOUND (SIZE NOTED)
- #5 IRON REBAR SET
- PK NAIL FOUND
- CONCRETE MONUMENT FOUND
- CALCULATED POINT (NO MONUMENT SET)
- BENCHMARK
- BOLLARD / POST
- FLAG POLE
- MAILBOX
- MISCELLANEOUS ITEM (AS NOTED)
- SIGN
- HVAC UNIT
- TRAFFIC CONTROL BOX
- GAS METER
- GAS VALVE
- TRAFFIC SIGNAL
- POWER / UTILITY POLE
- CUY ANCHOR WIRE
- ELECTRIC BOX
- ELECTRIC METER
- STREET LIGHT / LAMP
- STORM DRAIN MANHOLE (DMH)
- SANITARY SEWER MANHOLE (SMH)
- SEPTIC TANK
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- WELL
- WATER MANHOLE
- MARKER WITNESS POST (MKP)
- BROAD LEAF TREE (BLF)
- BLDG - BUILDING
- CLF - CHAIN LINK FENCE
- COMM - COMMUNICATION
- CONC - CONCRETE
- COV - COVERED
- ELEC - ELECTRIC
- FFE - FINISH FLOOR ELEVATION
- IE - INVERT ELEVATION
- PC - PLAT CABINET
- RCP - REINFORCED CONCRETE PIPE
- STG - STORAGE
- WDF - WOOD FENCE

AREA TABULATION:

PIN #2587754313 (TRACT 1) AREA: 21.657 SQ.FT. OR 0.497 ACRE ±
PIN #2587753294 (TRACT 2) AREA: 12.895 SQ.FT. OR 0.294 ACRE ±
PIN #2587754563 (TRACT 3 AND TRACT 4) AREA: 23.789 SQ.FT. OR 0.546 ACRE ±
PIN #2587753560 (TRACT 5) AREA: 12.779 SQ.FT. OR 0.293 ACRE ±

ALTA / NSPS SURVEY OF:

1.626 ACRES ±

PROPERTY OWNED BY

M.B. PRICE, BENJAMIN CARL PRICE AND CONNIE LIPPERT PRICE

PIN ##2587754313, #2587754329, #2587753294, #2587754563 AND #2587753560
TOWN OF MAR-MAC, WAYNE COUNTY, NORTH CAROLINA
PREPARED FOR TWO FARMS, INC

SURVEYOR'S CERTIFICATION

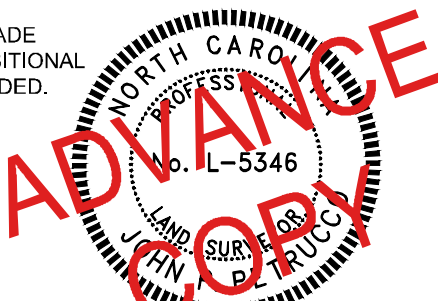
TO: FIRST AMERICAN TITLE INSURANCE COMPANY AND TWO FARMS, INC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(a), 8, 11(a), 13, 14, 16, 17 AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 08/23 - 08/25/2023.

I ALSO CERTIFY THAT THIS MAP OR PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS AS SHOWN ON PLAT), THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10000 +, THAT THIS MAP OR PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

ADVANCE COPY

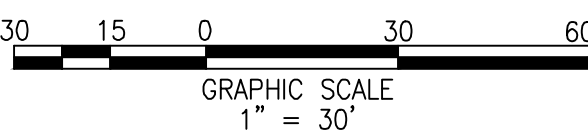
JOHN P. PETRUCCO DATE
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
LICENSE NO. L-5346



SCALE: 1" = 30'

DATE: 08/31/2023

REVISION	
Bowman North Carolina LTD. Phone: (704) 412-7474	
1030 Perimeter Pkwy, Suite 100 F-1445	
Charlotte, NC 28205 www.bowman.com	
© 2021 Bowman Consulting Group Ltd.	
DWG: V100328 - Royal Farms Store #202 Dadey NC100328-94-001 (SR) - Royal Farms Store #202 Dadey NC Survey Plat/Boundary 100328-94-001 ALTA/NSPS	BY: WTC
B/C PROJECT NO: 100526-01-001	TASK: 00003
SURVEY DATE: 08/23 - 08/25/2023	CHK: JPP
SHEET 1 OF 1	QC



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Establishing and adopting a Preaudit and Disbursement Policy (FINP-016.0)

BACKGROUND: It is recommended by the Local Government Commission and the UNC School of Government that municipalities adopt a preaudit and disbursement policy to ensure budgetary compliance for units.


DISCUSSION: Staff recommends that the City adopt a preaudit and disbursement policy to document in writing requirements and expectations of staff when encumbering and expending city funds. To our knowledge, a policy does not exist.

RECOMMENDATION: It is recommended that City Council adopt the attached resolution and recommended policy necessary to provide good governance over the City's fiscal operations.

Date: 2/5/24


Catherine F. Gwynn, Finance Director

Date: 2/6/24


Timothy M. Salmon, City Manager

RESOLUTION NO. 2024- 12
RESOLUTION ADOPTING PREAUDIT AND DISBURSEMENT POLICY (FINP-016.0)

WHEREAS, the City Council of the City of Goldsboro wishes to ensure that it manages its fiscal operations in accordance with North Carolina General Statute and in harmony with principles of good governance; and

WHEREAS, Council wishes to adopt a preaudit and disbursement policy based on the N.C.G.S. § 159-28 "Budgetary accounting for appropriations" to provide guidance for staff in order to ensure legal compliance and continuity of operations.

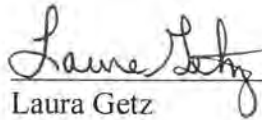
NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Goldsboro hereby adopts and enacts the following *Preaudit and Disbursement Policy (FINP-016.0)* which shall apply to the City of Goldsboro.

This Resolution shall be in full force and effect from and after this 12th day of February, 2024.



Charles Gaylor, IV
Mayor

ATTEST:



Laura Getz
City Clerk





City of Goldsboro

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A. Purpose Preaudit Policy: As required by N.C.G.S. § 159-28(a), the City of Goldsboro shall not incur an obligation to support any program, function, or activity unless the annual budget ordinance or a project/grant ordinance includes an appropriation authorizing the obligation and an unencumbered fund balance remains in the appropriation that is sufficient to pay the sums obligated by the transaction. The purpose of this policy is to establish a preaudit process to assure that the City of Goldsboro (hereinafter “UNIT”) obligates and expends funds in compliance with the preaudit requirements set forth in N.C.G.S. § 159-28.

B. Scope: The terms of this policy shall apply to the finance officer, any deputy finance officer(s) duly appointed by the governing board, and any employee(s) who is responsible for initiating purchases or otherwise obligating public monies to support any program, function or activity accounted for in a budgeted fund.

C. Definitions:

•**Annual Budget Ordinance:** An ordinance issued by the governing board which recognizes revenues, authorizes expenditure appropriations, and levies taxes for a local unit for a single fiscal year which must be adopted prior to July 1st, and is effective for July 1 through June 30.

•**Capital Project Ordinance:** An ordinance issued by the governing board which authorizes the use of bonds, notes, or debt instruments for the construction or acquisition of a specific capital assets, identifies the estimated revenues that will finance the project, and makes the appropriations necessary to complete the project. Adopted for the life of the project, not for a single fiscal year.

•**Construction Contract:** A legally binding agreement for the design, build, renovation, expansion, and/or repair of real property.

•**Continuing Contract:** A legally binding agreement for goods or services that extends for more than a single fiscal year.

•**Disbursement Process:** The approval and certification process performed before issuing a check or other payment to a third-party vendor or contracting party.

•**Encumbrance:** Outstanding monetary obligations that arise from purchase orders and other contractual obligations for goods and services.

•**Grant Project Ordinance:** An ordinance issued by the governing board which authorizes the use of grant monies for a specific project, identifies the estimated revenues that will finance the project, and makes the appropriations necessary to complete the project. Adopted for the life of the project, not for a single fiscal year.

•**Obligation:** An executed contract, purchase order, or other agreement reflecting legal commitment to pay money to another person or entity.



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•**Preaudit:** The approval and certification process performed before an obligation is incurred to prevent overspending.

•**Preaudit Certificate:** A written or stamped certificate affixed to a written contract or agreement once the preaudit is performed.

•**Purchase Order:** A legally binding document issued by the local government recognizing the agreement for the purchase of goods, supplies, or materials.

•**Real property Purchase Contract:** A legally binding agreement for the acquisition of land, buildings, and other fixtures that are permanently affixed to the land.

•**Service Contract:** A legally binding agreement with private company service providers for the performance of a service (e.g., landscaping services, janitorial services, solid waste collection, advertising, engineering services, and audit service contracts).

D. Elements Preaudit Process:

- Incurring Obligations
- Preaudit Requirement
- Initiating the Pre-Audit Process
- Review Contract/Agreement/Purchase Order Request
- Preaudit Process
- Record Encumbrance
- Affix and Sign Preaudit Certificate
- Exemptions from Preaudit Certificate Requirement
- Preaudit Process for Electronic Transactions
- Penalties for Noncompliance
- Appendix A - N.C. G.S. §159-28(a)

E. Elements Disbursement Process:

- Purpose and Scope
- Disbursement Process for Non-Electronic Payments (e.g, checks and bank drafts)
- Disbursement Process for Electronic Payments
- Penalties for Noncompliance
- Appendix A - N.C. G.S. §159-28(b)



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Preaudit Policy and Process

F. Incurring Obligations:

G.S. §159-28(a) No obligation may be incurred in a program, function, or activity accounted for in a fund included in the budget ordinance unless the budget ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay in the current fiscal year the sums obligated by the transaction for the current fiscal year. No obligation may be incurred for a capital project or a grant project authorized by a project ordinance unless that project ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay the sums obligated by the transaction. Nothing in this section shall require a contract to be reduced in writing.

G. Preaudit Requirement:

A preaudit is required by law when:

- The UNIT will enter into a written contract or agreement requiring the payment of money, or
- is evidenced by a written purchase order for supplies and materials.

Then the written contract shall include on its face a certificate stating that the instrument has been preaudited to assure compliance with subsection G.S. §159-28(a).

Preaudit shall occur if the obligation is accounted for in the annual budget ordinance, and the UNIT anticipates paying at least some of the money in the fiscal year in which the contract, agreement, or purchase order is entered.

If the obligation is accounted for in a project ordinance, a preaudit is required when:

- The UNIT will enter into a written contract or agreement, or a written purchase order for supplies and materials that is accounted for in a project ordinance, and
- The UNIT will be obligated to pay money by the terms of the contract, agreement or purchase order.

H. Initiating the Preaudit Process

Department Heads are responsible for entering into contracts, agreements, or purchase orders that obligate the unit to pay money to an external vendor or contractor, shall follow the process below to initiate the preaudit process.

- 1) Department head shall abide by the City's Procurement Policy with regards to the correct process for procuring the goods or services. This could include formal bid, informal bid, request for proposal or qualifications, or quotations. This would also include the award process that is required for the type of procurement and where required formal resolution and award by City Council before contracts, agreements or purchase orders are issued.



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- 2) Once the vendor has been selected through the City's Procurement process, the department head shall ensure that the correct contracting process is followed in accordance with Procurement method used.
- 3) After the contracting process is finalized, the department head shall transmit either electronically or through interoffice mail a complete copy of the contract or agreement to be preaudited by the finance officer or deputy finance officer. The contract or agreement should include the following:
 - Name and contact information of the selected vendor;
 - Description of the contract/purchase;
 - Amount of the contract and scope of the contract should be detailed;
 - Expected payment schedule. *Note: The City generally shall not agree to prepayment of goods or services. If prepayment is expected it should be discussed with the finance officer during development of the scope of work or contract negotiations.*
 - If Council approval required, a copy of the signed council resolution;
 - Identification of the budget appropriation that allows for the expenditure (i.e., fund, organization, account, and function within the City annual or project budget);
 - Any additional supporting documentation as required by local policy (e.g., documentation of internal approvals for expenditures).

I. Review Contract/Agreement/Purchase Order Request:

Finance officer or deputy finance officer shall review submissions of contract, agreement or purchase order for completeness in a timely manner. Incomplete requests shall be returned to the requestor.

J. Preaudit Approval Process

To preaudit an obligation of public moneys, the finance officer or a duly appointed deputy finance officer shall take the following steps:

1. **Verify Budget Appropriation:** The finance officer/deputy finance officer shall review the annual budget ordinance or project/grant ordinance to determine whether the ordinance includes an appropriation authorizing the obligation. Obligations of appropriations within the annual budget ordinance shall be reviewed at the budgeted level—either by department, function, or activity.
2. **Verify Sufficient Funds Remain in the Appropriation:** The finance officer/deputy finance officer shall verify that there is sufficient unencumbered funds in the respective budget appropriation to cover the cost of the obligation as follows:
 - For obligations that have been appropriated in the annual budget ordinance, the finance officer/deputy finance officer shall verify that unencumbered funds remain



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in the appropriation that is sufficient to pay the amount of the obligation that is expected to become due and payable during the current fiscal year. The City adopts its budget on a functional level so at a minimum there must be sufficient unencumbered funds on a functional level.

- For multi-year or continuing contracts accounted for in the annual budget ordinance, the finance officer/deputy finance officer shall verify that an unencumbered balance remains in the appropriation that is sufficient to pay the amount of the obligation that is expected to become due and payable during the current fiscal year.
- For obligations that support a capital project or grant-project ordinance, the finance officer/deputy finance officer shall verify that the project/grant project ordinance includes an appropriation authorizing the obligation and that an unencumbered balance remains in the appropriation sufficient to pay the full amount of the obligation. Note: Department heads should consult the finance officer during the planning stage of contract work. Due to funding limitations, contracts may need to be negotiated in phases or stages to allow for the City to fund and appropriate amounts needed to complete a contract.

3. **Record Encumbrance:**

Contracts and agreements should be entered into the City's Enterprise Resource Planning (ERP) system Banner as an encumbrance in the Purchase Order module to ensure that an encumbrance for the obligation is recorded in the annual budget ordinance or project ordinance. This is generally the responsibility of the department head unless otherwise directed by the procurement manager.

The City's automated approval workflow in Banner will route approvals to the appropriate department head, procurement manager, budget approval, and nonsufficient queues as appropriate. Approval is documented electronically within the accounting system.

A printed purchase order will be generated, and posting against the accounting line item in the correct fund is recorded in the City's encumbrance ledger in Banner.

- For appropriations in the annual budget ordinance, the encumbrance shall be for the total amount anticipated to be expended during the current fiscal year.
- For appropriation in a project/grant ordinance, the encumbrance shall be for the full amount of the obligation.

4. **Affix and Sign Preaudit Certificate:**

If an obligation is reduced to a written contract, agreement, or purchase order requiring the payment of money, the contract, agreement, or purchase order shall include on its face a preaudit certificate.



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The certificate shall be signed by the finance officer/deputy finance officer and take substantially the following form:

“This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.”

5. Use of Automated System for Preaudit:

An automated financial computer system may be used to meet the requirements of subsection (a1) if an annual certification is filed with the Secretary of the Commission pursuant to section (a4) of G.S. §159-28. The system must have all of the following:

- Embedded functionality that determines that there is an appropriation to the department, function code, or project in which the transaction appropriately falls.
- Functionality ensuring that unencumbered funds remain in the appropriation to pay out any amounts that are expected to come due during the budgeted period.
- Real-time visibility to budget compliance, alert threshold notifications, and rules-based compliance measures and enforcement.

The City utilizes the Banner ERP system which complies with the requirements above. The finance officer or deputy finance officer shall provide the required annual certification no later than 30 days after the start of the City’s fiscal year. Documentation shall be maintained in the finance department files of submission and approval.

K. Exemptions from Preaudit Certificate Requirement

In limited circumstances, certain transactions are exempted from the preaudit certificate requirement even when the contract, agreement, or purchase order is in writing. The finance officer/deputy finance officer/designee shall still perform the preaudit steps 1-3 outlined in Section J. **The exemption only applies to the preaudit certificate.**

- Any obligation or document that has been approved by the Local Government Commission. A preaudit certificate is not required for any loan agreements, debt issuances, and other leases and financial transactions, including audit contracts, that are subject to LGC approval and have, in fact, been approved by the LGC.
- Payroll expenditures, including employee benefits. Salary and benefit changes for current employees, even if in writing, do not require a preaudit certificate.
- Electronic payments, which include payments made by credit cards, debit cards, gas cards, or procurement cards (P-Card). A preaudit certificate is not required to be attached to the writing evidencing the transaction made by an electronic payment. To take advantage of this exemption, the finance officer/deputy finance officer shall preaudit electronic purchases according to the process set forth in section L of this policy.



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L. Preaudit Process for Electronic Transactions

The City Council authorized electronic transactions on June 6, 2022 through Resolution 2022-51. In order to take advantage of the exemption from the preaudit certificate requirement for electronic transactions, the finance officer/deputy finance officer shall preaudit the transactions as follows:

Verify Budget Appropriation: The finance officer/deputy finance officer shall review the annual budget ordinance or the respective project ordinance to determine whether the ordinance includes an appropriation authorizing the obligation. The review of the annual budget ordinance shall take place at the budgeted level—either by department, function, or activity.

Verify Sufficient Funds Remain in the Appropriation: The finance officer/deputy finance officer shall verify that there is sufficient unencumbered fund balance in the respective budget appropriation to cover the cost of the obligation.

Encumber Obligated Funds: The finance officer or deputy finance officer shall ensure that the amount of the transaction is encumbered in the encumbrance system within either the annual budget ordinance or within a project/grant ordinance.

M. Penalties for Noncompliance

If an obligation accounted for in the annual budget ordinance is not preaudited in accordance with G.S. 159-28(a) or (a1), the contract, agreement, or purchase order is void and unenforceable.

If an officer or employee of a local government incurs an obligation in violation of the preaudit forth in G.S. § 159-28, or gives a false preaudit certificate to any contract, agreement, purchase order, check, draft, or another document, that officer or employee, and the sureties on any official bond for that officer or employee, are liable for any sums illegally committed or disbursed thereby.

The governing board shall determine, by resolution, if payment from the official bond shall be sought and if the governing body will seek a judgment from the finance officer or duly appointed deputy finance officer for any deficiencies in the amount.

Disbursement Policy and Process

N. Purpose and Scope

The purpose of this policy is to establish a disbursement process to assure compliance with the provisions of N.C.G.S. § 159-28(b) that govern the disbursement of public monies. The terms of this policy shall apply to the finance officer, any deputy finance officer(s) duly appointed by the governing board, and any other elected official or employee responsible for the disbursement of public monies.



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O. Disbursement Process for Non-Electronic Payments (e.g., checks and bank drafts)

When a bill, invoice, or other claim is presented against the city, the finance officer or deputy finance officer shall take the following steps prior to authorizing the disbursement of public monies:

1. **Determine Payable Amount:** The finance officer/deputy finance officer shall determine the amount payable and verify that the amount is due and owing. To do so, the finance officer/deputy finance officer shall:
 - a. Confirm that the preaudit process was performed in accordance with the process established in the preaudit policy (Section G); and
 - b. Review (if applicable) the purchase order, contract, or other agreement against the invoice for goods received or services to be performed to ensure the contract requirements were satisfied and that the amount claimed is payable.
 - c. If the amount claimed is not due and owing because the goods/services were not received/completed, the finance officer/deputy finance officer shall not authorize the disbursement until sufficient evidence has been provided by the department that goods/services have been received/completed.
 - d. If the preaudit process was not performed in accordance with the preaudit policy requirements, the finance officer/deputy finance officer must determine if the goods/services have been received by the City and the amount claimed is due and there is sufficient budget to pay for the amount in order to authorize the disbursement. The finance officer may require that the department head provide a detailed memorandum to explain why the preaudit process was not followed. The finance officer may refer the failure(s) to obtain the preaudit to the City Manager for disciplinary action against the department head and responsible employee(s).
2. **Verify Budget Appropriation:** The finance officer/deputy finance officer shall verify that there is still an appropriation authorizing the expenditure annual budget ordinance or project ordinance.
3. **Verify Budgeted Funds Remain:** The finance officer/deputy finance officer shall verify that the budget appropriation contains sufficient funds to pay the amount due. The finance officer/deputy shall consider if: (1) an encumbrance has been previously created for the transactions; or (2) if an unencumbered balance remains in the appropriate sufficient to pay the amount to be disbursed. If sufficient unencumbered funds do not remain in the appropriation, the disbursement shall not be authorized.
4. **Affix and Sign Disbursement Certificate:** The finance officer or deputy finance officer shall include a disbursement certificate on the face of each check or draft on an official depository. The certificate shall be signed and dated by the finance officer or deputy finance officer and shall take substantially the following form: "This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act."



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P. Disbursement Process for Electronic Payments (charge cards, credit cards, debit cards, gas cards, P-cards, ACH and wire payments)

Before any bill, invoice, or other claim is to be paid by electronic fund transfer, which includes payments made using charge cards, credit cards, debit cards, gas cards, procurement cards, or ACH payments, the finance officer/deputy finance officer shall take comply with the below disbursement process prior to authorizing the electronic payment:

1. **Ensure the Amount claimed is Payable:** The finance officer or deputy finance officer shall determine whether amount claimed is payable.
2. **Verify Budget Appropriation:** The finance officer/deputy finance officer shall verify that there is still an appropriation authorizing the expenditure in the annual budget ordinance or a project ordinance.
3. **Verify Budgeted Funds Still Available:** The finance officer/deputy finance officer shall verify that sufficient funds remain in the appropriation to cover the amount that is due to be paid out during the current fiscal year if accounted for in the budget ordinance, or to cover the entire amount if accounted for in a project/grant ordinance; and
4. **Ensure sufficient cash-on-hand to cover the payment:** The finance officer/deputy finance officer shall ensure there is sufficient case in the cash account to transfer out to cover the payment.

Q. Penalties for Non-Compliance

If an officer or employee of a local government or public authority incurs an obligation or pays out or causes to be paid out any funds in violation of the preaudit and disbursement requirements set forth in G.S. § 159-28, that officer or employee, and the sureties on any official bond for that officer or employee, are liable for any sums so committed or disbursed.

If the finance officer or any duly appointed deputy finance officer gives a false disbursement certificate to any contract, agreement, purchase order, check, draft, or other document, the finance officer or duly appointed deputy finance officer, and the sureties on any official bond, are liable for any sums illegally committed or disbursed thereby.

The governing board shall determine, by resolution, if payment from the official bond shall be sought and if the governing body will seek a judgment from the finance officer or duly appointed deputy finance officer for any deficiencies in the amount.



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§ 159-28. Budgetary accounting for appropriations.

(a) Incurring Obligations. – No obligation may be incurred in a program, function, or activity accounted for in a fund included in the budget ordinance unless the budget ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay in the current fiscal year the sums obligated by the transaction for the current fiscal year. No obligation may be incurred for a capital project or a grant project authorized by a project ordinance unless that project ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay the sums obligated by the transaction. Nothing in this section shall require a contract to be reduced to writing.

(a1) Preaudit Requirement. – If an obligation is reduced to a written contract or written agreement requiring the payment of money, or is evidenced by a written purchase order for supplies and materials, the written contract, agreement, or purchase order shall include on its face a certificate stating that the instrument has been preaudited to assure compliance with subsection (a) of this section. The certificate, which shall be signed by the finance officer, or any deputy finance officer approved for this purpose by the governing board, shall take substantially the following form:

"This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

(Signature of finance officer)."

(a2) Failure to Preaudit. – An obligation incurred in violation of subsection (a) or (a1) of this section is invalid and may not be enforced. The finance officer shall establish procedures to assure compliance with this section, in accordance with any rules adopted by the Local Government Commission.

(a3) Use of Automated System for Preaudit. – An automated financial computer system may be used to meet the requirements of subsection (a1) of this section if an annual certification is filed with the Secretary of the Commission pursuant to subsection (a4) of this section. The provisions of this subsection do not apply to transactions exempted by statute from the preaudit requirement. The automated computer system must have all of the following:

- (1) Embedded functionality that determines that there is an appropriation to the department, function code, or project in which the transaction appropriately falls.
- (2) Functionality ensuring that unencumbered funds remain in the appropriation to pay out any amounts that are expected to come due during the budgeted period.
- (3) Real-time visibility to budget compliance, alert threshold notifications, and rules-based compliance measures and enforcement.

(a4) Annual Certification of Automated Preaudit System. – When an automated financial computer system is used to meet the requirements of subsection (a1) of this section, the finance officer shall certify to the Secretary of the Commission no later than 30 days after the start of the unit's or public authority's fiscal year that the automated financial computer system meets all the requirements of subsection (a3) of this section. The Secretary may reject or revoke the finance officer's certification if the annual audit for the unit's or public authority's immediately preceding fiscal year includes a finding of budgetary noncompliance or if the Secretary determines that the automated financial computer system fails to meet the requirements of subsection (a3) of this section.

(b) Disbursements. – When a bill, invoice, or other claim against a local government or public authority is presented, the finance officer shall either approve or disapprove the necessary disbursement. If the claim involves a program, function, or activity accounted for in a fund



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included in the budget ordinance or a capital project or a grant project authorized by a project ordinance, the finance officer may approve the claim only if both of the following apply:

- (1) The finance officer determines the amount to be payable.
- (2) The budget ordinance or a project ordinance includes an appropriation authorizing the expenditure and either (i) an encumbrance has been previously created for the transaction or (ii) an unencumbered balance remains in the appropriation sufficient to pay the amount to be disbursed.

The finance officer may approve a bill, invoice, or other claim requiring disbursement from an intragovernmental service fund or trust or custodial fund not included in the budget ordinance, only if the amount claimed is determined to be payable. A bill, invoice, or other claim may not be paid unless it has been approved by the finance officer or, under subsection (c) of this section, by the governing board. The finance officer shall establish procedures to assure compliance with this subsection, in accordance with any rules adopted by the Local Government Commission.

(c) **Governing Board Approval of Bills, Invoices, or Claims.** – The governing board may, as permitted by this subsection, approve a bill, invoice, or other claim against the local government or public authority that has been disapproved by the finance officer. The governing board may not approve a claim for which no appropriation appears in the budget ordinance or in a project ordinance, or for which the appropriation contains no encumbrance and the unencumbered balance is less than the amount to be paid. The governing board shall approve payment by formal resolution stating the board's reasons for allowing the bill, invoice, or other claim. The resolution shall be entered in the minutes together with the names of those voting in the affirmative. The chairman of the board, or some other member designated for this purpose, shall sign the certificate on the check or draft given in payment of the bill, invoice, or other claim. If payment results in a violation of law, each member of the board voting to allow payment is jointly and severally liable for the full amount of the check or draft given in payment.

(d) **Payment.** – A local government or public authority may not pay a bill, invoice, salary, or other claim except by any of the following methods:

- (1) Check or draft on an official depository.
- (2) Bank wire transfer from an official depository.
- (3) Electronic payment or an electronic funds transfer originated by the local government or public authority through an official depository.
- (4) Cash, if the local government has adopted an ordinance authorizing the use of cash, and specifying the limits of the use of cash.

(d1) Except as provided in this section, each check or draft on an official depository shall bear on its face a certificate signed by the finance officer or a deputy finance officer approved for this purpose by the governing board (or signed by the chairman or some other member of the board pursuant to subsection (c) of this section). The certificate shall take substantially the following form:

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

(Signature of finance officer)."

(d2) An electronic payment or electronic funds transfer shall be subject to the preaudit process in accordance with this section and any rules adopted by the Local Government Commission. The rules so adopted shall address execution of electronic payment or electronic funds transfer and how to indicate that the finance officer or duly appointed deputy finance officer has performed the preaudit process in accordance with this section. A finance officer or duly appointed deputy finance officer shall be presumed in compliance with this section if the finance officer or duly appointed deputy finance officer complies with the rules adopted by the Local Government Commission.



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(e) Penalties. – If an officer or employee of a local government or public authority incurs an obligation or pays out or causes to be paid out any funds in violation of this section, that officer or employee, and the sureties on any official bond for that officer or employee, are liable for any sums so committed or disbursed. If the finance officer or any duly appointed deputy finance officer gives a false certificate to any contract, agreement, purchase order, check, draft, or other document, the finance officer or duly appointed deputy finance officer, and the sureties on any official bond, are liable for any sums illegally committed or disbursed thereby. The governing board shall determine, by resolution, if payment from the official bond shall be sought and if the governing body will seek a judgment from the finance officer or duly appointed deputy finance officer for any deficiencies in the amount.

(e1) Inclusion of the contract term in accordance with G.S. 143-133.3(b) shall be deemed in compliance with G.S. 143-133.3(a).

(f) The certifications required by subsections (a1) and (d1) of this section shall not apply to any of the following:

- (1) An obligation or a document related to the obligation has been approved by the Local Government Commission.
- (2) Payroll expenditures, including all benefits for employees of the local government.
- (3) Electronic payments, as specified in rules adopted by the Local Government Commission.

(g) As used in this section, the following terms shall have the following meanings:

- (1) Electronic funds transfer. – A transfer of funds initiated by using an electronic terminal, a telephone, a computer, or magnetic tape to instruct or authorize a financial institution or its agent to credit or debit an account.
- (2) Electronic payment. – Payment by charge card, credit card, debit card, gas card, procurement card, or electronic funds transfer. (1971, c. 780, s. 1; 1973, c. 474, ss. 22, 23; 1975, c. 514, s. 12; 1979, c. 402, ss. 7, 8; 2010-99, s. 1; 2012-156, s. 1; 2015-246, s. 6(a); 2015-294, s. 2; 2021-58, s. 3; 2021-60, s. 3.5.)

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Authorization of sale of jointly owned property for 111 W. Pine Street (Henry Battle)

BACKGROUND: Wayne County has requested concurrence by the City Council for jointly owned city/county-owned property. The County conducted the sale under the upset bid process (NCGS §160A-269), and the final upset bid was approved at the January 16, 2024 commissioners meeting.

DISCUSSION:

Buyer: Henry Battle
Sales Price: \$6,000.00

111 W. Pine Street
Tax Value: \$1,920.00 Pin #: 2599841661

RECOMMENDATION: It is recommended that the City Council, by motion:

1. Adopt attached resolution declaring the property surplus and authorizing City officials to execute instruments necessary to transfer ownership for 111 W. Pine Street to Henry Battle.

Date: 2/5/24


Catherine F. Gwynn, Finance Director

Date: 2/6/24


Timothy M. Salmon, City Manager

**RESOLUTION AUTHORIZING SALE OF SURPLUS
REAL PROPERTY UNDER NCGS § 160A-269**

WHEREAS, the City of Goldsboro and County of Wayne jointly own certain property, 111 W. Pine Street (NC Pin #2599841661); and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and


WHEREAS, the County of Wayne has approved the sale at the September 19, 2023 Board meeting and then conducted the upset bid process. The Board approved the final upset bid at the January 16, 2024 meeting; and

WHEREAS, the County has requested concurrence from the City on the sale for the winning offer in the amount of \$6,000.00 (Six Thousand Dollars and no/100) from Henry Battle.

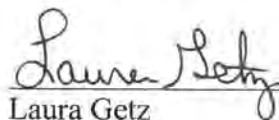
NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Goldsboro, North Carolina, that:

- 1) The City Council declares the properties as surplus.
- 2) The City Council authorizes the sale of the property described above through North Carolina General Statute §160A-269.
- 3) City Council further authorizes and empowers City officials to execute the instruments necessary to convey the property to the Offeror.
- 4) The City reserves the right to withdraw the property from sale at any time before ownership is transferred and recorded.

This resolution shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV
Mayor

Attested by:


Laura Getz
City Clerk



PUBLIC NOTICE
SALE OF COUNTY PROPERTY

An offer of Six Thousand Dollars (\$6,000.00) has been submitted for the purchase of certain property owned by the County of Wayne and the City of Goldsboro located at 111 W. Pine Street, Goldsboro, NC 27530 more particularly described as follows:

BEGINNING at a stake on the northern edge of West Pine street as a point 38.3 feet eastwardly from the northeastern corner of James Street and Pine Street, and runs northwardly parallel with James Street 107 feet to stake in Hatcher's line; thence eastwardly parallel with Pine Street 33.9 feet to a stake; thence southwardly parallel with James Street 107 feet to Pine Street, thence westwardly along Pine Street 33.9 feet to the beginning.

Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer and the required deposit to the office of the Wayne County Manager, 224 E. Walnut Street, Goldsboro, NC 27530 by 5:00 P.M. on December 15, 2023. At that time the Clerk to the Board shall open the bids, if any, and the highest qualifying bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

A qualifying higher bid is one that raises the existing offer at least 10% of the first \$1,000 and 5% of the remainder. A qualifying bid must raise the existing offer to an amount not less than \$6,350.00.

A qualifying higher bid must be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. If no other bids are made the original offer to purchase will be accepted.

Further information may be obtained at the Wayne County Manager's Office, 224 E. Walnut Street, Goldsboro, NC 27530 or by telephone at (919) 705-1971 during normal business hours.

Andrew J. Neal
Wayne County Staff Attorney
PO Box 227
Goldsboro, NC 27533
(919) 705-1971
Run date: December 5, 2023

WAYNE COUNTY & CITY OF GOLDSBORO				Parcel: 2599841661																			
111 W PINE ST				PLAT: / UNIQ ID 47604																			
79266550				ID NO: 12000054004018																			
COUNTYWIDE ADVALOREM TAX (100), CITY - GOLDSBORO (100)																				CARD NO. 1 of 1			
Reval Year: 2019 Tax Year: 2023 W PINE ST																				1.0000 LT SRC=			
Appraised by 60 on 01701 CENTRAL BUSINESS DISTRICT																				TW-12 CI-01 FR-00 EX-5 AT- LAST ACTION 20170729			
CONSTRUCTION DETAIL				MARKET VALUE						DEPRECIATION						CORRELATION OF VALUE							
TOTAL POINT VALUE				USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	CREDENCE TO											
BUILDING ADJUSTMENTS				01	00							% GOOD						DEPR. BUILDING VALUE - CARD 0					
TOTAL ADJUSTMENT FACTOR				TYPE: SINGLE FAMILY RESIDENTIAL										DEPR. OB/XF VALUE - CARD 0									
TOTAL QUALITY INDEX				STYLE:										MARKET LAND VALUE - CARD 1,920									
														TOTAL MARKET VALUE - CARD 1,920									
														TOTAL APPRAISED VALUE - CARD 1,920									
														TOTAL APPRAISED VALUE - PARCEL 1,920									
														TOTAL PRESENT USE VALUE - PARCEL 0									
														TOTAL VALUE DEFERRED - PARCEL 0									
														TOTAL TAXABLE VALUE - PARCEL \$ 1,920									
														PRIOR									
														BUILDING VALUE 0									
														OBXF VALUE 0									
														LAND VALUE 1,920									
														PRESENT USE VALUE 0									
														DEFERRED VALUE 0									
														TOTAL VALUE 1,920									
														PERMIT									
				CODE		DATE		NOTE		NUMBER		AMOUNT											
				ROUT: WTRSHD:																			
				SALES DATA																			
				OFF. RECORD		DATE		DEED TYPE		Q/UV/I		INDICATE SALES PRICE											
				BOOK	PAGE	MOYR																	
				01754	0141	1	2000	WD	U	I					0								
				00242	0305	1	1901	WD	U	I					0								
				00242	0305	1	1901	WD	U	I					0								
				00242	0005	1	1901	WD	U	V					0								
				HEATED AREA																			
				NOTES																			
				CK FOR DEMO OR REMOD FOR 96																			
				HOUSE GONE FOR 96																			
SUBAREA																							
TYPE		GS AREA	RPL %	CODE	QUALITY	DESCRIPTION	COUNT	LTH	WTH	UNITS	UNIT PRICE	ORIG % COND	BLDG#	SIZE FACT	AYB	EYB	ANN DEP RATE	% OVR	COND	OB/XF DEPR. VALUE			
FIREPLACE				TOTAL OB/XF VALUE 0																			
SUBAREA TOTALS																							
BUILDING DIMENSIONS																							
LAND INFORMATION																							
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONT TAGE	DEPTH	SIZE	LND MOD	COND FACT	OTHER ADJUSTMENTS AND NOTES RF AC LC TO OT				ROAD TYPE	LAND UNIT PRICE	TOTAL LAND UNITS	UNT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	OVERRIDE VALUE	LAND NOTES			
0100	0100	CBDH	34	107	0.8700	2	1.0000						65.00	34.000	FF	0.870	56.55	1923					
TOTAL MARKET LAND DATA																							
TOTAL PRESENT USE DATA																							

0067269

11-24

CASHIER'S CHECK

6726903840

Office AU #

1210(8)

Remitter: HENRY BATTLE
Operator I.D.: 0829840

December 28, 2023

PAY TO THE ORDER OF ***COUNTY OF WAYNE***

**Five Thousand Seven Hundred and 00/100 -US Dollars **

\$5,700.00

Payee Address:

Memo: FOR PURCHASE OF 109 & 111 PINE ST

VOID IF OVER US \$ 5,700.00

WELLS FARGO BANK, N.A.
301 E ASH ST
GOLDSBORO, NC 27530
FOR INQUIRIES CALL (480) 394-3122
CONTROLLER

00 206 311

From: [Andrew Neal](#)
To: [Catherine Gwynn](#); [Octavius Murphy](#)
Subject: 111 W. Pine Street
Date: Tuesday, January 23, 2024 12:24:08 PM
Attachments: [image001.png](#)
[Appraisal Card.pdf](#)
[Henry Battle check.pdf](#)
[Public Notice 6th Offer.pdf](#)

CAUTION: External Email. Be careful when clicking links or opening attachments.

Good afternoon Catherine and Octavius,
The County received an initial offer to purchase 111 W. Pine Street (PIN: 2599841661) in the amount of \$1,000. The Commissioners approved the offer on 9/19/23. We notified adjoining property owners of the offer and 5 upset bids were received. The final upset bid was from Mr. Henry Battle in the amount of \$6,000.

We took the final offer back to the Board on 1/16/23 and the \$6,000 was approved. Mr. Battle has paid the entire amount of his offer.

Could you get this on the City's next agenda for approval? Thank you.



Andrew J. Neal
Staff Attorney
PO Box 227
Goldsboro, NC 27533
Office: 919.705.1713
Fax: 919.988.6495

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Resolution to approve master cost per copy rental contract agreement with CopyPro.

BACKGROUND: City staff executed a sixty (60) month copier contract with CopyPro on January 3, 2019 which began on April 1, 2019, and set to expire on March 31, 2024. The City currently has 29 copiers on 11 separate lease contracts with J&M Executive Leasing with staggered lease terms ending between 2024 and 2029. In addition to the monthly lease cost paid to J&M Executive Leasing, there is an additional cost per copy fee that is charged by CopyPro. The largest of these contracts is scheduled to expire in April. The staggered contract terms, the combined lease costs and copy costs, and the GASB 87 accounting complications, made clear to staff that the existing contract should be terminated so that the City could renegotiate more favorable terms. Written notice was properly delivered in a timely manner to CopyPro. In an effort to reduce the overall cost of copiers, proposals for a "cost per copy" rental program were invited on November 2, 2023. Submittals were evaluated and a copier vendor selected.

DISCUSSION: Procurement staff negotiated a forty-eight (48) month agreement with one (1) twelve-month optional extension with the selected vendor, CopyPro, that would eliminate all current leases, and implement a single master cost per copy rental agreement to begin in April, 2024 and would extend for a maximum period through March, 2029. This option exchanges all 29 current copiers for new equipment. The new agreement allows for additional machines to be added as necessary throughout the agreement term, but will also allow for a coterminous date so the problem with staggered end dates was solved. With this opportunity, IT requested 11 new copiers be added to the agreement that will replace aging printers, and provide print, copy and scan features to these locations. This will bring the total number of machines to 40.

Copy costs over the past few fiscal years averaged \$50,124.41 per year. Using the fees specified in the new contract applied to the number of copies produced in the same previous fiscal years, the cost comparison would reduce the overall copy cost by \$15,708.47 per year. Additional savings will be realized in toner and repair costs when the 11 printers are replaced.

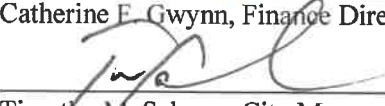
RECOMMENDATION: It is recommended that the City Council, by motion:

1. Adopt attached resolution awarding a cost per copy rental contract forty-eight (48) month agreement with one (1) optional twelve month extension to CopyPro.

Date: 2/5/24


Catherine F. Gwynn, Finance Director

Date: 2/6/24


Timothy M. Salmon, City Manager

RESOLUTION APPROVING MASTER COST PER COPY RENTAL CONTRACT TO COPYPRO

WHEREAS, the City of Goldsboro has need for multi-function copiers (copier) to conduct the necessary business functions of the city; and

WHEREAS, on January 3, 2019 the City entered into a sixty month (60) master lease agreement with CopyPro to supply leased copiers to the City for this purpose; and

WHEREAS, the master lease agreement expires on March 31, 2024, and on October 3, 2023 the IT Director, Scott Williams timely delivered written notice to CopyPro of the City's intent not to renew for an additional sixty (60) months; and

WHEREAS, the City currently utilizes 29 copy machines on 11 separate leases with staggered lease terms ending between 2024 and 2029, and are serviced by J& M Executive Leasing who manages the leases for CopyPro. Under this master lease agreement, the City is also responsible for paying a per copy charge monthly to CopyPro; and

WHEREAS, procurement has determined that a more beneficial arrangement would be to bid the copier contract as a "cost per copy" rental contract with a coterminous end date. Procurement let the bid as a Request for Proposal for a cost per copy program to replace all current contracts for leased copiers and to include provisions for new copiers that can be added during the term of the agreement; and

WHEREAS, the City received proposals on the cost per copy rental contract, and City staff evaluated the proposals submitted with CopyPro receiving the highest score; and

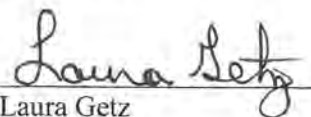
WHEREAS, procurement negotiated the agreement with CopyPro that will produce cost savings for the City. Therefore, staff recommends that CopyPro be awarded the cost per copy rental contract for a forty-eight (48) month agreement beginning on or about April 1, 2024 and includes one (1) optional twelve month extension for a maximum term of sixty (60) months.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that:


1. CopyPro is hereby awarded a cost per copy rental contract agreement for forty-eight (48) months with one (1) optional twelve-month extension for a maximum term of sixty (60) months.
2. The City Manager and Finance Director and other staff as required are authorized to execute the necessary documents and contracts.

This Resolution is effective upon its adoption this 12th day of February, 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor



3103 Landmark Street, Greenville, NC 27834
5509-A Business Drive, Wilmington, NC 28405
Toll free: (800)682-6558 * Fax: (252)756-9597

Date Installed _____
PO Number _____
Bill To: _____
Ship To: _____
Invoice #: _____

Equipment Order and Sales Contract

QUANTITY	DESCRIPTION	SERIAL NUMBER	UNIT PRICE	EXTENDED PRICE
	MFP Cost Per Copy Program City of Goldsboro			
	PRICE: Option 4 (See Option 4 details)			
	Black and White CPC: .0383			
	Color CPC: .031			
	Contract terms are stated in the RFP 2023-007 Cost Per Copy Program			
	48 month contract with 1 optional year after initial term			
	Price includes equipment, toner and service (paper and staples not included)			
	Option 4 includes replacing all current CopyPro/J&M Leasing equipment			
	City of Goldsboro has the option to add equipment/volume during the term of the contract			
Leasing Information and Equipment Trade-In			Freight & Delivery	
Lease: Leasing Co: <u>N/A</u> Term: _____ mths @ \$ _____			Subtotal	
Trade-In: Model #: _____ Serial #: _____ End Meter: _____			Sales Tax	
Reason for Removal: _____ T/I Allowance: _____			Grand Total	See Price above

CopyPro, Inc. agrees to sell, and the undersigned buyer agrees to purchase, the equipment, maintenance, and supplies listed on this contract (the equipment) under the terms herein stated. Even though the equipment may be installed before payment is received, title to the equipment shall not pass to the buyer until payment in full, which is due ten days from the date of installation, is received by CopyPro, Inc. If payment is not received within thirty days of installation, CopyPro shall be authorized to take possession of, and the buyer shall surrender, the equipment. Any such repossession of the equipment by CopyPro, Inc. shall not in any way effect other remedies available under the law to CopyPro, Inc.

Maintenance and Supply Information

Maintenance Agreement: ☒ Yes ☐ No ☐ Considering ☐ Included with lease
Price Quoted: Above Pricing per ☐ Month ☐ Quarter ☐ Year or NA b&w prints/click and NA color prints/click, whichever occurs first. Overages: CPC .0383 per b&w print/click and CPC .031 per color print/click.
Maintenance program—copy drum is: ☒ inclusive ☐ exclusive
Maintenance program is: ☒ inclusive of supplies, except paper and staples ☐ exclusive of supplies

Supply inclusive maintenance agreement includes all maintenance, parts, and supplies, excluding paper and staples. Average supply yields are based the following fills: N/A % b&w fill and N/A % color fill. If fill is determined to be more than an average of these fills, customer may be required to purchase additional toner. **Customer to initial here in acceptance of supply yield provision:** _____

CopyPro Remote will be installed for the purpose of automated meter collection.
Customer to initial here in acceptance of CopyPro Remote provision: _____

PO# for maintenance (for cash sales/non-lease inclusive): _____

Estimated current monthly volumes: NA B&W NA Color

Contract includes connection of 5 workstations plus 12 months of CopyPro Connection Protection.

Comments for Maintenance & Supply: Included in Cost Per Copy

Sales Representative Allison Heath

Comments Terms and Conditions are as stated in the City of Goldsboro

Request for Proposal 2023-007 Cost per Copy

Received \$ _____ on _____ 20____ with order

Key Op and Installation Information

Key Operator: _____

Equipment Location City of Goldsboro

Key Op Phone: _____

Requested Install Date By April 1 2024 Start Meter: _____

Company Name: City of Goldsboro

Street Address: 200 N Center Street

City: Goldsboro State: NC Zip: 27530

Bill to information:

Street Address: Same

PO Box: _____ Phone: _____

City: _____ State: _____ Zip: _____

Authorized by (signature): _____

Printed Name: _____

Title: _____ Date: _____

For CopyPro Use Only

CPI ___ Rent ___ Sale ___ Lease ___ Other ___ Placement: New ___ Upgrade ___

STANDARD "WALK UP" MFP / COPIER AGREEMENT TERMS AND CONDITIONS

For maintaining the walk-up copying functionality of the base copier equipment, COPYPRO, INC. agrees to perform maintenance service in accordance with the following terms and conditions

1. The initial term of this Agreement shall be for a period of one year from date of equipment purchase and shall be automatically renewed, at the then current rate, for an additional period of twelve (12) months unless written notice of the termination is received by either the Customer or (CopyPro, Inc.) at least thirty (30) days prior to the expiration of the initial term of this Agreement or any renewal term thereof. This Agreement shall not be assignable or transferable by Customer without COPYPRO's prior written consent. COPYPRO, INC. may terminate this Agreement if Equipment is sold or transferred to a third party, and upon either event all remaining payments shall become immediately due and owing. COPYPRO, INC. reserves the right to adjust maintenance pricing, terminate this Agreement, and/or assign the service of any equipment which has been relocated more than sixty (60) miles from COPYPRO, INC.'s nearest Service Center. Equipment may not be relocated without the prior written approval of COPYPRO, INC.
2. The pricing of this Agreement is based upon the number of clicks and/or the term of this Agreement. In the event of early termination by the Customer, all remaining charges shall become immediately due and owing. If this Agreement is calculated on a cost-per-click maintenance program, the early termination fee will be calculated according to the average of the actual usage from the beginning date of the Agreement, multiplied by the remaining months of the Agreement.
3. This Agreement does not cover network/connectivity support. All network/connectivity support beyond the initial installation will be chargeable at COPYPRO, INC.'s standard time and materials rates, unless covered by a CopyPro Connection Protection Agreement.
4. The minimum Maintenance rate, any billable excess clicks, and all applicable taxes on such charges or on services rendered, or parts supplied hereto, shall be due upon receipt of the invoice. All Maintenance Agreements are reviewed annually and are subject to adjustment based upon service costs and/or manufacturer's price increases.
5. CopyPro, Inc. or its assigned servicing Dealer will furnish all parts and labor for repairs and maintenance necessitated by normal usage of the walk-up copying/faxing function of the serialized equipment to keep the Equipment in efficient operating order during its regular business hours (8:00 a.m. - 5:00 p.m., Monday through Friday, except holidays) provided that the Equipment is in good working order on the date of commencement of this Agreement. Consumable Supplies (toner, developer, Image Units and drums) are excluded unless otherwise noted on the front of this Contract/ Sales Agreement. Supply Inclusive Maintenance Agreement (SIMS) include all consumables, parts and labor. Scan click charges (if applicable) are not included under this agreement.
6. Service calls for operator function (adding or changing supplies, auto gradation/color calibration, removing misfeeds or any other Customer responsibility) will be subject to a time and material service charge at COPYPRO, INC.'s then current rate. Additional chargeable services include but are not limited to:
 - a) Repairs resulting from causes other than normal use: Customer's willful act; negligence or misuse; Customer's use of supplies, parts or attachments which do not meet published specifications and/or which cause abnormally frequent service calls or service problems; accident, failure or variances of electrical power; failure to provide air conditioning, heat or humidity control as required; abuse, theft, fire, water, or any other damage resulting from uncontrollable causes.
 - b) Subsequent repairs made when personnel other than those of COPYPRO, INC. or its assigned Servicing Dealer perform service.
 - c) Transportation and relocation - repairs resulting from unauthorized relocation of equipment by anyone other than COPYPRO, INC. or its assigned Servicing Dealer. COPYPRO, INC. reserves the right to terminate this Agreement based upon damages to Equipment and to invoice Customer any and all remaining payments applicable to this Agreement.
 - d) Work which Customer requests to be performed outside regular business hours.
 - e) Shop reconditioning or modification to the Equipment except as specified by CopyPro, Inc.'s Technical Service Department to assure greater performance of the Equipment.All of the foregoing shall be invoiced in accordance with CopyPro, Inc.'s established per-call rates and terms in effect. When in CopyPro, Inc.'s opinion the Equipment becomes of advanced age or usage exceeds manufacturer's specifications, and cannot be maintained in good working order through CopyPro, Inc.'s routine preventive maintenance service, or if work beyond the scope of this Agreement is required, CopyPro, Inc. shall submit to Customer a cost estimate of such work. If Customer declines to authorize the same, CopyPro, Inc. shall have the right, on ten (10) days written notice to Customer, to terminate service under this Agreement as to any or all items of Equipment. Removed parts replaced by CopyPro, Inc. shall become property of CopyPro, Inc.. CopyPro, Inc. shall have full and free access to the equipment to provide service thereon. Neither COPYPRO, INC. nor an assigned Servicing Dealer shall be responsible for any delays in servicing the Equipment due to the inability or delay in obtaining a necessary part or supply.
7. Customer agrees to:
 - a. Provide COPYPRO, INC. with meter readings as needed and to accept estimated meter readings based on service history for billing purposes.
 - b. Expenses incurred for supplies consumed in the course of the service performed by COPYPRO, INC. technical personnel or damaged/misused by the customer are non-recoverable and replenishment of such supplies is the sole responsibility of the customer.
8. COPYPRO, INC.'S OBLIGATIONS AND WARRANTIES UNDER THIS AGREEMENT ARE IN LIEU OF (A) ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED INCLUDING IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE SPECIFICALLY WAIVED AND (B) ALL OTHER OBLIGATIONS OR LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO: 1) PERSONAL INJURY OR PROPERTY DAMAGE, OR 2) LOSS OF PROFIT OR OTHER CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT OR THE MAINTENANCE SERVICE CAUSED DIRECTLY OR INDIRECTLY BY STRIKES, ACCIDENTS, CLIMATIC CONDITIONS, OR REASON OF SIMILAR NATURE BEYOND ITS CONTROL. CUSTOMER AGREES THAT IF COPYPRO, INC. CAUSED ANY INJURY OR DAMAGE TO CUSTOMER OR CUSTOMER'S PROPERTY, WHICH SAID CLAIM IS NOT OTHERWISE WAIVED HEREIN, CUSTOMER AGREES THAT THE MAXIMUM AMOUNT THAT COPYPRO, INC. SHALL HAVE TO PAY CUSTOMER FOR SAID INJURY OR DAMAGE IS AN AMOUNT EQUAL TO THE SERVICES RENDERED TO THE CUSTOMER THAT CAUSED SAID INJURY OR DAMAGE.
9. This Agreement constitutes the entire Agreement between the parties with respect to the furnishing of maintenance service superseding all previous proposals, oral or written.
10. COPYPRO, INC. reserves the right to withhold service and product if Customer fails to make any payment due under the terms and conditions of this Agreement. If Customer fails to make any payment when due under the terms and conditions of this Agreement as set forth above or otherwise is in default of the terms and conditions of this Agreement, Customer agrees that all payments due under said Agreement shall be accelerated and Customer shall be liable for all payments due under the full term of this Agreement that are unpaid or the reasonable cost of all services completed by the CopyPro, Inc. for the benefit of Customer, whichever is greater. If Customer breaches any term or condition of this Agreement, Customer agrees to reimburse COPYPRO, INC. for all attorney fees and costs COPYPRO, INC. expends to enforce the terms and conditions of this Agreement against Customer. Should either party commence a lawsuit arising out of or related to the terms and conditions of this Agreement, then that lawsuit shall be filed exclusively in Pitt County. Further, this Agreement shall be interpreted exclusively under the laws of the State of North Carolina.

City of Goldsboro Equipment to be Replaced

				BW		BW
				Color		Co
				*we matched equipment/accessories based on		
Equipment number	Address	Location	NOTES for RFP response	Current Model	Type	Replacement Model Ty
EQU15820	1601 Clingman Avenue		Listed as a C360i color - Is a 360i BW	Bizhub 360i	BW	360i BV
EQU8480	1601 Clingman Avenue	Public Works	Listed as a C368 color - Is a 368e BW	Bizhub 368E	BW	360i BV
EQU8478	1204 Jordan Blvd.	Public Utilities Dept	Listed as a C368 color - Is a 368e BW	Bizhub 368E	BW	360i BV
EQU8477	204 South Center Street	Police Dept	Unit has Hole Punch not listed on RFP *CHANGED TO COLOR 1/22/2024	Bizhub 808	BW	C650i Co
EQU10006	204 South Center Street	Police Dept	Unit has Hole Punch not listed on RFP	Bizhub 808	BW	750i BV
EQU9377	200 N Center Street	City Hall		Bizhub C227	Color	C250i Co
EQU8508	214 N Center Street	Human Resources		Bizhub C227	Color	C250i Co
EQU8507	200 N Center Street	City Manager's Office		Bizhub C227	Color	C250i Co
EQU8506	204 South Center Street	Police Dept.		Bizhub C227	Color	C250i Co
EQU8505	308 N Williams Street	Travel and Tourism		Bizhub C227	Color	C250i Co
EQU10005	204 South Center Street	FIRE DEPARTMENT	Fax listed on RFP not on System - Finisher not listed	Bizhub C227	Color	C250i Co
EQU10004	1503 Herring Street	Parks & Rec	Fax listed on RFP not on System	Bizhub C227	Color	C250i Co
EQU15279	696 N Spence Ave			Bizhub C250i	Color	C250i Co
EQU14932	1601 Clingman Avenue	Public Works	Fax not listed on RFP	Bizhub C250i	Color	C250i Co
EQU12086	1601 Clingman Avenue	FINANCE WAREHOUSE		Bizhub C250i	Color	C250i Co
EQU12030	204 South Center Street	Public Saftey Complex-police Dept		Bizhub C250i	Color	C250i Co
EQU11396	1012 South John Street	In Front of Brick Wall		Bizhub C250i	Color	C250i Co
EQU11263	204 South Center Street	Police Dept. / Chiefs Office		Bizhub C250i	Color	C250i Co
EQU10735	1501 South Slocumb St	Left Side of Building	Fax not listed on RFP	Bizhub C250i	Color	C250i Co
EQU9114	200 N Center Street	Information Technology	Hole punch not listed on RFP	Bizhub C368	Color	C360i Co
EQU9113	714 Arrington Bridge Rd.	Utilities Dept	Booklet Finisher and Hole punch not listed on RFP	Bizhub C368	Color	C360i Co
EQU8880	200 N Center Street	Planning Department	Hole punch not listed on RFP	Bizhub C368	Color	C360i Co
EQU8483	903 East Ash Street	Parks and Recreations		Bizhub C368	Color	C360i Co
EQU8482	200 N Center Street	Community Relations	2x Tray not listed on RFP	Bizhub C368	Color	C360i Co
EQU8481	200 N Center Street	Mail Room	Finisher and hole punch not listed on RFP- System does not have 2x Universal Tray	Bizhub C368	Color	C360i Co
EQU8247	200 N Center Street	Finance	RFP lists fax and finisher not on System - LCC not on RFP	Bizhub C368	Color	C360i Co
EQU8242	1601 Clingman Avenue	Signal Shop		Bizhub C368	Color	C360i Co
EQU8484	116 N Center Street	Downtown Development	2x tray and hole punch not listed on RFP	Bizhub C558	Color	C550i Co

FK-514 Fax Kit

Unit

Unit

EQU13401	200 N Center Street	FINANCE	2x tray and 100 sheet finisher not listed on RFP	Bizhub C558	Color	C550i	Color	PC 216 Paper Cabinet	FS-540 SD 100 Sheet Stapling Finisher	KMBS RU-513
ADDED: To CPC Contract 1/22/2024										
FC948	139 South Center Street	Paramount Facility	not on RFP	Savin MP C3003	Color	C250i	Color	PC 216 Paper Cabinet		
added	204 South Center Street	Fire Station 1	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	1900 Royall Ave, Goldsboro, NC 27534	Fire Station 2	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	100 Patetown Rd, Goldsboro, NC 27530	Fire Station 3	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	1300 Poplar St, Goldsboro, NC 27530	Fire Station 4	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	3521 Central Heights Rd, Goldsboro, NC 27534	Fire Station 5	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	200 N Center Street	Information Technology	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	516 S Leslie St, Goldsboro, NC 27530	Parks and Rec /TC Coley Center	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	204 South Center Street	Police Dept.	not on RFP	Not with CopyPro	Color	C4050i Desktop	Color			
added	204 South Center Street	Police Dept.	not on RFP	Not with CopyPro	Color	C250i	Color	DK-516 Cabinet	FS-536 Finisher (50 Sheets)	KMBS RU-513

**Request for Proposal - Cost-per-Copy
Comparison Sheet**

Cost-per-Copy	*CopyPro RFP	**CopyPro Opt 4
Black & White	0.0315	0.0383
Color	0.031	0.031

City of Goldsboro

Vendor	Annual Copier Expense Per Fiscal Year			
	FY-2020	FY-2021	FY-2022	FY-2023
CopyPro (1667)	\$ 17,046.63	\$ 14,634.17	\$ 15,414.34	\$ 17,236.57
J&M Executive Leasing (8464)	\$ 28,368.47	\$ 32,006.87	\$ 38,184.24	\$ 37,606.36
Banner Total	\$ 45,415.10	\$ 46,641.04	\$ 53,598.58	\$ 54,842.93

CopyPro Request for Proposal Option 4 - Annual Cost-Per-Copy Comparison

	FY-2020	FY-2021	FY-2022	FY-2023
B&W CopyPro Option 4 (1/3/24)	29,269.93	24,754.40	22,366.74	\$ 23,945.58
Color CopyPro Option 4 (1/3/24)	9,584.77	8,113.41	8,735.18	10,893.77
Total C-P-C Using FY Copy Count	38,854.70	32,867.81	31,101.92	34,839.35

***** The original RFP from CopyPro was proposed in stages to cover several contract end dates over the course of 5 years. As existing contracts ended, new copiers would be delivered and added to a master C-P-C contract.

****** Option 4 as negotiated with CopyPro replaces all 29 machines in April of 2024, closing all remaining current contracts with J&M Executive Leasing, and beginning a brand new Master C-P-C contract for 60 months.



**Cost Per Copy Pricing
OPTION 4
Start 4/2024 - End 3/2029**

Currently the City of Goldsboro has multiple leases with staggered end dates. In order to get to a coterminous end date, we are proposing a CPC (BW) to replace all current 29 units. The Color Cost Per Copy will be .031. Option 4 will eliminate all leases with CopyPro currently in place at the City of Goldsboro effective April 1st, 2024 (all existing CopyPro leases on the 29 units will have final lease payment in March 2024). Target install by April 1st 2024 (install date can be determined at a later date).

There is not a minimum of impressions per year or month and the CPC includes equipment, service, supplies (except paper and staples). This pricing is based upon the months remaining and the volume based on the past 12 months. We do realize this is a 48-month contract with 1 additional year option. This will be all new current model Konica Minolta equipment in all locations with Like for Like equipment.

BW CPC

**April 2024 – March 2029
CPC .0383
Replace 29 Devices
(19 listed below and 10 on following page)**

EQU8478
EQU8480
EQU8477
EQU8505
EQU8506
EQU8507
EQU8508
EQU8247
EQU8481
EQU8482
EQU8483
EQU8484
EQU8880
EQU8242
EQU9114
EQU9377
EQU10006
EQU10004
EQU10005



EQU9113
EQU13401
EQU11263
EQU12030
EQU10735
EQU11396
EQU12086
EQU14932
EQU15279
EQU15820

CopyPro will guarantee the performance of the equipment. Should equipment fail during the term of the contract, CopyPro will replace equipment with Like for Like equipment.

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING


SUBJECT: Establishing and adopting a Utility Customer Service Policy and Procedure Manual for Utility Billing and Revenue Collection (FINP-017.0)

BACKGROUND: The City of Goldsboro has never established a formal Utility Customer Service Policy and Procedure Manual for Utility Billing and Revenue Collection.

DISCUSSION: The utility services offered by the City are governed by local ordinance and state law. A best practice is to have a formally adopted policy to set forth the rules and expectations with regards to utility services. Staff researched city records to find an existing utility customer service policy or procedure and was not able to find evidence of its existence. The customer service manager and finance director collaborated over the past couple of years to prepare the attached policy for Council's approval and adoption.

RECOMMENDATION: It is recommended that City Council adopt the attached resolution and recommended policy for the Utility Customer Service Policy and Procedure Manual for Utility Billing and Revenue Collection (FINP-017.0) necessary to provide good governance over the City's fiscal operations.

Date: 2/6/2024


Catherine F. Gwynn, Finance Director

Date: 2/7/24


Timothy M. Salmon, City Manager

RESOLUTION NO. 2024-15

**RESOLUTION ADOPTING THE UTILITY CUSTOMER SERVICE POLICY
AND PROCEDURE MANUAL FOR UTILITY BILLING AND REVENUE COLLECTION
(FINP-017.0)**

WHEREAS, the City Council of the City of Goldsboro wishes to ensure that it manages its fiscal operations in accordance with state and local law and ordinance, and in harmony with principles of good governance; and

WHEREAS, good management and accounting principles dictate that policies and procedures are key in successful business operations; and

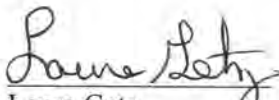
WHEREAS, the City does not have a utility customer service policy and procedure manual, and Council wishes to resolve this control weakness to provide guidance for staff conducting the business of the City and to inform its customers of the City's business practices.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Goldsboro hereby adopts and enacts the following *Utility Customer Service Policy and Procedure Manual for Utility Billing and Revenue Collection (FINP-017.0)* which shall apply to the City of Goldsboro.

This Resolution shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV
Mayor

ATTEST:


Laura Getz
City Clerk





City of Goldsboro

Utility Customer Service Policy and Procedure Manual

Version Date: February 12, 2024



Utility Customer Service Policy & Procedure Manual (FINP-017.0)

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Utility Customer Service Policy & Procedure Manual (FINP-017.0)

The City of Goldsboro Customer Service Office normal business hours are between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday located in the Revenue Department at City Hall 200 N. Center Street, Goldsboro, NC 27530. Customer Service representatives can be contacted by calling (919) 580-4340 during regular business hours. After hours service for utility services can be reached by calling the after-hours call center at (919) 734-8674. The Customer Service fax number is (919) 580-4205.

1.1 Purpose:

A. Intent of Policy.

The intent of this policy is to provide the City of Goldsboro customers and employees a guide to the established policy and procedures for providing utility service. The City of Goldsboro strives to treat its citizens fairly while recognizing that each customer has various needs and requirements. However, this policy is not intended and does not generate in favor of any customer procedural or fundamental rights which do not otherwise exist in law.

B. Contracts and Policy Copies.

Service applications, contracts, schedules, rates and copies of service regulations are available at City Hall and will be furnished to the customer on request or on the City's website at <https://www.goldsboronc.gov/finance/water-accounts/>. Customer Service is located at City Hall at 200 N. Center Street. The City's mailing address is P.O. Drawer A, Goldsboro North Carolina 27533 and the main telephone number is (919)580-4340.

C. Code of Ordinance.

Website: https://codelibrary.amlegal.com/codes/goldsboro/latest/goldsboro_nc/0-0-0-2046799549

Title V: Public Utilities

[Chapter 50.](#) Solid Waste

[Chapter 51.](#) Sewer Regulations

[Chapter 52.](#) Water Regulations

[Chapter 53.](#) Water and Sewer Systems

[Chapter 54.](#) Stormwater Management Utility

D. Approval.

This policy has been approved by City Council on Resolution **2024-xx** on 2/12/2024.

E. Changes.

Rate schedules and the service regulations, are subject to such changes and modifications as may be made and approved by City Council or otherwise imposed by lawful authority. Current rate schedules shall be posted on the City's website in the Manual of Fees and Charges.

2.1 Definitions:

- A. After-hours Charge. An after-hours charge will be levied to customers requesting service connections during non-working hours. Reconnections requested prior to 3:00 pm will require a \$30.00 reconnection fee or the current adopted reconnection fee. All reconnections that are requested after 3:00 pm will require an \$80.00 reconnection fee or the current adopted after-hours reconnection fee. The City will need **1 business day** to establish an account and schedule a connection of services. A new customer who has completed the application during office hours can have services connected after hours on the same day if the after-hours fee is paid. This will need to be scheduled with the Customer Service staff.
- B. Applicant. Any person, group of persons, association, partnership, firm or corporation requesting services from the City such as water, sewage services, solid waste disposal and storm water.
- C. City. The City of Goldsboro, North Carolina.
- D. Customer. Any person, group of persons, association, partnership, firm or corporation provided utilities by the City.
- E. Delivery point. The point where the City's facilities for supplying utilities are connected to the customers facilities for receiving utilities, unless otherwise specified in the agreement with the customer for purchase of utilities.
- F. Lines. The City's conductors (i.e. pipe) for supplying and/or customer's conductors (i.e. pipe) for receiving utilities.
- G. Owner. The person, group of persons, association, partnership, to be served.
- H. Rate and fee schedule. Refers to the Manual of Fees and Charges adopted by Council at least annually that details utility rates and fees imposed by the City.

- I. Security deposit. The advance payment of a sum as determined by Council to secure a connection to municipal utility services. The security deposit is used in the event the customer fails to pay their utility bill. Upon disconnection of service, the deposit is applied against any remaining balance owed by the customer, and any excess is refundable to the customer.
- J. Tenant. The person, group of persons, association, partnership, firm, corporation, or other legal entity lawfully occupying the premises to be served.
- K. Utilities. One or more of the following services: water, sewage services, solid waste disposal, storm water.

3.1 Application for Utilities Services:

- A. Who may apply for service?

Only the owner(s) or tenant(s) can apply for utility service with the City of Goldsboro. The City requires proof the applicant is the owner or the tenant of record. If service has been disconnected for non-payment or meter tampering, the City may require the new applicant to sign an affidavit attesting to the fact that the previous tenant is no longer living at the residence.

- B. The City reserves the right to require an applicant, before utilities are delivered, to execute an application in the form prescribed by the City. The application process can be completed in the Revenue Department in City Hall or by phone, by calling (919) 580-4340. The City, as a part of the application process, may require that the applicant provide photo identification, social security number, or tax identification number, and driver license number (if applicant is an individual). If the person furnishing the information is not the applicant, that person must show satisfactory proof of their authority to act for the applicant. If the applicant is a tenant, they must furnish the name of the owner of the premises to be served, along with a copy of the tenant lease agreement/rent receipt. When an application is made by a non-resident of the City which necessitates extensive travel to provide required information for the application, the city will make reasonable accommodation for the applicant who can provide credit worthiness. In these cases, mailed-in photocopies or facsimiles will be acceptable and required signatures may be postponed, or documents signed the next business day. Other adjustments to procedures may be necessary and will be considered on a case-by-case basis.
- C. The rates, fees, charges and penalties for all utility services as determined by the City Council from time to time shall be binding on and be legal obligations of the applicant/customer.
- D. Rates, fees, charges, and penalties for utility service shall be legal obligations of the owner of the premises served when:

1. When application is made for premises cohabitated by a married couple, the application shall be in the name of both spouses. If the application is signed by only one of the spouses, that spouse must furnish satisfactory proof of the consent of the other spouse.
 2. Applications for services by builders, contractors, and developers with reliable payment histories may be exempt for the formal application procedures for construction requiring temporary service provided the City has on file an agreement signed by the customer indicating his/her acceptance of financial responsibility for charges incurred as a result of such an agreement. These applications will be accepted via telephone, when accompanied by location and other relevant data for service.
- E. Applications for existing services (connects and/or disconnects) will be processed by the end of the next business day, provided all outstanding charges have been paid or satisfactory arrangements made with the Customer Service Supervisor or his/her designee. Applicants who require same day services due to extenuating circumstances will be considered on a case-by-case basis.
- F. In the event of death of a utility customer, the executor or administrator of the estate should contact the City to close the account and disconnect service, or establish account services in another occupant's name. The account may not remain in the name of the deceased customer.

4.1 Previous Accounts Receivable.

- A. The Customer Service Office will examine the City's records to determine if a previous account existed for new applicants. If an account previously existed, and has a balance due to the City, the previous balance must be settled in full prior to establishing a new account, or specific written arrangements made to settle the old account.

REPAYMENT OF PREVIOUS ACCOUNTS RECEIVABLE

If a customer has any utility service connected and is later found to have a prior utility debt owed to the City, the Customer Service Manager or their designee will transfer the prior utility debt to the current account and the customer will be required to make payment on the unpaid balance. Depending on the amount of balance owed, the customer may be allowed to make partial payments until the debt is repaid, provided satisfactory written arrangements are made with the Customer Service Manager. The suggested repayment schedule is 50% of the total amount owed and the remaining balance to be paid as follows:

For amounts of \$100.00 or less:	1 payment
For amounts of \$100.01 to \$200.00:	2 equal payments
For amounts of \$200.01 or more:	4 equal monthly payments

If a member of a household is later found to have a prior utility debt owed to the City, notwithstanding the fact that the prior account may have been established in the name of a member of the household other than the current customer; the current customer must make arrangements to satisfy the outstanding debt. Cases of extreme hardship will be evaluated by the Customer Service Manager their designee, and alternate repayment schedules may be established.

When a customer is moving from one location to another location served by the City, the customer must complete the application process and pay any monies owed to the City prior to transfer of services. Based on the customer payment history, the customer may be required to update, or furnish a security deposit.

5.1 Meter Reading:

- A. It is the City's policy to read every utility meter each month. The reading dates are scheduled to fall within the same weekly period each month. The City will strive to maintain a billing cycle of not less than 25 days nor more than 35 days in the billing period.
- B. The City reserves the right to estimate usage when extenuating circumstances prevail. However, it shall be the policy of the City not to estimate an account for more than two (2) consecutive months, unless unavoidable.
- C. A customer may request a rereading of their meter. If it is determined an error has been made, an appropriate adjustment to the billing will be made. Refer to Adjustments Policy.

6.1 Customer Deposits:

A. Deposit Requirement.

The City requires all customers to make an initial deposit, based on the current Manual of Fees and Charges, as a guarantee of payment of utilities used.

B. Residential Customer Deposits.

Residential customers, inside-city and outside-city, at the time of application for service, shall pay a deposit as specified in the Manual of Fee and Charges.

C. Commercial/ Non-profit/Industrial Customer Deposits.

Commercial and industrial customers will, at the time of application for service, pay a deposit as specified in the Manual of Fees and Charges. The amount is generally calculated at the projected bimonthly utility bill of each metered account, but not less than \$100 nor greater than \$5,000 for each metered account. The amount is subject to change by Council through the Manual of Fees and Charges.

Non-profit organizations are considered as commercial customers and require a deposit for services.

D. Deposits and Service Disconnect.

Any present customer without a deposit on file, or whose deposit is less than the deposit required hereunder, and whose service is involuntarily terminated for either non-payment, returned check, meter tampering or other such reason, will be required to pay a deposit or update an existing deposit as specified above prior to reconnection of service.

7.1 Payment Requirements for Utility Service:

A. Utilities Billing and Delinquency Cut Off.

Utility bills shall be mailed to each customer once a month each month and are due and payable when charges are assessed. Twenty (20) days after the billing date, the bills are considered delinquent and a service fee is assessed. Generally, bills are due on Thursday, and due dates do not fall on weekends or holidays. Unless payment is then made prior to the subsequent months billing due date, the account will be assessed an additional late fee and service fee and will be subject to disconnection. Service will be subject to disconnection ten (10) days after the delinquent date. When the due date falls on a weekend or holiday, the next working date will be considered the due date.

The City shall use the United States Postal Service to distribute utility bills. Any customer who fails to receive a billing is not relieved of payment responsibility and should contact the City to determine the amount of said billing prior to the delinquent date. If payment is received past the close of business on the due date, a penalty will be applied.

Customers who find themselves in danger of disconnection but pay their bill before cutoff are encouraged to contact Customer Service to ensure that the payment was received and the service location has been removed from the cutoff list.

B. Payment Extension Agreement.

An extension will be made on utility payments if a customer has made arrangements with the City and has signed a Payment Extension Agreement approved by the Customer Service Manager.

- All requests must be made by the tenant of record or homeowner.
- No more than three (3) payment extensions will be granted in a twelve (12) month period. These extensions may not be consecutive.
- The City has the right to grant more than three (3) extension requests if it determines it would be in the City's best interest to do so. Each customer's

credit history shall determine the terms of extension which will be granted, based on the customer's previous 12-month credit history.

- In no instance will the extension be for longer than ten (10) calendar days from disconnection date, unless in the City's judgement extenuating circumstances apply.
- If payment is not made as agreed to in the Payment Extension Agreement, service will be disconnected without further notice, and all payments, including any disconnect and reconnect charges, will have to be received before reconnecting service.

C. Methods of Payment.

1. In person/drop box at the Revenue Department of the City. Payment shall be made without regard to any alleged counterclaim by the customer.
2. By phone at 1-888-715-5488.
3. By City website or at <https://goldsboro.qpaybill.com/Start.aspx>
4. Direct Draft. The City provides a convenient program to allow a customer's utility bill to be drafted from his/her checking account or credit card account. At the customer's option, the City will draft his/her checking account each month for the amount of their bill. The draft will occur on the due date of the bill. The customer will still receive a copy of his/her bill.
5. By authorizing the draft, a customer does not waive his/her right to contest a bill or to receive a correction for a billing error. The correction will be made in the form of a refund, a credit, or a charge to the account. If the draft is dishonored due to insufficient funds, the same remedies the City has under Section 9 regarding returned checks shall apply.

D. Application of Payment.

The City reserves the right to apply any payment or payments made by the customer in whole or in part to any existing or previous account due the City by the customer in connection with the furnishing of utilities.

The City reserves the right to apply payments to services in the priority order it establishes. Generally, payments are applied as follows:

- Penalty
- Other Miscellaneous Charges (example, returned check fee)
- Garbage
- Stormwater
- Sewer
- Water

8.1 Credit History:

- A. The City will maintain a payment record on all customers based on historical payment of utility bills. A customer's payment history shall be classified "good" providing the customer has been assessed no more than two (2) late penalties during the prior twelve (12) months. The customer's payment history shall be classified "not good" if the customer has appeared on the cut-off list, though not necessarily cut off, or has had one check or bank draft not honored by the bank on which it is drawn in a prior twelve (12) month period.
- B. Release of information. The City will furnish information regarding a customer's payment history upon written request of the customer.

9.1 Returned Checks, Drafts and Credit Cards:

- A. When a customer's check is returned by the bank on which it is drawn because the bank will not honor it, for any reason, the customer will be notified by mail that the check was not honored and that service will be terminated on a specified date unless acceptable payment is made.
- B. On the first occasion a check is returned, the customer will be given ten (10) working days after notice is mailed to make the check good or make another acceptable form of payment. After receipt of one or more returned checks within a previous twelve (12) month period, notification will be given that the City will require payment to be made in the form of cash, money order or cashiers check. After twelve (12) months of good payment history, the customer will again be allowed to submit payment with a personal check. If a customer's utility service has been terminated for nonpayment and payment for restoration is made within a check which has been subsequently returned, service will be terminated without notification.
- C. When a customer has a check or bank draft returned, a returned check fee will be applied in addition to any other charges and fees. The City reserves the right to charge a returned check fee and shall be no more than the statutory maximum allowed by North Carolina law (G.S. §25-3-506).
- D. If there is a returned check fee applied and paid by the Customer, but it is determined by the Customer Service Manager to be the City's error, then the returned check fee may be waived.

10.1 Discontinuance of Service:

A. Voluntary Discontinuance of Service.

In order to ensure discontinuation of services at a time requested by the customer, advance notice to the City is required. When a customer desires to discontinue service, notice must be given to the City at least twenty-four (24) hours in advance on a normal business day. The customer will be responsible for all services consumed up until the time the services are disconnected by the City. At no time will a request for service disconnection be taken without a specified date for the services to be disconnected.

B. Involuntary Discontinuance of Service.

1. The City reserves the right to discontinue furnishing utility services to a customer at any time and without notice, upon the occurrence of any one or more of the following events;
 - a) Whenever the City has reasonable cause to believe the customer is receiving utilities without paying for them, or that the City's meters, have in any manner been tampered with.
 - b) Whenever, in the City's opinion, the condition of the customer's lines, equipment and appliances are unsafe or unsuitable for receiving services, or pose a potential safety and/or health hazard to the City's property, personnel or to the public.
 - c) Whenever payment for utility bills has not been received by the date specified in Section 6.1; or
 - d) When a bankruptcy petition has been filed, bankruptcy laws require the City not alter, refuse or disconnect service based solely on the basis of the bankruptcy proceedings or on the customer's failure to pay for a pre-bankruptcy service, however, the City may terminate a bankrupt debtor's service if it is not provided adequate assurance of payment (a deposit or other security) for future services within twenty (20) days after the date of an Order for such relief. If the debtor gives adequate assurance of future payment for services, the City may not terminate the debtor's service for pre-petition debts.
 - e) Whenever the City Council or its designated official has determined and found a certain premises to be a nuisance pursuant to the General Statutes of North Carolina or has found the premises to be unfit for habitation and ordered repaired, demolished, or boarded pursuant to its Minimum Housing Code or other State Law.

- f) If a customer is receiving service at more than one location, service at any or all locations may be discontinued if bills, for service at any one or more locations are not paid within the time specified in Section 7.1.
- C. The City reserves the right to discontinue the supply of utilities under any of the above conditions irrespective of any claim of a customer pending against the City, or any amounts of money on deposit with the City as required in Section 6.1.
- D. Whenever the supply of utilities is discontinued in accordance herewith, the City shall not be liable for any damages, direct or indirect, that may result from discontinuance.
- E. As a general rule, the City will not disconnect a customer's utility service after 4:00 P.M. Monday – Thursday with no disconnects on Friday.
- F. Account Closure Process.
 - 1. Once an account is disconnected (voluntary or involuntary) a final reading is taken. The account is closed out in the utility billing system, the security deposit is applied and final billing is generated based on the final reading. Final billing is mailed to the address on record. If there is a balance due, it is due 20 days after the final billing is generated. Accounts with an outstanding balance will be subject to collections and or the NC Debt Set-off Program.
 - 2. If the final billing shows that the account has a credit balance, a credit balance refund process will generate a check request for the credit balance.
 - 3. The City reserves the right to not issue refunds for less than \$5, unless the customer requests the refund after the final bill has been rendered. Refund check is mailed to the updated address given at the request of disconnection process.
 - 4. Refunds that remain uncashed by the account holder or less than \$5 will be escheated to North Carolina as required by law.

11.1 Meter Tampering and Illegal Connections:

Tampering with utility meters is prohibited by N.C. General Statute §14-151.1.

§14-151.1(b)

“Any meter or service entrance facility found to have been altered, tampered with, or bypassed in a manner that would cause the meter to inaccurately measure and register the electricity, gas, or water consumed or which would cause the electricity, gas, or water to be diverted from the recording apparatus of the meter is prima facie evidence of intent to violate and of the violation of this section by the person in whose name the meter is

installed or the person or persons so using or receiving the benefits of the unmetered, unregistered, or diverted electricity, gas, or water.”

§14.151.1 (d)

“Criminal violations of this section are punishable as follows:

- (1) A violation of this section is a Class 1 misdemeanor.
- (2) A second or subsequent violation of this section is a Class H felony.
- (3) A violation of this section that results in significant property damage or public endangerment is a Class F felony.
- (4) Unless the conduct is covered under some other provision of law providing greater punishment, a violation that results in the death of another is a Class D felony.”

§14.151.1 (e)

“Whoever is found in a civil action to have violated any provision of this section is liable to the electric, gas, or water supplier in triple the amount of losses and damages sustained or five thousand dollars (\$5,000), whichever is greater.”

§14.151.1 (f)

“Nothing in this section applies to licensed contractors while performing usual and ordinary services in accordance with recognized customs and standards.”

In case of bypassing and tampering, or a meter that has been shut off for non-pay, or any other reason by the City, and is found to have been turned on by someone other than a City authorized employee, the following actions shall be taken:

- A. The water meter shall be shut off and the water meter removed.
- B. Fines and fees for meter tampering, illegal reconnection and equipment damage shall be imposed on the customer’s account at the rates indicated in the Manual of Fees and Charges.
- C. The account will be subject to closure.
- D. A police report shall be filed by the Customer Service Supervisor, Customer Service Manager or their authorized agent against the party responsible.
 1. If the officer determines that the City’s claim is valid, then the Customer Service Supervisor, Customer Service Manager or their authorized agent shall secure a criminal summons for the first offense (misdemeanor). The Customer Service Supervisor, Customer Service Manager or their authorized agent will be tasked with gathering evidence and appearing in court to process the case in the court system.
 2. If subsequent claims against the same party are determined valid by the investigating officers, the City will pursue prosecution. Since subsequent violations of statute are considered felonies, the investigating officer will follow

procedures for securing an indictment. The Customer Service Supervisor, Customer Service Manager or their authorized agent will cooperate with the Police department by providing evidence, appearing in court, and other tasks required to process the case in the court system.

12.1 Appeals Process

Any customer who believes an error has been made in an account balance or the amount of a bill shall have the right to appeal a decision regarding such matter as follows:

First Appeal	To the Customer Service Representative
Second Appeal	A scheduled appointment with the Customer Service Supervisor
Third Appeal	A scheduled appointment with the Customer Service Manager
Fourth Appeal	A written request from the Customer to the City Manager or their designee

13.1 Requests for Meter Tests

The City strives to ensure that every water service meter, whether new or repaired, shall be in good order. However, a customer may request a bench test for the water meter serving their property. This request should be made through Customer Service. Requests will be reviewed, approved and conducted by the Public Works staff.

14.1 Customer's Rights Prior to Discontinuation of Service:

- A. It is the policy of the City to discontinue utility service to customers by reason of non-payment of bill without notice.
- B. If any customer disputes the accuracy of his/her bill, he/she has a right to a hearing at which he/she may be present in person or represented by any other person of their choosing and may present, orally or in writing, his/her complaint and contentions.
- C. Any customer desiring a hearing shall contact the Customer Service Manager at City Hall 200 N. Center Street Goldsboro North Carolina to schedule. Hearings are held between the hours of 8:15 and 4:30 P.M. Monday through Friday. The Customer Service Manager or their designee is authorized to make a final determination of the complaint and is to order whether or not the service is to be continued.

15.1 Reconnection of Service:

- A. If utility service has been discontinued for any reasons covered by Section 10.1, "Discontinuance of Service," the City shall have five (5) working days in which to reconnect the customer's service after the conditions causing the discontinuance have been corrected.

- B. If utilities have been discontinued because of improper use, or if in the City's opinion, its meters, lines or other apparatus have been tampered with, the City may refuse to reconnect the customer's service until the customer has complied with the following;
1. paid all outstanding utility charges to date;
 2. paid to the City an amount estimated by the City to be sufficient to cover the utilities used but not recorded by the meter and not previously paid for, plus any reconnection and/or meter tampering fees, plus any actual cost of damages to City apparatus and/or;
- C. If utility service has been disconnected by the City at the request of any public authority having jurisdiction, the customer's service will not be reconnected until authorization to do so has been obtained from public authority.
- D. In case of discontinuance of service for any reason except for repairs or other necessary work by the City, the customer shall pay the City reconnection fee before service will be restored.
- E. In the event the customer's premises are destroyed by fire or other casualty, or the operation of its facility is shut down because of strike, fire or other causes beyond the customer's control, resulting in a complete cessation of the use of service, upon written notice by the customer to the City within five (5) days thereafter, advising that the customer intends to resume service as soon as possible, any minimum charge or guarantee for which the customer may be liable will be waived during the period of such cessation, and the term of the contract shall be extended for a corresponding period. In all other instances, the agreement for service shall terminate.
- F. When it becomes necessary for the City to discontinue utility service for any reason, service will be reinstated only after payment of all previous unpaid utility bills and any deposit required by Section 6.1. Applicable penalties and any reconnection fee in effect at the time of discontinuance of service must also be paid before service will be restored.

16.1 Adjustments to Prior Billings:

A. Method of Adjustment.

Whenever it is found that the water metering apparatus has not registered the true amount of utilities which have been used by the customer, billing adjustments will be made as follows:

1. **Overcharge.** Amount of overcharge for utility services will be refunded to the customer for a period, not to exceed twenty four (24) months (N.C. G.S. §1-53(1)). Usage and demand (when applicable) will be estimated if exact usage cannot be determined.

2. **Undercharge.** The City can collect any deficient amount for a period of up to thirty six (36) months for wastewater, solid waste, stormwater and other utility charges and forty eight (48) months for water charges preceding the billing date when the error was discovered (N.C. G.S. §25-2-725(1) water; N.C. G.S. §1-52(1) other utility charges). If exact usage cannot be determined, usage and demand (when applicable) will be estimated.

B. Situations Outside of Customer's Control.

If, during the term of an agreement for furnishing utilities to a customer, the customer is unable to operate their facilities, in whole or part, because of accident, act of God, fire, or another casualty occurring at the location where utilities are supplied, the charge for units during the period reasonably necessary to correct any such conditions may, in the City's discretion, be reasonably adjusted in accordance with all the pertinent facts and condition.

- C. Leak Adjustments for water and sewer.
Refer to Adjustment Policy.

17.1 Customer Accountability:

- A. The customer shall be responsible at all times for the safekeeping of all City property installed on the customer's premises, and to that end, shall give no one, except authorized City employees, access to such property.
- B. The customer shall be liable for the cost of repairs or damage to the City's property on the customer's premises resulting from negligence or misuse by other than City employees.
- C. Utilities are supplied by the City and purchased by the customer upon the express condition that once utilities pass the delivery point they become the property of the customer to be used only as herein provided. The City shall not be liable for loss or damage resulting from the presence, character or condition of the lines or equipment of the customer, or for the inspection or repair thereof.
- D. The customer shall be responsible for the maintenance and repair of the customer's lines and equipment. Should the customer report trouble with the supply of utilities, the City will respond to such call with the purpose only of correcting such trouble as may be in the City's equipment supplying the customer. The City assumes responsibility only for the action of its employees in connection with property owned by the City. The customer will be liable for the cost of repairs or damage to the City's property on the customer's premises resulting from negligence or misuse by other than City employees.

18.1 Utility Staff Accountability:

A. The City is committed to treating all customers fairly, with respect and in accordance with established law, ordinance, policy and procedure.

1. Customer Service Representatives (CSR) handle all aspects of establishing and maintaining customer utility accounts in the City's billing system, as well as accepting payments against those accounts. According to the Finance Code of Conduct, the CSR may not provide a service for a customer that would be a conflict of interest such as a family member or a business partner.
2. Customer Service Supervisor oversees the CSR staff, provides additional customer service as needed for customers, approves adjustments and credits, reviews accounts, serves in the appeal process, directs work according to policy and procedure, and reviews daily work.
3. Meter staff process work orders for new services and cutoffs, as well as troubleshooting for the Sensus AMR system.
4. Billing staff review and process readings from the Sensus system, and further processing of the utility billing in the QS1 system.
5. Customer Service Manager provides general oversight for the Customer Service Supervisor and CSR staff, provides guidance for staff in more unique situations, serves in the appeal process, and ensures operations of meter staff, customer service and billing are running according to ordinance, law, policy and procedure.

B. Complaints. Customers may report a complaint if they feel they have been treated unfairly, not treated in accordance with the Customer Service Policy, or have witnessed improper actions.

1. For CSR, meter staff or billing staff, contact the Customer Service Manager at (919)580-4384 or lpeter@goldsboronc.gov and provide the name of the employee, date of incident, services location, details of the incident, relief sought, and your name with a good contact phone number.
2. For Customer Service Manager complaints, contact the Finance Director at (919)580-4356 or cgwynn@goldsboronc.gov, and provide date of incident, services location, details of the incident, relief sought and your name with a good contact phone number.

19.1 Round-Up Program

City Council through the Customer Service Policy support a Round-Up program to help customers in financial crisis or those who are at risk of not being able to pay their utility bills.

The City's Round-Up Program is funded by donations from Goldsboro utility customers and other individuals or organizations that wish to help their neighbors. The City shall select a non-profit partner to provide assistance to customers in crisis to administer the program. Only residential City of Goldsboro customers who meet program requirements will receive assistance with their utility bills.

Customers will be able to voluntarily sign up to have their utility bills "rounded up" to the next dollar with the remaining funds going to the Round-Up program. Customers wishing to sign up should call Customer Service.

If an individual or entity that is not a City of Goldsboro utility customer wishes to contribute to the Round-Up program, they may do so by contacting Customer Service. One-time donations are also welcome.

20.1 Garbage Service

Residential solid waste and recycling services will be offered for serviceable areas, and are billed monthly on the utility billing statement unless otherwise noted.

Any additional refuse service must be requested through the Solid Waste division of Public Works at (919)734-8674.

Solid waste fees are adopted by City Council and located in the Manual of Fees and Charges.

21.1 Utility Assistance Programs

- A. North Carolina law forbids utilities from providing free service through the Utility Fund.
- B. Customer service staff can provide the names of utility assistance programs in the area.
- C. Community Relations and Development staff can also provide contact information. They can be reached at (919) 580-4360.
- D. Information can be obtained from the City's website at: www.goldsboronc.gov

22.1 Water taps, construction taps, fire protection water taps

New and replacement taps may be requested and applied for in the Engineering department which may be contacted Monday through Friday 8 a.m. to 5 p.m at (919)580-4367. Charges for taps can be located in the Manual of Fees and Charges.

23.1 Bulk water sales

Bulk water sales rates are available for customers using twelve million five hundred thousand gallons (12,500,000) per month. Rates are available for inside the city and outside the city, and current rates can be located in the Manual of Fees and Charges. Contact Robert Sherman, Public Utilities Director, 919-735-3329.

24.1 Sewer tap guidelines

New and replacement taps may be requested and applied for in the Engineering department which may be contacted Monday through Friday 8 a.m. to 5 p.m at (919)580-4367. Charges for taps can be located in the Manual of Fees and Charges.

25.1 Identity Theft Prevention Program (Red Flag Rules)

See Policy on Identity Theft Prevention Program (Red Flags) Policy for Utility Billing and Revenue Collection.

26.1 Customer Privacy

The City of Goldsboro understands that it requests and retains sensitive personally identifiable information from its utility customers. In order to protect each customer's information, the City reserves the right to request the customer's written permission in order to discuss any aspect of the customer's account. Generally, public enterprise billing information is not a public record in accordance with N.C. G.S. 132-1.1(c).

END OF UTILITY CUSTOMER SERVICE POLICY AND PROCEDURE MANUAL

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Establishing and adopting an Identity Theft Prevention Program (Red Flag) Policy for Utility Billing and Revenue Collection (FINP-018.0)

BACKGROUND: On January 1, 2011 the Federal Trade Commission began enforcement of the federal Red Flags Rule (16 C.F.R. Part 681). The goal of the rule is to prevent or mitigate identity theft associated with certain financial transactions. The City of Goldsboro's municipal utility is included in the FTC's definition of a creditor, and as such is required to comply with federal regulations.

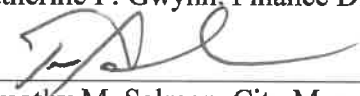
DISCUSSION: In preparing the Utility Customer Service Policy presented earlier, a best practice is to include policy that discusses identity protection. Staff made inquiries and attempted to locate a policy addressing the Red Flags Rule but determined it did not exist. This is a requirement by a Federal agency, and the City wishes to comply.

RECOMMENDATION: It is recommended that City Council adopt the attached resolution and recommended policy for the Identity Theft Prevention Program (Red Flags) Policy for Utility Billing and Revenue Collection (FINP-018.0) necessary to provide good governance over the City's fiscal operations.

Date: 2/5/24


Catherine F. Gwynn, Finance Director

Date: 2/6/24


Timothy M. Salmon, City Manager

RESOLUTION NO. 2024- 16

**RESOLUTION ADOPTING IDENTITY THEFT PREVENTION PROGRAM (RED FLAGS)
POLICY FOR UTILITY BILLING AND REVENUE COLLECTION (FINP-018.0)**

WHEREAS, the City Council of the City of Goldsboro wishes to ensure that it manages its fiscal operations in accordance with Federal law and in harmony with principles of good governance; and

WHEREAS, on January 1, 2011 the Federal Trade Commission began enforcement of the federal Red Flags Rule aimed at preventing or mitigating identity theft associated with certain financial transactions, and the Rule requires certain creditors that offer or maintain one or more covered accounts to develop and provide for the continued administration of a written program to detect, prevent, and mitigate identity theft in connection with the opening or maintenance of accounts (16 C.F.R. Part 681); and

WHEREAS, Council wishes to adopt an identity theft prevention program for utility billing and revenue collection policy to provide guidance for staff in order to ensure legal compliance and continuity of operations.

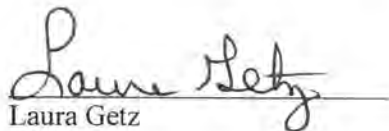
NOW, THEREFORE, BE IT RESOLVED, that the governing board of the City of Goldsboro hereby adopts and enacts the following *Identity Theft Prevention Program (Red Flags) Policy for Utility Billing and Revenue Collection (FINP-018.0)* which shall apply to the City of Goldsboro.

This Resolution shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV

Mayor

ATTEST:


Laura Getz
City Clerk





City of Goldsboro

Subject: Identity Theft Prevention Program (Red Flags) Policy for Utility Billing and Revenue Collection	Section: Utility Billing and Revenue Collection			Department: Finance	
	Policy #: FINP-018.0	Effective Date: 2/12/2024	Rev. #: 0	Revision Date: -	Page: 1
	Supersedes: -	Prepared by: Catherine Gwynn, Finance Director		Council Approved: Res. 2024-xx	

I. Program Policy and Adoption

The City's policy is to protect our customers and their accounts from identity theft and to comply with the Federal Trade Commission (FTC's) Red Flags Rule. We will do this by developing and implementing this written identity theft prevention program, which is appropriate to our size and complexity, as well as the nature and scope of our activities. This Program addresses 1) identifying relevant identity theft Red Flags for our City, 2) detecting those Red Flags, 3) responding appropriately to any that are detected to prevent and mitigate identity theft, and 4) updating our Program periodically to reflect changes in risks.

The City of Goldsboro ("Utility") developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. 16 C.F.R §681.2. This Program was developed with oversight and approval of the City Council. The Customer Service Manager is the designated identity theft officer and program administrator and is responsible for the oversight, development, implementation and administration (including staff training and oversight of third party service providers of Program services) of this Program. After consideration of the size and complexity of the Utility's operations and accounting systems, and the nature and scope of the Utility's activities, the City Council determined that this Program was appropriate for the City of Goldsboro Utility Billing and Revenue Department, and therefore approved this Program on February 12, 2024.

II. Program Purpose and Definitions

A. Fulfilling requirements of the Red Flags Rule

Under the Red Flags Rule, every financial institution and creditor is required to establish an "Identity Theft Prevention Program" tailored to its size, complexity and the nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft;
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.



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B. Red Flags Rule definitions used in this Program

The Red Flags Rule defines “*Identity Theft*” as “*fraud committed using the identifying information of another person*” and a “*Red Flag*” as a *pattern, practice, or specific activity that indicates the possible existence of Identity Theft*.

According to the Rule, a municipal utility is a creditor subject to the Rule requirements. The Rule defines *creditors* “*to include finance companies, automobile dealers, mortgage brokers, utility companies, and telecommunications companies. Where non-profit and government entities defer payment for goods or services, they, too, are considered to be creditors.*”

All the Utility’s accounts that are individual utility service accounts held by customers of the utility whether residential, commercial or industrial are covered by the Rule. Under the Rule, a “*covered account*” is:

1. *Any account the Utility offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and*
2. *Any other account the Utility offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the Utility from Identity Theft.*

“*Identifying information*” is defined under the Rule as “*any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,*” including: name, address, telephone number, social security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer’s Internet Protocol address, or routing code.

III. Identification of Red Flags

In order to identify relevant Red Flags, the Utility considers the types of the accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The Utility identifies the following red flags, in each of the listed categories:

A. Suspicious Documents – Red Flags

1. Identification document or card that appears to be forged, altered or inauthentic;
2. Identification or document or card on which a person’s photograph or physical description is not consistent with the person presenting the document;



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3. Other document with information that is not consistent with existing customer information (such as if a person's signature on a check appears forged); and
4. Application for service that appears to have been altered or forged.

B. Suspicious Personal Identifying Information – Red Flags

1. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
2. Identifying information presented that is inconsistent with other sources of information;
3. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
5. Social security number presented that is the same as one given by another customer;
6. An address or phone number presented that is the same as that of another person;
7. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
8. A person's identifying information is not consistent with the information that is on file for the customer.

C. Suspicious Account Activity or Unusual Use of Account – Red Flags

1. Change of address for an account followed by a request to change the account holder's name;
2. Payments stop on an otherwise consistently up-to-date account;
3. Account used in a way that is not consistent with prior use (example: very high activity);
4. Mail sent to the account holder is repeatedly returned as undeliverable;
5. Notice to the Utility that a customer is not receiving mail sent by the Utility;



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6. Notice to the Utility that an account has unauthorized activity;
7. Breach in the Utility's computer system security; and
8. Unauthorized access to or use of customer account information.

D. Alerts from Others – Red Flags

Notice to the Utility from a customer, identify theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

IV. Detecting Red Flags

A. New Accounts - Detect

In order to detect any of the Red Flags identified above associated with the opening of a new account, Utility personnel will take the following steps to obtain and verify the identity of the person opening the account:

1. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
2. Verify the customer's identity (for instance, review a driver's license or other identification card);
3. Review documentation showing the existence of a business entity; and
4. Independently contact the customer.

B. Existing Accounts – Detect

In order to detect any of the Red Flags identified above for an existing account, Utility personnel will take the following steps to monitor transactions with an account:

1. Verify the identification of customers if they request information (in person, via telephone, via facsimile, via email);
2. Verify the validity of requests to change billing addresses; and
3. Verify changes in banking information given for billing and payment purposes.



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V. Preventing and Mitigating Identity Theft

We have reviewed our covered accounts, how we open and allow access to them, and our previous experience with identity theft, as well as new methods of identity theft we have seen or foresee as likely. Based on this and our review of the FTC's identity theft rules and its suggested responses to mitigate identity theft, as well as other sources, we have developed our procedures below to respond to detected identity theft Red Flags. In the event Utility personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

A. Prevent and Mitigate

Applicants. For Red Flags raised by someone applying for an account:

1. Review the application. We will review the applicant's information collected for our customer identification program (CIP) (e.g. name, date of birth, address, and identification number such as social security number or taxpayer identification number).
2. Get government identification. If the applicant is applying in person, we will also check a current government-issued identification card, such as a driver's license or passport.
3. Seek additional verification. If the potential risk of identity theft indicated by the Red Flag is probable or large in impact, we may also verify the person's identity through non-documentary customer identification program (CIP) methods included:
 - a) Contacting the customer;
 - b) Independently verifying the customer's information by comparing it with information from a credit reporting agency, public database or other source;
 - c) Checking references with other affiliated financial institutions, or
 - d) Obtaining a financial statement.
4. Deny the application. If we find that the applicant is using an identity other than his or her own, we will deny the account.
5. Report. If we find that the applicant is using an identity other than his or her own, we will report it to appropriate local law enforcement.
6. Notification. If we determine personally identifiable information has been accessed, we will prepare any specific notice to customers or other required notice under state law.



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Access Seekers. For Red Flags raised by someone seeking to access an existing customers account:

1. **Watch.** We will monitor, limit or temporarily suspend activity in the account until the situation is resolved.
2. **Check with the customer.** We will contact the customer using our CIP information for them, describe what we have found and verify with them that there has been an attempt at identity theft.
3. **Heightened risk.** We will determine if there is a particular reason that makes it easier for an intruder to seek access, such as a customer's lost wallet, mail theft, a data security incident, or the customer's giving account information to an imposter pretending to represent the firm or person or to a fraudulent web site.
4. **Check similar accounts.** We will review similar accounts the person or firm has to see if there have been attempts to access them without authorization.
5. **Report.** If we find unauthorized account access, we will report it to appropriate local law enforcement.
6. **Notification.** If we determine personally identifiable information has been accessed that results in a foreseeable risk for identity theft, we will prepare any specific notice to customers or other required under state law.
7. **Review our insurance policy.** Since insurance policies may require timely notice or prior consent for any settlement, we will review our insurance policy to ensure that our respond to a data breach does not limit or eliminate our insurance coverage.
8. **Assist the customer.** We will work with our customers to minimize the impact of identity theft by taking the following actions, as applicable:
 - e) Change any passwords or other security devices that permit access to the accounts;
 - f) Not open a new account;
 - g) Close an existing account;
 - h) Reopen an account with a new number;
 - i) Instructing the customer to go to the FTC Identity Theft Web Site to learn what steps to take to recover from identity theft, including filing a complaint using its online complaint form, calling the FTC's Identity Theft Hotline 1-877-ID-THEFT (438-4338), TTY 1-866-653-4261, or writing to Identity Theft Clearinghouse, FTC, 6000 Pennsylvania Avenue, NW, Washington, DC 20580. Notify the Program Administrator for determination of the appropriate step(s) to take:



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j) Determine that no response is warranted under the particular circumstances.

B. Protect customer identifying information

In order to prevent the likelihood of identity theft occurring with respect to Utility accounts, the Utility will take the following steps with respect to its internal operating procedures to protect customer identifying information:

1. Ensure that its website is secure or provide clear notice that the website is not secure;
2. Ensure complete and secure destruction of paper documents and computer files containing customer information;
3. Ensure that office computers are password protected and that computer screens lock after a set period of time;
4. Keep offices clear of papers containing customer information;
5. Store records in a room or cabinet that is locked when unattended;
6. Ensure computer virus protection is up to date; and
7. Require and keep only the kinds of customer information that are necessary for utility purposes.

VI. Internal Compliance Reporting and Program Updates

This Program will be periodically reviewed and updated to reflect changes in risks to customers and the soundness of the Utility from Identity Theft. At least once a year, the Program Administrator will consider the Utility's experiences with Identity theft, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the Utility maintains and changes in the Utility's business arrangements with other entities. The Program Administrator will prepare a report to address the effectiveness of the Program in addressing the risk of identity theft in connection with covered account openings, existing accounts, service provider arrangements, and significant incidents involving identity theft and management's response and recommendations for material changes to the Program. This report will be presented to the Identity Theft Committee. If the Committee recommends the changes, the Finance Director shall present to the City Council with his or her recommended changes and the City Council will make a determination of whether to accept, modify or reject those changes to the Program.



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The Identity Theft Committee will be comprised of the Information Technology Director, Human Resources Director, and Finance Director.

VII. Program Administration

A. Oversight

Program Administrator will be responsible for the Program administration, for ensuring appropriate training of Utility staff on the Program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

B. Staff Training and Reports

Utility staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected.

Training Frequency:

1. At the inception of the program, general training will be coordinated with all Utility Billing and Customer Service staff.
2. Subsequent training will occur any time the Program is amended or once a year, which ever comes first.

Reporting:

1. Utility staff is required to report any incident of Identity Theft to the Program Administrator.
2. The Program Administrator shall compile all incidents of Identity Theft and recommend necessary changes to the Identity Theft Committee for their approval.



City of Goldsboro

Subject: Identity Theft Prevention Program
(Red Flags) Policy for Utility Billing
and Revenue Collection

Section:
Utility Billing and Revenue Collection

Department:
Finance

Policy #:
FINP-018.0

Effective Date:
2/12/2024

Rev. #:
0

Revision Date:
-

Page:
9

Supersedes:
-

Prepared by:
Catherine Gwynn, Finance Director

Council Approved:
Res. 2024-xx

C. Service Provider Arrangements

In the event the Utility engages a service provider to perform an activity in connection with one or more accounts, the Utility will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity theft.

1. Require by contract, that service providers have such policies and procedures in place; and
2. Require, by contract, that service providers review the Utility's Program and report any Red Flags to the Program Administrator.

D. Specific Program Elements and Confidentiality

For the effectiveness of Identity Theft Prevention Programs, the Red Flags Rule envisions a degree of confidentiality regarding the Utility's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, under this Program, knowledge of such specific practices are limited to the Identity Theft Committee and those employees who need to know them for purposes of preventing Identity Theft. Because this Program is to be adopted by a public body and thus publicly available, it would be counterproductive to list these specific practices here. Therefore, only the Program's general red flag detection, implementation and prevention practices are listed in this document.

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Homebuyer Assistance Program Policy Update

BACKGROUND: On July 24, 2023, through August 4, 2023, the City underwent an onsite HUD monitoring of its FY17 & FY19 HOME programs. HUD conducted a review of a Homebuyer Development project and determined that the City had inadequate policies to ensure that projects met the affordable housing requirements for homebuyer assistance projects. As a result of the review, the City was issued a finding with an accompanying Required Corrective Action.

DISCUSSION: As a Corrective Action, HUD required the City to update its Homebuyer Assistance policy to include the missing requirements identified in the finding.

The City's Community Relations & Development department has worked to update the Homebuyer Assistance Program Policy for your review and approval.

RECOMMENDATION: By motion, adopt the updated Homebuyer Assistance Program Policy.

Date: 2-6-2024

Felecia D. Williams
Felecia D. Williams, Community Relations & Development Director

Date: 2/6/24

Timothy Salmon
Timothy Salmon, City Manager

City of Goldsboro
Community Development and Relations Department
Homebuyer Assistance Program Policy

Program Contact:

John B. Wilson

PO Drawer A

Goldsboro, NC 27533-9701

Email: JWilson@goldsboronc.gov Phone: 919-580-4359

OVERVIEW:

The purpose of this policy is to establish specific guidelines and regulations necessary to assist eligible homebuyers with down payment and closing costs assistance associated with the purchase through the means of acquisition or new construction, of a single-family dwelling and for principal reduction to increase buyer's affordability.

PROGRAM DESCRIPTION:

The City of Goldsboro will use HOME funds and program income to provide direct subsidy assistance to low-to-moderate income individuals and families to become first time homebuyers. The City's Homebuyer Assistance program will provide down payment and closing costs assistance associated with the purchase, through the means of acquisition or new construction, of a single-family dwelling and for principal reduction to increase buyer's affordability.

Interested residents will be required to apply by application and provide all required supporting documentation.

FUNDING SOURCE:

The HOME Investment Partnership (HOME) Program was created by the National Affordable Housing Act of 1990 to create local partnerships for providing decent affordable housing to lower-to-moderate income households. HOME provides formula grants to States and localities, called PJs, to expand the supply of decent, safe, sanitary, and affordable housing available to low-income and very low-income residents.

Eligible HOME-funded activities include the acquisition, construction, or rehabilitation of rental or homeownership housing, homebuyer assistance, and tenant-based rental assistance.

The HOME-assisted homebuyer requirements set forth in Section 215 of the HOME statute are promulgated in the HOME rule found at 24 CFR Part 92. Specifically, 24 CFR 92.254, Qualification as Affordable Housing: Homeownership, states that for homeownership housing to qualify as affordable housing it must:

- ☐ Be single-family, modest housing,
- ☐ Be acquired by a low-income family as its principal residence, and
- ☐ Meet affordability requirements for a specific period as determined by the amount of assistance provided.

POLICY

The City of Goldsboro has established the following guidelines to administer the Homebuyer Assistance Program:

1. **Eligible Applicants:** Low/moderate income homebuyers with family (all persons) incomes that do not exceed 80% of the Area Median Family Income for family size and provided in conjunction with a (market) fixed rate, 15 to 30 years conventional, first time FNMA, FHA, or VA mortgage loans. The applicant must fall into low income or very low-income categories (see chart below). Income eligibility will be determined by using the 24 CFR Part 5 rule and will require the examination of at least 2 months of source documents evidencing annual income (e.g., wage statement, interest statement, unemployment compensation statement) for the family.

The applicant(s) must also meet the following requirements:

- Have a signed purchase contract.
- Occupy the home as their principal residence.
- Have no primary ownership or interest in any other residential real estate.
- Be a current resident of the City of Goldsboro/Wayne County and a citizen or legal alien of the United States at the time of application.
- No outstanding judgments.
- Medical collections totaling \$1,000 or more must be on an approved payment plan in writing with a positive 6-month payment history. The same requirements will apply to non-medical collections.

- Charge-off account balances of \$1,000 or more must be on an approved payment plan in writing with a positive 6-month payment history.
- Chapter 7 Bankruptcy must be discharged for 24 months. Chapter 13 Bankruptcy must have written permission of Trustee to acquire new debt.
- Have net worth not exceeding \$20,000.

HUD Income Limits for 2023 (Effective June 15, 2023)

Persons	Low Income	Very Low income	Persons	Low Income	Very Low Income
1	\$38,750	\$24,250	5	\$59,800	\$37,400
2	\$44,300	\$27,700	6	\$64,250	\$40,150
3	\$49,850	\$31,150	7	\$68,650	\$42,950
4	\$55,350	\$34,600	8	\$73,100	\$45,700

2. **Eligible Areas:** Homes purchased must be located within the Goldsboro City limits.
3. **Eligible Properties:** To be eligible, the home purchased must meet the following guidelines:
 - Be in a zoning district permitting residential use as determined by the City's Planning Department;
 - Meet standards of City's Minimum Housing Code; (which exceeds HQS Standards);
 - Be single-family, condominium, townhouse, or FHA-approved modular home; • Purchase price cannot exceed 95% FHA 203 (b) Mortgage limit. For Wayne County, the 95% limits are \$193,000 for existing homes and \$251,000 for new construction.
 - Inspection of the property to determine that the housing meets State and local property standards no earlier than 90 days prior to commitment of HOME funds.

NOTE: Prior to entering into a contract to acquire property using HOME funds, the homebuyer must comply with the following acquisition requirements of the Uniform Relocation Act (URA): (1) inform the owner that relocation assistance or benefits are not available to the owner, and (2) obtain from the seller the

permission to contact and notify any tenant legally occupying the property of the assistance and benefits available under either the URA or the Residential Anti displacement Plan (Section 104(d).)

4. **Amounts Available:** Assistance will be provided in the form of a 0% deferred mortgage loan, not to exceed \$10,000 but not less than \$1,000. Eligible borrowers whose combined household income is no more than 80% of the area median income may receive up to \$10,000 in assistance.

Underwriting Standards

The City must ensure assistance costs are reasonable by conducting an examination of the sources and uses of funds and evaluating housing debt and overall debt of the family, the appropriateness of the amount of assistance, monthly expenses of the family, assets available to acquire the housing, and financial resources to sustain homeownership. Before committing funds to an applicant, the City must evaluate the project in accordance with guidelines that it has adopted for determining a reasonable level of profit and must not invest any more HOME funds, alone or in combination with other governmental assistance, than is necessary to provide quality affordable housing that is financially viable for a reasonable period.

Affordability Period

The following table outlines the required minimum affordability periods.

If the total HOME investment direct subsidy (recapture) in the unit is:	The period of affordability is:
Under \$15,000	5 years
Between \$15,000 and \$40,000	10 years
Over \$40,000	15 years

5. **Period of Affordability under Recapture Provision:** The period of affordability is based upon the direct HOME subsidy provided to the homebuyer that enables the homebuyer to purchase the unit. Any HOME program income used to provide direct assistance to the homebuyer is included when determining the period of affordability.

The City of Goldsboro will not require the original HOME-assisted homebuyer to sell the housing unit to another low-income homebuyer. The homebuyer can sell the property to any willing buyer during the period of affordability, with the understanding that the City's recapture provisions will be enforced.

6. **Repayment under Recapture Provision:** Repayment of the Homebuyer assistance deferred mortgage loan is on a pro rata reduction basis, 20 percent annually for a deferred loan less than \$15,000 if the homeowner owns and occupies the house as the primary residence for the required affordability period. Forgiveness of the full amount of assistance will only occur if the homeowner occupies and retains the property for the full affordability period. No interest shall accumulate on this loan during the affordability period. There will be a Recapture provision on the property filed with the Clerk of Courts.

If the homeowner refinances the property during the affordability period, which involves a cash/equity out payment, this will result in repayment of the total amount received as assistance of the deferred mortgage loan minus any payments made or pro rate reduction amount applied during the affordability period. Refinance subordination will only be considered if the refinance results in a reduction of the loan term and/or the lowering of the current interest rate on the first mortgage. In the event of foreclosure by the first mortgage lender, the affordability period will be suspended and will not be binding on that lender. The affordability restrictions shall be revived according to the original terms if, during the affordability period the owner of record before the termination event, or any entity that includes the former owner or those with whom the former owner has or had family or business ties obtains ownership interest in the property. If recapture is triggered and there are insufficient net proceeds available at sale to recapture the full pro rata amount due, the City of Goldsboro will not be required to repay the difference between the prorated direct HOME subsidy due and the amount the City is able to recapture from available net proceeds.

7. **Termination:** Termination of assistance may occur for the following reasons:
- Any of the items to be delivered are not delivered within the time and in the form required by the City.
 - Any representation made by the applicant in the Loan Application proves to be untrue or misleading in any material respect.
 - Any portion of the project premises has been taken by condemnation or eminent domain or is subject to pending proceedings for such purpose.
 - If the property being purchased by a homebuyer does not appraise for an amount equal to or greater than the property sales price.

- If the applicant is unable to secure a fixed rate first mortgage from an approved lender.
 - If the applicant fails to complete the Homebuyer Education Course prior to loan closing dates.
8. **Foreclosure:** In the event of foreclosure by the mortgage lender the affordability period will be suspended and will not be binding on that lender. The affordability restrictions shall be revived according to the original terms if, during the affordability period, the owner of record before the termination event, or any entity that includes the former owner or those with whom the former owner has or had family or business ties obtains ownership interest in the property.
9. **Assumption by direct heir:** in the event of the death of the original homebuyer, a direct heir of the homebuyer may choose one of the following actions:
- Occupy the property and assume the terms of the Grant Agreement (provided the heirs approved by the City as meeting the eligibility criteria for the Homebuyer Assistance Program).
 - Sell the property under the terms of the Grant Agreement.
 - If either of these two actions does not occur within one year of the original homebuyer's death, the estate or heirs of the homebuyer shall pay to the City the prorated amount of the grant remaining at the time of the death of the homebuyer.
10. **Refinance Policy**
- 1) The City of Goldsboro will not refinance the first mortgage.
11. **Subordination / Re-subordination of HOME funds**
- A subordination agreement is a legal document that reduces the priority of one lien on a piece of property relative to another. HOME funds provided in the form of a loan or placed as a lien to enforce the HOME affordability restrictions and recapture provisions are typically played in subordinate position to the homeowner's first mortgage. Subordination plays an important role should a homeowner who has both a first mortgage and subordinate HOME mortgage choose to refinance his or her first mortgage.
12. **Documents required for application and loan processing:**
- _ A completed application
 - _ Applicant Acknowledgement of Policy Form
 - _ IRS 1040 tax forms for the past two years (signed)

- __ Last 60 days pay stubs per employer (2-month history)
- __ Last two (2) bank statements per account (2-month history)
- __ Have net worth not exceeding \$20,000
- __ Debt to income ratio worksheet
- __ Copy of credit report
- __ Copy of signed purchase contract (buyer and seller signatures required)
- __ Loan Application from the first mortgage lender
- __ Copy of Good Faith Estimate of Closing Costs from first mortgage lender
- __ Current Appraisal of the property
- __ Current Inspection of the property
- __ Completed Property Information Sheet
- __ Notification to Owner of Voluntary Acquisition
- __ Proof of completion of Homebuyer Education course (Must have been completed within the past two years)
- __ Medical collections (debt) totaling \$1000 or more must be on an approved payment plan (in writing) with a positive 6-month payment history (If Applicable)
- __ Charge-off account balances of \$1000 or more must be on an approved payment plan (in writing) with a positive 6-month payment history (If Applicable)
- __ Chapter 7 Bankruptcy must be discharged for 24 months. Chapter 13 Bankruptcy must have written permission of Trustee to acquire new debt (If Applicable)
- __ Valid photo ID for applicant & co-applicant
- __ Pre-Qualification Letter from mortgage company
- __ Settlement Statement (HUD-1), completed by closing attorney
- __ Debt to income ratio, completed by the lender
- __ Monthly Expenses Report
- __ Copy of recorded separation agreement and/or final divorce decree (If Applicable)

- _ Current profit and loss statement (if self-employed)
- _ Zero Income Affidavit (If Applicable)

13. **Homebuyer Program Policies:**

The City must have and follow written policies for:

- (1) Underwriting standards for homeownership assistance that evaluate housing debt and overall debt of the family, the appropriateness of the amount of assistance, monthly expenses of the family, assets available to acquire the housing, and financial resources to sustain homeownership.
- (2) Responsible lending standards that ensure that the homebuyer's primary mortgage is affordable and sustainable and contains appropriate terms.
- (3) The evaluation of the housing and overall debt of a HOME-assisted homebuyer is a process that requires a careful accounting of the homebuyer's monthly income, total monthly financial obligations, and projected monthly housing costs.

14. **Post Purchase Reserves:**

- Applicant must complete the monthly expenses form, (attached). This is used in determining debt to income ratio. It is also important to determine whether there are sufficient cash reserves available after closing to sustain homeownership and address any unforeseen expenses that may arise. A careful analysis of an applicant's liquid cash reserves will ensure that the applicant has sufficient resources on hand to pay for unexpected expenses without having to forego the monthly mortgage payment.
- Applicant must have sufficient cash resources (including savings, checking, money market, or other non-retirement accounts) such that after closing there are financial resources of at least 1x (times) the total monthly housing expenses, including principal, interest, taxes, insurance, and any association fees.
- At a minimum, The City of Goldsboro wants to ensure that the homebuyer has adequate cash reserves to pay for unanticipated emergencies such as a medical bill or repairing or replacing a major appliance.

15. **Monitoring:**

On an annual basis, The City of Goldsboro Community Relations and Development Department will be responsible for monitoring HOME-assisted Homebuyers to ensure that the homebuyer owns and occupies the house as the primary residence for the required affordability period. If the Community Relations and Development Department does not receive an annual Mortgage Notice from the HOME-assisted Homebuyer's insurance agency or some form of utility bill or record with homebuyer's name as confirmation that the homebuyer is maintaining the housing unit as their principal residence, additional follow up will be required. The Community Relations and Development Department staff will mail a letter to homebuyer household asking them to sign and return a statement verifying that the property purchased with HOME funds remains their principal residence. If a HOME-assisted homebuyer fails to return the signed statement, staff will follow up to determine if the homebuyer is still residing in the assisted unit.

16. **Responsible Lending Standards:**

Certain loan features that contribute to higher risk of mortgage default have been identified in various existing federal standards. Lender fees and points are to be restricted to a percentage of the loan amount. The standards define "higher prices" loans as first mortgages with interest rates more than 1.5% above the "average prime offer rate" reported by the Federal Financial Institution Examination Council (www.ffiec.gov) The following review of the mortgage will include;

- Any prohibited features, for example
 - a) Maximum loan term
 - b) Adjustable-rate loans
 - c) Loans with risky features (e.g., balloon payments, negative amortization, or interest-only periods).
- Limitations on higher-priced loans (maximum interest rate).
- Reasonable closing costs, including origination fees, points, and other lender charges.
- Permissibility of prepayment penalties
- The lender is responsible for calculating the front and back-end ratios. The front-end ratio or housing expense ratio, considers the percentage of gross monthly income the individual homebuyer is expected to pay for the monthly housing costs (i.e., mortgage principal and interest, real estate taxes, and homeowner's

insurance, known collectively as PITI, as well as any mortgage insurance premiums, association fees, ground lease fees, and other similar fees as applicable)

- The back-end ratio or debt to income ratio reflects the percentage of gross monthly income the individual homebuyer is expected to pay for housing debt and expenses *plus* all recurring consumer debt (i.e., PITI and other fees plus credit card, auto loan and student loan payments, other installment and revolving debt that appears on a credit report, alimony, child support, etc.).
- An evaluation of recurring monthly expenses will be reviewed and will affect the amount of assistance the homebuyer will receive.
- The City of Goldsboro will execute a written agreement with each applicant that complies with the written agreement requirements of 92.504(c)(4), as applicable.

17. **Record Retention**

Per 24 CFR 92.508, the City of Goldsboro must retain records to ensure compliance with HUD regulations. The City of Goldsboro will retain these records for a minimum of 5 years.

HOMEBUYER ASSISTANCE PROGRAM PROCEDURES

PURPOSE

The purpose of this policy is to establish specific guidelines and regulations necessary to assist eligible homebuyers with down payment and closing costs assistance associated with the purchase, through the means of acquisition or new construction, of a single-family dwelling and for principal reduction to increase buyer's affordability.

APPLICATION PROCESS

The Community Relations and Development Specialist provides program information to any interested City resident who inquires by telephone or who visits the office seeking information, furthermore, explaining program assistance, procedures, and guidelines.

During the application process, the Community Relations and Development Specialist will verify the following:

17. Applicant(s) meets income criteria
18. Applicant(s) meets net worth requirements
19. Applicant(s) has a signed purchase contract
20. Dwelling has been inspected by minimum housing inspectors, (any housing code violations must be corrected)
21. Applicant(s) does not have ownership or interest in any other residential real estate property
22. Applicant(s) has a copy of a Good Faith Estimate of Closing Costs from an approved lender
23. Property is located within the City limits
24. Property is in a zoning district allowing residential use
25. Owner (seller) has been informed of voluntary acquisition requirements. (Refer to the Homebuyer Assistance Program Policy for the specific requirement).
26. Policy and instructions given to applicant to proceed with application.

***To ensure a timely closing, it is the applicant's responsibility to keep the Community Relations and Development Department staff apprised of their progress throughout the home buying process.

The application and all supporting documentation are presented to the Community Relations and Development Office for staff review and recommendation of approval or denial.

NOTE: The overall intent of the program is to assist as many eligible clients as possible with affordable housing. Therefore, the maximum amount each applicant qualifies for by the lending institution should also directly reflect the maximum cost of housing the applicant seeks, based on household size. In essence, the difference between the maximum amount qualified for through the lending institution and the amount required to purchase a dwelling, based on household size, would be the amount of the deferred mortgage.

NOTIFICATION OF APPROVAL

***Program participants must attend homeownership counseling, prior to loan closing, for final approval to be completed.

Once an applicant(s) is approved by the Community Relations and Development Department, a notification letter will be forwarded to the lender. This correspondence informs the lender of the applicant's eligibility and commits a specific amount of

assistance, not to exceed \$10,000 in the form of a deferred mortgage. A copy of this letter is also sent from the Community Relations and Development Department to the buyer and the real estate agent(s). The correspondence will outline the steps and procedures that will have to be undertaken prior to the closing occurring. If the seller is paying part of these closing costs, the amount paid by the seller should be deducted from the lender's estimated total prior to figuring the buyer's assistance. If the applicant(s) does not qualify for the first mortgage, the application process ends, and the applicant is notified in writing of the rejection.

INSPECTION

After the application has been taken, eligibility established, and a contract written, the Minimum housing inspector schedules an Inspection of the property. The property must meet the standards of the City's Minimum Housing Code, which exceeds Housing Quality Standards (HQS) required by HUD. (Housing that is assisted with HOME funds, at a minimum, must meet Housing Quality Standards). If the home does not meet the standards of the City's Minimum Housing Code, it must be brought to code prior to purchase. Repairs may be made by the buyer or the seller.

APPRAISAL AND ENVIRONMENTAL REVIEW

An appraisal and environmental review must be performed by the appropriate staff person or outside agent. Homes purchased using HOME funds must have an initial purchase price that does not exceed 95% of the median purchase price for the type of single-family housing (1 to 4 family residence, condominium unit, cooperative unit, etc.) for the area as determined by HUD.

HOUSING COUNSELING

The housing counseling requirement applies to all homebuyers who receive direct HOME subsidy or purchase units developed with Home funds. The housing counseling or "Homebuyer Education" must be provided by a HUD certified instructor or agency. This requirement must be met prior to any funds being disbursed.

CLOSING

When the Community Relations and Development Department is notified by the real estate agent or lender of the closing attorney and date of closing, a copy of the closing package is requested from the lender, the Community Relations and Development Department closing package is prepared, and a check is requested from the Finance Department. The Community Relations and Development Department must receive sufficient notification, (i.e., at least ten business days), of the closing date to request and

receive a check. The Community Relations and Development Department advises the closing attorney (in writing) of the check amount and the documents to be recorded. Additionally, The Community Relations and Development Department completes the necessary information in the IDIS system following the actual closing.

The Community Relations and Development Department closing package shall include the following: (Copies to the file)

1. Check
2. Deed of Trust
3. Promissory Note
4. Grant Agreement
5. Beneficiary Written Agreement (to include purchase price and date which housing is acquired)

Once the closing package has been prepared, the Community Relations and Development Specialist arranges for the closing attorney to receive it.

PROJECT CLOSE-OUT

After the closing, the closing attorney provides the Community Relations and Development Specialist with the following:

1. Signed Promissory Note
2. Copy of the recorded Deed of Trust
3. Copy of the Closing Disclosure
4. Copy of Termite Report

The Community Relations and Development Department Specialist places these documents in the project file.

ACKNOWLEDEMENT OF REVIEW

I acknowledge that I have received a copy of the Homebuyer Assistance Program policy and that the Community Relations and Development Department of the City of Goldsboro has reviewed the rules and regulations of the program set forth by the U.S. Department of Housing and Urban Development (HUD).

By signing this acknowledgement, I agree to adhere to the program's rules and regulations.

Date: _____

Applicant's Name (Print)

Applicant Signature

Community Relations & Development Staff (Sign)

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Residential Construction Management Policy


BACKGROUND: On July 24, 2023, through August 4, 2023, the City underwent an onsite HUD monitoring of its FY17 & FY19 HOME programs. HUD conducted a review of the City's Homebuyer Development to determine the City's compliance with the requirements at 24 CFR 92.250(b), 24 CFR 92.254(f), and 24 CFR 92.251(a)(2)(v) and determined that file documentation for the monitored homebuyer development activity did not contain HOME requirements for underwriting/subsidy layering and progress inspections to ensure work met applicable codes, the construction contract, and construction documents. As a result of the review, the City was issued a finding with an accompanying Required Corrective Action.

DISCUSSION: As a Corrective Action, HUD required the City to develop a plan for how construction management will be conducted on future development projects and advised the City to not undertake any additional housing development projects until this plan can be implemented.

The City's Community Relations & Development department has worked to develop the Residential Construction Management Policy for Acquisition, New Construction, and Rehabilitation with the use of HOME funds for your review and approval.

RECOMMENDATION: By motion, adopt the new Residential Construction Management Policy.

Date: 2-6-2024


Felecia D. Williams, Community Relations & Development Director

Date: 2/6/24


Timothy Salmon, City Manager

RESIDENTIAL CONSTRUCTION MANAGEMENT POLICY

For Acquisition, New Construction, and Rehabilitation (HOME Funds)



Effective Date: TBD

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Introduction

In order to comply with [24 CFR 92.251](#), all HOME-funded properties must meet certain minimum property standards at project completion. These property standards apply to project commitments on or after August 23, 2013 –

New Construction Projects (24 CFR 92.251(a))

1. Housing that is newly constructed with HOME funds must meet all applicable **State and local codes, ordinances, and zoning requirements**. HOME-assisted new construction projects must meet State or local building code, the International Residential Code or International Building Code (as applicable to the type of housing) of the International Code Council. The housing must meet the applicable requirements upon project completion.
2. **HUD requirements:**
 - i. **Accessibility.** The housing must meet the accessibility requirements of [24 CFR 8](#), which implements Section 504 of the Rehabilitation Act of 1973¹, and Titles II and III of the Americans with Disabilities Act² (ADA), implemented at [28 CFR 35](#) and [36](#), as applicable. Covered multifamily dwellings, as defined at [24 CFR 100.201](#), must also meet the design and construction requirements at [24 CFR 100.205](#), which implements the Fair Housing Act³ (FHA).
 - ii. **Disaster Mitigation.** Where relevant, the housing must be constructed to mitigate the impact of potential disasters (e.g., earthquakes, hurricanes, flooding, and wildfires), in accordance with State and local codes, ordinances, or other State and local requirements, or such other requirements as HUD may establish.
 - iii. **Written cost estimates, construction contracts, and construction documents.** The City (CITY) must ensure the construction contract(s) and construction documents describe the work to be undertaken in adequate detail so that inspections can be conducted. The CITY must review and approve written cost estimates for construction and determine that costs are reasonable.
 - iv. **Construction progress inspections.** The CITY must conduct progress and final inspections of construction to ensure that work is done in accordance with the applicable codes, the construction contract, and construction documents.
 - v. **Broadband Infrastructure.** For new commitments made after January 19, 2017 for a new construction housing project of a building with 4+ rental units, the construction must include installation of broadband

¹ [29 U.S.C. 794](#)

² [42 U.S.C. 12131-12189](#)

³ [42 U.S.C. 3601-3619](#)

infrastructure, as defined in [24 CFR 5.100](#), except where the CITY determines and in accordance with [§92.508\(a\)\(3\)\(iv\)](#) documents that the location of the new construction makes installation of broadband infrastructure infeasible; or the cost of installing the infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden.

Rehabilitation Projects (24 CFR 92.251(b))

1. The CITY must establish **rehabilitation standards** for all HOME-assisted housing rehabilitation activities that set forth the requirements that the housing must meet upon project completion. The CITY's description of its standards must be in sufficient detail to determine the required rehabilitation work including methods and materials. The standards may refer to applicable codes or they may establish requirements that exceed the minimum requirements of the codes. **The rehabilitation standards must address the following:**
 - i. **Health and Safety.** The CITY's standards must identify life-threatening deficiencies that must be addressed immediately if the housing is occupied.
 - ii. **Major systems.** Major systems are structural support; roofing; cladding and weatherproofing (e.g., windows, doors, siding, gutters); plumbing; electrical; and heating, ventilation, and air conditioning (HVAC).
 - a. **For Rental Housing:** The CITY's standards must require the CITY to estimate, based on age and condition, the remaining useful life of these systems upon project completion of each major system. If the remaining useful life of one or more major system is less than the period of affordability, the CITY's standards must require the CITY to ensure that a replacement reserve is established, and monthly payments are made to the reserve that are adequate to repair or replace the system(s) as needed.
 - b. **For Multifamily Housing:** Projects of 26+ units require the CITY to determine the useful life of major systems through a capital needs assessment of the project.
 - c. **For Homeownership:** The CITY's standards must require, upon project completion, that each of the major systems have a remaining useful life for a minimum of 5 years or a longer period specified by the CITY, or the major systems must be rehabilitated or replaced.
 - iii. **Lead-based Paint.** The CITY's standards must require the housing to meet the lead-based paint requirements at 24 CFR 35.
 - iv. **Accessibility.** The housing must meet the accessibility requirements of [24 CFR 8](#), which implements Section 504 of the Rehabilitation Act of 1973, and Titles II and III of the Americans with Disabilities Act (ADA), implemented at [28 CFR 35](#) and [36](#), as applicable. Covered multifamily

dwellings, as defined at [24 CFR 100.201](#), must also meet the design and construction requirements at [24 CFR 100.205](#), which implements the Fair Housing Act (FHA). Rehabilitation may include improvements that are not required by regulations or statutes that permit use by a person with disabilities.

- v. **Disaster Mitigation.** Where relevant, the CITY's standards must require the housing to be improved to mitigate the impact of potential disasters (e.g., earthquakes, hurricanes, flooding, and wildfires), in accordance with State and local codes, ordinances, and requirements.
 - vi. **State and local codes, ordinances, and zoning requirements.** The CITY's standards must require the housing to meet all applicable State and local codes, ordinances, and requirements, or, in the absence of a State or local building code, the International Existing Building Code of the International Code Council.
 - vii. **HUD Housing Standards.** The standards of the CITY must be such that, upon completion, the HOME-assisted project and units will be decent, safe, sanitary, and in good repair. This means that the HOME-assisted project and units will meet the standards in [24 CFR 5.703](#), except that the carbon monoxide detection requirements at [24 CFR 5.703\(b\)\(2\)](#) and [\(d\)\(6\)](#) shall not apply. For all HOME-assisted projects and units, the requirements at [24 CFR 5.705-5.713](#) do not apply. At a minimum, the CITY's rehabilitation standards must require correction of the specific deficiencies published in the Federal Register for HOME-assisted projects and units. For SRO housing, [24 CFR 5.703\(d\)](#) shall only apply to the extent that the SRO unit contains the room or facility referenced in the aforementioned citation.
 - viii. **Capital Needs Assessments.** For multifamily rental housing projects of 26+ units, the CITY must determine all work that will be performed in the rehabilitation of the housing and the long-term physical needs of the project through a capital needs assessment.
 - vi. **Broadband Infrastructure.** For new commitments made after January 19, 2017 for a new construction housing project of a building with 4+ rental units, the construction must include installation of broadband infrastructure, as defined in [24 CFR 5.100](#), except where the CITY determines and in accordance with [§92.508\(a\)\(3\)\(iv\)](#) documents that the location of the new construction makes installation of broadband infrastructure infeasible; the cost of installing the infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden; or the structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.
2. **Construction documents and cost estimates.** The CITY must ensure that the work to be undertaken will meet the rehabilitation standards. The construction

documents (i.e., written scope of work to be performed) must be in sufficient detail to establish the basis for a uniform inspection of the housing to determine compliance with the standards. The CITY must review and approve a written cost estimate for rehabilitation after determining that the costs are reasonable.

3. **Frequency of Inspections.** An initial property inspection must be conducted to identify the deficiencies that need to be addressed. The CITY must conduct progress and final inspections to determine that work was done in accordance with work write-ups.

Acquisition Projects (24 CFR 92.251(c))

1. **Existing housing that is acquired with HOME assistance for rental housing, and that was newly constructed or rehabilitated less than 12 months before the commitment date of HOME funds,** must meet the property standards of either the New Construction or Rehabilitation sections of this document. The City must document this compliance based upon a review of approved building plans and Certificate of Occupancy, and an inspection that is conducted no earlier than 90 days before the commitment of HOME assistance.
2. **All other existing housing that is acquired with HOME assistance for rental housing** must meet the rehabilitation property standards requirements. The City must document this compliance based upon an inspection that is conducted no earlier than 90 days before the commitment of HOME assistance. If the property does not meet these standards, HOME funds cannot be used to acquire the property unless it is rehabilitated to meet the standards.
3. **Existing housing that is acquired for homeownership** (e.g., downpayment assistance) must be decent, safe, sanitary, and in good repair. The City must establish standards to determine that the housing is decent, safe, sanitary, and in good repair. At a minimum, the standards must provide that the housing meets all applicable State and local housing quality standards and code requirements and that the housing does not contain the specific deficiencies established by HUD based on the applicable standards in [24 CFR 5.703](#) and published in the Federal Register for HOME assisted projects and units. The City must inspect the housing and document this compliance based upon an inspection that is conducted no earlier than 90 days before the commitment of HOME assistance. If the housing does not meet these standards, the housing must be rehabilitated to meet them, or it cannot be acquired with HOME funds.

Manufactured Housing (24 CFR 92.251(e))

Construction of all manufactured housing, including manufactured housing that replaces an existing substandard unit under the definition of “reconstruction” must meet the Manufactured Home Construction and Safety Standards⁴. These

⁴ [24 CFR 3280](#)

standards preempt State and local codes which are not identical to the federal standards for the new construction of manufactured housing. Cities providing HOME funds to assist manufactured housing units must comply with applicable State and local laws or codes. In the absence of such laws or codes, the installation must comply with the manufacturer's written instructions for installation of manufactured housing units. All new manufactured housing and all manufactured housing that replaces an existing substandard unit under the definition of "reconstruction" must be on a permanent foundation that meets the requirements for foundation systems as set forth in [24 CFR 203.43f\(c\)\(i\)](#). All new manufactured housing and all manufactured housing that replaces an existing substandard unit under the definition of "reconstruction" must, at the time of project completion, be connected to permanent utility hook-ups and be located on land that is owned by the manufactured housing unit owner or land for which the manufactured housing owner has a lease for a period at least equal to the applicable period of affordability. In HOME-funded rehabilitation of existing manufactured housing the foundation and anchoring must meet all applicable State and local codes, ordinances, and requirements or in the absence of local or state codes, the Model Manufactured Home Installation Standards. Manufactured housing that is rehabilitated using HOME funds must meet the property standards requirements. The City must document this compliance in accordance with inspection procedures that the City has established pursuant to [§92.251](#), as applicable.

Ongoing Property Condition Standards

1. Ongoing Property Standards

- i. Compliance with State and local codes, ordinances, and requirements.
- ii. Health and safety.
- iii. Lead-based paint.

2. Projects to which HOME funds were committed before January 24, 2015

must meet all applicable State or local housing quality standards or code requirements, and if there are no such standard or code requirements, the housing must meet the housing quality standards in [24 CFR 982.401](#).

3. Inspections.

The City must undertake ongoing property inspections in accordance with [§92.504\(d\)](#).

4. Corrective and remedial actions.

The City must have procedures for ensuring that timely corrective and remedial actions are taken by the project owner to address identified deficiencies.

5. Inspection procedures.

The City must establish written procedures for inspections. The procedures must include detailed inspection checklists, a description of how and by whom inspections will be carried out, and procedures for training and certifying qualified inspectors. The procedures must describe how frequently the property will be inspected, consistent with [§92.209](#) and [§92.504\(d\)](#).

Section 1: General Information

The U.S. Department of Housing and Urban Development (HUD) provides programmatic funds to rehabilitate and construct affordable housing. Developers shall ensure that projects are in compliance with the [City's Zoning Code](#) current at the time of permit issuance.

The following general information items are applicable to all residential construction projects –

1.1 Permits.

The Contractor shall obtain and display at the job site all permits, and permit cards as required by the City.

1.2 Site Use.

The Contractor shall use the site and its facilities only for the specified construction. The electrical, sanitary waste, water, and gas systems shall be used only for construction purposes during the construction phase.

1.3 Sanitary Facilities.

The Contractor shall be responsible to determine the need for adequate sanitary facilities and to provide those accommodations on site.

1.4 Equipment.

The Contractor shall be responsible for the safe operation of equipment at all times.

1.5 Trades Persons.

All work shall be done with skilled and licensed craftsman and accomplished with care.

1.6 Construction Materials.

All materials used shall be new, unless otherwise specified, and of good quality.

1.7 Qualifications of Bidders.

The Owner or the City acting on behalf of the Owner, may make such investigations as the Owner or the City deems necessary to determine the ability of the offeror to perform the work, and the offeror shall furnish to the Owner and the City all such information and data for this purpose as the Owner, or the City may request. The Owner or the City reserves the right to reject any proposal if the evidence submitted by, or investigation of, such offeror fails to satisfy the Owner or the City that they are properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

1.8 Duplicate Codes.

This document is not intended to take the place of or duplicate the codes adopted by the City. It is intended to clearly define the various methods of construction and the specific materials to be used in the rehabilitation or construction work outlined in the description of the work to be performed.

1.9 Contract Documents.

Prime contractor, general contractor, and subcontractor agreements shall utilize the appropriate City Contract Documents for all construction agreements.

Section 2: Construction Standards

2.1 Minimum Property Standards.

The minimum property standards contained in this policy do not preempt State or City standards, nor do they alter or affect a builder's obligation to comply with any State or City requirements. However, a property shall be eligible for benefits only if it complies with all applicable minimum property standards, including referencing standards.

2.2 Conflicting Standards.

In any case where construction standards may conflict with state law and/or City ordinances, the more restrictive requirement shall apply.

2.3 Final Authority.

In the event interested parties cannot agree to a resolution regarding conflicting standards, the City of Goldsboro reserves the final authority to determine, in their discretion, which standard shall be implemented.

Section 3: Definitions

The purpose of this document is to identify requirements for Acquisition, New Construction, and Rehabilitation while promoting healthy, safe, and decent housing for low- to moderate-income households. This document outlines the minimal level of work, and the methods and materials required for rehabilitation or construction work. This document will be utilized in order to evaluate and determine whether rehabilitation or construction work is in compliance.

3.1 City Zoning Codes.

This document is not a substitute for the City's Zoning Codes, which will typically apply to any substantial new work that is being done on existing structures. In some cases, the Zoning Codes will apply to existing conditions whether addressed in the

course of rehabilitation, or not. In all cases, grantees are responsible for determining the applicability of local building codes.

3.2 Lead Safe Housing Rule.

Pre-1978 housing assisted with HOME funds is subject to implementing regulations at [24 CFR 35](#), subparts A, B, J, K, M, and R of this title. All units in a project assisted with HOME funds shall comply with the regulation implementation Title X of the 1992 Housing and Community Development Act⁵.

3.3 Manufactured Home and Construction Standards.

New manufactured housing shall meet the Manufactured Home Construction and Safety Standards established in [24 CFR 3280](#), which preempt State and local codes covering the same aspects of performance for such housing. Installation of manufactured housing units shall comply with applicable State of North Carolina and City Residential Building/Zoning Codes. In the absence of such laws or codes, the installer shall comply with the manufacturer's written instructions for installing manufactured housing units.

New manufactured housing shall:

1. Be installed according to state or local codes, if none, the manufacturer's written instructions;
2. Be on a permanent foundation that meets the requirements of [24 CFR 203.43f\(c\)\(i\)](#);
3. Have permanent utility hook-ups; and
4. Be located on land that is owned by the manufactured housing unit owner or land for which the manufactured housing unit owner has a lease for a period at least equal to the applicable period of affordability.

If manufactured housing is rehabilitated with HOME funds, the foundation and anchoring must meet all applicable State and local codes, ordinances, and requirements; or if none, the Model Manufactured Home Installation Standards at [24 CFR 3285](#); and meet the other property standards for units rehabilitated with HOME funds.

3.4 Uniform Physical Condition Standards (UPCS)⁶

A set of standards established by HUD pursuant to [24 CFR 5.703](#) for housing that is decent, safe, sanitary, and in good repair. The [inspection checklist](#) will assess the physical condition of housing units which are assisted under various programs of HUD. Inspection areas include, but are not limited to, site, building exterior, building systems, dwelling units, and common areas.

⁵ [P.L. 102550](#)

⁶ [65 FR 77230](#)

3.5 Major Systems.

For homeownership and rental housing: Structural support; roofing; cladding and weatherproofing (e.g., windows, doors, siding, gutters); plumbing; electrical; and heating, ventilation and air conditioning (HVAC). Upon project completion, each of the major systems shall have a remaining useful life of at least five years; otherwise, the major systems shall be rehabilitated or replaced as part of the rehabilitation work.

For projects with 26+ units: This determination shall be made with a capital needs assessment. If the remaining useful life of a system is less than the period of affordability, it must be replaced or rehabilitated. Estimates and capital needs assessments shall be certified by an architect or engineer experienced and competent in this type of work.

3.6 Accessibility for Persons with Disabilities.

The housing must meet the accessibility requirements of 24 CFR 8, which implements the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, and Titles II and III of the Americans with Disabilities Act implemented at 28 CFR 35 and 36, as applicable.

3.7 Site and Neighborhood Standards.

For the new construction of rental housing, the City is responsible for making the determination that proposed sites for new construction meet the requirements in [24 CFR 983.57\(e\)\(2\)](#) and [\(3\)](#). A site and neighborhood standards certification form shall be included in the project application. The City will review and verify accuracy of this certification prior to commitment of HOME funds.

3.8 Broadband Infrastructure.

For a new construction housing project of a building with 4+ rental units, the construction must include installation of broadband infrastructure, as this term is defined in [24 CFR 5.100](#).

3.9 Housing Quality Standards (HQS).

For Tenant-Based Rental Assistance only, the City is required to use HQS, or the successor requirements established by HUD, for HOME tenant-based rental assistance only. The [HQS Inspection Form](#) shall be used to ensure that a property meets HUD's HQS.

Section 4: Tenant-Based Rental Assistance (TBRA)

TBRA provides assistance to individual households, rather than subsidizing particular rental projects. TBRA helps tenants afford the housing costs of market-rate rental units. In addition, the TBRA moves with the tenant –

4.1 Tenant-Based Rental Assistance only:

Housing Quality Standards (HQS) or the successor requirements established by HUD. The use of HQS is required for HOME tenant-based rental assistance only. HUD uses an HQS Inspection Checklist to ensure compliance during initial and annual inspections.

All units in a project assisted with HOME funds shall comply with the regulation implementation of the **Lead Safe Housing Rule (LSHR)** under Title X of the 1992 Housing and Community Development Act ([24 CFR 35](#)).

Section 5: Single Family Property Standards

Properties that are acquired, rehabilitated, or newly constructed with HOME funds must meet specific standards required by the HOME Rule⁷.

5.1 Acquisition.

Properties receiving assistance for acquisition only, without rehabilitation, that are newly constructed units, and any units that have been rehabilitated within 12 months of project commitment, the property shall meet -

- i. **City of Goldsboro's Construction Standards**
- ii. **City of Goldsboro's Zoning Codes**
- iii. **Lead Safe Housing Rule**
- iv. **Broadband Infrastructure**
- v. **Downpayment Assistance**
 - a. City of Goldsboro's Zoning Codes
 - b. Uniform Physical Condition Standards

5.2 Rehabilitation.

If the project involves rehabilitation, the following property standards and requirements apply –

- i. **Major Systems Useful Life**
- ii. **City of Goldsboro's Zoning Codes**
- iii. **City of Goldsboro's Construction Standards**
- iv. **Accessibility Requirements**
- v. **Lead Safe Housing Rule**

⁷ [24 CFR 92](#)

5.3 New Construction

If the project involves new construction, the following standards and requirements apply –

- i. **City of Goldsboro's Zoning Codes**
- ii. **Accessibility Requirements**
- iii. **Manufactured Home Construction and Safety Standards**
- iv. **Broadband Infrastructure**

5.4 Inspections.

The City shall inspect the property prior to occupancy or at project completion to ensure compliance with applicable standards and codes. The property shall be free from any defects that pose a danger to the health and safety of occupants before occupancy. The property shall meet all standards and City codes and ordinances at project completion.

Section 6: Multi Family Property Standards

Properties that are acquired, rehabilitated, or newly constructed with HOME funds must meet specific standards required by the HOME Rule.

6.1 Acquisition.

For properties receiving assistance for acquisition only (without rehabilitation) that are newly constructed units, and any units that have been rehabilitated within 12 months of project commitment, the property must meet the HOME property standards for new construction or rehabilitation -

- i. **Property Standards for HOME Multifamily**
- ii. **City of Goldsboro's Zoning Codes**
- iii. **Uniform Physical Condition Standards**
- iv. **Lead Safe Housing Rule**
- v. **Broadband Infrastructure**

6.2 Rehabilitation.

If the rental project involves rehabilitation, the following property standards and requirements apply –

- i. **Major Systems Useful Life**
- ii. **City of Goldsboro's Zoning Codes**
- iii. **Uniform Physical Condition Standards**
- iv. **Property Standards for HOME Multifamily**
- v. **Accessibility Requirements**
- vi. **Lead Safe Housing Rule**

6.3 New Construction.

If the rental project involves new construction, the following standards and requirements apply –

- i. **City of Goldsboro's Zoning Codes**
- ii. **Accessibility Requirements**
- iii. **Site and Neighborhood Standards**
- iv. **Broadband Infrastructure**

6.4 Inspections.

The City shall inspect the property prior to occupancy or at project completion to ensure compliance with applicable standards and codes. The property shall be free from any defects that pose a danger to the health and safety of occupants before occupancy. The property shall meet all standards and City codes and ordinances at project completion.

Section 7: Affordability Period for Rental Housing

7.1 Ongoing standards during affordability period.

During the affordability period, the property owner shall ensure that properties comply with:

- i. **Uniform Physical Condition Standards**
- ii. **City of Goldsboro's Zoning Codes**
- iii. **Lead Safe Housing Rule**

7.2 Periodic Property Inspections.

The City shall perform on-site inspections of HOME-assisted rental housing to determine compliance with their property standards and to verify the information submitted by the owners in accordance with the following:

- i. The **on-site inspections shall occur within 12 months of project completion and at least once every 3 years thereafter** during the affordability period;
- ii. If there are **observed deficiencies** for any of the inspectable items in the property standards established by the City, **a follow-up on-site inspection to verify that deficiencies are corrected shall occur within 12 months.** The City may establish a list of non-hazardous deficiencies for which correction can be verified by third-party documentation (e.g., paid invoice for work) rather than re-inspection. **Health and safety deficiencies must be corrected immediately.** The City shall adopt a more frequent inspection schedule for properties that have been found to have health and safety deficiencies.
- iii. The **property owner must annually certify to the City that each building and all HOME-assisted units in the project are suitable for occupancy,** considering State and local health, safety, and other applicable codes,

ordinances, and requirements, and the ongoing property standards established by the City; and

- iv. **Inspections shall be based on a statistically valid sample of units appropriate for the size of the HOME-assisted project**, as set forth by HUD through notice. For projects with 1 – 4 HOME-assisted units, the City shall inspect 100% of the HOME-assisted units and the inspectable items (site, building exterior, building systems, and common areas) for each building housing HOME-assisted units.

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Early Loan Forgiveness for 2019 Urgent Repair Program Deceased Recipient Emma L. Jones

BACKGROUND: For the 2019 Urgent Repair Program, funded by the North Carolina Housing Finance Agency, the City of Goldsboro executed a forgivable, deferred loan in the amount of \$8,850 (later modified to \$9,850 on June 7, 2022 to add soft costs, per the NCHFA) as evidenced by a Promissory Note with Emma L. Jones.

DISCUSSION: The City, by way of a procured construction contractor, completed rehabilitation work at Ms. Jones' property in 2021. Ms. Jones complied with program requirements by continuing to reside in the residence until her death on October 23, 2023.

Per the terms of the loan agreement, and in accordance with the URP19 Program Guidelines, the URP19 loan is forgiven at \$2,000 each year, with the entirety of the loan forgiven on June 7, 2027.

RECOMMENDATION: It is recommended that Council adopt the attached resolution approving the early forgiveness of the 2019 Urgent Repair Loan for Emma L. Jones in the amount of \$5,850.

Date: 2-6-2024

Felecia D. Williams
Felecia D. Williams, Community Relations & Development Director

Date: 2/6/24

Timothy Salmon
Timothy Salmon, City Manager

**RESOLUTION RECOMMENDING THE EARLY FORGIVENESS
OF THE 2019 URGENT REPAIR PROGRAM LOAN TO EMMA L. JONES**

WHEREAS, on April 6, 2021, the City of Goldsboro executed a forgivable, deferred loan in the amount of \$8,850.00 (later modified to \$9,850.00 on June 7, 2022), funded through the Urgent Repair 2019 Program (URP19) administered by the North Carolina Housing Finance Agency, to Emma L. Jones, for the purpose of rehabilitating her residence located at 1105 Crawford St., Goldsboro, NC; and

WHEREAS, the terms of the Urgent Repair 2019 Program, as set forth in that certain North Carolina Housing Finance Agency Urgent Repair Program Promissory Note, dated April 6, 2021, allowed the forgiveness of the URP19 loan by \$2,000 each year and in its entirety after five (5) years, so long as Emma L. Jones did not sell, transfer, or otherwise convey the real estate at 1105 Crawford St., Goldsboro, NC; and

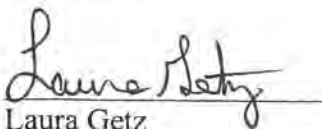
WHEREAS, the City of Goldsboro did rehabilitate the property and, as per terms of the loan, recipient Emma L. Jones continued to reside at the property located at 1105 Crawford St., Goldsboro, NC until her death on October 23, 2023; and

WHEREAS, the City of Goldsboro conferred with Senior Housing Rehabilitation Officer, Dan McFarland with the North Carolina Housing Finance Agency who encouraged the loan be forgiven by the City and advised if the City chose to recoup the balance, the funds can only be used for an eligible URP activity.


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The City of Goldsboro desires to provide support to residents needing housing rehabilitation.
2. The City of Goldsboro finds that the Community Relations and Development Department's request for early forgiveness of the URP19 loan is reasonable for the following reasons:
 - a. Recipient Emma L. Jones passed away on October 23, 2023.
 - b. There is a short time remaining before the loan is scheduled to be forgiven in its entirety, June 7, 2027.
3. The Mayor is hereby authorized to allow early forgiveness of Emma L. Jones' URP19 loan in the amount of \$5,850 on 1105 Crawford St., Goldsboro, NC in its entirety.
4. This Resolution shall be in force and effect from and after February 12, 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Resolution Approving the Engineering Procedures Manual

BACKGROUND: The intent of the Engineering Procedures Manual is to identify processing requirements essential for the design and construction of public as well as privately owned improvements. The manual is also intended to provide uniform design criteria for facilities as well as provide specifications to be followed by all development undertaken within the City of Goldsboro.

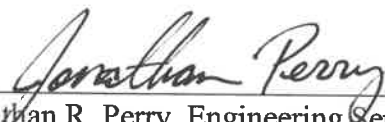
DISCUSSION: The review and approval of contract documents for certain types of improvements is also the legal responsibility of other public agencies in addition to the City of Goldsboro. This manual is not intended as a substitute for the requirements of other public agencies. It shall be the Design Engineer's responsibility to see that the proposed contract documents meet the legal requirements of all other public agencies for any permits, bonds, and insurance required by such agencies prior to construction.

In order to continue to ensure the construction of quality improvements, public safety, and to satisfy changing industry standards, the City may from time-to-time issue amendments and clarifications to the Manual. It is the responsibility of all persons utilizing this Manual to obtain the most current copy.

In the case where conflicts may arise between this document, the Municipal Code, and/or rules and regulations of other public agencies, the more stringent requirements will apply, and the issue will be resolved by the Engineering Services Manager.

RECOMMENDATION: It is recommended that the City Council adopt the attached resolution approving the Engineering Procedures Manual dated February 12, 2024.

Date: 2-2-24


Jonathan R. Perry, Engineering Services Manager

Date: 2/6/24


Timothy M. Salmon, City Manager

RESOLUTION NO. 2024 – 18

**RESOLUTION APPROVING THE CITY OF GOLDSBORO'S
ENGINEERING PROCEDURES MANUAL DATED FEBRUARY 12, 2024**

WHEREAS, the City Council of the City of Goldsboro has heretofore found it in the public interest to implement the Engineering Procedures Manual; and

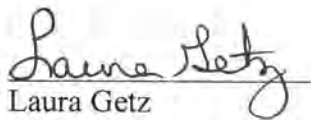
WHEREAS, the intent of the Engineering Procedures Manual is to establish minimum standards for the design, preparation, and construction of public as well as privately owned improvements within the City of Goldsboro.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The Council hereby approves the Engineering Procedures Manual dated February 12, 2024.
2. The Council may from time-to-time issue amendments and clarifications to the Manual.
3. This resolution shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV
Mayor

Attested by:


Laura Getz
City Clerk



ENGINEERING & ADMINISTRATIVE PROCEDURES MANUAL



200 N. Center Street, Goldsboro, NC 27530

ENGINEERING & ADMINISTRATIVE PROCEDURES

1.1 INTRODUCTION

This manual has been prepared to ensure that the design and construction of public improvements will meet the requirements of the City of Goldsboro. The intent is to identify the processing requirements and procedures required by the Municipal Code, which governs the design and construction of improvements. The manual is also intended to provide uniform design criteria for facilities as well as provide specifications to be followed by all development undertaken within the City of Goldsboro. Plans and specifications presented to the City of Goldsboro for approval shall provide for the implementation of the requirements of this Manual and the City of Goldsboro Standard Specification Manual.

1.2 DEFINITION OF TERMS

As-Built Plans	Design plans checked in the field and revised to show actual condition, locations, elevations, and specification of materials for constructed improvements and utilities, including storm water management areas such as retention and detention basins. Actual location of structures, including top of building foundation grades summits and other key locations are to be shown on the as-built plans.
AWWA	American Water Works Association.
Contractor	An individual, company, firm or other party or organization who contracts to physically construct all or a portion of a project for either a Developer or the City of Goldsboro.
DIP	Ductile Iron Pipe. A type of pipe material.
Design Engineer	The licensed individual, company or firm responsible for the design and preparation of plans and contract documents submitted for approval.
Developer	An individual, company, firm or other party or organization who will be responsible for permitting and construction of a Development.
Development	A residential, commercial, industrial, or other area in which the Developer proposes to offer parcel(s) of property for sale or in which the Developer proposes to make certain improvements for his/her own use or sale.
Eng. Manager	The representative for the City of Goldsboro occupying that office in the City of Goldsboro, or a designated representative.

Eng. Inspector	An individual, company or firm appointed by the City of Goldsboro Engineering Manager to inspect construction to ensure compliance with approved plans and specifications.
Granular Base or Subbase	Aggregate material applications generally consisting of gravel, crushed stone, or other hard, durable material of mineral origin. The gradation requirements vary with type (base or subbase). Recycled material is prohibited in all applications.
NCDOT	North Carolina Department of Transportation.
NCEPA	North Carolina Environmental Protection Agency.
Improvements	Grading, street pavement, curbs, gutters, sidewalks, street lighting, parking lots, water mains, fire hydrants, sanitary sewers, storm sewers, storm water management areas, bridges, trees, and other additions to the natural state of the land which increases its value, utility, or habitability in accordance with the provisions of these specifications.
811	Utility Locating Services for Excavators; <u>Contact Phone Number: 811.</u>
Manual	This document, entitled "A Manual of Guidance for the Design of Public and Private Improvements in the City of Goldsboro."
Municipal Code	A document adopted by Ordinance by the Mayor and City Council
MUTCD	Manual on Uniform Traffic Control Devices, Published by the United States Department of Transportation, Federal Highway Administration, latest revision.
NAVD 88	North American Vertical Datum, 1988 reference.
NAD 83	North American Datum of 1983
NFPA	National Fire Protection Association.
OSHA	Occupational Safety & Health Administration.
Pavement	A hard smooth surface that will bear travel.
Private Improvement	Any facility for which the responsibility of ownership and maintenance will be retained by the owner/developer or a private association.
Public Improvement	Any facility for which the City of Goldsboro will ultimately

assume the responsibility for maintenance and operation, or which is constructed for public use or benefit.

Punch List	A written list of deficiencies, requiring corrective action prior to acceptance of the Project by the Engineering Department. A formal punch list is prepared after all the improvements have been completed.
PVC	Polyvinyl Chloride. A type of pipe material.
RCP	Reinforced Concrete Pipe. A type of pipe material.
Right-of-Way	Dedicated separate land consisting of a strip of land occupied or intended to be occupied by a road, walkway, crosswalk, railroad, electric transmission line or other special use.
Road/Roadway	The paved area utilized for vehicular motorized travel, existing in the right-of-way. A private road is located on private property, not within the public right-of-way.
Specification Manual	A Manual of accepted specifications adopted by the City of Goldsboro, latest revision.
USACOE	United States Army Corps of Engineers.
USGS	United States Geological Survey.
COG	The City of Goldsboro.

1.3 SCOPE

The review and approval of contract documents for certain types of improvements is also the legal responsibility of other public agencies in addition to the City of Goldsboro. This Manual is not intended as a substitute for the requirements of other public agencies. It shall be the Design Engineer's responsibility to see that the proposed contract documents meet the legal requirements of all other public agencies and that all permits, bonds, and insurance required by such agencies are secured prior to construction.

In the case where conflicts may arise between this document, the Municipal Code, and/or rules and regulations of other public agencies, the more stringent requirements will apply, and the issue will be resolved by the Engineering Manager.

1.4 PRE-DESIGN CONFERENCE

It is strongly recommended that prior to the development of detailed plans and specifications, the Design Engineer arrange and attend a meeting with the City of Goldsboro Engineering Department, and Planning Department.

1.5 PLAN PREPARATION REQUIREMENTS

All plans submitted for approval shall bear the name of the Design Engineer, his/her signature, the imprint or stamp of the Professional Engineer's seal, and his/her address and telephone number. Plans shall be drawn on 24" x 36" sheets, unless approved otherwise by the City of Goldsboro, and shall be clear and legible. They shall be drawn to a minimum scale of 1"=40', unless approved otherwise by the City of Goldsboro, which will permit all necessary information to be plainly shown.

All elevations shall be referenced to NAVD 88 datum, and benchmarks shall be clearly noted on the plans. Benchmark locations are available for inspection in the Engineering Division. All materials to be used on the project shall be specified and indicated on the plans. All proposed improvements and all existing municipal and privately owned utilities shall be shown in both plan and profile. The proposed project plans shall include the existing topography and a finished grading plan for the entire development. Existing topography shall be shown as necessary but at least 50 feet beyond the Development's property line, or to the right-of-way on the opposite side of the street on all sides of the Development.

1.6 SPECIFICATION REQUIREMENTS

Technical specifications shall be complete in themselves; however appropriate specific sections of the most recent edition of the appropriate standard specifications may be referenced. The various standard published material specifications prepared by associations such as the American Society for Testing and Materials (ASTM) and the American Water Works Association (AWWA), may also be incorporated by reference.

The specifications shall include, but not be limited to, all information not shown on the drawings which is necessary to establish in detail the type and quality of materials and work required in the project, as well as parameters and instructions for testing the various completed improvements in the project.

The specifications for public improvements shall also include a clause that all work was installed in conformance with the approved plans and specifications and shall be guaranteed by the contractor to be free from defects in construction and materials for one (1) year from the date of acceptance of all public improvements by the City of Goldsboro.

The Developer shall have replaced or repaired any work or material found to be defective upon notice from either the Design Engineer or the Engineering Manager that said defects exist. The Developer will be responsible for maintaining all work free from defects until the project has been completed and approved by the City of Goldsboro.

1.7 DESIGN COMPUTATION REQUIREMENTS

Design computations and any necessary analysis shall be made by the Design Engineer for all phases of the project when such computations are required in the opinion of the Engineering Manager to ensure the adequacy, stability, and safety of the work. Said computations shall be neat and legible and in a form that can be readily followed and understood. Said computations may include, but not necessarily be limited to, the following:

- Sanitary Sewer System Design
- Soil Information
- Storm Sewer System Design, including Hydraulic Gradients,
Inlet Capacity, Waterway Opening and Bridge Hydraulics
- Traffic Signal Warrant Analysis and Intersection Design Studies,
including Uniformity Ratio
- Wetlands Mitigation

1.8 ENGINEERS ESTIMATE OF PROBABLE COST REQUIREMENTS

The Design Engineer shall prepare an itemized estimate of the cost of the improvements. The estimate shall be broken down into public and private (usually onsite) improvements when applicable. The estimate of cost shall be signed and sealed by the design engineer and submitted with the final design plans.

1.9 OTHER PERMIT APPLICATIONS AND APPROVALS

Other governmental agencies may review and approve for construction, all or certain parts of the work included in a project. They may require a permit or require that such a permit or application for a permit be executed by the City of Goldsboro. When such a permit or permit application is required, it shall be prepared by the Design Engineer and properly executed before submitting it to the Engineering Manager, who, upon approval, will return it to the Design Engineer for further processing.

1.10 DOCUMENT SUBMISSION AND PROCESSING

For Preliminary Engineering and Final Engineering submittals, the following will apply. Final Engineering documents shall be submitted by the Design Engineer to the Engineering Manager for the City of Goldsboro. The initial submittal will be reviewed by all concerned departments. The Design Engineer will be contacted by the Engineering Manager after combining all the City of Goldsboro review comments. It will be the Design Engineer's responsibility to coordinate these comments with all respective design disciplines. If there is a discrepancy between any Department or other agency, the Design Engineer must contact the concerned Department(s) or agency(s) to resolve the discrepancy. The Design Engineer shall then revise the documents accordingly and make the final submission.

Engineering documents in the initial submittal shall be submitted directly to the Engineering Manager and shall include the following:

Engineering Plan Sets	<i>2 Hard Copies, and 1 Electronic File</i>
Engineering Specifications	<i>2 Hard Copies, and 1 Electronic File</i>
Engineering Design Computations	<i>2 Hard Copies, and 1 Electronic File</i>

Architectural documents related to the final submittal shall be made directly to the Planning Department and the Building Inspections Department. Contact the Planning and Building Inspections Departments for the required number of plans sets.

Engineering documents in the final submittal shall be submitted directly to the Engineering Manager and shall include the following:

Engineering Plan Sets	<i>2 Hard Copies, and 1 Electronic File</i>
Engineering Specifications	<i>2 Hard Copies, and 1 Electronic File</i>
Engineering Design Computations	<i>2 Hard Copies, and 1 Electronic File</i>
Other Agency Permit Applications	as required.
All Fees, Escrow Deposits or Letters of Credit (if applicable)	<i>1 Hard Copy</i>

When the final submittal meets the requirements of the Engineering Manager, approval will be granted, and the necessary permit(s) will be executed and issued prior to the mandatory Preconstruction meeting.

1.11 APPROVAL PERIOD

Approvals granted for final engineering plans shall be effective for a period of 12 months from the date of approval. If construction has not commenced within 12 months, an extension shall be required. Extensions will require a written request to the Engineering Manager who will then review the project for any new requirements that may have been established in the interim. New fees may apply and will consequently be charged.

1.12 FEES AND DEPOSITS

Fees and deposits shall be determined in accordance with the applicable requirements and sections of the Municipal Code.

1.13 REVISIONS TO APPROVED PLANS AND SPECIFICATIONS

Any deviations from the approved plans or specifications affecting the construction shall be approved by the Engineering Manager before such changes are made to the plan set or in the field. All revisions must be depicted on the as-built plans (recorded drawings).

1.14 CONSTRUCTION SUPERVISION

All public and private projects require periodic inspection and construction supervision. For city owned projects the City of Goldsboro Construction Inspector, or designated person shall be responsible for project supervision and all required inspections. Projects constructed by private developers will have spot inspections performed by the City of Goldsboro Construction Inspector, but full-time inspection and performance certification which satisfies the Engineering Manager, shall be the responsibility of the Developer.

1.15 AS-BUILT PLANS (RECORD DRAWINGS)

An as-built plan, which shall accurately reflect the true field condition of the project as constructed, must be prepared by the Design Engineer, and shall be submitted by the Developer to the Engineering Manager prior to the preparation of the final punch list. The as-built plans will be rejected if they do not accurately reflect constructed conditions. A final punch list will be prepared by the Engineering Department Construction Inspector upon receiving acceptable as-built plans, and note that final payment will not be released until the final punch list items are completed in a satisfactory form. This list will then be provided to the Developer for corrective action. The Developer will then satisfactorily address all issues on the punch list and notify the Engineering Manager after all items are completed. The Engineering Manager will then schedule a re-inspection of the punch list items and notify the Developer if all items have been satisfactorily addressed.

After all punch list items have been satisfactorily addressed, the Developer is required to submit 1 set of the final as-built plans as well as a digital file (AutoCAD format) for the City of Goldsboro records. The AutoCAD format of the as-builts must have all water mains, sewer mains, stormwater mains, and appurtenances located with GPS Accuracy and be compatible with Trimble software. Each sheet in the set is to be labeled "As-Built" or "Record Drawings" and must be signed and sealed by a Registered Professional Engineer representing the Design Engineering firm.

If the punch list of deficiencies is not corrected to the satisfaction of the Engineering Manager final approval of the project and improvements will not be granted.

1.16 EXISTING FACILITIES

Plans and specifications shall provide for the continuous operation of existing facilities without interruption during construction, unless otherwise specifically authorized, in writing, by the Engineering Manager. Plans shall include phasing schedules when work will not be continuous.

1.17 FINAL PROCESSING AND ACCEPTANCE

Prior to the final approval of the project, all water mains shall be pressure tested, chlorinated, and Bac-T samples pulled with negative results. This information shall be forwarded to the City of Goldsboro Construction Inspector. All sewer mains shall be air tested, and manholes vacuum tested according to the chart in the Engineering Departments Specification Manual. All water mains will be accepted and put into service once the Engineering Manager receives the approval letter from the North Carolina Department of Environmental Quality. The City of Goldsboro Construction Inspector shall prepare a final punch list, listing all items not meeting the requirements of the City of Goldsboro. This punch list will be prepared after the Developer submits as-built plans as described in Article 1.15 of this Manual.

If damage occurs to a Public Improvement before final acceptance of the Public Improvements, the Developer shall be responsible for correcting the damage.

1.18 WAIVER FOR MANUAL REQUIREMENTS

Where conditions so warrant, the City Council of the City of Goldsboro may, after a hearing, choose to waive any of the requirements of this Manual.

1.19 SAFETY REQUIREMENTS

All requirements of other governmental agencies, including the federal government, relative to safety, shall be in accordance with all laws, regulations and requirements associated with the development.

1.20 AGENCY NOTIFICATION

The Contractor shall notify the City of Goldsboro Construction Inspector at least 48 hours in advance of starting any work on the site. It is the Contractor's responsibility to notify any other agency that may be involved in the project. A pre-construction meeting will be set up by the Engineering Manager at City Hall before any construction can begin. All concerned parties including but not limited to the Design Engineer, Developers Representative and all contractors or their representatives are expected to attend.

1.21 ACCIDENT NOTIFICATION

In case of an unplanned interruption of utility service, the Contractor shall notify all utility representatives immediately. If the utility is under ownership of the City of Goldsboro, the Public Works Department shall be notified immediately at (919) 734-8674.

In the event of any accident requiring the assistance of the City of Goldsboro Police Department and/or the Fire Department, the contractor shall call 911 immediately. When notification is made by telephone, the contractor should provide the emergency dispatcher with the closest intersection to his/her location.

PROCEDURES OF WORK FOR CONTRACTED SURVEY DATA COLLECTION

2.1 GENERAL

The purpose of this specification is to convey to all surveying sub consultants and/or subcontractors the way project field data and CADD information shall be delivered to the City of Goldsboro Engineering Department as part of this contract agreement. Any variation or deviation from the requirements below must be authorized by the City of Goldsboro Engineering Department in advance of completing the work.

2.2 DATA COLLECTION

The City of Goldsboro Engineering Department requires the survey scope of work consist of field survey data collection and topographic mapping of the area identified by City of Goldsboro Engineering Department to be collected and mapped in accordance with all the minimum survey standards, classifications, requirements, and procedures established in North Carolina Administrative Code Title 21, Chapter 56, Sections .1601 through .1608.

The survey data collected shall be located and identified in the submitted Survey Drawing including but not limited to all property boundary information, all structures, roadways, sidewalks, fences, and other aboveground construction. All contiguous property owners within or adjacent to the area to be surveyed shall be identified by owner, deed book, and page number. The survey data shall include the location, size, and material (where possible to collect) of piping and manholes, and inverts of all existing storm drainage and sanitary sewers within the area to be surveyed.

The surveyor shall locate and identify all above ground utility information, such as water, power, communications, etc. or, if below ground, what can be reasonably obtained or deduced by location of manholes, valves, meters, hatches, handholds, markers, etc.

When roadways are included in the area to be surveyed, vertical elevation information shall be collected for the edge of pavement as well as the centerline.

2.3 HORIZONTAL AND VERTICAL CONTROL

All survey data collection and electronic files shall be referenced and oriented to the specified coordinate system below.

Referenced Horizontal Datum	North American Datum of 1983 (NAD 83) North Carolina State Plane Coordinate System, US Foot
Referenced Vertical Datum	North American Vertical Datum (NAVD 88)

2.4 BENCHMARKS

All survey work shall be “tied” to at least two (2) existing National Geodetic Survey (NGS) Benchmarks (Horizontal and Vertical) located on or near the project site.

Temporary Benchmarks (TBM) will be placed by the Surveyor for future use and provided on the submitted Survey Drawing. New TBMs shall be established by the Surveyor along the proposed survey route at approximately 2,000-foot intervals. TBM’s shall be, to the extent practical, set in areas which will not be disturbed by the proposed construction.

2.5 STATEMENT OF ACCURACY

Included with the survey deliverables shall be a *statement of accuracy* indicating the dates of collection, surveyor name and license number, coordinate systems used, benchmarks referenced, and degree of accuracy achieved (e.g., +/- ft., or A-order, B-order, etc.) in the horizontal and vertical planes.

2.6 DOCUMENT FORMAT

Surveyors shall provide three (3) deliverables to the City of Goldsboro Engineering Department following collection of field data – a Point Database, CADD Site Plan Drawing, and a CADD Surface TIN or Model. These files must be maintained and delivered to the City of Goldsboro Engineering Department throughout the project as work is requested. Drawing methods and layering must conform to the City of Goldsboro Engineering Department standards as provided within or as indicated within the attached “Survey_Seed.dwg” provided to the Surveyor by the City of Goldsboro Engineering Department.

2.7 POINT DATABASE

Surveyor shall provide all spot elevations in a Microsoft® Excel or other software in comma or tab delimited (spaced) format in PNEZD arrangement (Point Number, Northing, Easting, Elevation, and Description). These software file extensions may vary from .txt, .xls, or .csv.

2.8 CADD SURVEY DRAWING

The Survey Drawing shall be provided in a separate Autodesk (AutoCAD) drawing file (.dwg) including all planimetric data and generated topographic contours.

All CADD drawings to be provided to the City of Goldsboro Engineering Department shall be drawn on the layer system as indicated in the “SURVEY_SEED.dwg” provided with this document. A list of these layers, descriptions, line weights, types, and colors can be provided upon request. Topographic information for interval contours and index contours shall be drawn using two dimensional (2D) polylines having a fixed elevation equal to the

contour elevation and a thickness of zero (0). The contours shall be drawn on appropriate layers for interval or index contours as a single continuous 2D polyline for each elevation. In any case, three dimensional (3D) polylines are not acceptable.

2.9 CADD SURFACE TIN OR MODEL

A Surface Model shall be created and provided by the surveyor from ground elevation shots in the specified horizontal and vertical datum and modified by surveyor placed break lines and boundaries as part of the surveyor's normal best practices for creating topographic contours. This file shall be provided in one of the formats below:

Export File Type	Surveyor CADD Software				
	AutoCAD Land Desktop (LDD)	AutoCAD Civil 3D	Bentley GEOPAK	Trimble Terramodel	Eaglepoint
<i>LandXML File (.xml)</i>		x	x		x
<i>TIN Triangle Lines (.dxf or .dwg)</i>	x	x	x	x	x
<i>Land Desktop TIN File (.tin & .prn)</i>	x				x
<i>Field Book File (.fbk)</i>		x		x	

2.10 EASEMENTS

North Carolina Board of Engineers and Land Surveyors
Policy BP-109-1 states:

The depicting and mapping of easements to comply with Board Rule .1604(d)(8) [accurately located where it crosses or forms a boundary] falls within the definition of the practice of land surveying as defined in GS 89C-3(7)a.1. and must be done by a licensed Professional Land Surveyor.

It is the intent of this policy to ensure that all easements, whether existing or newly created, are sufficiently described to permit future surveyors to readily retrace the easement. To that end, all easements shown on any plat or described in any written description or other report of survey shall be tied by course and distance to either:

- 1) Property corners that are properly monumented and verified, or
- 2) Project boundaries that have been properly monumented and verified, or
- 3) The NC State Plane Coordinates System.

1. Except for new public utility easements, where easements are created with reference to property lines, those property lines shall be surveyed and monumented, and in addition, the location where the easement crosses a boundary line shall be either monumented or tied to a monument in the boundary line. For existing easements, the plat, description, or report of survey shall contain sufficient data (bearings and distances or coordinates) to locate where the easement crosses the boundary line.

If the location of the existing easement is not sufficiently described in the instrument creating such easement, then the surveyor must use his/her best professional judgment on how to report location of the easement on a plat or other report of survey, which may include a notation that the surveyor was unable to locate the easement based on physical evidence found.

For new public utility easements involving long distances across multiple tracts, the newly surveyed easement does not require monumentation where crossing non-surveyed property lines, but otherwise shall comply with this policy. New public utility easements shall be sufficiently monumented such that subsequent surveyors can locate the easement based on physical monuments. At a minimum, new public utility easements shall be monumented (either at the center line or at one edge of the easement) at every turning point and at least one monument every 2,000 feet.

See section

PROCEDURES FOR WATER AND SEWER LOCATES

3.1 GENERAL

All underground utility locations policies by the City of Goldsboro (COG) Engineering Department will conform to North Carolina General Statutes: Chapter 87, Article 8A. "Underground Utility Safety and Damage Prevention Act". Also known as the NC811 law.

3.2 PRE-PLANNING (OFFICE)

Communicate with the Excavating Company

- 1.1.1. New Construction Routing: Where is it being installed?
- 1.1.2. What kind of utility is being installed?
- 1.1.3. How deep?
- 1.1.4. Identify potential conflict areas.

Record Research: Not limited to, As-Built plans, Construction plans, Maintenance and repair records, GIS maps. Communicate with affected COG Departments

- 1.1.5. Identify potential conflict areas with COG Departments.
- 1.1.6. Identify our facility materials if possible (pipe sizes, pipe materials, etc.)

3.3 SITE RECONNAISSANCE

Take notice of existing ground structures

- 1.1.7. Adjacent building services that may be served by COG facilities.
- 1.1.8. Vacant lots that may have been served in the past by COG facilities.
- 1.1.9. Are existing ground structure locations shown accurately on GIS and as-built maps?
Are vaults, meters, valves, manholes, laterals, and clean-out materials shown correctly on GIS and as-built maps?

Identify and make notation and/or sketches of potential conflict areas based on site observations.

- 1.1.10. Notify appropriate COG Department
- 1.1.11. Notify Excavating Company

3.4 UTILITY LOCATION METHODS

COG facilities will be traced based on the best available information gathered in the pre-planning and site reconnaissance phases.

On-site Methods

- 1.1.12. Electromagnetic conduction: The conductive procedure should be used on all metal pipes that are accessible either above ground or in vaults or meter boxes. This is done by applying a current directly to a line with a transmitter and tracing the utility by marking the point on the ground where the strongest signal is received. Utilities usually can be traced for relatively long distances using this technique. It should be noted, however, that the conducted signal can also couple to other nearby utilities. In this case, it is generally useful to continue tracing all utilities that carry the input signal.
- 1.1.13. Electromagnetic inductive: The inductive procedure can be used to detect known utilities without applying a current directly to a line. This can be done by placing the transmitter on the ground directly over the suspected utility. The transmitter will induce a signal onto the metal line that can then be traced using a receiver.
 - 1.1.13.1. Inductive with Sonde: The inductive mode can also be used to locate nonmetallic sewer and storm drain lines. This is done by inserting a transmitting Sonde into the line with a fiberglass probe and locating its projected position on the ground surface. Once the position is marked, the transmitter can be pushed in further and remarked. Typically, the Sonde is pushed to points located every 5 to 20 feet apart, until the location of the respective pipe has been determined.
- 1.1.14. Electromagnetic passive: The passive procedure can be used to locate known utilities that carry a 60 Hz signal. These include electric lines, and electrically grounded utilities such as water and gas. This procedure can also detect utilities that re-radiate very low frequency (VLF) radio signals, such as telephones and some metal lines. The passive procedure is done by systematically scanning the area immediately around the utility vault or meter box with the receiver set to 60 Hz or Radio mode. It is not necessary to directly connect a transmitted signal to the line. The peaked response indicates the location of the utility. Once the target line is detected, it can be traced through the site with relative ease.
- 1.1.15. Electromagnetic ferrous: Known utilities, constructed of ferrous metal, can also be located by handheld metal detectors. The handheld instrumentation indicates the presence of the metal utility by emitting a peaked audible tone. Based on this tone, the location of the utility can be determined and marked on the ground. This technique can also be used to detect manhole covers or vault lids that have been paved over, as well as buried, near-surface metallic debris.
- 1.1.16. Sonic: The sonic mode can be used to locate nonmetallic water lines. This is done by creating a pressure wave into the line and locating its sound frequency projected through the pipe and surrounding ground with sensitive microphones that amplify the noise made by the sonic wave.
- 1.1.17. Ground Penetrating Radar: If the location of a particular utility cannot be determined by the conduction, passive, or induction procedures, GPR can be used in

an effort to determine their locations. This is done by obtaining GPR data over the approximate location of the known utility along traverses that are positioned perpendicular to the suspected trend of the pipe. The trend of the pipe can usually be approximated based on the location of vaults, manway covers, and valves. If the targeted utility is buried within the detection capabilities of the GPR, then the utility will produce a reflection pattern on the printed cross-section. Based on the location of the reflection patterns obtained along many adjacent profiles, the interpreted location of the utility can then be determined.

Limitations

- 1.1.18. **Conduction:** The successful detection of underground utilities is dependent primarily upon the composition and construction of the line of interest, and depth of burial. When using the EMLL techniques in the conduction mode, the utilities must be exposed at the surface or in accessible utility vaults close to the survey area. Utilities detectable with this technique include most continuously connected metal pipes, cables/wires or non-metallic utilities with tracer wires. Such utilities generally include water, electric, natural gas, telephone, and other conduits related to facility operations. Utilities that may not be detectable using these techniques include certain abandoned utilities, utilities not exposed at the ground surface, or those made of non-electrically conductive materials such as PVC, fiberglass, vitrified clay, and metal pipes with insulating joints. Pipes generally deeper than about five feet may not be detected. The detection of underground utilities using the conduction mode is also dependent upon the proximity of those utilities to other subsurface utilities and/or above ground cultural objects. Nearby buried utilities can mask or distort signals associated with the utility in questions. For example, if several utilities are buried in a common trench or in close proximity to one another, the signal applied to one utility can couple to the adjacent utility. This can lead to an error in the marked position of the utility in question, or to delineating the wrong utility altogether. In addition, when coupling of nearby utilities takes place, shallow utilities will generally produce a stronger response than adjacent deeper utilities. Therefore, shallow utilities buried over deeper utilities will generally mask effects from the deeper utilities. Besides buried utilities, above ground metal objects can also be affected by coupling of the conducted signal. These objects include rebar in concrete, railroad spurs, and above ground pipe alignments. Typically, subsurface utilities located beneath or in close proximity to these features are difficult to accurately detect or delineate.
- 1.1.19. **Induction:** The detection of buried metal utilities, using the handheld induction technique, is dependent upon the size of the utility, its depth of burial, and its proximity to above ground metal objects. As the size or diameter of the buried metal utility decreases, the depth at which it can be detected also decreases. For example, a relatively large utility such as a corrugated steel drain line, can be detected at depths of 3 to 4 feet. However, a smaller utility, such as an electric line associated with streetlights, may be detected only at depths of 1 to 2 feet. In addition, the

ability to detect a buried metal utility is also based on its proximity to above ground metal objects or structure. Cultural features such as chain link fences, buildings, debris, railroad spurs, guard rails, other utilities, etc. may produce a response that can mask effects from the nearby buried metal utility.

- 1.1.20. Passive: The ability to detect passive signals associated with 60 Hz electric lines is dependent upon the current flowing through the line. The passive signal strength has nothing to do with voltage. It is the current flowing through the line that produces the magnetic field, which in turn is detected by the locator. If an electric line is energized at high voltage, but the load is switched off, there is nowhere for current to flow. Without current flow, there will be no detectable power signal. This results in a line that will not be detected by the locating equipment, but remains very dangerous if contacted by an excavator, auger, or metal pile.
- 1.1.21. Ground Penetrating Radar: Utilities detectable with the GPR technique include both metallic and nonmetallic pipes. The ability to detect these pipes is dependent on-site specific conditions. These conditions include depth of burial, the size or diameter of the utility, the condition of the utility in question, the type of backfill material associated with the utility, and the surface conditions over the utility. Typically, the GPR depth of detection will be reduced as the clay content in the subsurface increases. Therefore, it is possible that utilities buried greater than 2 to 4 feet, may not be detectable by the GPR technique.

3.5. CONFLICT AREAS

- 3.5.1. There are inherent limitations associated with utility locating that may not allow for the detection of all subsurface utilities of interest! When COG water and sewer lines are not locatable and are in an area that is to be excavated, notification shall be made to the excavating company that only invasive techniques (potholing, excavation, etc.) can the utility be located.
- 3.5.2. Document communication with the excavating company, notify the excavating company of non-locatable utilities in the excavation area.
- 3.5.3. Encourage the excavating company to pothole the utility before digging.
- 3.5.4. Notify the affected COG Department.

3.6. FINAL REVIEW AND NOTICE TO PROCEED

- 3.6.1. Review and verify.
- 3.6.2. Verify marks are on the ground and in the correct positions with respect to utilities being marked.
- 3.6.3. All relative COG departments have been notified.
- 3.6.4. Review all excavator communications are satisfactory and have been appropriately responded to.
- 3.6.5. All photos of the area marked have been taken, archived, or attached to the NC811 positive response.
- 3.6.6. NC811 Positive Response—This is the final notice to the excavator to proceed!

3.7. LOCATOR RESPONSIBILITIES

Training

All locators shall receive training that includes sufficient information, guidance, and supervision such that the locators can competently and safely operate equipment used to locate underground utilities while minimizing the potential for damage.

- 3.7.1. All locator training and education will be documented.

Information

A locator of COG facilities will provide to the excavator any information available that would assist the excavator in identifying and thereby avoid damaging underground facilities, these include but are not limited to:

- 2.1.1. Recorded Maps or Drawings
- 2.1.2. As-Built plans
- 2.1.3. Photos---As marked, and included in the NC811 Positive Response
- 2.1.4. GIS locations and records
- 2.1.5. Oral and written communications that describe in detail where an underground utility may be located.

3.5 TOLERANCE ZONE

A tolerance zone as is established, if the diameter of the facility is known, the distance of one-half of the known diameter plus 24 inches on either side of the designated centerline or, if the diameter of the facility is not marked, 24 inches on either side of the outside edge of the mark indicating a facility or, for subaqueous facilities, a clearance of 15 feet on either side of the indicated facility.

3.6 WHITE LINING AN AREA

When an area to be excavated cannot clearly and adequately be identified in an 811 notice, the contractor shall designate the route, specific area to be excavated, or both by pre-marking the area before the facility operator (COG) performs a locate. Pre-marking shall be made with soluble white paint, white flags, or white stakes.

3.7 POTHOLING AND EXCAVATION IN A TOLERANCE ZONE

An excavator shall not perform any excavation or demolition within the tolerance zone unless the excavator complies with all the following conditions:

- A. The excavator shall not use mechanized equipment, except noninvasive equipment specifically designed or intended to protect the integrity of the facility, within the marked tolerance zone of an existing facility until:
- B. The excavator has visually identified the precise location of the facility or has

visually confirmed that no facility is present up to the depth of excavation.

- C. The excavator has taken reasonable precautions to avoid any substantial weakening of the facility's structural or lateral support, or both, or penetration or destruction of the facilities or their protective coatings; and
- D. The excavator may use mechanical means, as necessary, for the initial penetration and removal of pavement or other materials requiring use of mechanical means of excavation but only to the depth of the pavement or other materials. For parallel type excavation damage the tolerance zone, the existing facility shall be visually identified at intervals not to exceed 50 feet along the line of excavation to avoid damages. The excavator shall always exercise due care to protect the facilities when exposing these facilities.
- E. The excavator shall maintain clearance between a facility and the cutting edge or point of any mechanized equipment, considering the known limit of control of the cutting edge or point, as may be reasonably necessary to avoid damage to the facility.
- F. The excavator shall provide support for facilities in and near the excavation or demolition area, including backfill operations, as may be reasonably required by the operator for the protection of the facilities.

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Resolution accepting the grant and authorizing the City Manager and Engineering Services Manager to execute documents related to the NC State Appropriations Act of 2023 funding for the City of Goldsboro

BACKGROUND: The NC State Appropriations Act of 2023 appropriated to the City of Goldsboro: \$5M for water and wastewater infrastructure from the Clean Water and Drinking Water Reserve; \$2M for the Big Ditch restoration and stabilization from the State Emergency Response and Disaster Relief Fund; and \$2M for a directed grant from the Regional Economic Development Reserve.


DISCUSSION: The NC Department of Commerce awarded \$22M to the Wayne County Development Alliance (WCDA) for utility infrastructure that enables Mount Olive Pickle Company manufacturing in the City of Goldsboro. The \$5M for water and wastewater infrastructure will in large part pay for the final phase of this project. All associated water and wastewater infrastructure will be accepted and owned by the City.

The \$2M for the Big Ditch will pay for the City's 25% match of a \$7.5M project that was presented to Council on November 6, 2023, by the NC State University Coastal Dynamic Design Lab.

Council decided at the November 6, 2023 Council meeting, that \$375K of the unspecified \$2M directed grant would be appropriated to stabilize Goldsboro Union Station (GUS) if Wayne County made a similar commitment and a local non-profit organization matched the City and County commitment.

RECOMMENDATION: It is recommended that Council adopt the attached resolution accepting the grant from the NC State Appropriations Act of 2023 and authorizing the City Manager and the Engineering Services Manager to execute documents related to the NC State Appropriations Act of 2023 funding for the City of Goldsboro.

Date: 2-6-24


Jonathan R. Perry, Engineering Services Manager

Date: 2/6/24


Timothy M. Salmon, City Manager

RESOLUTION ACCEPTING GRANT FUNDS AND AUTHORIZING THE CITY MANAGER AND ENGINEERING SERVICES MANAGER TO EXECUTE DOCUMENTS RELATED TO THE NC STATE APPROPRIATIONS ACT OF 2023 FUNDING FOR THE CITY OF GOLDSBORO

WHEREAS, the NC State Appropriations Act of 2023 appropriated to the City of Goldsboro: \$5M for water and wastewater infrastructure from the Clean Water and Drinking Water Reserve; \$2M for the Big Ditch restoration and stabilization from the State Emergency Response and Disaster Relief Fund; and \$2M for a directed grant from the Regional Economic Development Reserve; and

WHEREAS, the NC Department of Commerce awarded \$22M to the Wayne County Development Alliance (WCDA) for utility infrastructure that enables Mount Olive Pickle Company manufacturing in the City of Goldsboro. The \$5M for water and wastewater infrastructure will in large part pay for the final phase of this project. All associated water and wastewater infrastructure will be accepted and owned by the City; and

WHEREAS, the \$2M for the Big Ditch will pay for the City's 25% match of a \$7.5M project that was presented to Council on November 6, 2023, by the NC State University Coastal Dynamic Design Lab; and


WHEREAS, Council approved Resolution 2023-90, that \$375K of the unspecified \$2M directed grant would be appropriated to stabilize Goldsboro Union Station (GUS) if Wayne County made a similar commitment, and a local non-profit organization matched the City and County commitment; and

WHEREAS, the City has immediate need to improve its infrastructure and city owned assets, and it would be beneficial for the City and its citizens to accept the grant funds offered through the NC State Appropriations Act of 2023 totaling \$9M.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Goldsboro, North Carolina;

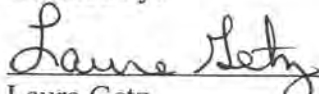
1. The City of Goldsboro accepts the NC State Appropriations Act of 2023 appropriated to the City of Goldsboro: \$5M for water and wastewater infrastructure from the Clean Water and Drinking Water Reserve; \$2M for the Big Ditch restoration and stabilization from the State Emergency Response and Disaster Relief Fund; and \$2M for a directed grant from the Regional Economic Development Reserve.
2. The Goldsboro City Council authorizes the City Manager and the Engineering Services Manager to execute documents related to the NC State Appropriations Act of 2023 funding for the City of Goldsboro.

This Resolution shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV
Mayor


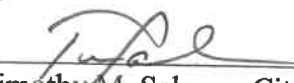


Attested by:


Laura Getz
City Clerk

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

- SUBJECT:** Resolution Authorizing the City Manager to Execute a Contract with the NC State University Coastal Dynamics Design Lab (CDDL) for Professional Services in reference to the Big Ditch Stream Restoration and Infrastructure Improvements
- BACKGROUND:** The City of Goldsboro recently submitted Federal Emergency Management Agency Building Resilient Infrastructure (FEMA BRIC) subapplication for the project titled: "Goldsboro Floodprint: Big Ditch Stream Restoration and Infrastructure Improvements" (total project cost is \$7,587,040).
- The City Council adopted Resolution No. 2023-90 on November 20, 2023 accepting and allocating the \$2,000,000 awarded grant from the State Emergency Response and Disaster Relief Fund (SERDRF) to fulfill the local cost match requirement of the FY2023 FEMA BRIC subapplication for the Big Ditch project.
- The project requires submittal of the proposed scope of work and associated cost for completing phase one deliverables of the project through the use of up to \$705,600 from the SERDRF allocation. Phase One deliverables include: updated hydraulic analysis, environmental survey, updated engineering design, permitting, updated cost estimate, and updated benefit-cost analysis (BCA).
- DISCUSSION:** Professional services to complete the above deliverables will be procured through an open Request for Quotes (RFQ) and/or Request for Proposals (RFP) process led by the NC State University Coastal Dynamics Design Lab (CDDL), in coordination with City staff.
- The professional services provided by CDDL totaling \$35,280 will be contingent upon receipt of the \$2,000,000 from the SERDRF. March 2024 is the anticipated timeframe for receipt of the grant funds.
- RECOMMENDATION:** It is recommended that the City Council adopt the attached resolution authorizing the City Manager to sign a contract with the NC State University Coastal Dynamics Design Lab (CDDL) at a cost of \$35,280 for professional services required for the Big Ditch Stream Restoration and Infrastructure Improvements. Funds will be allocated from the SERDRF awarded grant of \$2,000,000.

Date: 2-2-24
Jonathan R. Perry, Engineering Services ManagerDate: 2/6/24
Timothy M. Salmon, City Manager

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE NC STATE UNIVERSITY COASTAL DYNAMICS DESIGN LAB FOR PROFESSIONAL SERVICES IN REFERENCE TO THE GOLDSBORO FLOODPRINT: BIG DITCH STREAM RESTORATION AND INFRASTRUCTURE IMPROVEMENTS

WHEREAS, the City Council of the City of Goldsboro has heretofore found it in the public interest to undertake the Big Ditch Stream Restoration and Infrastructure Improvements; and

WHEREAS, the project requires submittal of the proposed scope of work and associated cost for completing phase one deliverables of the project;

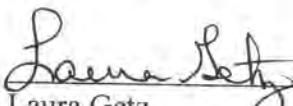
WHEREAS, the City Council deems it in the best interest of the City of Goldsboro to execute a contract with the NC State University Coastal Design Lab (CDDL) for professional services to provide the scope of work and phase one deliverables;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The Council hereby authorizes the City Manager to execute a contract with the NC State University Coastal Design Lab (CDDL) at a cost of \$35,280 for professional services required for the Big Ditch Stream Restoration and Infrastructure Improvements.
2. The funds for the professional services will be allocated from the \$2,000,000 awarded grant from the State Emergency Response and Disaster Relief Fund (SERDRF).
3. This resolution shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV
Mayor

Attested by:


Laura Getz
City Clerk



College of Design
Brooks Hall, Campus Box 7701
Raleigh, NC 27695
www.design.ncsu.edu

February 22, 2024

Re: Goldsboro Floodprint: Big Ditch Stream Restoration and Infrastructure Improvements

Mr. Matthew Livingston
Interim City Manager
200 North Center Street
Goldsboro, NC 27530

Dear Mr. Livingston,

In recognition of: i) the City of Goldsboro's recently submitted FEMA BRIC subapplication for the project titled: "Goldsboro Floodprint: Big Ditch Stream Restoration and Infrastructure Improvements" (total project cost: \$7,587,040.00); and ii) the City of Goldsboro's recently awarded grant of \$2,000,000.00 from the State Emergency Response and Disaster Relief Fund (SERDRF) to support the aforementioned project, this letter outlines a proposed scope of work and associated cost for completing "phase one" deliverables of the project (as they are described in the City's FY2023 FEMA BRIC subapplication), through the use of up to \$705,600.00 from the SERDRF allocation.

Background.

Through funding provided by the North Carolina Office of Recovery and Resiliency (NCORR), the NC State University Coastal Dynamics Design Lab (CDDL) completed the "Goldsboro Floodprint" study in October of 2023. Within the study's final report, various flood mitigation and resilience-building projects have been identified, scoped, and developed to align with external funding opportunities (e.g., federal grants) to support implementation of the study's recommendations – one of these projects is the enhancement of the Big Ditch stream corridor.

In November of 2023, Goldsboro City Council both: i) adopted a resolution in support of the "Goldsboro Floodprint" recommendations (Resolution No. 2023-84); and ii) adopted a resolution to allocate the \$2,000,000.00 SERDRF grant to fulfill the local cost match requirement of the FY2023 FEMA BRIC subapplication for the Big Ditch project (Resolution No. 2023-90).

The first full draft of the FEMA BRIC subapplication for the Big Ditch project was completed by team members from the CDDL and the City of Goldsboro prior to being submitted to North Carolina Emergency Management (NCEM) in December of 2023. Shortly after submission, a State Prioritization Panel (SPP) organized by NCEM scored the project as having the fourth-highest priority ranking (#4) in the state. The final version of the subapplication will be submitted to FEMA in February of 2024, and will include the SPP ranking. FEMA uses the SPP rankings as part of their review and selection process prior to making announcements of selected projects in the summer / fall of 2024. Last year, North Carolina had twenty-two (22) projects get selected through the FEMA BRIC program.

If selected for funding by FEMA, projects are typically subject to a 12-month federal review prior to the release of a “phase one” grant award for completing any remaining design, engineering, and permitting scopes of work (“phase two” of the project concerns construction, and is contingent upon FEMA approval of “phase one” deliverables). As such, a grant award for “phase one” is anticipated to be received around September of 2025.

Because the \$2,000,000.00 SERDRF allocation is already in-hand, the City can commence “phase one” efforts (referenced as a “pre-award cost”) to expedite the completion of “phase one.” The proposed scope of work provided below aims to provide a full draft of all “phase one” deliverables by September of 2025, so that the project can move into “phase two” (i.e., construction) shortly after receiving a grant agreement from FEMA.

Proposed Scope + Budget + Schedule.

“Phase one” deliverables are meant to provide FEMA with the technical body of information necessary to support project feasibility and cost-effectiveness prior to the release of “phase two” funds for construction. In addition to what has already been submitted in the City’s subapplication, specific “phase one” deliverables include:

- + Updated Hydraulic Analysis
- + Environmental Survey
- + Updated Engineering / Design
- + Permitting
- + Updated Cost Estimate
- + Updated Benefit-Cost Analysis (BCA)

Professional services to complete the above deliverables will be procured through an open RFQ/RFP process led by the CDDL, in coordination with City staff. Once the RFQ/RFP phase is complete, the CDDL will continue to work with selected consultants to provide design assistance, update the benefit-cost analysis (BCA), organize site visits, and coordinate the sequence and transmission of deliverables / reimbursement requests to align with grantor requirements (i.e., SERDRF and FEMA BRIC). The CDDL will also provide the City with a written project report on a quarterly basis.

Selected consultants will: i) gather all field and geospatial data necessary to complete the environmental survey; ii) use the existing hydraulic model, schematic design, and preliminary cost estimate provided by the CDDL to update the required hydraulic analysis, proposed engineering design, and cost estimate; and iii) lead and complete all required permitting activities.

+ Proposed Budget Total using SERDRF Funds: \$705,600.00

+ \$705,600.00 is the budgeted figure included in the City’s FEMA BRIC subapplication for completing the proposed scope of work

+ Technical Assistance / Project Management Subtotal: \$35,280.00

+ to be completed by the NC State University Coastal Dynamics Design Lab (CDDL)

+ Surveying / Design / Engineering / Permitting Subtotal: \$670,320.00

+ to be completed by consultants procured through an open RFQ/RFP process

The proposed scope of work is anticipated to be completed within a 21-month period of performance, with an expected start date in March of 2024. A full draft of deliverables are to be submitted to the City by Project Month 19 (September of 2025) to coincide the anticipated FEMA BRIC grant award date. All final deliverables are to be submitted to the City by Project Month 21 (November of 2025).

If the terms as described are mutually agreeable, please sign this document, as indicated below, to serve as a notification of award for the proposed CDDL scope of work (\$35,280.00). Feel free to contact me by cell phone or email if there are any questions.

Sincerely,



Travis Klondike, PLA, ASLA
Associate Director, Coastal Dynamics Design Lab
NC State University

email: tmklondi@ncsu.edu
phone: 502-648-5291



Matthew Livingston, ICMA-CM, AICP
Interim City Manager
City of Goldsboro

email: MLivingston@goldsboronc.gov
phone: 919-580-4376

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Welcome Sign Agreement

BACKGROUND: In 2003, the City of Goldsboro entered into an agreement with New Hope Friends Church to place a Welcome Sign on their property. The sign is located on Hwy 70 just as you enter the city limits of Goldsboro. The agreement also included the assistance of New Hope Friends Church with maintenance of the area around the Welcome Sign.

DISCUSSION: As the agreement is over 20 years old, it should be updated. One of the updates includes acknowledging the sign has been built on the church's property. FY23-24 funding was budgeted for this agreement. The \$480.00 amount paid for services remains the same.

The City of Goldsboro still owes the Church for services rendered under the 2003 agreement for calendar year 2023 and the city will honor and pay the \$480 based on the 2003 agreement.

RECOMMENDATION: It is recommended that the Council approve the attached resolution and accept the updated agreement with New Hope Friends Church.

DATE: 2-6-2024


Felicia Brown, Parks and Recreation Director

DATE: 2/6/24


Timothy Salmon, City Manager

RESOLUTION NO. 2024-21

**A RESOLUTION AUTHORIZING THE CITY OF GOLDSBORO TO
CONTINUE AN AGREEMENT WITH NEW HOPE FRIENDS CHURCH**

WHEREAS, the City of Goldsboro entered into an agreement with New Hope Friends Church in 2003; and

WHEREAS, the 2003 agreement called for the City of Goldsboro to build a Welcome Sign on a portion of the church's property; and

WHEREAS, this agreement also called for New Hope Friends Church to assist with the maintenance of the area around the Welcome Sign; and

WHEREAS, it is time to update this agreement as it is over 20 years old; and


WHEREAS, FY23-24 funding was budgeted for this agreement. The \$480.00 amount paid for services, remains the same; and

WHEREAS, both the City of Goldsboro and New Hope Friends Church is interested in continuing this agreement.

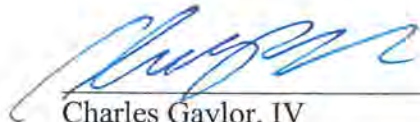
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The City of Goldsboro is authorized to continue its agreement with New Hope Friends Church.
2. This resolution shall be in full force and effect from and after this 12th day of February, 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor

NORTH CAROLINA

WAYNE COUNTY

THIS AGREEMENT made and entered into this 13th day of February, 2024 by and between the CITY OF GOLDSBORO, a body politic, hereinafter called "Goldsboro" and NEW HOPE FRIENDS CHURCH, hereinafter called "Church". This agreement replaces previous agreement(s) made between the City of Goldsboro and New Hope Friends Church.

WITNESSETH:

WHEREAS, the City of Goldsboro acquired an easement to certain property known as Lot 1 and shown on that certain survey entitled "Survey for the City of Goldsboro and Bellsouth Telecommunications, Inc., dated November 7, 2002 and prepared by Bobby Rex Kornegay, R.S."; and

WHEREAS, the City of Goldsboro has constructed a Welcome Sign on said property; and

WHEREAS, it is necessary and important to keep said Lot 1 free of debris and to maintain said property in a neat and orderly appearance; and

WHEREAS, New Hope Friends Church has agreed to assist with the maintenance of said property as hereinafter described.


NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE, the parties agree as follows:

1. The City of Goldsboro will pay the Church the sum of \$40.00 per month or a lump sum of \$480.00 per year during the term of this contract. The city will pay the contract amount in arrears no later than December 31st of each year.
2. The Church shall be responsible for the pick-up of trash and debris before mowing Lot 1; cutting the grass as needed to maintain Lot 1 in a neat appearance; and spray as needed to control weeds on Lot 1.
3. It is understood and agreed that the area around the Welcome Sign should be maintained at a minimum of four (4) times per month during the growing season from March through November and as needed during the months of December through February.
4. It is understood and agreed that this contract shall commence beginning with the date all parties have executed the same as said sign has previously been erected and

landscaped; and that the City of Goldsboro is responsible for any and all maintenance of the sign and any parts thereof at its own expense.

5. This contract shall commence January 1, 2024 through December 31, 2030. With no objections, this contract will then be automatically renewed for another seven (7) years.
6. Church acknowledges that Goldsboro is a governmental entity and the validity of this Agreement is based upon the availability of public funding under the authority of its statutory mandate. In the event that public funds are not available and not appropriated for the performance of Goldsboro's obligations under this Agreement, then this Agreement shall automatically expire without penalty to Goldsboro thirty (30) days after written notice to the Church of the non-appropriation of public funds.
7. Church agrees to hold harmless Goldsboro for any damages or injuries incurred/suffered during the performance of its duties hereunder, and will reimburse Goldsboro for any and all expenses, recoveries, awards or settlements for any and all claims and/or losses asserted by any third-party to this agreement alleging Goldsboro's failure to maintain and/or repair the said easement.
8. Either party may cancel this agreement upon sixty (60) days written notice to the other.

CITY OF GOLDSBORO


BY:  (SEAL)
CHARLES GAYLOR, IV
MAYOR

ATTESTED:


LAURA GETZ, CITY CLERK



NEW HOPE FRIENDS CHURCH

BY:  (SEAL)
TODD WILLIAMS, TRUSTEE

BY: Dianne Uzzell (SEAL)
DIANNE UZZELL, TRUSTEE

BY: Jeff Garrison (SEAL)
JEFF GARRIS, TRUSTEE

BY: Bill Garner (SEAL)
BILL GARNER, TRUSTEE

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

This is to certify that the Trustees of New Hope Friends Church, to wit:

Jeff Garrison, personally appeared
before me this 17 day of march, 2024, and acknowledged the due execution of the
foregoing Agreement.

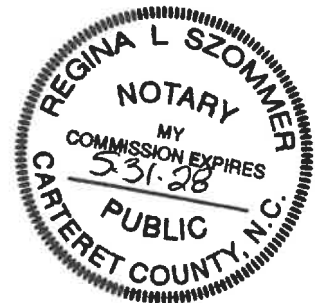
WITNESS my hand and Notarial Seal.

Regina L Szommer
Notary Public

My Commission Expires: 5.31.28

This instrument has been preaudited in the manner required by The Local Government Budget and Fiscal Control Act.

Catherine F. Gwynn
Catherine F. Gwynn, Finance Director



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: North Carolina Main Street – Temporary Street Closure
(March 12 thru March 14)

BACKGROUND: The North Carolina Main Street Conference is an annual 3-day conference, and Goldsboro was chosen for the location of the 2024 North Carolina Main Street Conference. The NC Annual Main Street Conference is one of the many educational offerings, provided by the NC Main Street & Rural Planning Center, a division within the state's NC Department of Commerce.

DISCUSSION: The conference will be held from March 12th through March 14th utilizing the 100 block of the Southbound Lane of South Center Street. The Downtown Goldsboro Development Corporation, along with the Downtown Development Office, is requesting the closure of the Southbound Lane of the 100 block of South Center Street from March 11th at 10:00am to March 14th at 4:15pm.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, changes in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments are to be involved in the logistical aspects of the Event.

RECOMMENDATION: By motion, grant the requested temporary street closing of the Southbound Lane of the 100 block of South Center Street as stated above.

Date: 1-23-2024

Michael J. West
Mike West, Police Chief

Date: 2/6/24

Tim Salmon
Tim Salmon, City Manager

CITY OF GOLDSBORO
SPECIAL EVENTS/PARADE/STREET CLOSING
PERMIT APPLICATION

****In the event of a street closing or carnival, an application should be submitted at least 30 days prior to your parade or special event.**

I. General Information

Type of Event: (please check all that apply)

☐ Parade ☐ Run/Walk ☐ Festival ☒ Street Closure ☐ Carnival ☐ Other (explain): NC Main Street Conference

Event Name: North Carolina Main Street Conference

Event Date(s): March 12-14 **Event Website:** <https://www.ncmainstreetandplanning.com/2024conferenceschedule>

Inclement Weather/Rain Date(s): n/a

Description of Event (Please briefly describe the event.)

North Carolina Main Street holds a conference each year in different Main Street communities
and Goldsboro, NC was chosen this year for the conference.

Requested Event Location: The Paramount Theater Side of the 100 block of South Center Street

Event Start Time/End Time: March 12th - March 14th

Set-Up: Date & Time (start/end): Monday March 11th at 12pm

Dismantle (Completion): Date & Time (start/end): March 14th at 4:15pm

Estimated Daily Attendance: 700-800

Will this event require street closures? ☒ **Yes** ☐ **No** **Closure Times** 3/11 at 10am until 3/14 at 4:15 pm

If yes, please list the streets that you are requesting to be closed:

Paramount side of Center Street from 101 South Center to 147 South Center Street.

II. Applicant and Sponsoring Organization Information

Sponsoring Organization Name: DGDC

Are you a non-profit? ☒ **Yes** ☐ **No** **If yes, are you:** ☐ 501c (3) ☐ 501c (6) ☐ Place of worship

Applicant Name: Austin Rye **Title:** Marketing/Admin Assistant

Address: 116 N Center Street

City: Goldsboro **State:** NC **Zip:** 27530 **Phone:** (919) 222-3613

Cell Phone: 919-735-4959 **Email:** arye@goldsboronc.gov

Name: Austin Rye

Name: Austin Rye

Phone: 919-222-3613

For Run/Walk/Parade/Carnival- FORMATION AREA LOCATION:

For Run/Walk/Parade/Carnivals- STARTING POINT:

For Run/Walk/Parade/Carnival- ENDING POINT:

An aerial photograph of a city street intersection, likely in New Orleans based on the labels. A yellow highlighted path runs diagonally from the top left towards the center. The path is labeled 'S Center St' at the top and 'W Center St' further down. At the intersection, there is a roundabout. Various businesses and landmarks are labeled with blue pins and text: 'R's and R's', 'Mawaw', 'Top of the Nation', 'The Garden Centre', 'Gypsy Bean Coffee Shop', 'Mama's Third Street', 'Pink Ribbon Sweet Shop', 'McGarry Wellness & Aesthetics', 'The Laughing Owl', 'Germanium Business Systems', 'New Century', 'Williamson Law Firm', 'E. Haining St', 'Satin Hair Bar', 'The Garden Centre', 'Pizza Co.', 'Salon 150', 'Lala's Vintage', 'R's and R's', 'Mawaw', 'Top of the Nation', 'The Garden Centre', 'Gypsy Bean Coffee Shop', 'Mama's Third Street', 'Pink Ribbon Sweet Shop', 'McGarry Wellness & Aesthetics', 'The Laughing Owl', 'Germanium Business Systems', 'New Century', 'Williamson Law Firm', 'E. Haining St', 'Satin Hair Bar'. The image is oriented with North at the top.

How do you plan to handle restroom services? ☐ Portable Toilets ☒ Other

If portable toilets will be provided, please list the name/contact of the company:

If no portable toilets will be provided, how will these requirements be handled?

Paramount Theater

How do you plan to remove garbage and/or recycling? (City receptacles must be requested separately no less than 30 days prior to the event. Contact the Public Works Department at 919-750-7450.)

Public Works

V. Event Details: Please answer the following questions regarding your event.

☐ Yes ☒ No Does the event involve the sale of food?

If "YES", has the health department been notified?

For events with food, a letter from the health department must be submitted 30 days prior to the event.

o Health Department: (919) 731-1000

☐ Yes ☒ No Does the event intend to sale alcohol? Choose one of the three options listed below. See the Special Information and Conditions of Receiving a Special Event/Parade Permit section at the end of this application for more information about the Goldsboro Social district.

☐ If "YES", choose this option. 1) The ABC Permit, issued to you by the NC ABC Commission, must be submitted to the Goldsboro Police Department prior to the event. The event permit will not be issued until the ABC Permit is submitted. 2) Your event must be CLOSED to the Social District. This means your patrons CANNOT leave your event with an alcoholic beverage. It also means people outside of your event cannot bring alcohol from the Social District into your event.

o NC ABC Commission: (919) 779-0700

☒ If "NO", choose this option if you will not sale alcohol but want to be OPEN to the Social District. This means patrons CAN bring alcohol from the Social District into your event.

☐ If "NO", choose this option if you will not sale alcohol and be CLOSED to the Social District. This means alcohol is completely prohibited from your event; you are not selling alcohol, nor can a patron bring alcohol in from the Social District.

☐ Yes ☒ No Will there be **musical entertainment** at your event?

If "YES", please provide the following information:

➤ Amplification? ☐ Yes ☐ No

☐ Yes ☒ No Will there be musical entertainment and/or oratory speaking at your event?

Note: Any Live or Loud Music cannot begin prior to 10am, must end by 10pm and is subject to all city noise ordinances, unless approved in advance by the Goldsboro City Council. Please contact the City of Goldsboro Planning Department at 919-580-4333 for questions regarding City Ordinances.

☒ Yes ☐ No Will there be any **tents or canopies** in the proposed event site? If "YES", please provide the following information:

➤ Approximate Number of tents: 2

➤ Approximate Sizes: 40x140

➤ Will any tent exceed 400 sq. feet in area? ☒ Yes ☐ No

Note: It is the renter's responsibility to contact the Inspections Department to arrange for all tent inspections that are required by City of Goldsboro ordinance. A permit is required when using any type of tent.

▪ **City of Goldsboro Inspections Department (919) 580-4385**

Note: Tents cannot be staked in the area of the HUB due to in-ground irrigation.

☒ Yes ☐ No Will you require **electrical hook-ups** for this event? (Please note that electrical availability is limited.)

☒ Yes ☐ No Will **admission fees** be charged to attend this event?

If "YES", provide the cost(s) of all tickets: \$175-\$275

☐ Yes ☒ No Will **fees be charged to vendors** to participate in this event?

If 'YES', please provide the schedule of fees: _____

☒ Yes ☐ No Applicant has read, in its entirety, the City of Goldsboro Use of City-Owned Property for Special Events Policy. The Policy Regarding the Use of City-Owned Property for Special Events is available at <http://www.goldsboronc.gov/special-events/>.

****The temporary closing of a NC Department of Transportation Street would be at the discretion of the NC Department of Transportation.***

VI. Miscellaneous:

Parking:

• How will overall patron parking be accommodated for this event? City Parking

Note: *You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.*

Special Information and Conditions of receiving a Special Event/Parade Permit:

Insurance:

*General Liability Insurance coverage of at least \$1 million that holds the City and its taxpayers harmless from claims arising out of operation of the event is required. This Proof of insurance or applicable rider **MUST** be attached before submitting. Contact your insurance provider for assistance. If the event requires additional insurance, the Finance Director will notify the Police Department and City Manager's Office. Carnival applicants must provide proof of liability insurance of at least \$5 million. The city must be listed as an additional insured on the Certificate of Insurance and shall be in place at the time such structure is to be occupied or such place of assembly is established for use by the public.*

Application Fee:

An application fee of \$100.00 for special events and \$200.00 for parades will be required at the time the application is submitted unless the permit is denied. This non-refundable fee is to be in the form of a check made payable to the City of Goldsboro.

Event Cancellation:

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The City of Goldsboro reserves the right to require security and medical personnel for your event.

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Prohibited Items:

No firearms or illegal drugs are allowed.

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City facilities are available on a non-discriminatory basis. Appropriate activities need to accommodate individuals regardless of age, sex, race, color, religion, national origin, physical or mental disabilities, affection preference or marital status. The City of Goldsboro does not discriminate on the basis of disability in admission, access, treatment or employment in its programs or activities.

Additional Rules Pertaining to Events:

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(If consumption of alcohol is planned on property for event, the following additional requirements MUST be met.)

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2. All necessary ABC permits must be issued by the State and copies provided with this application. Follow steps outlined at www.abc.nc.gov/permits.
3. Signs shall be posted and visible at all exit points at the special event stating that it is unlawful to remove alcoholic beverages in opened or sealed containers from the premises.
4. Areas where alcohol will be consumed, served, or sold must clearly be defined and delineated on the premises by barricades, caution tape or other acceptable means.
5. Off-duty law enforcement officers are required to be on-site if alcohol is present at the event. The number of officers required will be determined by the Goldsboro Police Department.

**** Submitting this Special Event/Parade Permit Application does not provide permission to conduct your planned event. Please do not send out publicity, flyers, or other media prior to receiving confirmation of approval. Your confirmation will be in the form of a Permit, issued to the organization and/or person responsible for conducting the event.**

****For street closing applications: the Goldsboro Police Department will notify the applicant when the Goldsboro City Council has approved the permit.**

Agreement

I have read and understand this application and the requirements placed upon this applicant and organization. I agree to abide by the City of Goldsboro rules, regulations and ordinances should my permit application be approved. I will fulfill the requirements placed upon this permit application.

Authorized Signature: Austin Rye Date: 01/09/2024

Organization: Downtown Goldsboro Development Corporation

Please return this application and all supporting documentation by email, mail or in person to:

Goldsboro Police Department
Community Police Services
204 S. Center Street
Goldsboro, NC 27530
spowers@goldsboronc.gov

CANCELLATION POLICY: Written notification of intent to cancel your event must be received in writing a minimum of 21 days prior to the scheduled event date to Sgt. Steven Powers at spowers@goldsboronc.gov.

Steven Powers

For Inner Office Use Only:

Michael D. West
Michael D. West (Jan 10, 2024 10:21 EST)

☒ Agree
☐ Disagree

Goldsboro Police Department Representative

James Farfour
James Farfour (Jan 10, 2024 12:30 EST)

☐ Agree
☐ Disagree

Goldsboro Fire Department Representative

Gregory Mills
Gregory Mills (Jan 11, 2024 10:41 EST)

☒ Agree
☐ Disagree

Downtown Goldsboro Representative

Richard Fletcher
Richard Fletcher (Jan 10, 2024 10:21 EST)

☐ Agree
☐ Disagree

Public Works Department Representative

Felicia L. Brown
Felicia L. Brown (Jan 10, 2024 11:40 EST)

☐ Agree
☐ Disagree

Parks and Recreation Department Representative

Catharine S. Brown

☐ Agree
☐ Disagree

Finance Director

[Signature]

☒ Agree
☐ Disagree

City Manager's Signature

(Use of City Owned Lots/Non-Street Closings and Carnivals)

Jan 10, 2024

Date

Comment:

Jan 10, 2024

Date

Comment:

Jan 11, 2024

Date

Comment: Signing for Erin Fonseca who is out on leave

Jan 10, 2024

Date

Comment:

Jan 10, 2024

Date

Comment:

Jan 11, 2024

Date

Comment: Per email Steve Powers 1/11/24 10.21 Austin Rye stated Downtown Development is also sponsoring event that's why no COI.

Jan 13, 2024

Date

Comment: Council previously approved this event.



Special Event Release of Liability Waiver

The undersigned person is applying for Use of City-Owned Property for Special Event on behalf of Downtown Goldsboro Development Corporation from the City of Goldsboro and hereby agrees to indemnify and hold the City of Goldsboro, its officers, agents and employees harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the City, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the city's property.

This the 9 day of January, 2024.

Austin Rye (SEAL)

(Applicant & Authorized Representative of Event)

This form must be completed, signed and returned with the completed application.












NCMSC Street Closure Application (2024)

Final Audit Report

2024-01-13

Created:	2024-01-10
By:	Steven Powers (spowers@goldsboronc.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAASNeN2QFbG4UPtM_tIVoo5dncHGckB7zN

"NCMSC Street Closure Application (2024)" History

-  Document created by Steven Powers (spowers@goldsboronc.gov)
2024-01-10 - 2:09:02 PM GMT
-  Document emailed to Steven Powers (spowers@goldsboronc.gov) for signature
2024-01-10 - 3:02:24 PM GMT
-  Document emailed to mwest@goldsboronc.gov for signature
2024-01-10 - 3:02:24 PM GMT
-  Document emailed to jfarfour@goldsboronc.gov for signature
2024-01-10 - 3:02:24 PM GMT
-  Document emailed to efonseca@goldsboronc.gov for signature
2024-01-10 - 3:02:25 PM GMT
-  Document emailed to rfletcher@goldsboronc.gov for signature
2024-01-10 - 3:02:25 PM GMT
-  Document emailed to fbrown@goldsboronc.gov for signature
2024-01-10 - 3:02:25 PM GMT
-  Document emailed to Catherine Gwynn (cgwynn@goldsboronc.gov) for signature
2024-01-10 - 3:02:25 PM GMT
-  Document emailed to tsalmon@goldsboronc.gov for signature
2024-01-10 - 3:02:25 PM GMT
-  Document e-signed by Steven Powers (spowers@goldsboronc.gov)
Signature Date: 2024-01-10 - 3:02:46 PM GMT - Time Source: server
-  Email viewed by mwest@goldsboronc.gov
2024-01-10 - 3:18:43 PM GMT

 Email viewed by rfletcher@goldsboronc.gov

2024-01-10 - 3:20:31 PM GMT

 Signer rfletcher@goldsboronc.gov entered name at signing as Richard Fletcher

2024-01-10 - 3:21:00 PM GMT

 Document e-signed by Richard Fletcher (rfletcher@goldsboronc.gov)

Signature Date: 2024-01-10 - 3:21:02 PM GMT - Time Source: server

 Signer mwest@goldsboronc.gov entered name at signing as Michael D. West

2024-01-10 - 3:21:52 PM GMT

 Document e-signed by Michael D. West (mwest@goldsboronc.gov)

Signature Date: 2024-01-10 - 3:21:54 PM GMT - Time Source: server

 Email viewed by tsalmon@goldsboronc.gov

2024-01-10 - 4:30:19 PM GMT

 Email viewed by fbrown@goldsboronc.gov

2024-01-10 - 4:37:42 PM GMT

 Signer fbrown@goldsboronc.gov entered name at signing as Felicia L. Brown

2024-01-10 - 4:40:01 PM GMT

 Document e-signed by Felicia L. Brown (fbrown@goldsboronc.gov)

Signature Date: 2024-01-10 - 4:40:03 PM GMT - Time Source: server

 Email viewed by jfarfour@goldsboronc.gov

2024-01-10 - 5:28:37 PM GMT

 Signer jfarfour@goldsboronc.gov entered name at signing as James Farfour

2024-01-10 - 5:30:46 PM GMT

 Document e-signed by James Farfour (jfarfour@goldsboronc.gov)


Signature Date: 2024-01-10 - 5:30:48 PM GMT - Time Source: server

 Email viewed by Catherine Gwynn (cgwynn@goldsboronc.gov)

2024-01-11 - 1:38:02 PM GMT

 Email viewed by tsalmon@goldsboronc.gov


2024-01-11 - 3:11:52 PM GMT

 Steven Powers (spowers@goldsboronc.gov) replaced signer efonseca@goldsboronc.gov with Gregory Mills (Gmills@goldsboronc.gov)


2024-01-11 - 3:26:34 PM GMT



Adobe Acrobat Sign

 Document emailed to Gregory Mills (Gmills@goldsboronc.gov) for signature

2024-01-11 - 3:26:34 PM GMT

 Document e-signed by Catherine Gwynn (cgwynn@goldsboronc.gov)

Signature Date: 2024-01-11 - 3:26:47 PM GMT - Time Source: server

 Email viewed by Gregory Mills (Gmills@goldsboronc.gov)


2024-01-11 - 3:30:45 PM GMT

 Document e-signed by Gregory Mills (Gmills@goldsboronc.gov)

Signature Date: 2024-01-11 - 3:41:17 PM GMT - Time Source: server

 Email viewed by tsalmon@goldsboronc.gov

2024-01-13 - 3:23:01 PM GMT

 Signer tsalmon@goldsboronc.gov entered name at signing as Tim Salmon

2024-01-13 - 3:26:06 PM GMT

 Document e-signed by Tim Salmon (tsalmon@goldsboronc.gov)

Signature Date: 2024-01-13 - 3:26:08 PM GMT - Time Source: server

 Agreement completed.

2024-01-13 - 3:26:08 PM GMT



Adobe Acrobat Sign

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: St. Baldrick's "Cuts for Cures" Event – Temporary Street Closure

BACKGROUND: The Goldsboro Elks Lodge is once again sponsoring the St. Baldrick's "Cuts for Cures" Event. This event represents the 25th year of St. Baldrick's volunteers working to Conquer Kids' Cancer!

DISCUSSION: The St. Baldrick's "Cuts for Cures" Event will be held on Saturday, March 16, 2024, utilizing the 100 block of West Chestnut Street. The Goldsboro Elks Lodge is requesting the closure of the 100 block of West Chestnut Street between Center and James Street from 12:00pm – 6:00pm on March 16, 2024.

As with all downtown events, affected city departments will be contacted and the following concerns are to be addressed:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is to be maintained to provide access for fire and emergency vehicles.
3. All activities, changes in plans, etc., will be coordinated with the Police Department.
4. The Police and Fire Departments are to be involved in the logistical aspects of the Event.

RECOMMENDATION: By motion, grant the requested temporary street closing of the 100 block of West Chestnut Street as stated above.

Date: 1-25-2024


Mike West, Police Chief

Date: 2/6/24


Tim Salmon, City Manager

CITY OF GOLDSBORO
SPECIAL EVENTS/PARADE/STREET CLOSING
PERMIT APPLICATION

****In the event of a street closing or carnival, an application should be submitted at least 30 days prior to your parade or special event.**

I. General Information

Type of Event: (please check all that apply)

☐ Parade ☐ Run/Walk ☐ Festival ☒ Street Closure ☐ Carnival ☐ Other (explain): _____

Event Name: St. Baldrick's Cuts for Cures

Event Date(s): March 16, 2024 **Event Website:** See Flyer

Inclement Weather/Rain Date(s): N/A

Description of Event (Please briefly describe the event.)

Vendor Pop-Up event in support of St. Baldrick's event @ the Filling Station See Flyer

Requested Event Location: § W. Chestnut St b/t Center & Jarvis

Event Start Time/End Time: NOON to 6pm 1pm to 5pm

Set-Up: Date & Time (start/end): NOON, 6pm 3/16 - NOON

Dismantle (Completion): Date & Time (start/end): 3/16 - end @ 6pm

Estimated Daily Attendance: 300

Will this event require street closures? ☒ Yes ☐ No **Closure Times** 12-6pm

If yes, please list the streets that you are requesting to be closed:

W. Chestnut between Center St & Jarvis St

II. Applicant and Sponsoring Organization Information

Sponsoring Organization Name: Goldsboro Elks Lodge

Are you a non-profit? ☐ Yes ☐ No **If yes, are you:** ☒ 501c (3) ☐ 501c (6) ☐ Place of worship

Applicant Name: Shelby Ostendorf **Title:** Leading Knight

Address: 105 E. Chestnut Street

City: Goldsboro **State:** NC **Zip:** 27534 **Phone:** 757-269-7671

Cell Phone: same **Email:** shelbylynn72@hotmail.com

Day of Event Contact:

Name: Shelby Osterick Phone: 751-269-7671

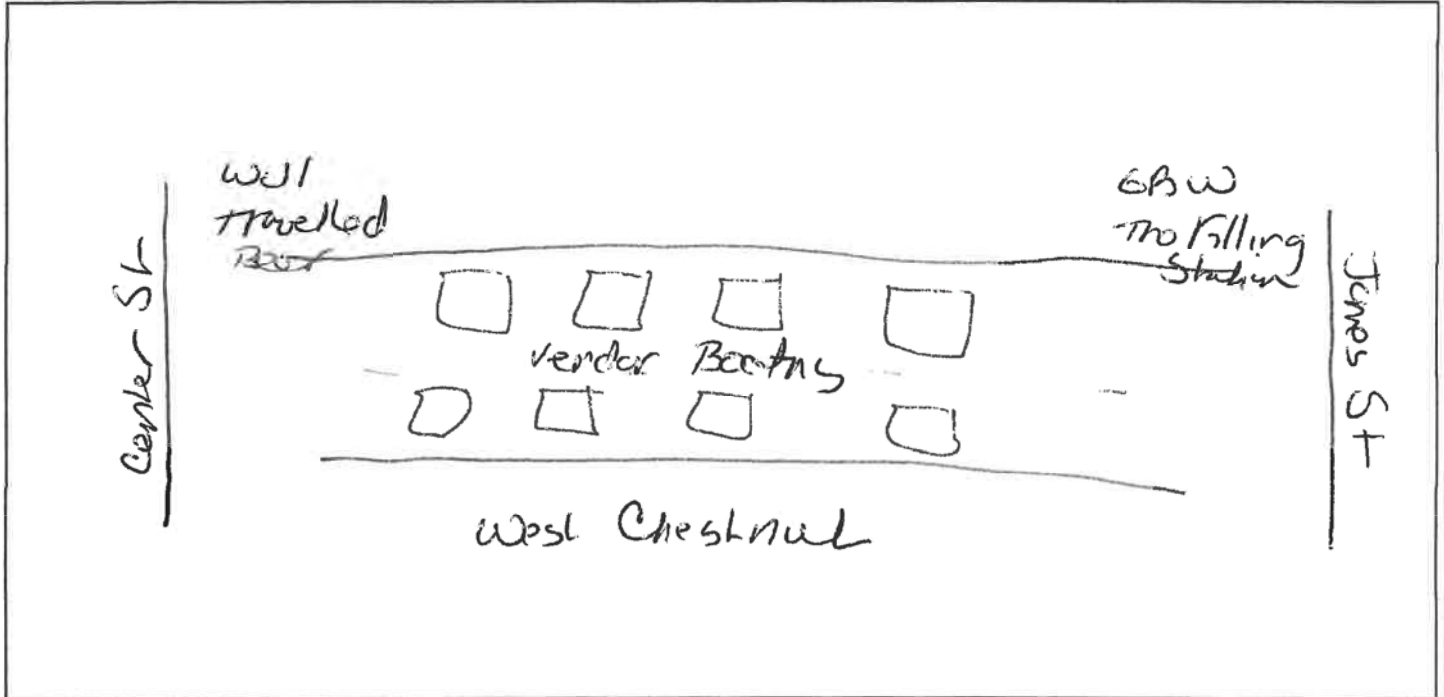
III. Event Map

For Run/Walk/Parade/Carnival- FORMATION AREA LOCATION: West Chestnut St

For Run/Walk/Parade/Carnivals- STARTING POINT: Center St

For Run/Walk/Parade/Carnival- ENDING POINT: Jones St

***Please provide a detailed map of your event, including race/walk/parade route(s), stage(s), inflatables, rides, booths, tents, parking, etc. (Please attach additional pages as needed.)**



IV. RESTROOMS & SITE CLEANUP (Bathroom facilities are required for events lasting longer than two hours and must be ADA compliant.)

One Port-A-Jon is recommended per 100 people and is based on event duration instead of number of participants.

How do you plan to handle restroom services? ☐ Portable Toilets ☒ Other

If portable toilets will be provided, please list the name/contact of the company:

N/A

If no portable toilets will be provided, how will these requirements be handled?

Well Travelled Boor and The Filling Station will allow participants to use their toilets

How do you plan to remove garbage and/or recycling? (City receptacles must be requested separately no less than 30 days prior to the event. Contact the Public Works Department at 919-750-7450.)

Well Travelled Boor and The Filling Station will allow us to dispose of trash and recycling in their trash receptacles/dumpster.

V. Event Details: Please answer the following questions regarding your event.

☐ Yes ☒ No Does the event involve the sale of food?

If "YES", has the health department been notified?

For events with food, a letter from the health department must be submitted 30 days prior to the event.

o Health Department: (919) 731-1000

☐ Yes ☒ No Does the event intend to sale alcohol? Choose one of the three options listed below. See the Special Information and Conditions of Receiving a Special Event/Parade Permit section at the end of this application for more information about the Goldsboro Social district.

☐ If "YES", choose this option. 1) The ABC Permit, issued to you by the NC ABC Commission, must be submitted to the Goldsboro Police Department prior to the event. The event permit will not be issued until the ABC Permit is submitted. 2) Your event must be CLOSED to the Social District. This means your patrons CANNOT leave your event with an alcoholic beverage. It also means people outside of your event cannot bring alcohol from the Social District into your event.

o NC ABC Commission: (919) 779-0700

☒ If "NO", choose this option if you will not sale alcohol but want to be OPEN to the Social District. This means patrons CAN bring alcohol from the Social District into your event.

☐ If "NO", choose this option if you will not sale alcohol and be CLOSED to the Social District. This means alcohol is completely prohibited from your event; you are not selling alcohol, nor can a patron bring alcohol in from the Social District.

☒ Yes ☐ No Will there be **musical entertainment** at your event?

If "YES", please provide the following information:

➤ Amplification? ☒ Yes ☐ No 98.3 WEBR Live Feed

☒ Yes ☐ No Will there be musical entertainment and/or oratory speaking at your event?

Note: Any Live or Loud Music cannot begin prior to 10am, must end by 10pm and is subject to all city noise ordinances, unless approved in advance by the Goldsboro City Council. Please contact the City of Goldsboro Planning Department at 919-580-4333 for questions regarding City Ordinances.

☒ Yes ☐ No Will there be any **tents or canopies** in the proposed event site? If "YES", please provide the following information:

➤ Approximate Number of tents: 4-10 small canopy tents

➤ Approximate Sizes: 4x6

➤ Will any tent exceed 400 sq. feet in area? ☐ Yes ☒ No

Note: It is the renter's responsibility to contact the Inspections Department to arrange for all tent inspections that are required by City of Goldsboro ordinance. A permit is required when using any type of tent.

▪ City of Goldsboro Inspections Department (919) 580-4385

Note: Tents cannot be staked in the area of the HUB due to in-ground irrigation.

☐ Yes ☒ No Will you require **electrical hook-ups** for this event? (Please note that electrical availability is limited.)

☐ Yes ☒ No Will **admission fees** be charged to attend this event?

If "YES", provide the cost(s) of all tickets: _____

- ☐ Yes ☒ No Will **fees be charged to vendors** to participate in this event?
If "YES", please provide the schedule of fees: _____
- ☒ Yes ☐ No Applicant has read, in its entirety, the City of Goldsboro Use of City-Owned Property for Special Events Policy. The Policy Regarding the Use of City-Owned Property for Special Events is available at <http://www.goldsboronc.gov/special-events/>.

****The temporary closing of a NC Department of Transportation Street would be at the discretion of the NC Department of Transportation.***

VI. Miscellaneous:

Parking:

- How will overall patron parking be accommodated for this event? Will use public parking options on Center St and Jones St.

Note: You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

Special Information and Conditions of receiving a Special Event/Parade Permit:

Insurance:

General Liability Insurance coverage of at least \$1 million that holds the City and its taxpayers harmless from claims arising out of operation of the event is required. This Proof of insurance or applicable rider **MUST** be attached before submitting. Contact your insurance provider for assistance. If the event requires additional insurance, the Finance Director will notify the Police Department and City Manager's Office. Carnival applicants must provide proof of liability insurance of at least \$5 million. The city must be listed as an additional insured on the Certificate of Insurance and shall be in place at the time such structure is to be occupied or such place of assembly is established for use by the public.

Application Fee:

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Agreement

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Authorized Signature:  Date: 1/10/24

Organization: Goldsboro Elks Lodge

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Community Police Services
204 S. Center Street
Goldsboro, NC 27530
spowers@goldsboronc.gov

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Steven Powers

For Inner Office Use Only:

Michael D West
Michael D West (Jan 17, 2024 13:42 EST) ☐ Disagree

Goldsboro Police Department Representative

James Farfour
James Farfour (Jan 17, 2024 16:18 EST) ☐ Disagree

Goldsboro Fire Department Representative

Gregory Mills
Gregory Mills (Jan 16, 2024 15:23 EST) ☐ Disagree

Downtown Goldsboro Representative

Richard Fletcher
Richard Fletcher (Jan 16, 2024 12:39 EST) ☐ Disagree

Public Works Department Representative

Felicia L. Brown
Felicia L. Brown (Jan 16, 2024 13:09 EST) ☐ Disagree

Parks and Recreation Department Representative

Catherine A. Gorman
Catherine A. Gorman (Jan 16, 2024 13:09 EST) ☐ Disagree

Finance Director

City Manager's Signature
(Use of City Owned Lots/Non-Street Closings and Carnivals)

Jan 17, 2024

Date

Comment:

Jan 17, 2024

Date

Comment:

Jan 16, 2024

Date

Comment:
Signing for Erin Fonseca

Jan 16, 2024

Date

Comment:

Jan 16, 2024

Date

Comment: Has anyone checked with Paramount Theatre staff to make sure street closure will not interfere with any productions they have? I think their loading dock is accessed

Jan 29, 2024

Date

Comment:



Special Event Release of Liability Waiver

The undersigned person is applying for Use of City-Owned Property for Special Event on behalf of

Goldsboro Elks Lodge from the City of Goldsboro and hereby agrees to indemnify

and hold the City of Goldsboro, its officers, agents and employees harmless from all claims, liabilities, demands,

expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted

against the City, its officials, agents and employees by any person, firm, or corporation, that may arise out of any

acts or omissions, active or passive, related to operating an event on the city's property.

This the 10 day of January, 2024.

A handwritten signature in black ink, consisting of a series of loops and strokes, is written over a horizontal line.

(SEAL)

(Applicant & Authorized Representative of Event)

This form must be completed, signed and returned with the completed application.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/25/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Foresite Sports, Inc. DBA: Eventsured 3553 West Chester Pike #418 Newtown Square, PA 19073	CONTACT NAME: Eventsured Customer Service PHONE (A/C, No. Ext): 888-882-5902 E-MAIL ADDRESS: info@eventsured.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: Houston Casualty Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 42374
INSURED Goldsboro Elks Lodge Tonya Jarrett 8012 Summit Drive Goldsboro, NC 27530		

COVERAGES**CERTIFICATE NUMBER:** TM328299**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Host Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y		H23SE00155/TM328299	03/16/2024 12:01AM	03/17/2024 2:01AM	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 DEDUCTIBLE \$ 0
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y / N <input type="checkbox"/> N / A						WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insureds must be venue managers or municipalities and are added with respect to our insureds operations only. Waiver of Subrogation (WOS) and Primary & Non-Contributory (PNC) wording applies only when coverage is purchased by the insured, required by written contract and as indicated below. This coverage is with respect to the Charity Auction to be held on 03/16/2024 - 03/16/2024 with 1000 attendees at Filling Station 118 W. Chestnut St. Goldsboro, NC 27530. Additional Insureds include: Filling Station 118 W. Chestnut St. Goldsboro, NC 27530; City of Goldsboro-200 N Center Street Goldsboro NC 27530.

CERTIFICATE HOLDER**CANCELLATION**

Filling Station 118 W. Chestnut St.
Goldsboro NC, 27530
City of Goldsboro 200 N Center Street
Goldsboro NC 27530

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ST. BALDRICK'S

Cuts for Cures

HELP US CONQUER KIDS CANCER!

● *Donate or Register as a Shavee!*

Scan the QR code for info!

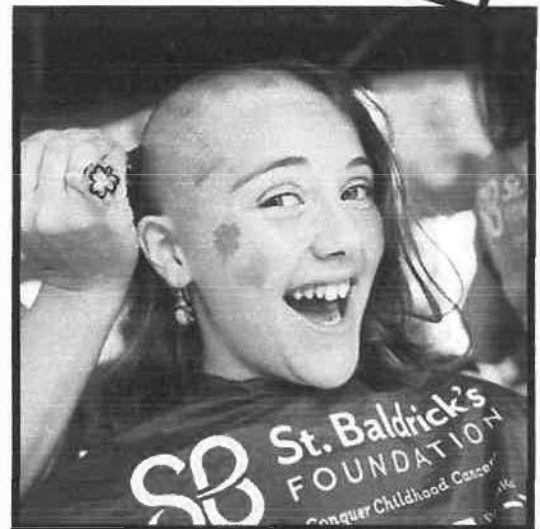


JOIN US

● *Hosted by* the Goldsboro Elk's Lodge

🕒 Saturday, March 16th from 2-5PM

📍 GBW: The Filling Station
118 W Chestnut St., Downtown Goldsboro



Food and drinks, vendors, kids activities, music, and more!

CITY OF GOLDSBORO
NORTH CAROLINA
POLICE DEPARTMENT

62947

1/12, 24

RECEIVED OF

St. Baldrick's

FOR

Special Event

NUMBER

TOTAL AMOUNT PAID

\$ 100

Desk Sgt.

TAA

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Public Safety Complex Repairs

BACKGROUND: The Public Safety Complex is in need of substantial repairs to be brought back up to code. The building committee (made up of City staff) has been analyzing information provided by potential subcontractors and consultants, and completed a Request for Qualifications process in which two qualified contractors presented their information, assessments and estimates on options for making repairs or constructing a new facility.

DISCUSSION: After conducting an onsite evaluation, each respondent came to the interview with the committee investigating the options for repair with professionally created presentations of their qualifications and experience, our current facility assessment and options to address the situation. After completion of both interviews, Mr. Tim Wood, Procurement, Mr. Jonathan Perry, Engineering and Jamie Stanley, Public Works, completed an independent assessment of each company as per the evaluation criteria listed in the RFQ. The results of this assessment were unanimous in selecting Bobbitt Construction of Raleigh as the most qualified.

RECOMMENDATION: It is recommended that Council approves the recommendation of City staff to select Bobbitt Construction. This will include initial design and location analysis. A contract will be presented for adoption at a future meeting.

Date: 2/7/24



Jamie Stanley, Deputy Public Works Director

Date: 2/7/24



Timothy Salmon, City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Public Comment Period and Public Hearing Policy Revision

BACKGROUND: The City of Goldsboro recognizes and values the importance of citizen participation in local government. The City utilizes a Public Comment Period and Public Hearing Policy to properly engage citizens in the democratic process.

DISCUSSION: The proposed changes are presented to Council to assist with the decorum and spirit of the Council meetings.

- Adding procedures for follow-up questions from Council.
- Adding procedures when groups are speaking on the same subject.
- Revising the time limits for Public Hearings to 5 minutes per speaker with the exception of Quasi-judicial hearings.

RECOMMENDATION: Staff recommends Council adopt the revised Public Comment Period and Public Hearing Policy.

DATE: 2-6-24




Laura Getz, City Clerk

DATE: 2/6/24



Timothy M. Salmon, City Manager

	Subject: Public Comment Period & Public Hearing Policy			Department: City Manager's Office		
	Policy #: GCCP-001	Adopted: 02/12/2024	Effective: 02/12/2024	Supersedes: 01/09/2023	Resolution #: NA	Approved by: City Council

Purpose: To encourage and allow citizens to offer comments or suggestions to City Council members.

Goals: Through the productive public comments provided by citizens, the Council will be more cognizant of concerns in the City, as a whole, and the Districts they serve.


References: The following North Carolina General Statutes are referenced below: NCGS §160A-81.1- *Public Comment Period During Regular Meetings*; NCGS §143-318.17- *Disruptions of Official Meetings*; and NCGS §160A-81- *Conduct of Public Hearings*.

Guidelines: The following Rules of Decorum have been established to maintain order and decorum during the public comment period and public hearings. These rules are not intended to limit the content of any speaker's message, but to ensure that the meeting is conducted in a civil, productive, effective, and orderly manner.

Public Comment Period

Speakers will be allowed to speak on any relevant matter, which is to be defined as a matter that is within the authority of the City Council to decide, and not privileged by law (such as personnel matters). Comments made during the public comment period should not be related to the subject of any public hearing conducted during the same meeting, or that has already been noticed for discussion.

1. The City Council will provide a public comment period during each regularly scheduled Council meeting.
2. Citizens that wish to speak during the Public Comment Period are required to sign in before speaking, and provide their name, address, email address, telephone number and subject of the comments (the name of the citizen will be the only information recorded in the minutes.)
3. Each speaker shall state their name clearly. Any speaker requesting additional information shall submit a formal records request to the Clerk.
4. Each speaker will be allowed to speak one time during the public comment period.
5. Each speaker will be given three (3) minutes to offer comments or suggestions regarding the City. The total public comment period will not exceed 30 minutes at any regularly scheduled council meeting unless otherwise authorized by the presiding officer. Any member of Council may ask follow-up questions. The speaker will have two (2) additional minutes to respond to each Council member.
6. If a group wishes to speak, the group will be instructed by the presiding officer to designate a maximum of two spokespersons to speak on behalf of the group. A "group" is defined as more than two people in attendance wishing to address a similar topic.
7. Speakers with handouts to share should bring ten (10) copies, and give the copies to the Clerk as they approach the podium. **Do not** approach Council with the handouts; the Clerk will distribute the copies.
8. Any videos, PowerPoint presentations, or other electronic media must be provided to the Clerk no later than four (4) working days before the meeting.
9. Speakers shall be civil and courteous in their language and presentations at all times. Speakers are asked to refrain from personal attacks and/or threats directed toward any Councilmember, the Mayor, City staff, and/or members of the public; vulgar or profane language or gestures will not be tolerated.
10. Speakers are asked to address the Mayor and Council and to refrain from addressing the audience.

	Subject: Public Comment Period & Public Hearing Policy		Department: City Manager's Office			
	Policy #: GCCP-001	Adopted: 02/12/2024	Effective: 02/12/2024	Supersedes: 01/09/2023	Resolution #: NA	Approved by: City Council

11. Speakers should not expect council members to comment on or respond to their comments directly during the meeting. The Mayor or presiding officer may, however, request the City Manager's Office to follow up with the speaker after the meeting to provide additional information to the council at a later time.
12. The Mayor, or presiding officer, has the authority to enforce the Rules of Decorum; failure to obey these rules may result in a forfeiture of any remaining speaking time.
13. Individuals who engage in egregious or repeated violations may be asked to leave the meeting.
14. The Mayor, or presiding officer, may remove any person from a meeting if the person is interrupting or disrupting the meeting. A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor (NCGS §143-318.17).

Public Hearings

Speakers may only speak on the matter defined in the public hearing notice. All other comments must be made during the regular public comment period.

1. Each speaker shall state their name clearly.
2. Each speaker will be allowed to speak one time during the public hearing.
3. Due to time constraints, it is requested that each speaker limit their comments to five (5) minutes regarding the subject of the public hearing, unless otherwise authorized by the presiding officer. *
4. Speakers with handouts to share should bring ten (10) copies, and give the copies to the Clerk as they approach the podium. **Do not** approach Council with the handouts; the Clerk will distribute the copies.
5. Any videos, PowerPoint presentations, or other electronic media must be provided to the Clerk no later than four (4) working days before the meeting.
6. Speakers shall be civil and courteous in their language and presentations at all times. Speakers are asked to refrain from personal attacks and or threats directed toward any Councilmember, the Mayor, City staff, and/or members of the public; vulgar or profane language or gestures will not be tolerated.
7. Speakers are asked to address the Mayor and Council and to refrain from addressing the audience.
8. The Mayor, or presiding officer, has the authority to enforce the Rules of Decorum; failure to obey these rules may result in a forfeiture of any remaining speaking time.
9. Individuals who engage in egregious or repeated violations may be asked to leave the meeting.
10. The Mayor, or presiding officer, may remove any person from a meeting if the person is interrupting or disrupting the meeting. A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor (NCGS §143-318.17).

**Time limits do not apply to Quasi-Judicial Hearings to include Special Use permits.

Adopted by Council February 12, 2024

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Ratification of Boards and Commission Appointment Resolution 2021-82 and 2023-41

BACKGROUND: At the City Council Meeting on December 20, 2021, the "Resolution Appointing Members to Advisory Boards and Commissions" that was presented to Council listed Shelby Ostendorf as serving on the Mayor's Committee for Persons with Disabilities, with a term expiration of December 31, 2024.

Due to a clerical error, her name was not listed on the signed version of Resolution 2021-82, though she has been faithfully serving on the board.

At the City Council Meeting on June 5, 2023, Chad Evans was appointed to fulfill an unexpired term on the Recreation Advisory Commission, per Resolution 2023-41.

Due to a clerical error, his term expiration date was listed as December 31, 2024. The correct term expiration date should have been December 31, 2023.

DISCUSSION: To correct these errors, a resolution must be adopted to officially state Shelby Ostendorf's appointment, and stating the corrected expiration date for Chad Evans.

RECOMMENDATION: It is recommended that Council adopt the attached resolution ratifying Resolutions 2021-82 and 2023-41.

Date: 2-7-24



Laura Getz, City Clerk

Date: 2/7/24



Timothy Salmon, City Manager

RESOLUTION NO. 2024-22

RESOLUTION RATIFYING RESOLUTIONS 2021-82 AND 2023-41

WHEREAS, at the City Council Meeting on December 20, 2021, the "Resolution Appointing Members to Advisory Boards and Commissions" that was presented to Council listed Shelby Ostendorf as serving on the Mayor's Committee for Persons with Disabilities, with a term expiration of December 31, 2024; and

WHEREAS, due to a clerical error, her name was not listed on the signed version of Resolution 2021-82, though she has been faithfully serving on the board; and

WHEREAS, at the City Council Meeting on June 5, 2023, Chad Evans was appointed to fulfill an unexpired term on the Recreation Advisory Commission, per Resolution 2023-41; and

WHEREAS, due to a clerical error, his term expiration date was listed as December 31, 2024; the correct term expiration date should have been December 31, 2023; and

WHEREAS, to correct these errors, a resolution must be adopted to officially state Shelby Ostendorf's appointment, and stating the corrected expiration date for Chad Evans.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that:

1. Shelby Ostendorf shall serve on the Mayor's Committee for Persons with Disabilities, with a term expiration of December 31, 2024.
2. The expiration date for Chad Evans' term on the Recreation Advisory Commission as listed on Resolution 2023-41, is hereby revised to December 31, 2023.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV
Mayor

Attested by:


Laura Getz
City Clerk



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Advisory Boards and Commissions Appointments

BACKGROUND: There are currently several vacancies on Advisory Boards and Commissions. Citizen involvement is vital to the performance of City government. It is necessary that additional appointments be made in an effort to fill these vacancies.

DISCUSSION: Recommendations for appointments were requested from the respective Boards and Commissions. Applications were also solicited from the public at large.

The City Council met during the Work Session on January 22, 2024, to review vacancies and applications received to fill the current vacancies. With these appointments, one Alternate Position vacancy on the Historic District Commission, and one Student Position vacancy on the Recreation Advisory Commission remain.

It is also customary for the City of Goldsboro to express its appreciation by Resolution to those members whose terms have expired, who have moved, or have resigned.

RECOMMENDATION: it is recommended that Council adopt the attached Resolutions:


1. Appointing members to Advisory Boards and Commissions in the City of Goldsboro.
2. Commending those individuals whose terms have expired, who have moved, or have resigned.

Date: 2-7-24



Laura Getz, City Clerk

Date: 2/7/24



Timothy Salmon, City Manager

RESOLUTION NO. 2024- 23

**RESOLUTION APPOINTING MEMBERS
TO ADVISORY BOARDS AND COMMISSIONS**

WHEREAS, continued involvement of citizens is vital to the performance of City government; and

WHEREAS, the terms of several members on the City's Advisory Boards and Commissions have expired or been vacated due to members moving or resigning; and

WHEREAS, the following distinguished citizens have expressed a desire to serve upon the indicated Board or Commission.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The following individuals be and are hereby appointed to the specified Boards and Commissions. The terms of the appointees shall expire on the dates indicated:

Commission on Community Relations and Development

First Term Appointee

Phyllis Merritt-James	Term Expires 12-31-2026
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Second Term Appointees

Washea Lancaster	Term Expires 12-31-2026
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Filling Unexpired Term

Tavis Lofton	Term Expires 12-31-2024
Jeremy Whitley	Term Expires 12-31-2025

Historic District Commission

First Term Appointees

Fritz Knack (from ALT to Full)	Term Expires 12-31-2026
Judith McMillen (ALT)	Term Expires 12-31-2026

Second Term Appointees

Thomas Lockamy	Term Expires 12-31-2026
Richard Carl Best	Term Expires 12-31-2026

Filling Unexpired Term

Paul Saylor	Term Expires 12-31-2025
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Parks and Recreation Advisory Commission

First Term Appointee

Chad Evans	Term Expires 12-31-2026
Ricardo Ballard	Term Expires 12-31-2026
Iris P. Robinson	Term Expires 12-31-2026
Anthony Slater	Term Expires 12-31-2026

Second Term Appointees

Stephanie Brown	Term Expires 12-31-2026
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Mayor's Committee for Persons with Disabilities

First Term Appointees

Crystal Hill

Term Expires 12-31-2026

Filling Unexpired Term

Joel P. Bledsoe

Term Expires 12-31-2025

Cynthia Green

Term Expires 12-31-2024

Goldsboro Planning Commission

First Term Appointees

Glenn Barwick

Term Expires 12-31-2026

Duke Cox

Term Expires 12-31-2026

Goldsboro Tourism Council

First Term Appointees

Erin Fonseca (At Large)

Term Expires 12-31-2026

Nikki Cox (Hotelier)

Term Expires 12-31-2026

Second Term Appointee

Shelia Exum (At Large)

Term Expires 12-31-2026

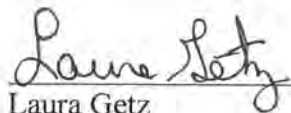
Filling Unexpired Term

Roshonda Jones (At Large)

Term Expires 12-31-2024

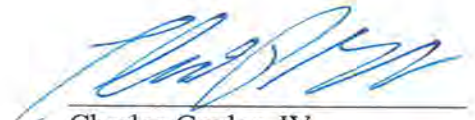
2. This Resolution shall be in full force and effect from and after this 12th day of February, 2024.

Attested by:



Laura Getz
City Clerk




Charles Gaylor, IV
Mayor

**RESOLUTION COMMENDING INDIVIDUALS WHO HAVE SERVED ON ADVISORY
BOARDS AND COMMISSIONS OF THE CITY OF GOLDSBORO**

WHEREAS, citizen participation is vital to responsible government; and

WHEREAS, the following individuals have served the local citizenry by their service upon the advisory Boards and Commissions of the City of Goldsboro; and

WHEREAS, the Mayor and City Council wish to commend these civic-minded citizens for their voluntary contributions to the City of Goldsboro.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the City Council of the City of Goldsboro, North Carolina, that:

1. The following individuals are recognized for their service on the City's advisory Boards and Commissions and are commended for their contributions to the operation of Goldsboro's municipal government:

**Commission on Community
Relations and Development**

Stephen McFarland
Roderick White
Oravan Sewthaisong
Kyle Cramer

Historic District Commission

Shelley Unruh
Robert Pinder
Beverly Weeks

Recreation Advisory Commission

Laurie Kaufman
Jamie Taylor
Sandra Mueller

**Mayor's Committee for
Persons with Disabilities**

Antwan D. Williams
Edna Matthews
Tammy Mathis

Goldsboro Planning Commission

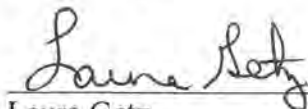
Anthony Slater
April Rojas

Goldsboro Tourism Council

Edward Davis
LaToya Stallings
Charles Brogden

2. Certificates of Appreciation signed by the Mayor, City Manager, and Chairperson will be presented at the next regularly scheduled meeting of the various Boards and Commissions or as close to that meeting date as possible.
3. This Resolution shall be in full force and effect from and after this 12th day of February, 2024.

Attested by:



Laura Getz
City Clerk


Charles Gaylor, IV
Mayor

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Amending Chapter 30: City Council, of the City of Goldsboro's Code of Ordinances

BACKGROUND: The City of Goldsboro recognizes the need to maintain correct descriptions of the City's Code of Ordinances. Parts of Chapter 30 have not been revised since the 1970's. After a review of Chapter 30, city staff recommends revising the sections listed below.

DISCUSSION: Chapter 30, Section 30.10: Revising the order of business.

Chapter 30, Section 30.11: Revising the title and section for the preparation, approval and transmittal of the agenda.

Chapter 30, Section 30.12: Revising the section for written request for business placed on the agenda.

Chapter 30, Section 30.13: This section is not needed as it was addressed in Section 30.12. The title has been changed to Reserved so it can be used at a later date.

Chapter 30, Section 30.16: Revising the process for voting on motions.

RECOMMENDATION: It is recommended that Council adopt the attached Ordinance amending Chapter 30: City Council, of the City of Goldsboro's Code of Ordinances.

Date: 2-6-24



Laura Getz, City Clerk

Date: 2/6/24



Timothy Salmon, City Manager

AN ORDINANCE AMENDING CHAPTER 30: CITY COUNCIL
OF THE CITY OF GOLDSBORO'S CODE OF ORDINANCES

WHEREAS, the City of Goldsboro recognizes the need to maintain correct descriptions of the City's Code of Ordinances; and

WHEREAS, parts of Chapter 30 have not been revised since the 1970's; and

WHEREAS, after a review of Chapter 30, city staff recommends revising the sections listed below.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, that section 30.10, 30.11, 30.12, 30.13, and 30.16 of the Code of Ordinances, City of Goldsboro, North Carolina, are hereby amended as follows:

Chapter 30

§ 30.10 ORDER OF BUSINESS; RULES OF ORDER.

(A) When a regular meeting of the City Council shall be organized, the order of business ~~may shall be~~ as follows ~~include the following~~:

- (1) ~~Call to order and~~ Roll call.
- (2) ~~Reading the proceedings of the last regular meeting, and other special meetings, if any,~~
- (23) ~~Correction of minutes, if necessary, and approval~~ Approval of Minutes.
- (34) Public hearings
- (45) ~~Communications and petitions~~ Presentations.
- (56) ~~Report of officers~~ Public Comment Period.
- (67) Report of special committees.
- (7) Consent Agenda Items.
- (8) Items Requiring Individual Action.
- (9) Old business.
- (10) City Manager's Report.
- (11) Ceremonial Documents.
- (12) Mayor and Councilmembers' Comments.
- (13) Closed Session.

(B) If the City Council directs any matter to be the special business of a future meeting, the same shall have precedence over all other business at such meeting.

(C) In all proceedings of the City Council, *Robert's Rules of Order* shall govern, except as otherwise provided herein.

§ 30.11 ~~AGENDA FOR BUSINESS TRANSACTED DURING MEETING~~ PREPERATION AND TRANSMITTAL OF THE AGENDA.

~~The City Clerk shall prepare an agenda for business to be transacted before City Council and delivered to each Councilmember prior to each meeting of the Council.~~

The City Clerk shall prepare an agenda as to the business order of the day for each meeting of the City Council. The Mayor shall approve the agenda prior to its release. The approved agenda shall be transmitted to each member of council and posted in the appropriate public locations no later than the close of business on the Wednesday prior to the corresponding regularly scheduled meeting. Agendas for Special Called and Emergency Meetings of the City Council shall be prepared by the City Clerk, approved by the Mayor, and released with as much notice as possible under the circumstances.

§ 30.12 CITY CLERK TO TAKE WRITTEN REQUESTS, STATING NATURE AND PURPOSE, FOR PLACING BUSINESS ON AGENDA.

~~All persons having business to be transacted with the City Council shall on or before 5:00 p.m. Monday, one week prior to the next Council meeting, file with the City Clerk a request in writing stating the nature and purpose of the business and the desire that the same be placed upon the agenda.~~

All city employees with city business to be presented to the council shall submit those items to the City Clerk's Office by the required deadline as set by the Mayor and City Manager.

All other persons having business to be transacted with the City Council shall file with the City Clerk a request in writing stating the nature and purpose of the business, and the desire that the item be placed on an upcoming agenda. Said request shall be submitted to the City Clerk in writing on or before 5:00pm on the Monday two weeks prior to the requested meeting date. Attempts will be made to honor the requested date, but that date cannot be guaranteed. Business brought before the council shall be applicable to the operations, policies, and ordinances of the City of Goldsboro and shall be approved by the Mayor prior to being placed on an agenda.

§ 30.13 TIME FOR PLACING BUSINESS ON AGENDA. RESERVED.

~~The time for placing business on the agenda shall begin on day following an adjourned regular Council meeting and continue until 5:00 p.m. Monday, one week prior to the regular Council meeting.~~

§ 30.16 PREREQUISITE TO CONSIDERATION AND VOTING ON MOTIONS.

~~No motion shall be considered or put to a vote until seconded, and shall be reduced to writing by the member making it, upon the request of the presiding officer, or any other member. It may be withdrawn at any time before decision, commitment or amendment.~~

Motions shall receive a second prior to being considered for a vote. Upon request of the Chair, the City Manager, City Attorney, City Clerk, or another member of Council, the maker of any motion shall restate their motion to ensure it is accurately included in the minutes and properly understood for consideration.

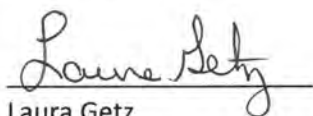
Any motion may be withdrawn at any time by its maker prior to a decision, commitment, or amendment of that motion.

This Ordinance shall be in full force and effect from and after the 12th day of February, 2024.



Charles Gaylor, IV
Mayor

Attested by:



Laura Getz
City Clerk



**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Amending Chapter 72: Stopping, Standing and Parking, of the City of Goldsboro's Code of Ordinances

BACKGROUND: The City of Goldsboro recognizes the need to maintain correct descriptions of the City's Code of Ordinances. After a review of Chapter 72, city staff recommends revising several sections for clarification.

DISCUSSION: Chapter 72, Section 72.93: revising the term Parking Commission to Parking Committee and adding an email option for a hearing request.

Chapter 72, Section 72.99: revising the location to pay parking citations from the Revenue Office to the Goldsboro Police Department.

RECOMMENDATION: It is recommended that Council adopt the attached Ordinance amending Chapter 72: Stopping, Standing and Parking, of the City of Goldsboro's Code of Ordinances.

Date: 2-5-24



Laura Getz, City Clerk

Date: 2/6/24



Timothy Salmon, City Manager

**AN ORDINANCE AMENDING CHAPTER 72: STOPPING, STANDING AND PARKING
OF THE CITY OF GOLDSBORO'S CODE OF ORDINANCES**

WHEREAS, the City of Goldsboro recognizes the need to maintain correct descriptions of the City's Code of Ordinances; and

WHEREAS, after a review of Chapter 72, city staff recommends updating several sections for clarification.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, that section 72.93 and 72.99 of the Code of Ordinances, City of Goldsboro, North Carolina, are hereby amended as follows:

Chapter 72

§ 72.93 APPEALS.

If the owner of the vehicle, or the owner's representative, believes that the current violation is improper, he or she may appeal the actions by requesting a hearing before the City Parking ~~Commission~~ **Committee**. The request for a hearing shall be in writing, **or emailed to the Parking Committee**, and must be received by the Parking ~~Commission~~ **Committee** within 14 days of the current violation being appealed. The Parking ~~Commission~~ **Committee** shall hear the appeal at its next regularly scheduled meeting.

§ 72.99 PENALTY.

(A) All offenses set out in this chapter shall be punished as a civil offense pursuant to G.S. 160A-175. Violations shall not be misdemeanors or infractions pursuant to G.S. 14-4.

(B) Whenever a member of the Police Department or Code Enforcement Division of the ~~City~~, charged by ordinance or charter with the enforcement of the provisions of this chapter regulating the parking of vehicles, shall find that any of these provisions are being, or have been, violated by the owner or operator of any vehicle, that officer or person shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to it a parking violation notice or citation, in such form as the City Manager may direct.

(C) Among other things, the parking violation notice or citation shall:

(1) State upon its face the amount of the penalty for the specific violation if it is to be paid within 15 days from and after the violation.

(2) Notify the offender that a failure to pay the penalty within 15 days from the violation shall subject the offender to an additional late penalty in the amount of \$25.

(3) Notify the offender that a failure to pay the penalty and late penalty within 30 days from the violation shall subject the offender to a civil action in the nature of a debt for the stated penalty, plus an additional penalty in the amount of \$100, in addition to the penalty imposed for failure to pay within 15 days of the penalty, together with the cost of the action to be taxed by the court.

(4) Provide that the offender may answer to the city parking citation by mailing it and the stated penalty to P.O. Drawer A, Goldsboro, North Carolina 27530, or by delivering it and the stated penalty to The **Goldsboro Police Department**, ~~Revenue Office on the first floor of the City Hall Annex Building, 200 North~~ **204 South** Center Street, Goldsboro, North Carolina; and that upon payment, the case of claim and right of action by the city will be deemed compromised and settled.

(5) State that the penalty must either be paid or failure to pay must be cleared with the Police Department or the Code Enforcement Division within 15 days of the issuance of the citation.

(6) State that, if the parking violation citation is not cleared within 30 days, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon a parking violation citation, the word **CLEARED** shall mean either:

(a) Payment,

(b) Arrangement for payment to be made, or

(c) A prima facie showing that the parking citation was received as a result of mistake, inadvertence, or excusable neglect.

(D) The ~~Revenue Office of the city~~ **Goldsboro Police Department** is authorized to accept such payments in full and final settlement of the claim or right of action that the city may have to enforce such penalty by civil action in the nature of debt. Acceptance of such penalty shall be deemed a full and final release of any and all such claims, or right of action arising out of the contended violation.

(E) The following fines or penalties shall be imposed for violations in those cases in which payment is made within the prescribed 15-day period:

(1) Parking in a space properly designated by the R7-8 or R7-8a sign, as described in the federal and/or state manual on uniform traffic control devices, for physically handicapped persons, when the vehicle does not display the distinguishing license plate or placard, or in front of any handicap access ramp \$50.

(2) Violations of this chapter involving unauthorized parking, standing or stopping within a bus stop, within 15 feet of a fire hydrant, loading zone, traffic lane, intersection or 25-foot distance from an intersection, 30-foot distance from any flashing beacon, stop sign or traffic control signal, or other prohibited zone, or in front of a driveway, or on the left-hand side of a two-way street in a business district, or on a sidewalk or sidewalk area, or for double parking, or on any street longer than seven days, or for any prohibited purpose \$25.

(3) For violations of the provisions of § 72.90, Marking vehicles, there shall be a civil penalty of \$50.

(F) In addition to the penalties prescribed in division (E) above, a \$25 penalty shall be imposed in all those cases in which the above penalties have not been paid within the authorized seven-day period. Should it become necessary to institute a civil action to collect any fees or penalties hereunder, then the violation shall also be subject to an additional penalty of \$100.

(G) Nothing herein is intended nor shall be construed to provide that illegally parked vehicles may not be towed away. All such ordinances shall remain enforceable, by towing or by civil action in the nature of debt, or by either remedy.

(H) All penalties paid to the city or as may be recovered in a civil action in the nature of debt, as herein provided, shall be paid into the General Fund of the city.


(I) All citations issued for parking violations within the city will be added to the DMV system that links the vehicle to its owner.

(J) *Continuous violations.* Each hour's continuing violation shall constitute a separate and distinct offense, and the penalties imposed hereunder shall be cumulative.

This Ordinance shall be in full force and effect from and after the 12th day of February, 2024.


Charles Gaylor, IV
Mayor

Attested by:


Laura Getz
City Clerk



CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING

SUBJECT: Establishing and adopting a Utility Customer Adjustment Policy for Utility Billing and Revenue Collection (FINP-019.0)

BACKGROUND: The City of Goldsboro has never established a formal Utility Customer Adjustment Policy for Utility Billing and Revenue Collection.

DISCUSSION: The utility services offered by the City are governed by local ordinance and state law. A best practice is to have a formally adopted policy to set forth the rules and expectations with regards to utility services. Staff researched city records to find an existing utility customer service policy or procedure and was not able to find evidence of its existence. Presented earlier was a utility customer service policy for approval to correct this deficiency.

Within the customer service policy, adjustments to customers accounts reference a separate adjustments policy. An important element of managing the utility billing and revenue collection function is the use of adjustments outside the billing process. Adjustments can be subject to misuse, abuse, and unintentional errors. Sound management practices indicate that the governing body should establish parameters for acceptable adjustments to customer utility accounts. The customer service manager and finance director collaborated to create a policy taking into consideration state and local law and ordinance, as well as established legacy practices to prepare the attached utility adjustments policy for Council's approval and adoption.

RECOMMENDATION:

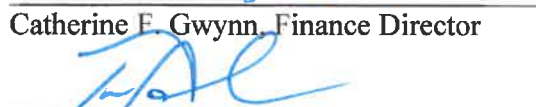
It is recommended that City Council adopt the attached resolution and recommended policy for the Utility Customer Adjustment Policy for Utility Billing and Revenue Collection (FINP-019.0) necessary to provide good governance over the City's fiscal operations.

Date: 2/7/24



Catherine E. Gwynn, Finance Director

Date: 2/8/24


Timothy M. Salmon, City Manager

RESOLUTION NO. 2024- 25

**RESOLUTION ADOPTING THE UTILITY CUSTOMER ADJUSTMENT POLICY FOR
UTILITY BILLING AND REVENUE COLLECTION (FINP-019.0)**

WHEREAS, the City Council of the City of Goldsboro wishes to ensure that it manages its fiscal operations in accordance with state and local law and ordinance, and in harmony with principles of good governance; and

WHEREAS, good management and accounting principles dictate that policies and procedures are key in successful business operations; and

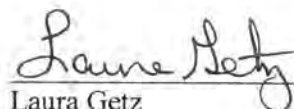
WHEREAS, the City does not have a utility customer adjustment policy, and Council wishes to resolve this control weakness to provide guidance for staff conducting the business of the City and to inform its customers of the City's business practices regarding accepted adjustments for utility customer accounts.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Goldsboro hereby adopts and enacts the following *Utility Customer Adjustment Policy for Utility Billing and Revenue Collection (FINP-019.0)* which shall apply to the City of Goldsboro.

This Resolution shall be in full force and effect from and after this 12th day of February, 2024.


Charles Gaylor, IV
Mayor

ATTEST:


Laura Getz
City Clerk





City of Goldsboro

Subject: Utility Customer Adjustment Policy

Section:
Utility Billing and Revenue Collections

Department:
Finance

Policy #:
FINP-019.0

Effective Date:
2/12/2024

Rev. #:
0

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Prepared by:
Catherine Gwynn, Finance Director

Adopted:

1.1 Purpose.

To provide staff and customers with Council approved guidance on acceptable adjustments made against a utility customer account. Utility adjustments may take the form of a credit (reducing the customer's balance) or a charge (increasing the customer's balance). Sound management practices indicate that the governing body should set the parameters for acceptable adjustments related to accounting records due to susceptibility for misuse, abuse, and unintentional errors. This policy should be used in conjunction with the Utility Customer Service Policy and Procedure Manual (FINP-017.0).

2.1 Definitions.

Charge – This is an adjustment that increases the balance owed on a customer's account. Charges can be levied only for authorized reasons, such as non-pay reconnect fees, non-sufficient funds fee, metering tampering, MXU equipment damage, etc...

Credit – This is an adjustment that reduces the balance owed on a customer's account. Credits can be issued only for authorized purposes, such as leaks, pool filling, billing errors, etc...

Consumption or usage – The amount of water or wastewater volumetric use during a billing period.

Excessive water bill – A water bill in which the amount of water usage exceeds by at least double the average water usage by the customer at that location during the twelve-month period immediately preceding the complaint.

Leak Adjustment – Leak adjustments are courtesy financial adjustments to water or wastewater usage charges on a customer's utility bill caused by a leak on the customer's side of the meter.

MXU unit – Meter transceiver unit (MXU) is a radio signal device which permits off-site meter reading via radio signals. The MXU unit is the primary means of communication to read water consumption from the customer's water meter to the City's utility billing system.

Monthly Average – The customer's average is calculated by adding the 12-month usage prior to the high bill and dividing the total by 12. If the customer has not resided at the location for 12 months, the customer average will be based on the next full billing period.

Non-accessible leaks – Examples of non-accessible leaks include but are not limited to underground lines, pipes within walls, water heaters, etc.

Pool adjustment – Adjustment for increased usage due to filling of a customer's pool.

Preventable/accessible leaks – Examples of readily available water pipes or hoses include but are not limited to; toilet leak, leaking faucet, leaking hose, etc.



City of Goldsboro

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Prepared by:
Catherine Gwynn, Finance Director

Adopted:

3.1 Divisions and Individuals Affected.

- Customer Service Representatives
- Customer Service Supervisor
- Customer Service Manager
- Billing Technician
- Meter Reader Technicians
- Utility Customers

4.1 Elements.

• Leak Adjustment Credit	2
• Pool Adjustment Credit	4
• Billing Error Credit	4
• Penalty Relief Adjustment Credit	4
• Prior Usage Adjustment Credit	4
• Public Works Adjustment Credit	5
• Unexplained Usage Adjustment Credit	5
• Refuse Service Adjustment Credit	5
• Posting Error Credit or Charge	5
• Meter Communication Failure Credit	5
• MXU Unit Damage Charge	5
• Non-sufficient Funds Charge	6
• Non-Pay Reconnect After 3:00 p.m. Charge	6
• Non-Pay Reconnect Before 3:00 p.m. Charge	6
• Meter Tampering and Water Theft Charge	6
• Security Deposits	6
• Approval Authority	6
• Review and Compliance	7
• Noncompliance	8

5.1 Leak Adjustment Credit.

- A. When a customer notifies the City of Goldsboro about a higher than usual water bill that may be related to a leak, the City policy is to provide consideration for leak adjustments for water and/or wastewater usage caused by a leak that occurred on the customer's side of the meter.
- B. Customers are encouraged to contact a licensed professional plumber, contractor, leak detection crew, at their own cost, to locate and repair the leak and provide detailed documentation indicating the type of leak, and date repaired. A copy of this documentation should be provided to Customer Service staff.



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Prepared by:
Catherine Gwynn, Finance Director

Adopted:

- C. To be eligible for the relief provided by this policy, the customer's water usage, in a single billing cycle, must exceed the monthly average by at least two (2) times. Leak adjustment will be based on the type of leak and all additional requirements of this policy must be met.
- D. If a leak occurs on a preventable/accessible water pipe (toilet leak, leaking faucet, leaking hose etc.) the standard adjustment is fifty percent (50%) of the cost of the above-normal water and sewer consumption.
- E. If a leak occurs in a non-accessible area (underground lines, pipes within walls, water heaters, etc.) then the adjustment is fifty percent (50%) of the cost of the above-normal water and one hundred percent (100%) of the cost of the above-normal sewer consumption.
- F. Water Leak Calculation.
- A. All adjustment amounts are based on the difference between consumption during the leak period and the average consumption, based either on past history or post-leak repair usage.
- B. The standard adjustment is fifty percent (50%) of the cost of the above-normal water and sewer consumption.
- C. If it is determined that none of the leaked water entered the sewer system, then the adjustment is fifty percent (50%) of the cost of the above-normal water and one hundred percent (100%) of the cost of the above-normal sewer consumption.
- G. If a leak was caused by a third party, and is reimbursable or is covered by insurance, then no adjustment will be made by the City of Goldsboro.
- H. Financial adjustments associated with billed usage will be allowed two (2) times per year for the two (2) highest consecutive billing cycles per customer's account.
- I. Should a customer have more than two (2) leaks within a one (1) year period, they may elect to have the greater of the two (2) adjustments applied to their account.
- J. Leak adjustments will not exceed \$500.00 without the written approval of the Customer Service Manager.
- K. No adjustments will be granted where the following situations exist:
- Usage above the customer's monthly average is due but not limited to the following:
 - watering of sod
 - gardening
 - washing vehicles
 - power washing



City of Goldsboro

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Prepared by:
Catherine Gwynn, Finance Director

Adopted:

2. Meter tampering.
3. City of Goldsboro staff has notified customer of high-water usage by tagging the door and repair is not made within two (2) billing cycles. Leaks within this time period will only be considered for an adjustment of the bill for a maximum of one (1) billing period.

L. **Final Bill** - Leak adjustments shall not be considered when a customer is closing an account nor after an account is closed unless there is a determination made by the Customer Service Supervisor. Normally, a leak adjustment will only be considered if an account remains in service for at least one full billing period after the adjustment is applied.

6.1 Pool Adjustments Credit.

Swimming pools that are filled one time between April and August may receive an adjustment of their sewer consumption. There shall be no adjustment to water consumption. The amount is calculated by determining the three (3) month average of water consumption, and the amount above the three (3) month average will be credited back to sewer consumption.

Pool liner replacement or repair that requires refilling the pool may receive a one (1) time adjustment at one hundred (100%) of the cost of the above-normal sewer consumption. There shall be no adjustment to the water cost for this type of repair. One (1) pool adjustment per year is permitted.

7.1 Billing Error Credit.

A credit adjustment made in the event a customer account receives a billing error, the billing technician will verify the nature of the error (reading, new connect, leave service, meter fail) and correct it based on the findings.

8.1 Penalty Relief Adjustment Credit.

- A. A penalty relief credit adjustment will be granted at the request of the customer for a one (1) time \$5.00 penalty removal if customer's account shows no penalties in a twenty four (24) month payment history.
- B. A penalty relief credit adjustment may also be granted in the case of utility assistance payments that are pledged by a state or local agency or nonprofit on behalf of a customer. If a penalty is assessed due to the assistance payment not being received before the billing due date, the Customer Service Manager may authorize Customer Service staff to utilize the penalty relief adjustment credit.

9.1 Prior Usage Adjustment Credit.

A credit adjustment will be issued if it is determined by Customer Service that there is usage billed on a new account that is not related to the new account holder, the customer may receive a credit for the water and sewer consumption prior to the establishment of the new account. The Customer Service Manager or their designee shall review Sensus consumption records to make the determination of the credit amount.



City of Goldsboro

Subject: Utility Customer Adjustment Policy	Section: Utility Billing and Revenue Collections			Department: Finance	
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	Supersedes: -	Prepared by: Catherine Gwynn, Finance Director		Adopted:	

10.1 Public Works Adjustment Credit.

A credit adjustment issued for leaks on City-owned hardware that occur after the water passes through the meter but before the outside edge of the meter box shall be refunded at one hundred percent (100%) of the cost of the above-normal water and sewer consumption. This is generally a leak at the meter or meter coupling.

11.1 Unexplained Usage Adjustment Credit.

A credit adjustment for unidentified water loss will be issued at the request of the customer if water consumption is fifty percent (50%) or more of the cost of the above-normal water and sewer consumption. Unexplained adjustments will be granted once every sixty (60) months.

12.1 Refuse Service Adjustment Credit.

A credit adjustment for refuse will be made when an account is charged for a refuse service that has not been provided to the customer. Sanitation must verify the service was not rendered before credit may be issued by Customer Service.

13.1 Posting Error Credit or Charge.

A credit adjustment for a posting error will be made if it is determined a customers' payment is posted erroneously to the wrong account resulting in penalty charges. The payment will be entered on the customers account, and therefore decrease the customers account balance. Then, customer service staff will evaluate the account activity, and determine if penalties would have resulted had the payment been posted correctly. If so, a posting error credit adjustment will be made and reduce the customer account balance.

A charge adjustment for a posting error may be made on an account where a payment is posted erroneously, and later discovered. The payment will be reversed from the incorrect account, and therefore increase the customer account balance. Then, customer service staff will evaluate the account activity, and determine if penalties would have resulted without the erroneous payment posting. If so, a posting error charge adjustment will be made and increase the customer account balance.

14.1 Meter Communication Failure Credit.

A credit adjustment for meter communication failure will be made if it is determined a customer was overbilled due to meter communication issues.

15.1 MXU Unit Damage Charge.

A charge adjustment will be levied on the customer's account if it is determined by City staff that the customer damaged the MXU unit. The charge is based on the cost of the MXU unit and can be found in the current Manual of Fees and Charges.



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Prepared by:
Catherine Gwynn, Finance Director

Adopted:

16.1 Non-Sufficient Funds Charge.

A charge adjustment added to a customer's account for a returned check or bank draft. When a customer has a check or bank draft returned, a returned check fee will be applied in addition to any other charges and fees. The City reserves the right to charge a returned check fee and shall be no more than the statutory maximum allowed by North Carolina law (G.S. §25-3-506).

17.1 Non-Pay Reconnect After 3:00 p.m. Charge.

A charge adjustment added to a customer's account at the customer's request in order to reconnect water service the same day. The fee is higher when paid after 3:00 p.m. due to scheduling and overtime costs for same day service. The fee will be based on the current rate in the Manual of Fees and Charges.

18.1 Non-Pay Reconnect Before 3:00 p.m. Charge.

A charge adjustment added to a customer's account at the customer's request in order to reconnect water service the same day. The fee will be based on the current rate in the Manual of Fees and Charges.

19.1 Meter Tampering and Water Theft Charge.

A charge adjustment added to a customer's account when City staff have determined that a customer has tampered with or damaged the City's water meter, equipment, or lines, or have bypassed the water meter and equipment. The fee will be based on the maximum allowed by law.

20.1 Security Deposits.

Water account deposits will be adjusted onto the water account and paid at the time of service being established. These adjustments have no effect on the billing charges on the account or the customer's account balance.

21.1 Approval Authority.

- A. The Customer Service Supervisor shall have authority to approve a water bill adjustment of up to two billing periods or \$200.00, whichever is lower. Adjustments above \$200.00 shall be reviewed and receive approval from the Customer Service Manager.
- B. The Customer Service Supervisor shall have authority to approve a wastewater bill adjustment of up to two billing periods or \$200.00, whichever is lower. Adjustments above \$200.00 shall be reviewed and receive approval from the Customer Service Manager.
- C. Generally, the Customer Service Supervisor shall not perform adjustments on customer accounts, unless there is a conflict of interest present or other mitigating circumstance. All adjustments performed by the Customer Service Supervisor must be reviewed and approved by the Customer Service Manager.



City of Goldsboro

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Prepared by:
Catherine Gwynn, Finance Director

Adopted:

- D. No member of City staff shall process water bill adjustments for themselves, family members, friends, co-workers, acquaintances, or for rental units they own or manage. All adjustments for these categories must be processed by another customer service or utility billing staff member or the supervisor.
- E. All adjustment requests for an individual property shall be processed by one employee and must be approved by a supervisor prior to being applied.
- F. Customer service or utility billing employees making an adjustment (credit or charge) on a customer's account shall prepare a written adjustment form which should be signed by the employee and supervisor. The completed document shall be scanned into the City's utility billing system (QS1) to the customer's account.
- G. Customer service or utility billing employees making an adjustment (credit or charge) on a customer's account shall be required to enter detailed notes in the City's utility billing system (QS1) to the customer's account.

22.1 Review and Compliance.

A. Adjustments Reviewed by Customer Service Supervisor.

The Customer Service Supervisor shall review all adjustments made by Customer Service staff. This shall be done each day by the end of the day.

B. Daily Report of Adjustments.

The Customer Service Supervisor shall produce a printed report from the City's utility billing system (QS1) each day. The Supervisor shall sign and date the report indicating 100% review of all adjustments with notations indicating each adjustment has been reviewed. Any issues or missing information shall be noted, and indication that Supervisor has conducted proper follow up or training for employees. The report and the signed adjustment form(s) shall be delivered to the Customer Service Manager by the next morning.

The Customer Service Manager shall then conduct a compliance review to ensure the following:

- Detailed notes that sufficiently describe the reason or need for the adjustment exist on the customer's account and include the name or initials of the employee performing the adjustment.
- Adjustment form has been completed and uploaded to the customer's account in QS1.
- If calculations are involved, the adjustment has been calculated correctly.
- The adjustments sampled may be selected at random, by amount, or by employee.



City of Goldsboro

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Prepared by:
Catherine Gwynn, Finance Director

Adopted:

- The Customer Service Manager shall notate the report to indicate any errors or missing information discovered during the compliance review process. The corrective action taken shall also be noted. Upon completion of the review, the Customer Service Manager shall sign and date the adjustment report.
- The completed report and adjustment form(s) shall be scanned into the City's archives in Laserfische and the paper copy retained in Revenue Collections in accordance with the City's Record Retention Policy.

23.1 Noncompliance.

Failure of staff to follow the policies and procedures established may result in additional training, developmental plan, or disciplinary action up to and including termination.

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Adoption of a Resolution approving the revised City of Goldsboro Travel Policy (FINP-020.0)

BACKGROUND: The City has a travel policy in place that regulates travel for employees and board members. The current travel policy was revised on January 1, 2020.

DISCUSSION: Staff has revised the policy to enhance explanations, exceptions, and add additional record keeping requirements to strengthen internal control and accountability of all travelers. Some of the major revisions to the policy include the following:

- Included pre-auditing requirements.
- Revising the timeframe for reimbursement requests from 10 days to 14 days.
- Increased the maximum daily meal allowance, based on GSA rates.
- Increased the amount to be approved by the city manager for travel forms totaling \$750 to \$1,500.
- Added a maximum tip amount up to 20%.
- Included verbiage regarding record retention requirements per the NC Department of Natural and Cultural Resources.
- Included an Acknowledgement Form to be signed by all employees and board members acknowledging they have read and understand the policy.
- Revised Travel Form sample (Appendix B).

Council has not previously adopted the travel policy, and good management practice suggest governing board approval an important element of internal control and risk management.

RECOMMENDATION: It is recommended that Council adopt the attached resolution to adopt the Travel Policy (FINP-020.0) as presented.

Date: 2/7/24


Catherine F. Gwynn, Finance Director

Date: 2/8/24


Timothy Salmon, City Manager

RESOLUTION NO. 2024-26

**RESOLUTION ADOPTING THE CITY OF GOLDSBORO
TRAVEL POLICY (FINP-020.0)**

WHEREAS, the City of Goldsboro has need to conduct the business of the city which includes providing for the education, training, professional development and other official functions in order to accomplish the goals and objectives of the city; and

WHEREAS, it is the responsibility of the City Council to ensure and manage its fiscal operations in accordance with state and local law and ordinance, and in harmony with principles of good governance; and

WHEREAS, good management and accounting principles dictate that policies and procedures are key in successful business operations; and

WHEREAS, the travel policy has existed as a management policy since 2012 and most recently revised on January 1, 2020; and

WHEREAS, City Council desires to provide guidance to employees, board members and other appointed officials on the expectations and obligations of travelers in planning and executing travel which involve the spending of public funds or use of public assets; and

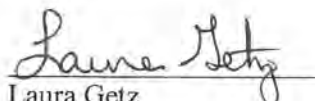
WHEREAS, staff revised the policy with highlights of major revisions to include the following:

- Included pre-auditing requirements.
- Revising the timeframe for reimbursement requests from 10 days to 14 days.
- Increased the maximum daily meal allowance, based on GSA rates.
- Increased the amount to be approved by the city manager for travel forms totaling \$750 to \$1,500.
- Added a maximum tip amount up to 20%.
- Included verbiage regarding record retention requirements per the NC Department of Natural and Cultural Resources.
- Included an Acknowledgement Form (Appendix A) to be signed by all employees and board members acknowledging they have read and understand the policy.
- Revised Travel Form sample (Appendix B).

NOW, THEREFORE, BE IT RESOLVED that the Goldsboro City Council hereby adopts and enacts the attached *Travel Policy (FINP-020.0)* which shall apply to all employees, elected/appointed officials or board members who engage in travel for City business,

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 12th day of February, 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor



City of Goldsboro

Subject: Travel Policy	Policy #: FINP-019.0	Effective Date: 2/12/2024	Rev. #: 0	Revision Date: -	Page: 1 of 12
	Resolution Number and/or Adopted Date:			Prepared by: Catherine Gwynn, Finance Director	
Section: Finance	Supersedes:			Approved by:	
Submitted by: Catherine Gwynn, Finance Director					

1.1 **PURPOSE** – Establish the City of Goldsboro government (City) travel policies and procedures for conducting official business.

2.1 **SCOPE** – The policy applies to all employees, elected/appointed officials or board members who engage in travel for City business.

3.1 SECTIONS

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15.	Appendix B	12

4.1 **TRAVELER RESPONSIBILITY** – An employee, elected/appointed official or board member traveling on official business (herein after referred to as traveler) is expected to exercise the same care in incurring expenses that a practical person would exercise if traveling on personal business and expending personal funds. Excess costs, indirect routes, luxury accommodations, and services unnecessary or unjustified in the performance of official business are not acceptable under this standard. Travelers will be responsible for properly documenting their costs and paying for unauthorized costs and any expenses incurred for personal preference or convenience. All travel expenses must be approved by the appropriate department head or city manager using the City Travel Form before conducting official City business to be eligible for reimbursement. If a traveler violates the written policies herein, the finance director shall, unless the violation is corrected or satisfactorily explained, deduct the unsubstantiated funds from the traveler's next pay disbursement or request payment as appropriate.

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- 5.1 **APPROVAL** – Authorized travel expenditure of City funds will be allowed for seminars, schools, conventions, workshops, and other official business when in the best interest of the City, as determined by the department head or city manager.

Department heads are required to submit their travel form to the city manager or assistant city manager for approval before traveling for any city business outside Wayne County.

Travel forms must be used and submitted to the department head for approval before costs are incurred if the City will make any payment unless in the case of an emergency or mitigating circumstances. All travel forms are to be sent to the Finance Department for pre-auditing prior to any travel. For out-of-state travel or travel costs estimated to exceed \$1,500, the traveler shall submit the completed travel form with supporting documents to the city manager through their department head for approval at least ten (10) days prior to travel. Each traveler is responsible for his/her own travel form.

Approval prior to the trip ensures the traveler's department head and/or city manager approves of the activity and funds are available and allowable for reimbursement or advancement of expenses. Travelers must submit a travel form far enough in advance to allow time for review and approval, taking into account that travel costs and conference registration fees generally increase as you get closer to the actual event. There should be no commitment of funds that cannot be canceled, such as the purchase of airline tickets or conference registrations, without approval of the department head and/or city manager.

All out-of-state travel requires the completion of the travel form to be signed by the city manager even if there is no reimbursement to the city or traveler.

In the case of an emergency or unforeseen oversight, the department head shall submit a detailed memorandum explaining the circumstances to the city manager. The city manager can determine if the circumstances warrant approval in light of the 10-day travel approval deficiency. Habitual use of this exception may be deemed abuse and subject to disciplinary action or affect employee evaluations.

- 6.1 **PROCUREMENT CARD** – The City procurement card is the primary method of payment for travel and training expenses. Procurement cards are issued in the name of individual employees, and all activity is assumed to have been incurred by that person. Employees who do not have an assigned procurement card may check out a procurement card from the Finance Department. The procurement card works just like a personal credit card, except all charges are paid in full by the City. Procurement card users must exercise good judgment and act responsibly when using the procurement card. Procurement card users may charge authorized travel expenses to accommodate travelers who do not have access to a procurement card. However, the receipts for the other traveler(s) must be documented as to the specific traveler(s) by name, or a corresponding memorandum must be prepared and attached to clearly explain in detail the charges made.

Procurement card users shall maintain concise records of all purchases and original vendor receipts. Procurement card users should resolve any purchasing/billing discrepancies immediately upon receipt of the bill. All listed purchases must be verified by the traveler and department head.

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The department head is responsible for determining that sufficient appropriation remains in the department travel budget to cover all expected costs of travel. Budget transfers will be required if insufficient funds are incurred. The department head must require itemization of all procurement card expenses for submission with travel forms and month end procurement card statements and note any unauthorized expenses for repayment.

Unauthorized travel expenses are classified as personal and associated procurement card purchase repayment is authorized as a payroll deduction if restitution is not made within 10 days.

7.1 DEFINITIONS AND GENERAL GUIDELINES

- A. **Authorizing Party** – The mayor (in the case of an elected council member, appointed official or board member), city manager, or appropriate department head are the only individuals authorized to approve or deny requests for travel, cash advances, travel reimbursements, etc. If there is a vacancy in a position that approves travel forms, and there is no official interim assigned, the traveler may request the city manager or their designee to sign for the approval of travel forms.
- B. **Acknowledgement by Traveler** – Appendix A Form is required to be completed by each traveler and retained in the department and Human Resources personnel file to acknowledge that the traveler has read the travel policy.
- C. **Detailed Receipts** – Travelers are expected to request and retain detailed receipts to substantiate the nature of the expense, date, and vendor information. A credit card receipt may not be considered a detailed receipt if it only identifies the vendor name, the charge amount and the date. This does not provide enough information to determine if the expense was a legitimate travel expense for the traveler or necessary to city business. Lack of detailed itemized receipts may result in the traveler being denied reimbursement or required to repay if charged on a city procurement card.
- D. **Employee's Duty Station** – "Duty Station" is defined as the job location at which the employee spends the majority of his or her working hours. The designation of an employee's home as the duty station by a department head requires prior approval from the city manager.
- E. **Mileage Reimbursement Request** – Form that may be filled out by an employee to request reimbursement of personal vehicle mileage for performing City tasks. This would generally occur when a City vehicle is not available for an employee to use to perform work errands in and around the City or Wayne County. Examples would include errands to the post office, stores for supplies, other city locations to perform work or perform pickup or drop off. The employee should be considered working ("on the clock") so that time sheets can be validated for the date and time of the mileage being requested. Estimates of travel are not acceptable, amounts reported on the form must be actual travel. The finance department staff charged with reviewing mileage reimbursement requests may reduce or refuse to authorize reimbursement if amounts requested do not meet the standards established or may require additional documentation or explanation. The form will be made available on the City's intranet.

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F. **Non-City Employees** – Non-City employees traveling on official business whose expenses are paid by the City are subject to these regulations, including subsistence allowances, to the same extent as City employees.

G. **Procurement Card (P-Card)** – City issued credit card to be used for costs associated with necessary expenses for the benefit of the City. Cards are issued at the request of the department head to employees. Generic cards are also maintained by the City Finance Department for employees who do not have a P-Card issued. Refer to the Procurement Card Policy for detailed rules.

H. **Registration Fees** – The City allows registration fees to be paid at the actual amount as shown by a valid receipt, a registration form, and/or by using a City procurement card. If registration occurs via the web, submit a printed copy of the registration form with the procurement card paperwork.

I. **Reimbursements** – Reimbursements are expenses paid by the traveler with personal cash, checks or credit cards, or mileage reimbursements for use of a personal vehicle. Reimbursements are requested by completing the Travel Form in the Reconciliation section. All signed reimbursement requests shall be filed for approval and payment within fourteen (14) business days after the end of the travel period for which the reimbursement is being requested.

The Travel Form completed and signed on both the Approval section and Reconciliation section is required in addition to copies of detailed receipts of all expenses claimed, and if applicable a conference agenda. Incomplete forms or missing documentation will be returned to the department and expenses will not be reimbursed by the City. If there are extenuating circumstances, the department head may prepare a detailed memo explaining the circumstances and, if approved by the finance director, may be paid by the City. If the fourteen (14) day period has expired, the department head may prepare a detailed memo explaining the circumstances for the delay and, if approved by the finance director, may be paid by the City.

Finance staff charged with reviewing reimbursements to authorize for payment are authorized to reduce reimbursements for unsubstantiated costs, overages of allowances, or other violations of travel policy. Only the substantiated and authorized costs shall be reimbursed by the City.

J. **Subsistence (Meals and Lodging)** – Subsistence is an allowance related to lodging, meal costs and gratuities.

K. **Transportation** – Transportation expenses include personal automobile, taxi, rideshare, bus, train, airplane, auto rentals, tolls, and parking fees incurred by and for travelers while conducting official City business.

L. **Travel** – Travel is defined as going to and from the normal duty station to a site located away from the normal duty station to conduct official City business for seminars, schools, conventions, workshops, and other official business. Non-exempt employees traveling outside normal working hours will be considered on duty while traveling and compensated accordingly either through comp time or overtime payment as determined by the department head.

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Authorization of travel forms will be based upon need and cost/benefit of travel as determined by the authorizing party.

Exceptions:

- Travel for training, meetings, and conferences within Wayne County is not considered travel for the purposes of preparing a travel form. This may be referred to as in-town or in-county travel.
- Travel not related to training, education, conferences, and meetings that is out-of-county and related to the performance of employee duties is not subject to the travel form preparation and procedures.
 - Examples include:
 - Pickup of supplies, goods, materials
 - Returning supplies, goods, materials
 - Pickup or drop off City items or assets for repair, disposal (services performed)
 - The above exceptions would include the use of a city vehicle, not a rented vehicle.
 - The department head may wish to keep a mileage log (electronic or paper) on each vehicle that could be subject to misuse (personal use) so that the department may be able to prove city use only if audited.
 - The above exceptions would not be authorized for the reimbursement of meals to the employee or charging of meals on a city PCard since this is in the course of regular duties and considered a personal expense.
 - Additional Exception:
 - Performance of an authorized Parks and Recreation program activity involving the transport of city employee(s) and non-city employee(s). (Alternate rules apply for documentation and substantiation of city business purposes to be established by the finance director.)

M. Travel Advances – Travel advances will be issued at the discretion of the finance director. Advances should be requested by the authorizing party no later than ten (10) days prior to commencement of travel. Advances will be based upon the estimated cost of travel. Adjustments will be made upon final accounting by the traveler providing necessary receipts. Excess travel advances will be repaid no later than fourteen (14) working days after the completion of the approved travel, and traveler acknowledges that repayment is authorized via payroll deduction if not paid within the required time period. The finance director will not issue a travel advance unless it has been approved by the authorizing party.

N. Travel Approval or Travel Request – Travel approval or travel request refers to preparing the travel form section “Approval” portion within ten (10) days before the travel occurs. It is encouraged that travel approval be sought earlier since travelers often are required to pay for nonrefundable registration fees, plane tickets, rental vehicles, etc. By obtaining approval earlier, it can be determined if a sufficient budget exists for the travel. The travel form should

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be completed in full so that the approving department head and/or city manager may understand the total estimated cost of the travel. Documentation such as registration fees, agenda, estimated lodging costs, etc., should be maintained as part of the travel approval voucher packet. The department head is responsible for keeping a complete record of all signed travel approval voucher packets in the department files for the required finance records retention period.

- O. **Travel Form** – Refers to the Travel Form (Appendix B) maintained by the Finance Department and posted on the City’s intranet.
- P. **Travel Reconciliation** – Travel reconciliation refers to preparing the Travel Form Reconciliation section within fourteen (14) days after the end of the travel period. It is required that the traveler and department head sign the reconciliation, and, if applicable, it must be signed by the city manager as well. Copies of completed travel reconciliation, receipts, agenda or other documents are required to be maintained in the department files for the required finance records retention period.

8.1 SPECIFIC GUIDELINES RELATING TO TRANSPORTATION, SUBSISTENCE, AND OTHER COSTS

A. Transportation

1. **Common Carrier** – Standard coach or comparable class for all domestic air travel (substantiated by receipt) will be reimbursed or paid for with the City’s procurement card. Airline passenger receipts indicating total expense and class of service used must be submitted with procurement card paperwork. Penalties and charges resulting from the cancellation of airline reservations (or other travel reservations) shall be the City’s obligation if the employee’s travel has been approved in advance and the cancellation or change is made at the direction of and for the convenience of the City. If the cancellation or change is made for the personal benefit of the employee, it shall be the employee’s obligation to pay all costs associated with travel due to the cancellation. However, in the event of accidents, serious illness, or death within the employee’s immediate family, or other critical circumstances beyond the control of the employee, the City may elect to pay the costs associated with the cancellation.
2. **Personal Vehicle** – A traveler may use his/her personal vehicle for travel and be reimbursed; however, the use of a City vehicle or rental vehicle is highly encouraged. Whenever possible, department heads should endeavor to arrange for individuals attending the same event to carpool. This allows the city to be prudent in its spending. If carpooling is not practical, the department head and traveler should include a written statement justifying the separate mileage incurred as part of the required documentation for reimbursement. It is expected that the employee’s personal vehicle is insured as required by North Carolina law.

Use of a personal vehicle must be approved in advance. Mileage will be reimbursed at the current allowable IRS rate per mile. Mileage is measured from the closer of the duty station or the point of departure to the destination and return.

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Parking fees, tolls, and storage fees are reimbursable, and receipts are required. At a minimum, receipts should bear the name of the facility or vendor, date and amount. A credit card receipt that does not detail the service provided is not sufficient and may not be reimbursed.

3. **Rental Vehicle** – A rental vehicle is encouraged when traveling out of town more than 50 miles for City business. The City is registered with the NC State Contract approved agent. The approved agent has agreed to accept the City's procurement card. Documentation is required along with receipt of payment.

4. **City Vehicles** - Use of City vehicles for training purposes must be approved by the department head before traveling by using the travel approval form.

B. **Subsistence** – All lodging and meal expenses will be paid by the City if properly authorized and documented.

1. **Lodging:**

a. Authorization – Approval by the department head must be obtained to qualify for reimbursement or advancement for overnight stays. The travel must involve a travel destination located at least 50 miles from the employee's regularly assigned job location or home, whichever is less, and be approved by the department head as necessary and in the best interest of the City. If the traveler chooses to arrive at the location of the training the night before it begins, the City will not pay the lodging expense if it is within 50 miles. If the travel destination is less than 50 miles and overnight lodging is requested, the traveler shall provide a written statement justifying the reason(s) for the overnight lodging when submitting the travel request. Entertainment expenses are not authorized. Travelers are required to ask for the conference rate, state government rate or lowest rate available to keep hotel expenditures as close to the subsistence rates as possible.

b. Reimbursement – Lodging at motels/hotels should be charged on a City procurement card. However, if traveler pays for lodging costs personally, then traveler is responsible for his or her own request for reimbursement. Requests for reimbursement must be filed within fourteen (14) business days after the end of the travel period for which the reimbursement is being requested. Specific dates of lodging must be listed on the reimbursement request and substantiated by a receipt from a commercial lodging establishment. It is the traveler's responsibility to cancel the reservation in the event of a plan change. The traveler should request and record the cancellation number in case of billing disputes. Receipts for lodging shall be obtained and submitted with procurement card paperwork. Entertainment expenses, such as the cost of movies, magazines, premium TV channels, personal internet use, and personal calls that are included with the bill for lodging will not be reimbursed.

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2. Meals:

- a. Authorization – Meals including non-alcoholic beverages and tips (not more than 20% of authorized expenses) will be reimbursed based on duty station departure and return time utilizing the following schedule:

Breakfast – \$14, depart prior to 6:30 a.m. or return after 7:30 a.m.

Lunch – \$16, depart prior to 11:00 a.m. or return after 1:00 p.m.

Dinner – \$29, depart prior to 5:00 p.m. or return after 7:00 p.m.

Total Daily Allowance = \$59.00 or authorized portion thereof.

If stopping for a meal would cause the traveler to return after the identified time, the meal will not be reimbursed. Alcoholic beverage expenses are not authorized.

Meals included in the registration fees will be deducted from the total daily allowance. The remaining authorized daily allowance can be used to pay for the remaining authorized meals. For example, if breakfast and lunch are authorized and not included in registration fees, the total of \$30 may be used for breakfast and lunch within the time frames noted in the policy. If breakfast costs \$5 and lunch costs \$25, the total of \$30 authorized is acceptable by policy. If in doubt, the traveler should seek guidance from finance department staff.

- b. Reimbursement – Travelers are encouraged to use the assigned city procurement card for payment of meals. However, travelers may elect to personally pay for meals, and request reimbursement on the travel form. Each meal reimbursement must be listed on the travel form as well as the time of departure and arrival. The costs of meals included in other related activities (registration fees, conference costs, hotel registration, etc.) may not be duplicated in reimbursement requests. If the total daily meal allowance is exceeded and the city procurement card was used, the traveler will be responsible for repaying the excess within fourteen (14) days of travel or payroll deduction will be initiated.

C. Other Costs

Parking fees, tolls, taxi/rideshare, baggage costs, and associated tips (no more than 20%) are reimbursable upon submission of appropriate documentation. Procurement cards may be used to pay for training materials such as books, videos, etc. Any non-allowable charges to the procurement card must be repaid from the traveler's personal funds or payroll deduction will be initiated.

D. Out-of-State Travel

When travel outside of North Carolina is requested and the subsistence rates for lodging, meals and other costs will exceed allowances, the traveler may request in writing increased allowances. The item(s) should be listed with the requested rate and not exceed the federal General Services Administration (GSA) rates. Supporting GSA documentation must be attached to the travel form to validate the rate requested. The request will be submitted to

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the city manager for approval. Evidence of the request and city manager approval must be attached to the PCard log or reimbursement request in order to qualify for the increased subsistence rates.

E. Travel with a companion

Friends or family may accompany the traveler to seminars, meetings, and other gatherings at their own expense. The traveler is responsible for allocating only his/her portion of actual costs on the procurement card. If a traveler wishes to have non-city personnel travel in the rental vehicle, it would be their responsibility to acquire and pay for Supplemental Liability Protection (SLP) through the rental car agency to protect passengers if an accident should occur.

- 9.1 **VIOLATION OF POLICY** – If a traveler is authorized funds for travel and violates the written policies herein, the finance director shall, unless the violation is corrected or satisfactorily explained, deduct the unsubstantiated funds from the traveler's next disbursement or if not repaid within fourteen (14) days a payroll deduction shall be initiated.

NOTE: *The following items are not reimbursable:*

- Any expense not supported by a receipt unless an exception is authorized by the department head, city manager or finance director.
- Meals included in registration fees.
- Travel to and from duty station.
- Non-employee expenses.
- Laundry, newspaper, or personal internet fees.
- Entertainment, alcoholic beverages, snacks.
- Any traffic fines.
- Any item that is not deemed a necessary or reasonable business expense.

10.1 **RECORD RETENTION**

All travel forms (approval and reconciliation including supporting backup) must be maintained in the department they originate from. Department travel packets (forms and documentation), whether reimbursements are made by the City or not, are required to be kept based on the Records Retention and Disposition Schedule from the NC Department of Natural and Cultural Resources for finance records (currently five years), after the completion of the annual fiscal audit. The Office of the City Clerk also requires the scanning of travel packets into Laserfiche before destruction based on the destruction of records standard operating procedure.

- 11.1 **ACKNOWLEDGEMENT FORM** – Appendix A is to be signed by each traveler and retained in the appropriate department files.

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- 12.1 **CITY OF GOLDSBORO TRAVEL FORM** – Appendix B is to be utilized by travelers for all City paid travel expenses. This form may be updated from time to time by the finance department and will be posted on the City’s intranet.

13.1 **COMPLIANCE AND RECORD RETENTION**

Travel Approval

Compliance testing for Travel Approval is conducted through the review and approval process, and is performed by the department head, and, if applicable, by the city manager. The finance director or designee performs budget compliance during the preaudit process.

Travel Reconciliation

Compliance testing for Travel Reconciliation is conducted through the review and approval process in the fourteen (14) day period following the end of travel by the department head, and, if applicable, the city manager.

If a Procurement card is utilized, Finance staff will perform limited compliance testing when reviewing the monthly P-Card logs and supporting documents. If deficiencies are identified by Finance staff, they will make the finance director aware of the deficiencies in writing. Habitual deficiencies or deficiencies of a significant or material nature may result in actions taken against the P-Card user according to the Procurement Card Policy.

If a reimbursement is requested, Finance staff will perform limited compliance testing. If deficiencies are identified by Finance staff, they will make the finance director aware of the deficiencies in writing.

If deficiencies are not cured, the Finance Department may (list is not all inclusive):

- Refuse to authorize the reimbursement.
- Take temporary or permanent action against the traveler’s PCard privileges.
- Report to the city manager for possible disciplinary action or other sanctions against the traveler or department head.

Travel Records Retention

Each department head shall designate the position that is responsible for retention of paper and electronic records for travel, and report that person to the city clerk and the finance director. The city clerk, as manager of the City’s official records, or the finance department may conduct periodic audits of department travel approval and travel reconciliation records. Deficiencies in records after the date of adoption of this policy will be noted in a report to the city manager for consideration for evaluation or disciplinary purposes.

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Appendix A

Acknowledgement by Traveler

I, _____, acknowledge I have read and received a copy of the Travel Policy and agree to abide by the rules and requirements herein.

Traveler Name

Date

Signature

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Appendix B

Reimbursement Submission Deadline:

City of Goldsboro

Travel Form

Revised Feb-24

2024

Date:
Department:

Traveler:

Destination and Purpose:

Departure Date and Time:

Return Date and Time:

Method of Travel:
☐ City Vehicle
☐ Private Car
☐ Plane
☐ Rental Car
☐ Train
☐ Other

(Please check all that apply)

Approval		Reconciliation	
Estimated Expenses (Documentation Attached)		**Complete Actual Expenses after Trip**	
	Estimate		Actual
Registration Fees	25.00		
Plane Fare			
Mileage @ \$.67/Mile	0.000		
Taxi Fares			
Parking			
Lodging			
Breakfast \$10	0.00		0.00
Lunch \$16	0.00		
Dinner \$25	0.00		
Fuel (City Vehicle only)			
Other Fees			
TOTAL	\$25.00		\$0.00
Advance Amt. Request	0.00	Amount Paid (Credit Card/Check)	
Request for Finance Credit Card <input type="checkbox"/> YES		Amount Due (Employee/City)	\$0.00
Date to Pick up Card:		(Circle one)	

Requester/Traveler signature below acknowledges they have read and understand the Travel Policy regulations of the City.

Estimate/Advance Approvals

Final Accounting Approvals

Requestor's Signature/Date

Requestor's Signature/Date

Department Head's Signature/Date

Department Head's Signature/Date

*City Manager's Approval/Date

*City Manager's Approval/Date

*(Out of State and Travel Estimates in Excess of \$1,500)

Check payable to:

Expense Code:

Payment #1:

Document #:

Return Check to:

Amount of Check:

Finance Funding Approval (Date)

I have received \$

travel advance/reimbursement on (date/check#)

Signature of Traveler

Check payable to:

Expense Code:

Payment #2:

Document #:

Return Check to:

Amount of Check:

Finance Funding Approval (Date)

I have received \$

travel advance/reimbursement on (date/check#)

Signature of Traveler

This instrument has been preaudited in the manner required by the required by the Local Government Budget and Fiscal Control Act.

Finance Officer City of Goldsboro

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Demolition of City owned property located at 612 S. John Street

BACKGROUND: The property located at 612 S. John Street was gifted to the City in 2020, for a possible Willow Dale Cemetery expansion. The subject structure is approximately 21,000 sq feet in size.

Since 2020, the structure has deteriorated causing the exterior wall located on the John Street side to partially collapse. The condition of the structure is a cause of concern for the public's health and safety.

DISCUSSION: There was no formal bid process required, but city staff received three quotes for the demolition. The lowest quote was AK Grading & Demolition at a base bid of \$79,550.00.

Names of Other Bidders

FOSS Demolition

Amount of Bid: \$97,000.00.

Corbett Clearing & Demolition LLC

Amount of bid: \$123,775.00.

SCOPE OF WORK

- Demolition and removal of old Fertilizer Warehouse +/- 2100 sf in its entirety to include all slabs and foundation within the footprint of the structures located at 612 S John St Goldsboro
- Haul all materials to an approved landfill or dump site.
- Level, seed, and straw lot.
- Furnish all State and Local permits.
- No asbestos or contaminated soils removal.
- Property owner is responsible for disconnection of all utilities to the building.

RECOMMENDATION: It is recommended that Council adopt the attached resolution authorizing the city manager to execute a contract with AK Grading & Demolition in the amount of \$79,550.00. Funding will come from fund balance in a future budget ordinance amendment.

Date: 1-31-24


Matt Summerlin, Code Enforcement Administrator

Date: 2/6/24


Timothy Salmon, City Manager

RESOLUTION NO. 2024- 27

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN A
CONTRACT WITH AK GRADING & DEMOLITION

WHEREAS, the City of Goldsboro owns property located at 612 S. John Street which was gifted to the City in 2020 for a possible Willow Dale Cemetery expansion. The subject structure is approximately 21,000 sq feet in size; and

WHEREAS, since 2020, the structure has deteriorated causing the exterior wall located on the John Street side to partially collapse. The condition of the structure is a cause of concern for the public's health and safety; and

WHEREAS, AK Grading & Demolition submitted the lowest bid for this project in the amount of \$79,500.00; and

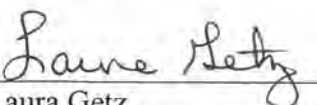
WHEREAS, the City of Goldsboro wishes to enter into a contract with AK Grading & Demolition for the demolition of the structure located at 612 S. John Street; and

WHEREAS, funding for the demolition of the property will come from fund balance in a future budget ordinance amendment.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The city manager is hereby authorized to sign a contract with AK Grading & Demolition in the amount of \$79,500.00.
2. This Resolution shall be in full force and effect from and after this the 12th day of February, 2024.

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor

DEMOLITION OF CITY OWNED PROPERTY

Matt Summerlin, Code Enforcement Administrator
February 12, 2024



www.goldsboronc.gov

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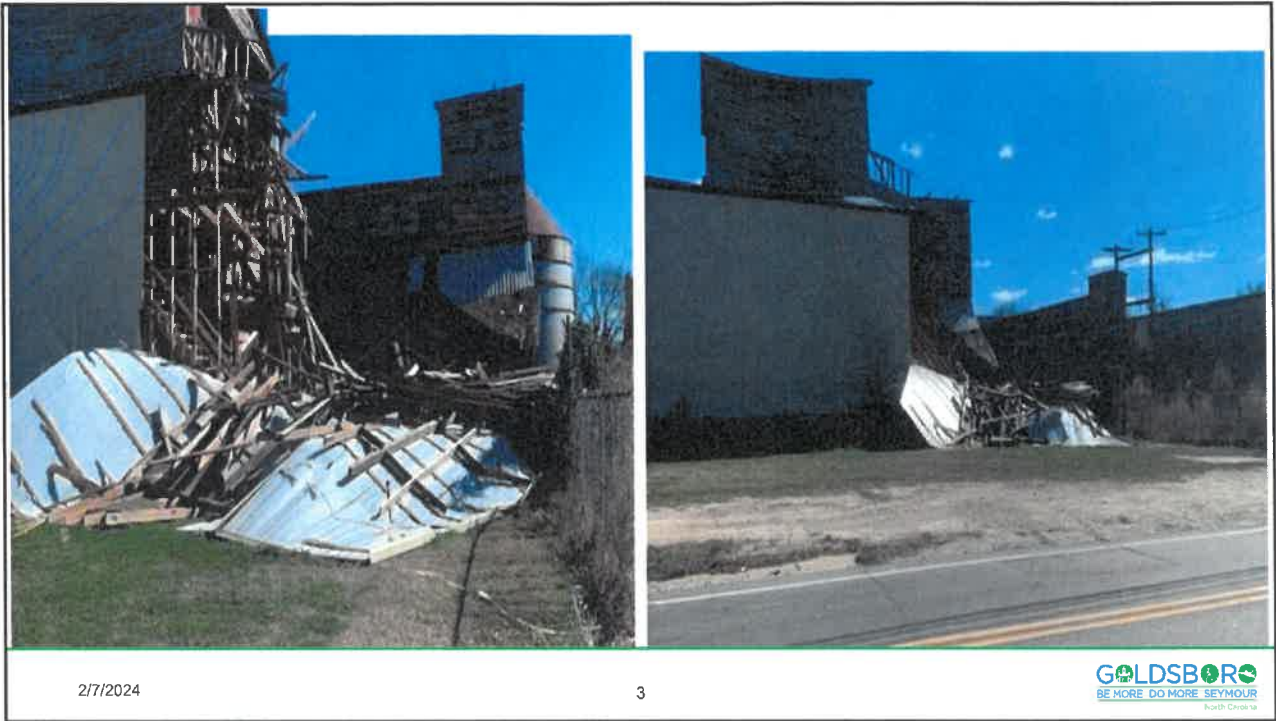


2/7/2024

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4

**CITY OF GOLDSBORO
AGENDA MEMORANDUM
FEBRUARY 12, 2024 COUNCIL MEETING**

SUBJECT: Resolution Authorizing an Increase in Police Department Salaries

BACKGROUND: The Goldsboro Police Department currently has several position vacancies; salaries have been a contributing factor for voluntary separations. The City of Goldsboro desires to retain the police officers and provide incentive for future hires.

Police Pay Proposal A and B were presented to Council on September 5, 2023, for consideration. Proposal A was a 21.55% pay increase for all sworn personnel except for the Chief of Police. Proposal B was a 10% pay increase or the minimum of the new pay grade for sworn personnel, with the Police Major(s) receiving a 5% increase and the Chief of Police would see no increase.

Council agreed at the September 5, 2023, Council Meeting to implement Police Department Proposal B pay plan starting the first pay period in October 2023 and to consider other options later. Council members requested Plan A be brought back for consideration. Police Department pay plan A was presented at the January 22, 2024 meeting.

DISCUSSION: Earlier in today's Work Session, the Council was presented with an updated Police Pay Proposal A for discussion. Proposal Plan A requests an increase in addition to the earlier Police Plan B, but not to exceed 21.55% combined. The Chief of Police salary remains unchanged.

Police Department sworn officer pay will increase 11.55% or the minimum of the new pay grade as follows: Officer Trainee 75 to 76; Officer 76 to 77-80; Corporal 79 to 80; Sergeant 81 to 82; Captain 83 to 84; Major remains at 86 and will receive a 16.55% increase; and the Chief of Police will remain at 89 and not receive a pay increase.

The cost is estimated to be approximately \$64,000 in FY23-24, which would come from fund balance and be included in a budget ordinance amendment if necessary.

RECOMMENDATION: It is recommended that Council, by motion, approve the attached Resolution to increase Police Department Pay.

Date: 2-7-2024


Mike West, Police Chief

Date: _____

Timothy Salmon, City Manager

RESOLUTION NO. 2024- 28

RESOLUTION AUTHORIZING AN INCREASE IN POLICE DEPARTMENT SALARIES

WHEREAS, The Goldsboro Police Department currently has several position vacancies; salaries have been a contributing factor for voluntary separations. The City of Goldsboro desires to retain the police officers and provide incentive for future hires; and

WHEREAS, Police Pay Proposal A and B were presented to Council on September 5, 2023, for consideration. Proposal A was a 21.55% pay increase for all sworn personnel except for the Chief of Police. Proposal B was a 10% pay increase or the minimum of the new pay grade for sworn personnel, with the Police Major(s) receiving a 5% increase and the Chief of Police would see no increase; and

WHEREAS, Council agreed at the September 5, 2023, Council Meeting to implement Police Department Proposal B pay plan starting the first pay period in October 2023 and to consider other options later. Council members requested Plan A be brought back for consideration. Police Department pay plan A was presented at the January 22, 2024 meeting; and

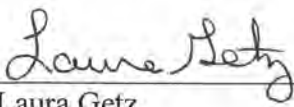
WHEREAS, at the work session during the February 12, 2024, Council meeting, the Council was presented with an updated Police Pay Proposal A for discussion. Proposal Plan A requests an increase in addition to the earlier Police Plan B, but not to exceed 21.55% combined. The Chief of Police salary remains unchanged; and

WHEREAS, Police Department sworn officer pay will increase 11.55% or the minimum of the new pay grade as follows: Officer Trainee 75 to 76; Officer 76 to 77-80; Corporal 79 to 80; Sergeant 81 to 82; Captain 83 to 84; Major remains at 86 and will receive a 16.55% increase; and the Chief of Police will remain at 89 and not receive a pay increase. The cost is estimated to be approximately \$64,000 in FY23-24, which would come from fund balance and be included in a budget ordinance amendment if necessary.


NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that the police department salaries be increased based on the information above.

This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 12th day of February, 2024

Attested by:


Laura Getz
City Clerk




Charles Gaylor, IV
Mayor

AGREEMENT AND GENERAL RELEASE ("Agreement")

The City of Goldsboro, North Carolina, (hereafter "the City") and Timothy Salmon and his heirs, executors, administrators, successors, and assigns (collectively referred to throughout this Agreement as "Employee"), agree that:

1. **Last Day of Employment.** Employee's last day of employment with the City is February 12, 2024 ("Separation Date").
2. **Payment on Separation.** Regardless of Employee's execution of this Agreement, Employee shall receive, in lieu of notice, his regular base pay through February 12, 2024. Such pay will be paid on days and in a manner that corresponds to City's usual payroll practices. Employee shall also be paid all accrued but unpaid vacation through the Separation Date according to the City's vacation policies, which payment shall be made no later than March 18, 2024. City and Employee stipulate that Employee will have accrued 251.6 hours of unpaid vacation through the Separation Date, payable at Employee's hourly rate of \$84.04 per hour, for a total gross sum of \$21,144.46. This payment will be subject to all applicable withholdings (except for withholdings of contributions or payments into the Local Government retirement system, which shall not be withheld or made by the City).
3. **Consideration.** In consideration for Employee signing and not revoking this Agreement, and complying with its terms, City additionally agrees to:
 - a. Pay Employee the total gross sum of \$106,732.69 subject to all applicable withholdings (except for withholdings of contributions or payments into the Local Government retirement system, which shall not be withheld or made by the City), representing severance pay, which is equal to twenty-six (26) weeks of Employee's regular base pay plus all other benefits Employee would have accrued during the twenty-six week period (the "Severance Pay"). Said amount shall be paid to Employee on or before March 18, 2024, conditioned on Employee having not revoked the Agreement during the Revocation Period as set forth in Section (6); and
 - b. Pay all installments of the City's regular contributions into Employee's 401(k) account which but for Employee's separation from employment the City would in the usual course pay through February 12, 2024.
 - c. Employee shall not be paid for his sick time accrued through the Separation Date, but shall not forfeit such sick time; Employee intends to apply such sick time to the eligibility requirement of the Local Government Retirement System according to that system's rules and regulations, but City makes no representation regarding Employee's right or ability to do so and shall have no liability to and shall not be required to compensate Employee for such accrued sick time in the event he is not allowed or able to apply such accrued sick time to any retirement eligibility requirements

4. **No Consideration Absent Execution of this Agreement.** Employee understands and agrees that Employee would not receive the lump sum payment and 401(k) contributions specified in Paragraph 3 above, except for Employee executing and not revoking this Agreement and the fulfillment of the promises contained herein.

5. General Release, Claims Not Released, and Related Provisions.

a. General Release of All Claims. Employee knowingly and voluntarily releases and forever discharges the City, its assigns, and its Council, its Council members, its current and former employees, attorneys, officers, and agents, both individually and in their official capacities, and their employee benefit plans and programs and their administrators and fiduciaries (collectively referred to throughout the remainder of this Agreement as "Releasees"), of and from any and all claims, known and unknown, asserted or unasserted, which the Employee has or may have against Releasees as of the date of execution of this Agreement which can be released by law, including, but not limited to, any alleged violation of:

- Title VII of the Civil Rights Act of 1964;
- The Civil Rights Act of 1991;
- Sections 1981 through 1988 of Title 42 of the United States Code;
- The Employee Retirement Income Security Act of 1974 ("ERISA");
- The Immigration Reform and Control Act;
- The Americans with Disabilities Act of 1990;
- The Age Discrimination in Employment Act of 1967 ("ADEA");
- The Worker Adjustment and Retraining Notification Act;
- The Fair Credit Reporting Act;
- The Family and Medical Leave Act;
- The National Labor Relations Act;
- The Occupational Safety and Health Act;
- The Equal Pay Act;
- The Genetic Information Nondiscrimination Act of 2008;
- North Carolina Equal Employment Practices Act, N.C. Gen. Stat. 143A-22, et seq.;
- North Carolina Parental Leave Law for School Involvement, N.C. Gen. Stat. 95-28.3;
- North Carolina Lawful Use of Lawful Products Law, N.C. Gen. Stat. 95-28.2;
- North Carolina Persons With Disabilities Protection Act, N.C. Gen. Stat. 168A-1, et seq.;
- North Carolina Communicable Disease Law, N.C. Gen. Stat. 130A-148(i);
- North Carolina Discrimination on the Basis of Sickle Cell Trait Law, N.C. Gen. Stat. 95-28.1;
- North Carolina Genetic Testing Law; N.C. Gen. Stat. 95-28.1A;
- North Carolina Retaliatory Employment Discrimination Law, N.C. Gen. Stat. 95-240, et seq.;

- North Carolina Wage and Hour Act, as amended, including N.C. Gen. Stat. 95-25.2, et seq., and 95-25.14, et seq.;
 - North Carolina Occupational Safety and Health Act, as amended;
 - any other federal, state or local civil, human rights, bias, whistleblower, discrimination, retaliation, compensation, employment, labor or other local, state or federal law, regulation or ordinance that may be released by law;
 - any amendments to the foregoing laws;
 - any benefit, payroll, or other plan, policy or program;
 - any public policy, contract, third party beneficiary, tort, or common law claim; or
 - any basis for recovering costs, fees, or other expenses including attorneys' fees incurred in these matters.
- b. Claims Not Released. Employee is not waiving any rights Employee may have to: (i) Employee's own vested accrued employee benefits under City's health, welfare, or retirement benefit plans as of the Separation Date; (ii) benefits and/or the right to seek benefits under applicable workers' compensation and/or unemployment compensation statutes; (iii) pursue claims which by law cannot be waived by signing this Agreement; (iv) enforce this Agreement; and/or (v) challenge the validity of this Agreement.
- c. Governmental Agencies. Nothing in this Agreement prohibits or prevents Employee from filing a charge with or participating, testifying, or assisting in any investigation, hearing, whistleblower proceeding or other proceeding before any federal, state, or local government agency (e.g. EEOC, NLRB, SEC, etc.), nor does anything in this Agreement preclude, prohibit, or otherwise limit, in any way, Employee's rights and abilities to contact, communicate with, report matters to, or otherwise participate in any whistleblower program administered by any such agencies. However, to the maximum extent permitted by law, Employee agrees that if such an administrative claim is made, Employee shall not be entitled to recover any individual monetary relief or other individual remedies.
- d. Collective/Class Action Waiver. If any claim is not subject to release, to the extent permitted by law, Employee waives any right or ability to be a class or collective action representative or to otherwise participate in any putative or certified class, collective or multi-party action or proceeding based on such a claim in which City or any other Releasee identified in this Agreement is a party.
- e. The City hereby releases Employee from any and all actions, claims, demands, and causes of action which have arisen or may arise in connection with Employee's employment by, or performance of his duties for, the City, and this shall be construed and applied as a general release of all claims.

6. **ADEA and OWBPA Release.** Employee specifically acknowledges, agrees, represents

and warrants that (a) Employee is aware that this Agreement releases claims including, but not limited to, all claims under the federal Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 621, et seq., ("ADEA"), the Older Worker Benefit Protection Act of 1967 ("OWBPA") and any other state and local laws concerning age discrimination which may have arisen prior to the date of this Agreement; (b) Employee has been given sufficient opportunity to consider this Agreement; (c) Employee has been advised to consult with an attorney prior to executing this Agreement; (d) Employee has read and understands the terms and effect of this Agreement; (e) Employee has signed this Agreement voluntarily and knowingly in exchange for the consideration described herein, which Employee acknowledges and agrees is adequate and more than Employee is entitled to receive; (f) after Employee signs this Agreement, Employee will have seven (7) days to revoke his signature by delivery of written notice before 11:59 p.m. of the seventh calendar day after execution of the Agreement ("Revocation Period") to Ron Lawrence, City Attorney; (g) this Agreement will become effective on the day immediately following the expiration of the Revocation Period (the "Effective Date") and will not be enforceable by any party until the Effective Date; (h) Employee will not receive the Severance Pay or the contributions to his 401(i) account set forth in Paragraph 3 of the Agreement until after the seventh day has passed without Employee revoking the Agreement; (i) no attempted revocation after the expiration of such seven (7) day period shall have any effect on the terms of this Agreement.

7. **Acknowledgements and Affirmations.** Employee affirms that Employee has not filed, caused to be filed, or presently is a party to any claim against City.

Other than the consideration described in Paragraph 3, Employee affirms that Employee has been paid and/or has received all compensation, wages, bonuses, commissions, and/or benefits to which Employee may be entitled. Employee affirms that Employee has been granted any leave to which Employee was entitled under the Family and Medical Leave Act or related state or local leave or disability accommodation laws. Employee affirms that all of City's decisions regarding Employee's pay and benefits through the date of Employee's execution of this Agreement were not discriminatory based on age, disability, race, color, sex, sexual orientation, gender identity, religion, national origin, protected veteran status or any other classification protected by law.

Employee affirms that Employee has no known workplace injuries or occupational diseases.

Employee affirms that Employee has not divulged any proprietary or confidential information of City and will continue to maintain the confidentiality of such information consistent with City's policies and Employee's agreement(s) with City and/or common law.

Employee affirms that Employee has not been retaliated against for reporting any allegations of wrongdoing by City or its officers, including any allegations of corporate

fraud.

Employee affirms that Employee is not a Medicare or Medicaid beneficiary as of the date of this Agreement and, therefore, no conditional payments have been made by Medicare or Medicaid.

8. **Return of Property.** Employee affirms that Employee shall return all of the City's property, documents, and/or any confidential information in Employee's possession or control within 7 days of City's execution of this Agreement. Employee also affirms that Employee is in possession of all of Employee's property that Employee had at the City's premises and that the City is not in possession of any of Employee's property, with the exception of personal property of nominal value which, as of the execution of this Agreement by City, is in Employee's office at City Hall.

9. **Governing Law and Interpretation.** This Agreement shall be governed and conformed in accordance with the laws of the State of North Carolina without regard to its conflict or choice of law provisions. In the event Employee or the City breaches any provision of this Agreement, Employee and City affirm that either may institute an action to specifically enforce any term or terms of this Agreement. If any provision of this Agreement is declared illegal or unenforceable by any court of competent jurisdiction, the parties agree the court shall have the authority to modify, alter or change the provision(s) in question to make the Agreement legal and enforceable, if the Agreement as so modified preserves for each party the benefit of their bargain, including payment of the consideration set forth in Section 3 and the mutual releases in Section 5. If this Agreement cannot be modified to be enforceable while preserving for each party the benefit of their bargain, then this Agreement shall be entirely null and void and the rights and obligations of the parties shall be unaffected by either party's execution of this Agreement. The parties agree that jurisdiction and/or venue of any action involving the validity, interpretation or enforcement of this Agreement or any of its terms, provisions or obligations or claiming breach thereof shall exist exclusively within the State of North Carolina in the state courts located in Wayne County.

10. **Amendment.** Except as provided in Paragraph 9 above, this Agreement may not be modified, altered or changed except in writing and signed by both parties wherein specific reference is made to this Agreement.
11. **Resolution of Disputes/Waiver of Jury.** Any controversy or claim arising out of this Agreement, or the breach thereof, shall be decided by an appropriate state court as noted in Paragraph 9 above, and all such claims shall be adjudicated by a judge sitting without a jury.
12. **No Admission of Wrongdoing.** The parties agree that neither this Agreement nor the furnishing of the consideration for this Agreement shall be deemed or construed at any time for any purpose as an admission by either party of any liability or improper conduct of any kind.

13. **Cooperation.** Employee agrees that in the event of any disagreement, dispute, claim, proceeding, or legal suit between the City, its employees, former employees, and any third parties, or any investigation conducted by, for, or against the City, Employee agrees to make himself available at the City's, or its agents and representatives' request, to fully cooperate for the purpose of giving interviews, statements, depositions, hearing or trial testimony and to provide truthful and accurate testimony concerning events or matters as to which Employee has personal knowledge and information. The City agrees to reimburse Employee for his reasonable and actual out of pocket expenses, including his reasonable attorney's fees, directly incurred and occasioned by such cooperation. No compensation shall be paid to Employee for the providing of such cooperation or for the substance of any such knowledge or information. The provisions of this Paragraph shall not apply to any disagreement, dispute, claim, proceeding, or legal action between the City and Employee.
14. **Indemnification of Employee.** The City shall indemnify and hold Employee harmless against any and all actions, claims, demands, and causes of action which have arisen or may arise in connection with Employee's employment by, or performance of his duties for, the City, whether such actions, claims, demands, or causes of action are asserted against Employee in his official, or in his individual, capacity.
15. **Entire Agreement.** This Agreement sets forth the entire agreement between the parties hereto, and fully supersedes any prior agreements or understandings between the parties. Employee acknowledges that Employee has not relied on any representations, promises, or agreements of any kind made to Employee in connection with Employee's decision to accept this Agreement, except for those set forth in this Agreement.
16. **Section Headings.** Section headings are used herein for convenience of reference only and shall not affect the meaning of any provision of this Agreement.
17. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original and each of which shall together constitute one and the same agreement. This Agreement shall not be enforceable until executed by City.
18. **Legal Fees.** Each party will be responsible for its own legal fees or costs, if any, incurred in connection with the negotiation and settlement of this Agreement.
19. **Competency to Waive Claims.** Employee is competent to execute this Agreement and knowingly and voluntarily waives any and all claims he or she may have against City. Employee certifies that she is not a party to any bankruptcy, lien, creditor-debtor or other proceedings which would impair his right or ability to waive all claims she may have against City.

EMPLOYEE HAS UP TO SEVEN (7) CALENDAR DAYS TO REVOKE THE AGREEMENT AFTER EXECUTING IT.

EMPLOYEE AGREES THAT ANY MODIFICATIONS, MATERIAL OR OTHERWISE, MADE TO THIS AGREEMENT, DO NOT RESTART OR AFFECT IN ANY MANNER THE ORIGINAL UP TO FORTY-FIVE (45) CALENDAR DAY CONSIDERATION PERIOD.

HAVING ELECTED TO EXECUTE THIS AGREEMENT, TO FULFILL THE PROMISES AND TO RECEIVE THE SUMS AND BENEFITS IN PARAGRAPH 3 ABOVE, EMPLOYEE FREELY AND KNOWINGLY, AND AFTER DUE CONSIDERATION, ENTERS INTO THIS AGREEMENT INTENDING TO WAIVE, SETTLE AND RELEASE ALL CLAIMS EMPLOYEE HAS OR MIGHT HAVE AGAINST THE CITY.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned parties have voluntarily executed this Agreement and General Release as of the date(s) set forth below:

CITY OF GOLDSBORO



ATTEST:

Laura Getz
Laura Getz, City Clerk

By: [Signature]
CHARLES P. GAYLOR, IV, Mayor
Date: Feb 18 2024

Agreed To:

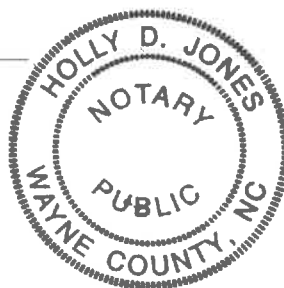
[Signature] (SEAL)
Timothy Salmon
Date: 13 Feb 2024

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

This the 14th day of February, 2024, personally came before me,
Holly D Jones, a Notary Public in and for said State and County,
LAURA GETZ, who by me duly sworn, says that she knows the common seal of the CITY OF
GOLDSBORO and is acquainted with CHARLES P. GAYLOR, IV, who is the
Mayor of said municipal corporation; that she, the said LAURA GETZ, is its Clerk; and that she
saw the Mayor sign the foregoing instrument; and that she, the said Clerk, saw the said common
seal of said corporation affixed thereto, and that she, the said Clerk, signed her name in
attestation of said instrument in the presence of said Mayor of said municipal corporation.

Witness my hand and seal, this 14th day of February, 2024.

Holly D Jones
Notary Public
MCE: July 29, 2026



(SEAL)

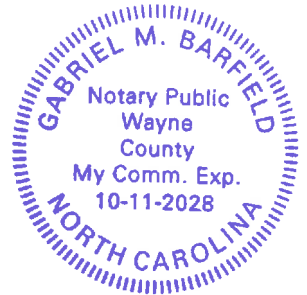
STATE OF NORTH CAROLINA
COUNTY OF WAYNE

I, Gabriel M. Barfield, a Notary Public in and for the aforesaid State and County; do hereby certify that TIMOTHY SALMON personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this 13th day of February, 2024.

Gabriel M. Barfield
Notary Public
MCE: 10-11-28

(SEAL)



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

Catherine J. Gwynn
Name: Catherine Gwynn, City of Goldsboro Finance Director

RESOLUTION NO. 2024 – 29

RESOLUTION OF APPROVAL OF SEPARATION AGREEMENT WITH TIMOTHY SALMON AND
AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF
GOLDSBORO

WHEREAS, Timothy Salmon has been employed as City Manager for the City of Goldsboro beginning May 1, 2019 pursuant to a Letter of Understanding dated and approved April 2, 2019; and

WHEREAS, the City of Goldsboro, by and through its City Council, desire that Timothy Salmon be separated from employment as the City Manager effective February 12, 2024; and

WHEREAS, consideration is required for any separation not based upon a finding of “cause” pursuant to said Letter of Understanding; and

WHEREAS, Timothy Salmon is agreeable to acceptance of consideration and separation from employment as the City Manager pursuant to the terms of the Separation Agreement; and

WHEREAS, the Separation Agreement is attached hereto for reference; and

WHEREAS, the City Council this date is agreeable to the terms of the Separation Agreement; and

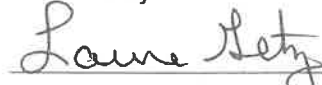
WHEREAS, the Finance Director is required to pre-audit the same; and

WHEREAS, it was recommended that the Mayor, Charles Gaylor, IV, be authorized to execute the Separation Agreement on behalf of the City of Goldsboro once the pre-audit authorization of the Finance Director is granted.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that the attached Separation Agreement is approved and that the Mayor, Charles Gaylor, IV, is hereby authorized to execute the same upon the due pre-audit authorization by the Finance Director.

This resolution shall be in full force and effect from and after the 12th day of February, 2024.

Attested by:


Laura Getz, City Clerk




Charles Gaylor, IV, Mayor