

# The Town of Spring Lake

## BOARD OF ALDERMEN

James P. O'Garra, Mayor Pro Tem  
James Christian, Alderman  
Soña L. Cooper, Alderwoman  
Jackie Jackson, Alderwoman  
Fredricka Sutherland, Alderwoman



CHARTERED IN 1951

## OFFICE OF THE MAYOR

Larry G. Dobbins, Mayor

## ADMINISTRATION

William "Bill" Zell, Interim Town Manager  
Rhonda D. Webb, Town Clerk  
Ellis Hankins, Town Attorney

### Regular Meeting of the Board of Aldermen September 23, 2019 7 p.m. PROPOSED AGENDA

1. **Call Meeting to Order**
2. **Invocation** – Alderwoman Cooper
3. **Pledge of Allegiance**
4. **Additions or Deletions to Agenda**
5. **Approval of Agenda**
6. **Approval of Consent Items**
  - a. Minutes of the September 9, 2019 Regular Meeting
  - b. Resolution (2019) 15, Supporting Vape Shop Zoning Ordinances
7. **Public Forum**
8. **Presentations**
  - a. Employee Appreciation, Alexander Thomas – Mayor Dobbins
9. **Public Hearing**
  - a. Case P19-36: Revisions and Amendments to the Town of Spring Lake Zoning Ordinance, Chapter 42, amending Article I. – In General Sec. 42.8. – Definitions. by inserting in alphabetical order *Ancillary Sale, E-Cigarette, Smoke Shop, Tobacco, Tobacco Paraphernalia, Tobacco Product*; amending Article III. – Permitted, Conditional and Special Uses. Sec. 42-66. – Individual Uses. by adding Section (b) *Smoke Shops and Tobacco Stores*. Sub-sections (1) – (2); and updating the table of contents as appropriate. (Spring Lake) – Mayor Dobbins
10. **New Business**
  - a. Case P19-36: Revisions and amendments to the Town of Spring Lake Zoning Ordinance, Chapter 42, amending Article I. – In General Sec. 42.8. – Definitions. by inserting in alphabetical order *Ancillary Sale, E-Cigarette, Smoke Shop, Tobacco, Tobacco Paraphernalia, Tobacco Product*; amending Article III. – Permitted, Conditional and Special Uses. Sec. 42-66. – Individual Uses. by adding Section (b) *Smoke Shops and Tobacco Stores*. Sub-sections (1) – (2); and updating the table of contents as appropriate. (Spring Lake) – Ms. Page
  - b. **CASE NO. 19-093.** CONSIDERATION OF 1ST REGIONAL COMMERCIAL LEASING; REQUEST FOR A C(P) SITE PLAN REVIEW; SPRING LAKE ZONING ORDINANCE; ZONED: C(P); TOTAL ACREAGE: 0.85 AC +/-; LOCATED AT 104 SUPERIOR DRIVE; SUBMITTED BY 1ST REGIONAL COMMERCIAL LEASING (DEVELOPER) AND GEORGE M. ROSE (SURVEYOR). (SPRING LAKE) – Ms. Page
  - c. Board to Determine Contractor for Third Street Sidewalk Project – Mr. Perdue
  - d. Project Ordinance (2019) 9, Third Street Sidewalk Project – Mr. Watson
  - e. Approval to Accept SAFER Grant, Fire Department – Chief Williams
  - f. Budget Ordinance (2019) 8, Amend Appendix "A" and "B" – Mr. Zell
11. **Adjournment**

VOICE: (910) 436-0241

300 Ruth Street  
Post Office Box 617  
Spring Lake, NC 28390-0617  
www.spring-lake.org

FAX: (910) 436-2667

Town of Spring Lake  
Regular Meeting of the Board of Aldermen  
Municipal Building  
300 Ruth Street  
Spring Lake, NC 28390

September 9, 2018

**MINUTES**

7:30 p.m.

The Spring Lake Board of Aldermen held a regular scheduled meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Larry Dobbins presiding.

**Board Members Present:** Mayor Pro Tem O'Garra  
Alderman James Christian  
Alderwoman Soña Cooper  
Alderwoman Jackie Jackson  
Alderwoman Fredricka Sutherland

**Others Present:**

Bill Zell, Interim Town Manager  
Tim Garner, Water Resources Director  
Jimmy Hall, Inspections Supervisor  
David Vandergriff, Director of Streets, Grounds and Sanitation  
Ellis Hankins, Town Attorney  
Jay Graves, Recreation Director  
Doris Snider, Senior Center Director

**2. Invocation**

Alderman Christian gave the invocation.

**3. Pledge of Allegiance**

Mayor Dobbins led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

The Board added a discussion regarding Mr. Billy Manning as item 9f.

**5. Approval of Agenda**

The Board approved the agenda as amended.

**Action:** The Board approved a motion to approve the agenda.

**Motion by:** Alderwoman Jackson

**Second by:** Alderwoman Cooper

**Vote:** Unanimous

(A copy of the Agenda is hereby incorporated by reference and made a part of these minutes – see attachment one.)

**6. Approval of Consent Items**

The Board approved the consent items:

- a. Minutes of the August 26, 2019 Regular Meeting
- b. Bank Signature Card Changes

**Action:** The Board approved a motion to approve the consent items: Minutes of August 26, 2019 Regular Meeting and Bank Signature Card Changes.

**Motion by:** Alderwoman Cooper

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

## **7. Public Forum**

Ms. Betty Sanford, 104 Wapiti Drive, stated that citizens of Spring Lake have a right to know what is going on in Spring Lake. She stated she does not think anything should be done undercover. She stated that she left town for three days and when she returned we did not have a Town Manager. She stated she wants to know why we don't have a Town Manager and stated this was done undercover. She stated the citizens should have been aware of what was going on. She stated we still have kids roaming the streets and looking for trouble. She also stated that the naming of the Police Annex should have been discussed before we started the public forum, not "Johnny come later" and the family should have been notified. She stated the citizens of Spring Lake should always know what is going on in the community.

Mr. Henry Ponder, 1620 Mack Street, stated that when he comes to speak before the Board it is not for political reasons or because anyone encouraged him to do it but because that is what he chooses to do. He stated he speaks to bring attention to things that he feels give a negative impression of Spring Lake and on any decision that the Board makes that he feels is unfair and jeopardizes the economic development of the Town. He stated that four businesses have closed since NCDOT began the highway project and he has heard rumors that Arby's, McDonald's, Pizza Hut and one of the Subway stores are going to close. He stated "here you are fighting over control over the Board when you have bigger fishes to fry." He asked why there was a delay in the meeting today and that they were supposed to be here at 7 o'clock and it didn't happen until 7:30 p.m. and the citizens have a right to know. He stated he has sit back for 27 years and said nothing but he intends to be here talking to them from now on. He stated that if you are an employee of this Town and not a resident, he would like to know what your vested interest in this Town is or are you only here to create drama and waiting for your paycheck. He further stated that as an employee of Spring Lake, your loyalty should be to Spring Lake and the betterment of Spring Lake and not here to take advantage of Spring Lake benefits offered or possibly looking for just to retire. He stated that at the last Board Meeting the Board discussed a forensic audit and it is on the agenda again. He asked if they are willing to have a forensic investigation to cover the entire Board of Aldermen and other Town officials and employees. He asked where they will get the money for this audit and stated not from the taxpayer's money. He stated Spring Lake does not need another black cloud on account of an audit. He reminded the Board that Mr. Hankins reviewed a possible course of action for hiring the Town Manager that would give citizens some input into what they want in a Town Manager and asked when that will happen. He stated when the audit is complete and if it does not show any wrongdoing by Mr. Gerald, that he be reinstated as the permanent Town Manager. He asked if the Board hears what the citizens of this Town say. He stated that he hears that the Aldermen are involved in the day to day operations of the departments and asked why. He stated that he has heard this for so many years and so many times that this record should be platinum by now. He asked why the Department Heads can't do what they were hired to do without the Board's interference.

## **8. Presentations**

### **a. Census Update**

Ms. Sharon Covington, Department of Commerce, Department of the Census, provided the Board of Aldermen with an overview of what the census is and how important it is. The census will be on April 1, 2020. They want to make sure they count everyone once, only once, and in the right place. She stated she needs the Board's help to do this. She stated this is the first time the Census is going to take advantage of technology and people will be

able to complete the census form online. For people who do not use a computer will still be able to complete the form over the phone, at a census office, at various places like the library or they can request the paperwork and complete it that way. She stated that some people are concerned about sensitive information and having to share that and she stated that she and all census workers take an oath that for the entire rest of her life she will not share the information that is shared with her. Should she break that oath she could be put in prison for up to five years, pay a fine of \$250,000 or both. She stated they do take the confidentiality very seriously. She stated that the Board of Aldermen can help by getting citizens of Spring Lake to come forward and participate. She stated the congressional representation is determined by the census numbers. She stated she would be happy to come back and discuss with the Board how to form a complete count committee. Information can be found at [www.census.gov](http://www.census.gov). They are hiring as well.

Mayor Pro Tem O'Garra asked about people in the community who do not wish to be documented. Ms. Covington stated that they are not asking for up to date green cards and the Department of Commerce does not share their data nor can it be bought. Everything is completely confidential.

Alderman Christian asked about the employment opportunities and where you go to apply for the positions. Ms. Covington stated you can call the 800 number or go to the census page.

Mayor Dobbins asked Ms. Covington if she would come back in January to refresh this for everyone. Mayor Pro Tem O'Garra requested information for Thursday and she stated she will bring him some information to hand out.

## **9. New Business**

### **a. Approval of Interim Town Manager Employment Agreement**

The Board of Aldermen approved the Interim Town Manager Employment Agreement

Alderwoman Sutherland requested clarification on Section 7, Bond and she stated that the date needs to be updated. Mr. Hankins explained that Town employees who handle public money have to be covered by a fidelity bond and the Town purchases a blanket fidelity bond through the League of Municipalities and the Interim Town Manager will be covered under that. Mr. Hankins stated this agreement is an update of a previous agreement and the places where Harnett County is listed should be changed to Cumberland County.

**Action:** The Board approved a motion to approve the Interim Town Manager Employment Agreement.

**Motion by:** Alderwoman Cooper

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the Employment Agreement is hereby incorporated by reference and made a part of these minutes – see attachment two.)

### **b. Oath of Office, Mr. Zell, Interim Town Manager**

Mayor Dobbins administered the Oath of Office to Mr. Zell.

(A copy of the Oath of Office is hereby incorporated by reference and made a part of these minutes – see attachment three.)

### **c. Resolution (2019) 14, Petition for Annexation, Cruciform Church of Christ**

Mr. Hankins stated that the statutes allow annexation of contiguous property if the owner requests annexation. That is the case here. The statute requires staff, mainly the Clerk, to investigate whether the property meets the

requirements of the statute and whether the Town can provide services as the Statute requires and report that back to the Board. This is the beginning of the process.

**Action:** The Board approved a motion to approve Resolution (2019) 14, Petition for Annexation, Cruciform Church of Christ.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman Christian

**Vote:** Unanimous

(A copy of the Agenda Memo, Resolution (2019) 14 and Petition is hereby incorporated by reference and made a part of these minutes – see attachment four.)

#### **d. Police Department Recruitment Initiative**

Chief McDuffie requested approval of the Police Officer Cadet position. He stated this proposal is not for additional positions but for approval to place a person in a cadet position until they complete BLET and then move them into an existing vacant position.

Sergeant Smith provided the Board of Aldermen with an overview of what they are doing to try to recruit. That includes focusing on the local BLET training class which he visits a couple times each year. He stated he gets phone calls about the police officer positions but they are usually asking about pay and the department. They usually do not yield any results. Alderwoman Cooper asked why we don't go to other BLET classes in the area and around the State. Sergeant Smith stated he has been to Sandhills Community College and Robeson Community College and what he has found is that unless you can offer them something substantial, they will not leave their community. The salary is the main reason we are not getting recruits. Even if we offer them comparable pay, it is usually not worth them moving their family to come here. He stated when we do have job fairs here the other departments offer the recruits several thousand dollars to move and that is on top of paying a higher salary. Alderwoman Sutherland asked what makes the officers who are here, stay here, and Sergeant Smith stated he likes working here. She stated we have some fine officers who have been here as long as she has been on the Board. Sergeant Smith stated that is why he focuses on the local BLET, they are already in the area and are more likely to stay. Alderwoman Jackson clarified that Sergeant Smith is stating facts based on his experience and not opinions.

Alderwoman Cooper asked what we will be paying the cadets prior to hiring them and Chief McDuffie stated Fayetteville pays their cadets \$34,489 per year. He stated they decided to pay our cadets \$15 per hour, which equates to \$31,200 per year but they will not be a cadet for an entire year. BLET is approximately 5 to 6 months.

Once they complete BLET and pass the State exam, they will go up to our starting salary of \$34,493. He stated he believes the \$15 per hour is competitive. He also stated that they are not asking for any additional funds because the funds for the vacant positions are already in the budget. Mayor Dobbins clarified that the next BLET will begin in January 2020 and nothing will come out of the budget until January. Chief McDuffie stated that the cadet position will be a regular position with a job description. It will pay less than a police officer position.

**Action:** The Board approved a motion to authorize the creation of Police Officer Cadet positions within the Police Department consistent with the presented job description within the Police Department's budget.

**Motion by:** Mayor Pro Tem O'Garra

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

#### **e. Discussion and Clarification, Forensic Audit**

Alderwoman Sutherland requested clarification on the forensic audit. She stated that we should all work together and be good stewards of the taxpayers' money. She asked when the last audit was done and Mr. Zell stated in December. She stated when we ask questions, it is not to make anyone feel bad but to learn things. She stated Ms. Webb needs to let them know how much the Manager is authorized to spend on contracts. She also stated that the Board needs to know where and how much money is being spent. She stated that no one has called the State recently but if they come back, they may do an audit. She stated we need to be honest and upfront and be transparent and that includes the Manager, the Mayor, the Mayor Pro Tem and Ms. Sutherland. She stated that she does not see a problem with it if we don't have anything to hide. The reason it is back on this agenda is because the audit is underway and I don't want to have to guess. Mr. Watson stated that if there are specific matters, we want the auditor to look into they will do so but the Board did not get together to determine what we needed to look into. She stated we were audited once before and we were paying our auditors a lot of money but we still were audited and found we were not being good stewards of the taxpayers' money. She stated she believes everybody's job is important. That includes the Recreation Director who was here, our Assistant Recreation Director who was here, the HR person who was here, everyone's job who works for the Town of Spring Lake now and my job is important but when it comes to taxpayers' money, I shouldn't go out and buy a pack of gum and think that it's alright. She stated she has a right to ask about the taxpayers' dollars and she represents everyone here in the Great Town of Spring Lake. She stated she asked for the audit so we could put to rest some of these speculations. When it is a personnel matter, people shouldn't just say what they speculate or hear, they should do their own homework. That is why the forensic audit is on the agenda. Alderman Christian stated he echo's Alderwoman Sutherland's sentiments. He stated he takes his job serious and does not do things just on a whim. He stated he does not belong to a group or faction and he tries to work with everybody on the Board. He also stated this Board is divided. He has called for unity and respect and for us to come together as a group but the decisions he makes he takes seriously and nobody is telling him what decision to make. He stated that he is not in anyone's pocket. It is a privilege to serve this Town and he takes it as a privilege and it humbles him to know that people put their faith in him. People shouldn't go by rumors, speculations and conspiracy theories. Sometimes we can't reveal the facts, sometimes we can't say what's going on because HR laws prevent us from speaking out. He stated with the fear of God behind him, he takes his job very seriously. I take all my decisions very seriously and sometimes I do it with a heavy heart. He stated he wants people to look at the big picture and not assume there is some kind of conspiracy going or I take things lightly. I don't do things lightly. In reference to the audit, I think we need to go through with it. Mr. Hankins stated that he is happy to summarize what the law requires. He stated the North Carolina Local Government Control Act in Chapter 159 of the General Statutes says every local government unit operates from a July 1 through June 30 fiscal year. After the end of every year, every unit of local government must have an annual audit. Sometime after June 30<sup>th</sup> the audit firm will come and begin the process. Every request that the auditors have must be complied with. It is their job to make sure internal controls are in place so that an unauthorized or improper expenditure of public funds does not happen. They generally look at the Town's finances to make sure the staff is not unlawfully spending money on things that are not provided for in the Town's budget. He stated he does not know the status of the Town's auditing firm but I know they have been doing the work with the Town's staff. A written audit report is required by law by December 1 of the calendar year, six months after the end of the fiscal year. The best practice is for a representative of the Town's auditing firm to appear in a Town Board meeting and he stated he recommends that. He also stated that audit report is sent to the Local Government Commission in the State Treasurers Office and if they don't receive it the Town will get a call to find out why it has not been submitted because it is required by law. The audit report also becomes a public document and anyone who wants to see it can. Many towns post the audit report on the Town's website and he recommends we do that in the future. Mr. Zell stated that if there are issues with the audit, the Local Government Commission will get involved. Mayor Dobbins stated that the Board Members were all given an audit report at the end of the last fiscal year as required. Alderwoman Sutherland stated the Board can ask for specific items about the audit. She stated that she is satisfied to ask our auditors for specific items.

Alderman Christian stated that is what he was going to ask for. He stated he remembers a time when the Finance Director said everything was okay and the Manager said everything was okay but then the State Auditors came in and audited us and things were not okay. Some people want to say it's a waste of money and no big deal but it is not a waste of money to look into things that we have concerns about. For people to question that and say that's not necessary is just wrong. He stated that he cares about his Town and he grew up here. Alderwoman Cooper stated that she would like to request that we meet with the auditor so that we can speak with them and make our requests. Mr. Hankins stated that he believes the auditors would be overjoyed to hear that the Board wants to meet with them. He stated he thinks the Board should also ask them how they do their job and what they are looking for. It is a good idea to consider changing audit firms from time to time. It is not required but it is something to consider. He stated the Finance Officer has responsibilities; the Town Manager has responsibilities but ultimately the fiduciary responsibility is the Boards. That doesn't mean micromanaging and getting into every little detail every day, it means you give oversight. Mayor Pro Tem O'Garra stated that he has been sitting there listening for the last 45 minutes to reasons why we should have a forensic audit. It seems like it is kind of late. We have already fired the Manager and we are now looking for reasons why we fired the Manager who never had the opportunity to sit down and discuss what we felt was wrong. I have heard things like virtual secretary, and he had a contract, and that person was working for the Town, but some people don't know that he is authorized to make a contract within a certain amount of money and it is normal practice and after you have been on the Board for a while you realize this. There is also a cap on what he can do. If we need work done on the road or something like that, he is authorized to go up to \$105,000. So, I am sitting here listening and to me, I get along with everybody, but I like to make sense of what we are doing here. From what I see, all we are doing is trying to justify a mistake. Alderwoman Jackson stated that she agrees with Mayor Pro Tem O'Garra and if there is a question or concern that the Manager may or may not have done something wrong, it should have been done then before we fired him. At the end of the day, you are proven innocent until you are proven guilty. The way he asked to explain some of the things came up, we as the Board did not give him that and so now, we are trying to justify what we did and it's after the fact, it should have been done before. The question of him being fired should have been brought to all the Board members and it didn't happen that way. Now to go spend more taxpayers' money to find out what he may or may not have done, could have been done before. He should have been innocent before he was found guilty. Then we wouldn't be spending all this extra taxpayers' dollars to do something that he could have done while he was on a probation period or whatever. Mayor Dobbins stated we will ask Ms. Webb, upon her return, to set up a time for this Board to meet with the auditors.

**f. Mr. Billy Manning**

Mayor Pro Tem O'Garra stated that Ms. Sanford said what needed to be said. The family would like to have the bridge named after Mr. Manning and I believe we need to do what they want. Alderwoman Cooper stated that she did speak with the family prior to making the motion to name the Police Annex after Mr. Manning and they had no disagreement at that time. She stated that she has since talked with them and explained what has been done to name that bridge. She stated she shared all the stipulations that must be met to name the bridge after someone and one of those stipulations is that the person must have been dead for one year and Mr. Manning does not, at this time, qualify to have a bridge, road or ferry named after him. Secondly, you must have a unanimous vote by the Board and you must have over whelming community support. She stated that she did her homework and she is a policy person and that is the policy for naming a bridge, road or ferry. She also stated that it is possible, as she told Mr. Manning's daughter yesterday, to have both. It is ultimately up to NCDOT. She also reminded everyone that she specifically made sure that any future Police facility carry that name. That is not a guarantee that the name would pass with DOT but she knew it would pass on the Police facility. Mayor Pro Tem O'Garra stated that he is just following the families wish. He stated that the family asked if Representative Lucas could take the request to the Governor and he told them he did not know and there is a good chance that it has to go through transportation first. He stated that is their desire and if anyone would like for them to come back and repeat it at the podium they will. Alderwoman Sutherland stated that she has no problem with naming things after people but she thinks we need to move forward. She stated when we named the Industrial Park roadway

after Marvin Lucas, there was a proper procedure and as long as we can go through the proper procedure, then let's name the bridge after him. Again, 45 minutes talking about a great man and his public service.

**10. Closed Session G.S. 143-318.11(a)(3) – Attorney-Client Privilege  
G.S. 143-318.11(a)(6) – Personnel**

**Action:** The Board approved a motion to go into Closed Session for G.S. 143-318.11(a)(3) – Attorney-Client Privilege and G.S. 143-318.11(a)(6) – Personnel.

**Motion by:** Alderwoman Jackson

**Second by:** Alderwoman Cooper

**Vote:** Unanimous

**Action:** The Board approved a motion that we come back in from Closed Session.

**Motion by:** Alderwoman Jackson

**Second by:** Alderman Christian

**Vote:** Unanimous

**12. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 10:08 p.m.

**Motion:** Mayor Pro Tem O'Garra

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

Rhonda D. Webb, MMC, NCCMC  
Town Clerk

ATTEST:

Larry Dobbins  
Mayor





Agenda Item No. 6b  
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: Rhonda D. Webb, Town Clerk  
Date: September 23, 2019  
Subject: Resolution (2019) 15, Supporting Vape Shop Zoning Ordinances in all Cumberland County Municipalities

**Purpose:**

To provide the Board of Aldermen the opportunity to adopt a Resolution of Support for restricting vape shops by amending the zoning Ordinance.

**Overview:**

The Cumberland County Board of Health has requested that all municipalities in Cumberland County adopt a resolution of support encouraging stricter vape shop ordinances. Part of the ordinance would restrict all tobacco and vape shops from existing closer than one mile from all schools and other places children go. The Town of Spring Lake has already been working on amending our zoning ordinance to restrict tobacco and vape shops and that ordinance amendment is on the September 23, 2019 meeting agenda for approval.

**Recommendation:**

Approve Resolution (2019) 15.

**Action Needed:**

Approve, Reject or Modify Resolution (2019) 15

**Attachments:**

Resolution (2019) 15

**RESOLUTION (2019) 15**

**A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF SPRING LAKE, NORTH CAROLINA SUPPORTING VAPE SHOP ZONING ORDINANCES IN ALL CUMBERLAND COUNTY MUNICIPALITIES.**

**WHEREAS,** the Cumberland County Board of Health adopted a Resolution encouraging stricter vape shop zoning ordinances in all Cumberland County Municipalities; and

**WHEREAS,** Cumberland County Board of Health recommends that all tobacco and vape shops be at least one mile away from all schools and other places where children go; and

**WHEREAS,** the North Carolina Youth Tobacco Survey found that e-cigarettes are the most commonly used tobacco product by youth, ahead of cigarettes, cigars, smokeless tobacco, hookah, and pipes. From 2011 to 2017, the use of e-cigarettes by middle school students increased 430 percent while e-cigarette use by high school students increased 894 percent; and

**WHEREAS,** e-cigarettes retail locations are clustered near schools and universities, which makes e-cigarettes more appealing and accessible to youth; and

**WHEREAS,** NCGS 14-313 Article 39 provides local government authority to restrict youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF SPRING LAKE, THAT:**

The Spring Lake Board of Aldermen hereby supports amending zoning ordinances relative to vape shops in Spring Lake and plans to approve amendments to their zoning ordinance at the September 23, 2019 Regular Board Meeting.

Adopted this 23rd day of September, 2019.

AYE

NO

\_\_\_\_\_  
Larry Dobbins  
Mayor

Attest:

\_\_\_\_\_  
Rhonda D. Webb, MMC, NCCMC  
Town Clerk



# CUMBERLAND ★ COUNTY ★ NORTH CAROLINA

## DEPARTMENT OF PUBLIC HEALTH

September 13, 2019

The Honorable Larry Dobbins  
Mayor, Town of Spring Lake  
595 Pine Tree Ln  
Spring Lake, NC 28390

Dear Mayor Dobbins:

Ensuring that the residents of Cumberland County are healthy is always a top priority for the Cumberland County Board of Health.

The vaping industry is deliberately targeting our impressionable children and teenagers. Recent news and studies have shown a tremendous uptake in the use of e-cigarettes and other vaping products. Studies show that the most commonly used smoking product by youth, ahead of cigarettes, cigars, and smokeless tobacco, are e-cigarettes and other vaping devices. From 2011 to 2017, the use of e-cigarettes by middle school students increased 430 percent, while e-cigarette used by high school students increased 894 percent. The recent national news of serious illnesses, hospitalizations, and intubations involving vaping and e-cigarette is quite frightening. Over 200 cases of severe life-threatening pulmonary disease from using e-cigarette or vaping products have been reported nationwide. Little is known about the many chemicals that are in these products, but much is known about nicotine. The nicotine found in e-liquids is highly addictive to anyone who uses them, but especially to the young developing brains of our children.

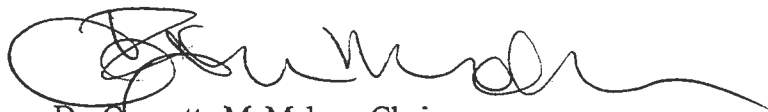
A recent local story by CBS 17 news on May 6, 2019, showcased the community's call to action when it was discovered that a convenience store was promoting and selling e-cigarettes across the street from Seventy-First High School. This same store is also across the street from Seventy-First Classical Middle School and Loyd Auman Elementary School. This is a direct reflection of the nation's epidemic occurring in our own community. The parents of the students along with the residents in the Seventy-First High School district

are outraged. The time for action is now, and the Cumberland County Board of Health is taking action.

In an effort to reduce underage tobacco use, the Cumberland County Board of Health adopted a resolution encouraging stricter vape shop zoning ordinances in all Cumberland County Municipalities at their August 20, 2019, meeting. The recommended ordinance would move all tobacco and vape shops at least one mile away from all schools and other places children go.

We want to take every precaution in regards to protect the health and well-being of our children and the entire community. I encourage you to support amending ordinances that would move all tobacco and vape shops at least one mile away from all schools and other places our children frequent. The Cumberland County Department of Health is ready and prepared to assist you in this endeavor.

Sincerely,

A handwritten signature in black ink, appearing to read 'Connette McMahon', written over a horizontal line.

Dr. Connette McMahon, Chair  
Cumberland County Board of Health

**Cumberland County Board of Health**  
**Resolution in Support of Vape Shop Zoning Ordinances**  
**in all Cumberland County Municipalities**

*WHEREAS, the 2017 North Carolina Youth Tobacco Survey found that electronic cigarettes are the most commonly used tobacco product by youth, ahead of cigarettes, cigars, smokeless tobacco, hookah, and pipes. From 2011 to 2017, the use of e-cigarettes by middle school students increased 430 percent while e-cigarette use by high school students increased 894 percent; and*

*WHEREAS, U.S. Surgeon General Vice Adm. Jerome M. Adams issued an advisory in December 2018 stressing the importance of protecting children from a lifetime of nicotine addiction and associated health risks by stating that youth use of vape products are at epidemic rates; and*

*WHEREAS, e-cigarettes are one of a class of tobacco products which are battery-powered devices that provide doses of nicotine and other additives to the user in an aerosol, often referred to as vapor. Nicotine is highly addictive and poses health risks to the developing brain of youth. Nicotine impairs learning, attention, and memory of youth and they can get addicted more easily than adults. The nicotine in e-cigarettes and other tobacco products can also prime the adolescent brain for addiction to other drugs; and*

*WHEREAS, E-cigarette retail locations are clustered near schools and universities, which makes e-cigarettes more appealing and accessible to youth; and*

*WHEREAS, the 2018 National Youth Tobacco Survey found that 14.8 percent of middle and high school e-cigarette users under 18 report obtaining e-cigarettes from a vape shop in the past month, 8.4 percent from a gas station or convenience store, and 6.5 percent from the Internet; and*

*WHEREAS, The Guide to Community Preventive Services and the Centers of Disease Control and Prevention (CDC) recommends restricting minors' access to tobacco products through community mobilization, when combined with additional policy and program interventions, to effectively prevent and reduce tobacco use among youth; and*

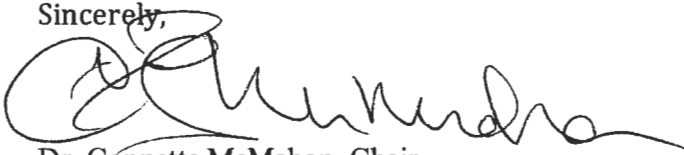
*WHEREAS, NCGS 14-313 Article 39 provides local government authority to restrict youth access to tobacco products, tobacco-derived products, vapor products, and cigarette wrapping papers; and*

*WHEREAS, the Board of Health has chosen to address youth vaping in its 2019-2020 Annual Goals and Objectives.*

*NOW THEREFORE, be it resolved that the Cumberland County Board of Health hereby supports amending zoning ordinances relative to vape shops in all municipalities in Cumberland County and recommends a minimum of a one mile radius from any and all K-12 schools.*

*Adopted this 20<sup>th</sup> day of August 2019.*

Sincerely,

A handwritten signature in black ink, appearing to read "Dr. Connette McMahon". The signature is fluid and cursive, with a large initial "C" and "M".

Dr. Connette McMahon, Chair  
Cumberland County Board of Health



Agenda Item No. 9a  
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: Rhonda D. Webb, Town Clerk  
Date: September 23, 2019  
Subject: Public Hearing

**Purpose:**

To conduct a required public hearing on the proposed Ordinance amendment.

**Overview:**

In accordance with NC General Statutes and the Town of Spring Lake Code of Ordinances, public hearing notice(s) are published in the Fayetteville Observer on the appropriate dates for items requiring such notice. Notice listed below.

Public Notice  
Town of Spring Lake  
NOTICE of PUBLIC HEARING

The Town of Spring Lake will meet at 7 p.m. on Monday, September 23, 2019 at the Spring Lake Town Hall located at 300 Ruth Street, Spring Lake to hear the following:

P19-36 Spring Lake txt amd zon ord Art I & III

<http://www.co.cumberland.nc.us/planning/ordinances/county.aspx>

Rhonda D. Webb, MMC, NCCMC  
Town Clerk

**Action Needed:**

Conduct public hearing.

**Attachments:**

None



Agenda Item No. 10a  
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: Patricia Hickmon, Executive Assistant  
Date: September 23, 2019  
Subject: Case P19-36: Revisions and amendments to the Town of Spring Lake Zoning Ordinance, Chapter 42, amending Article I. – In General Sec. 42.8. – Definitions. by inserting in alphabetical order *Ancillary Sale, E-Cigarette, Smoke Shop, Tobacco, Tobacco Paraphernalia, Tobacco Product*; amending Article III. – Permitted, Conditional and Special Uses. Sec. 42-66. – Individual Uses. by adding Section (b) *Smoke Shops and Tobacco Stores*. Sub-sections (1) – (2); and updating the table of contents as appropriate. (Spring Lake)

**Purpose:**

Establish minimum distance requirements for smoke shops and tobacco stores.

**Overview:**

Revisions and amendments to the Zoning Ordinance Chapter 42 to regulate the distance requirements for smoke shops and tobacco stores as well as further define keywords related to this use. The Cumberland County Joint Planning Board approved the text amendment on August 20, 2019. This is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including Policy Area 2: Well-Managed Growth and Spring Lake Area Land Use Plan (2003) goal providing a variety of commercial development that is responsive to market needs and appropriately located designed to be safe, attractive, and compatible with its surroundings.

Sec. 42-66.-Individual Uses.

1. Smoke shops and tobacco stores shall not be located within 1,000 feet of a parcel occupied by a public or private kindergarten, elementary, middle, junior high or high school; licensed child-care facility or preschool, youth centers, community centers, recreational facility, park, church or religious institution, medical facility, or other similar uses where children regularly gather.
2. Smoke shops and tobacco stores shall not be located with a one-half mile radius of an approved or existing smoke shop and tobacco store.

Ms. Hope Page from Cumberland County Planning will be at the Board of Aldermen meeting to present this case.



**Recommendation:**

Approve Revisions and Amendments to the Zoning Ordinance Case P19-36

**Action Needed:**

Approve or Deny Case P19-36

**Attachments:**

Cumberland County Planning & Inspections Department Action Memorandum

Diane Wheatley,  
Chair,  
Cumberland County

Carl Manning,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Jordan Stewart.,  
Town of Stedman

Vacant  
Wade, Falcon & Godwin

Thomas Lloyd,  
Town of Linden



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

Joel Strickland,  
Acting Director

Vacant,  
Deputy Director

Vikki Andrews,  
Lori Epler,  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

August 28, 2019

MEMO TO: TOWN OF SPRING LAKE

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P19-36. REVISIONS AND AMENDMENTS TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CHAPTER 42, AMENDING ARTICLE I. – IN GENERAL SEC. 42.8. – DEFINITIONS. BY INSERTING IN ALPHABETICAL ORDER *ANCILLARY SALE, E-CIGARETTE, SMOKE SHOP, TOBACCO, TOBACCO PARAPHERNALIA, TOBACCO PRODUCT*; AMENDING ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES. SEC. 42.66. – INDIVIDUAL USES. BY ADDING SECTION (B) *SMOKE SHOPS AND TOBACCO STORES*. SUB-SECTIONS (1) – (2); AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)**

ACTION: In Case P19-36, the Cumberland County Joint Planning Board recommends approval of the text amendment to the Spring Lake Zoning Ordinance which, if approved would establish minimum distance requirements for smoke shops and tobacco stores as well as further define keywords related to this use, finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 2: Well-Managed Growth* and the Spring Lake Area Land Use Plan (2003) goal of providing a variety of commercial development that is responsive to market needs and appropriately located and designed to be safe, attractive, and compatible with its surroundings. The staff further finds that approval of the amendment is reasonable and in the public interest based on the foregoing information and this amendment will allow development of smoke shops and tobacco stores to be more harmonious with surrounding existing uses. Additionally, this amendment was prepared and submitted by the Town of Spring Lake.

**Cumberland County Joint Planning Board Minutes of August 20, 2019 Meeting:**

**RECOMMENDATION:** In Case P19-36, the Planning & Inspections staff recommends approval of the text amendment to the Spring Lake Zoning Ordinance which, if approved would establish minimum distance requirements for smoke shops and tobacco stores as well as further define keywords related to this use, finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 2: Well-Managed Growth* and the Spring Lake Area Land Use Plan (2003) goal of providing a variety of commercial development that is responsive to market needs and appropriately located and designed to be safe, attractive, and compatible with its surroundings. The staff further finds that approval of the amendment is reasonable and in the public interest based on the foregoing information and this amendment will allow development of smoke shops and tobacco stores to be more harmonious with surrounding existing uses.

This proposed text amendment would not cause any changes to the Spring Lake Area Land Use Plan map.

**MOTION**

**Mrs. Epler made a motion, seconded by Mrs. McLaughlin to approve the text amendment to the Spring Lake Zoning Ordinance.**

**Unanimous approval.**

**Attachments: P19-36 Spring Lake Text Amendment**

TOWN OF SPRING LAKE  
ZONING CHAPTER TEXT AMENDMENT  
ARTICLE I AND ARTICLE III

**P19-36:** REVISIONS AND AMENDMENTS TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CHAPTER 42, AMENDING ARTICLE I. – IN GENERAL, SEC. 42.8. – DEFINITIONS. BY INSERTING IN ALPHABETICAL ORDER *ANCILLARY SALE, E-CIGARETTE, SMOKE SHOP, TOBACCO, TOBACCO PARAPHERNALIA, TOBACCO PRODUCT*; AMENDING ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES, SEC. 42.66. – INDIVIDUAL USES. BY ADDING SECTION (B) *SMOKE SHOPS AND TOBACCO STORES*. SUB-SECTIONS (1) – (2); AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

CHAPTER 42  
ZONING

AMENDING ARTICLE I. – IN GENERAL, SEC. 42.8 DEFINITIONS. by inserting in alphabetical order *Ancillary sale, E-Cigarette, Smoke shop, Tobacco, Tobacco paraphernalia, Tobacco product*; as written and as indicated below:

ARTICLE I. – IN GENERAL

Sec. 42-8. - Definitions.

*Ancillary sale* means where a grocery store, supermarket, convenience store or similar market uses no more than two percent of its gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes or tobacco. For any grocery store, convenience market, retail kiosk or similar use consisting of 250 square feet or less, "ancillary sale" shall mean where no more five square feet are used for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes or tobacco. The display, sale, distribution, delivery, offering, furnishing, or marketing of e-cigarettes or any other tobacco products or tobacco paraphernalia, regardless of square footage used, is subject to the restrictions of this section and shall not constitute "ancillary sale" under any circumstances.

*E-cigarette* means any electronically actuated device or inhaler meant to simulate cigarette smoking that uses a heating element to vaporize liquid solution, popularly referred to as "juice," and that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation. The juice used in e-cigarettes typically contains nicotine, and for this reason e-cigarettes and their juice can be classified as both tobacco products and tobacco paraphernalia.

*Smoke shop and tobacco store* means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store" and shall not be subject to restrictions in this chapter.

*Tobacco* means any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

*Tobacco paraphernalia* means any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing or ingesting by any other means into the body of tobacco products. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette

juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighter and matches shall be excluded from the definition of tobacco paraphernalia.

Tobacco product means any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of tobacco or nicotine in the product whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco; smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

AMENDING ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES, SEC. 42.66. – INDIVIDUAL USES. by adding section (b) *Smoke Shops and Tobacco Stores*. Sub-sections (1) – (2); as written and as indicated below:

ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES

Sec. 42-66. - Individual uses.

(b) *Smoke Shops and Tobacco Stores.*

- (1) Smoke shops and tobacco stores shall not be located within 1,000 feet of a parcel occupied by a public or private kindergarten, elementary, middle, junior high or high school; licensed child-care facility or preschool, youth centers, community centers, recreational facility, park, church or religious institution, medical facility, or other similar uses where children regularly gather.
- (2) Smoke shops and tobacco stores shall not be located with a one-half mile radius of an approved or existing smoke shop and tobacco store.



Agenda Item No. 10b  
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: Patricia Hickmon, Executive Assistant  
Date: September 23, 2019  
Subject: **CASE NO. 19-093. CONSIDERATION OF 1ST REGIONAL COMMERCIAL LEASING; REQUEST FOR A C(P) SITE PLAN REVIEW; SPRING LAKE ZONING ORDINANCE; ZONED: C(P); TOTAL ACREAGE: 0.85 AC +/-; LOCATED AT 104 SUPERIOR DRIVE; SUBMITTED BY 1ST REGIONAL COMMERCIAL LEASING (DEVELOPER) AND GEORGE M. ROSE (SURVEYOR). (SPRING LAKE)**

**Purpose:**

The property owner is requesting approval of a site plan for a medical office for counseling.

**Overview:**

The property owner is requesting approval of a site plan for a medical office. The property is currently zoned as C(P) Planned Commercial district. This request is consistent with the comprehensive plan designated as the 2030 Growth Vision Plan. The request is also consistent with the Spring Lake Area Detailed Land Use Plan which calls for "Planned Commercial" at this location.

Ms. Hope Page from Cumberland County Planning will be at the Board of Aldermen meeting to present this case.

**Recommendation:**

Approve Site Plan Case 19-093

**Action Needed:**

Approve or Deny Case 19-093

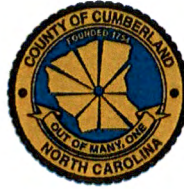
**Attachments:**

Cumberland County Planning & Inspections Department Action Memorandum

Diane Wheatley,  
Chair  
Cumberland County

Carl Manning,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Jordan Stewart,  
Town of Stedman  
Vacant  
Wade, Falcon & Godwin  
Thomas Lloyd,  
Town of Linden



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

September 11, 2019

Joel Strickland,  
Acting Director

Vacant,  
Deputy Director

Vikki Andrews,  
Lori Epler,  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

**MEMORANDUM**

**TO:** Spring Lake Board of Aldermen

**FROM:** Edward M. Byrne, Senior Planner, Land Use Codes

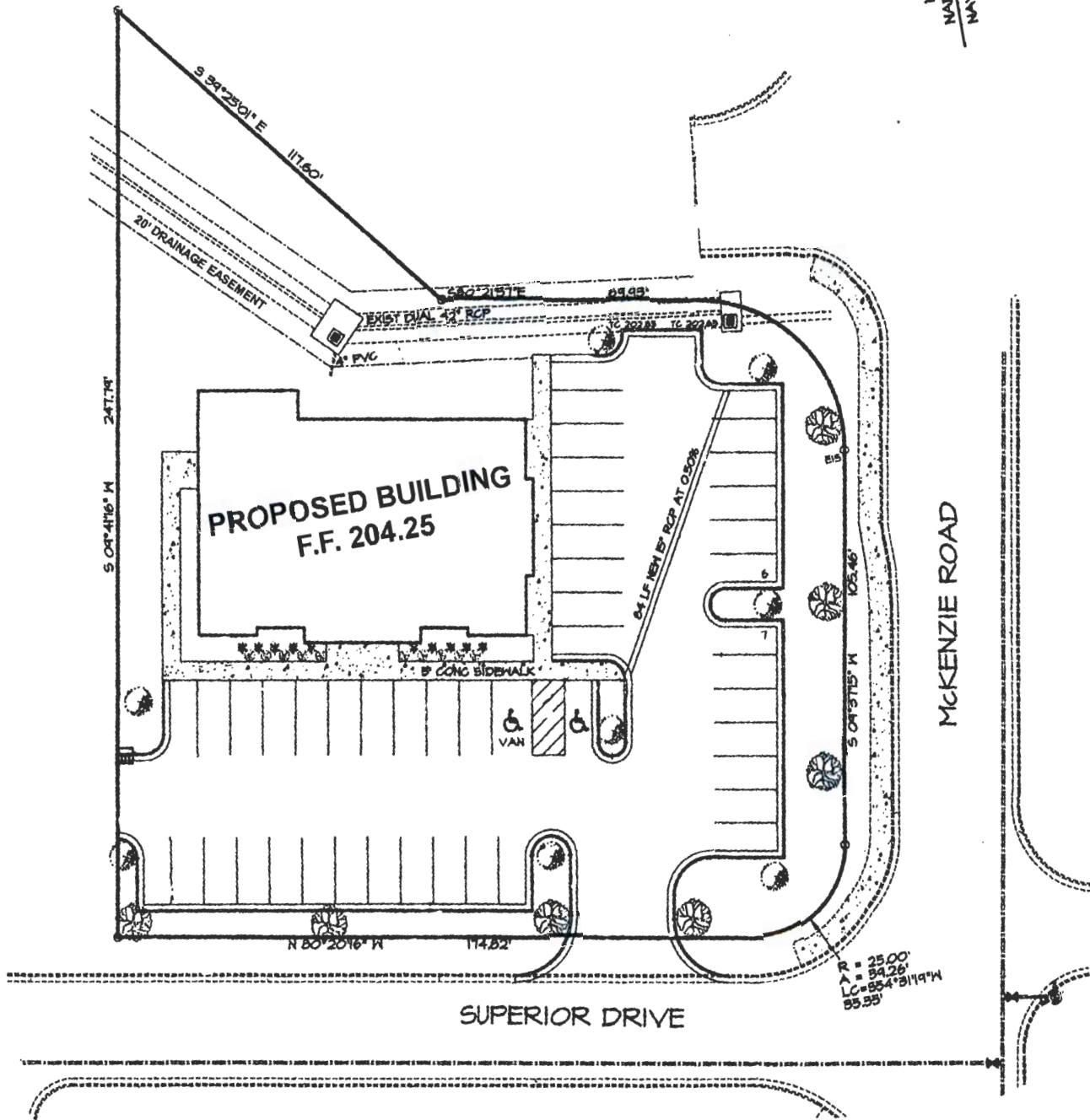
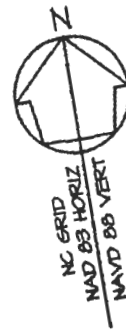
**SUBJECT:** **CASE NO. 19-093. CONSIDERATION OF 1ST REGIONAL COMMERCIAL LEASING; REQUEST FOR A C(P) SITE PLAN REVIEW; SPRING LAKE ZONING ORDINANCE; ZONED: C(P); TOTAL ACREAGE: 0.85 AC +/-; LOCATED AT 104 SUPERIOR DRIVE; SUBMITTED BY 1ST REGIONAL COMMERCIAL LEASING (DEVELOPER) AND GEORGE M. ROSE (SURVEYOR). (SPRING LAKE)**

The property owner is requesting approval of a site plan for a medical office for counseling. The parcel has 180.00' of street frontage along Superior Drive and 170.00' of street frontage along McKenzie Road. The development is served by Spring Lake's water and sewer system.

Attached you will find the C(P) site plan sketch, aerial photo and recommended conditions of approval. If you have any questions regarding this memorandum, please contact me at (910) 678-7609, email: [ebyrne@co.cumberland.nc.us](mailto:ebyrne@co.cumberland.nc.us).

Attachments

cc: 1<sup>st</sup> Regional Commercial Leasing, Developer; via email: [ats@autismts.com](mailto:ats@autismts.com)  
George Rose, Engineer, via email: [grose9295@gmail.com](mailto:grose9295@gmail.com)  
William Zell, Spring Lake Interim Town Manager; via email: [bzell@spring-lake.org](mailto:bzell@spring-lake.org)  
Jimmy Hall, Inspection Department; Email: [jhall@spring-lake.org](mailto:jhall@spring-lake.org)  
Tracy Jackson, Asst. County Manager, via email: [trjackson@co.cumberland.nc.us](mailto:trjackson@co.cumberland.nc.us)  
Hope Page, Spring Lake Town Representative, via email: [hpage@co.cumberland.nc.us](mailto:hpage@co.cumberland.nc.us)



**1st Regional Commercial Leasing**  
**C(P) SITE PLAN**  
**CASE: 19-093 ACREAGE: 0.85 AC +/-**  
**ZONED: C(P) SCALE: NTS**  
 \*SCALED DETAILED SITE PLAN IN FILE AVAILABLE FOR REVIEW UPON REQUEST





**AERIAL PHOTO  
CASE NO: 19-093**

Diane Wheatley,  
Chair  
Cumberland County

Carl Manning,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Jordan Stewart,  
Town of Stedman  
Vacant  
Wade, Falcon & Godwin  
Thomas Lloyd,  
Town of Linden



# CUMBERLAND COUNTY NORTH CAROLINA

## Planning & Inspections Department Town of Spring Lake Draft

Joel Strickland,  
Acting Director

Vacant,  
Deputy Director

Vikki Andrews,  
Lori Epler,  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

PLANNING STAFF REVIEW: 9-10-19 SPRING LAKE ALDERMEN DECISION: 9-23-19

CASE NO: 19-093 NAME OF DEVELOPMENT: 1<sup>ST</sup> REGIONAL COMMERCIAL LEASING

MIA: N/A C(P) SITE PLAN REVIEW

LOCATION: 104 SUPERIOR DRIVE ZONING: C(P)

PIN: 0501-49-9909-

OWNERS / DEVELOPER: 1<sup>ST</sup> REGIONAL COMMERCIAL ENGINEER OR DESIGNER: GEORGE ROSE

STAFF RECOMENDATION:

- PRELIMINARY
- EXTENSION       REVISION
- CONDITIONAL APPROVAL
- DENIED

BOARD OF ALDERMEN DECISION:

- PRELIMINARY
- EXTENSION       REVISION
- APPROVED CONDITIONALLY
- DENIED

The development plat/plan you submitted to this office is conditionally approved. Your approval is subject to the following conditions:

**Permit-Related:**

1. The owner/developer(s) of these lots must obtain detailed instructions on provisions of the Spring Lake Zoning Code and permits required to place any structure within this development from the Spring Lake Inspections Department in Town Hall at 300 Ruth Street. For additional information, the developer should contact a Town Inspector.
2. The Town's Plan Review Committee requirements must be complied with and in the event any significant changes to the site plan are necessary to satisfy the Plan Review Committee's requirements, re-submittal of the site plan may be required.
3. Connection to public water and sewer is required, the Spring Lake Public Utility Department must approve water and sewer plans prior to application for any permits. A copy of the Spring Lake Public Utility Department's approval must be provided to the Town's Inspector at the time of application for building/zoning permits. (Section 36-66 "Water and sewer systems", Spring Lake Subdivision Chapter)

4. New development that will disturb one acre or more of land or is part of a larger plan that will disturb at least an acre of land is subject to the Post-Construction Stormwater Management Permitting Program (Phase II Stormwater Management Requirements) administered by the Spring Lake Stormwater Department. If one acre or more of land is to be disturbed, prior to the issuance of any building/zoning permits for this site, a copy of the State's *Post-Construction Permit* must be provided to Town's Inspections Department.
5. For any new development, the developer must provide the Spring Lake Inspections Department with an approved NC Department of Environmental Quality (NCDEQ) sedimentation and erosion control plan (S&E) prior to any application for permits. (Note: If any retention/detention basins are required for state approval of this plan, then three copies of a revised plan must be submitted and approved by Planning & Inspections prior to application for any building/zoning permits.) A copy of the NCDEQ approval must be provided to Town's Inspections Department at the time of application for any building/zoning permits.
6. The developer must provide a site-specific address and tax parcel number at the time of building/zoning permit application.
7. Landscaping must be provided in accordance with Article IX, Landscape Requirements, Spring Lake Zoning Chapter 42 and/as shown on the site plan. The following are the minimum standards for the required landscaping of this site:
  - a. Four large shade trees or seven small ornamental trees within the minimum six foot wide planting stripe along Superior Drive;
  - b. Three large shade trees or seven small ornamental trees within the minimum six foot wide planting stripe along McKenzie Road;
  - c. Two small ornamental trees and nine shrubs are required in the building yard area;
  - d. Four large shade trees or eight small ornamental trees are required within the parking area.

In addition:

- a. Required plant materials shall be maintained by the property owner, including replacing dead or unhealthy trees and shrubs; and
  - b. All yard and planting areas shall be maintained in a neat, orderly, and presentable manner and kept free of weeds and debris.
8. The building final inspection cannot be accomplished until a Town Inspector inspects the site and certifies that the site is developed in accordance with the approved plans.
  9. The developer must obtain a driveway permit from the Spring Lake Public Utilities. A copy of the approved driveway permit must be provided to the Spring Lake Inspections Department at the time of application for building/zoning permits. Permits MUST be secured prior to the change or alteration of existing or proposed property use. Failure to secure required permits prior to construction or change in property usage may result in the removal of the driveway or street connections at the property owner's expense.

**Site-Related:**

10. All uses, dimensions, setbacks and other related provisions of the Spring Lake Subdivision and Zoning Chapters for the C(P) zoning district must be complied with, as applicable.
11. All corner lots and lots fronting more than one street must provide front yard setbacks from each street.
12. This conditional approval is not approval of the permit for the freestanding sign. Attached signage for this development must be in accordance with the applicable sign regulations as set forth in Article XI of the Spring Lake Zoning Chapter 42 and that the proper permit(s) must be obtained prior to the installation of any permanent signs on the property. (Note: This conditional approval is not approval of the size, shape, or location of any signs.)
13. A concrete, or other approved surface material, sidewalks may be required to be constructed along the existing streets; the sidewalks if required must be fully constructed prior to the building final inspection. [Section 36-107(f) "Sidewalks", Spring Lake Subdivision Chapter] (Note: The owner/developer is the responsible party to satisfy this requirement prior to application for permits from the Town of Spring Lake – contact the Spring Lake Inspection Department for more information.)

14. For any new development, an adequate drainage system must be installed by the developer in accordance with good engineering practices and all drainage ways must be kept clean and free of debris with the standards of Section 36-106(f) "Required drainage", Spring Lake Subdivision Chapter.
15. For new development, all utilities, except for 25kv or greater electrical lines, must be located underground and installed in accordance with the Section 36-107(g) "Utilities" Spring Lake Subdivision Chapter.
16. In the event a stormwater utility structure is required by the NC Department of Environmental (NCDEQ), the owner/developer must secure the structure with a four foot high fence with a lockable gate, and is required to maintain the detention/retention basin, keeping it clear of debris and taking measures for the prevention of insect and rodent infestation.
17. All lighting is required to be directed internally within this development and comply with the provisions of Article X, Off-Street Parking Requirements - Section 42-261, Spring Lake Zoning Chapter 42.
18. All dumpsters shall be buffered by an opaque fence a minimum of one foot higher than the trash receptacle with a lockable fence as required by the Solid Waste Ordinance.
19. All utility areas shall be located on concrete pads and screened on a minimum of three sides.
20. All required off-street parking spaces shall be a minimum of 9' x 20'. A minimum of five spaces for each professional practicing on the premises of off-street parking spaces are required for this development. (Article X, Off-street parking and loading, Spring Lake Zoning Chapter 42.)
21. A minimum of one off-street loading spaces(s) measuring 12' x 25' with 14' overhead clearance must be provided for the development. (Article X, Off-street parking and loading, Spring Lake Zoning Chapter 42.)

**Advisories:**

22. The subject property sits on Superior Drive, which is identified as a local road in the 2045 Metropolitan Transportation Plan with no constructions/improvements planned. The subject property will have no impact on the Transportation Improvement Plan.
23. Following an examination of the site plan review materials by the RLUAC staff and Board of Directors for the parcels listed above, and recognizing that our findings are non-binding on Cumberland County, the RLUAC Board of Directors find that:
  - The parcel for this case is neither identified as critically important nor important to conserve on the Joint Land Use Study maps, and
  - This site contains no identified military impacts except "airfield imagery".
 Although RLUAC has no issues or concerns with this request, it encouraged the petitioners to refrain from making any potential future requests for tall buildings or telecom towers that could pose a threat to military safety.
24. The applicant is advised to consult an expert on wetlands before proceeding with any development.
25. The owner/developer is responsible for ensuring easements which may exist on the subject property are accounted for, not encumbered and that no part of this development is violating the rights of the easement holder.
26. The US Postal Service most likely will require this development to have centralized cluster boxes for postal service to each lot or unit. The developer is advised contact the US Postal Growth Coordinator for the Mid-Carolinas District to determine the appropriate location for the cluster boxes. If the cluster box location requires changes to the subdivision or site plan, a revised preliminary/plan must be submitted to the Planning & Inspections Department for review and approval.

*Thank you for developing in Spring Lake!*

**If you need clarification of any conditions, please contact Ed Byrne at 910-678-7609 or Jeff Barnhill at 910-678-7765; otherwise, contact the appropriate agency at the contact numbers below.**

Contact Information (Area Code is 910 unless otherwise stated):

Subdivision/Site Plan/Plat Town of Spring Lake:	Ed Byrne  (Public Works) Jimmy Hall (Inspections) Jason Williams (Fire Chief) Tim Garner (Stormwater & Wastewater) Rhonda Webb (Town Clerk)	678-7609 436-0241*	<a href="mailto:ebyrne@co.cumberland.nc.us">ebyrne@co.cumberland.nc.us</a>
RLUAC:	Jim Dougherty	488-7705	<a href="mailto:jhall@spring-lake.org">jhall@spring-lake.org</a>
US Postal Service	Jonathan R. Wallace	(704) 393-4412	<a href="mailto:jwilliams@spring-lake.org">jwilliams@spring-lake.org</a>
Corp of Engineers (wetlands):	Liz Hair	(910) 251-4049	<a href="mailto:tgarner@spring-lake.org">tgarner@spring-lake.org</a>
NCDEQ (E&S):	Leland Cottrell	(910) 433-3393	<a href="mailto:rdwebb@spring-lake.org">rdwebb@spring-lake.org</a>
US Fish & Wildlife Services	Susan Ladd Miller	(910) 695-3323	<a href="mailto:director@rluac.com">director@rluac.com</a>
Location Services:			<a href="mailto:jonathan.r.wallace@usps.gov">jonathan.r.wallace@usps.gov</a>
Site-Specific Address:	Will Phipps	678-7616	<a href="mailto:hair@usacr.army.mil">hair@usacr.army.mil</a>
Tax Parcel Numbers:		678-7549	<a href="mailto:leland.cottrell@ncdenr.gov">leland.cottrell@ncdenr.gov</a>
Transportation Planning:	Katrina Evans	678 7614	<a href="mailto:susan_miller@fws.gov">susan_miller@fws.gov</a>
N.C. Division of Water Quality:	Annette Lucas	(919) 807-6381	<a href="mailto:wphipps@co.cumberland.nc.us">wphipps@co.cumberland.nc.us</a>
			<a href="mailto:kevans@co.cumberland.nc.us">kevans@co.cumberland.nc.us</a>
			<a href="mailto:annette.lucas@ncdenr.gov">annette.lucas@ncdenr.gov</a>

\*This is the main telephone number for the Town of Spring Lake; once connected, the caller will be directed to the various departments.

Diane Wheatley,  
Chair,  
Cumberland County

Carl Manning,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Jordan Stewart.,  
Town of Stedman

Vacant  
Wade, Falcon & Godwin

Thomas Lloyd,  
Town of Linden



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

Joel Strickland,  
Acting Director

Vacant,  
Deputy Director

Vikki Andrews,  
Luis Epler,  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

August 28, 2019

MEMO TO: TOWN OF SPRING LAKE

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: **P19-36. REVISIONS AND AMENDMENTS TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CHAPTER 42, AMENDING ARTICLE I. – IN GENERAL SEC. 42.8. – DEFINITIONS. BY INSERTING IN ALPHABETICAL ORDER *ANCILLARY SALE, E-CIGARETTE, SMOKE SHOP, TOBACCO, TOBACCO PARAPHERNALIA, TOBACCO PRODUCT*; AMENDING ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES. SEC. 42.66. – INDIVIDUAL USES. BY ADDING SECTION (B) *SMOKE SHOPS AND TOBACCO STORES*. SUB-SECTIONS (1) – (2); AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)**

ACTION: In Case P19-36, the Cumberland County Joint Planning Board recommends approval of the text amendment to the Spring Lake Zoning Ordinance which, if approved would establish minimum distance requirements for smoke shops and tobacco stores as well as further define keywords related to this use, finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 2: Well-Managed Growth* and the Spring Lake Area Land Use Plan (2003) goal of providing a variety of commercial development that is responsive to market needs and appropriately located and designed to be safe, attractive, and compatible with its surroundings. The staff further finds that approval of the amendment is reasonable and in the public interest based on the foregoing information and this amendment will allow development of smoke shops and tobacco stores to be more harmonious with surrounding existing uses. Additionally, this amendment was prepared and submitted by the Town of Spring Lake.

**Cumberland County Joint Planning Board Minutes of August 20, 2019 Meeting:**

**RECOMMENDATION:** In Case P19-36, the Planning & Inspections staff recommends approval of the text amendment to the Spring Lake Zoning Ordinance which, if approved would establish minimum distance requirements for smoke shops and tobacco stores as well as further define keywords related to this use, finding it is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, specifically including: *Policy Area 2: Well-Managed Growth* and the Spring Lake Area Land Use Plan (2003) goal of providing a variety of commercial development that is responsive to market needs and appropriately located and designed to be safe, attractive, and compatible with its surroundings. The staff further finds that approval of the amendment is reasonable and in the public interest based on the foregoing information and this amendment will allow development of smoke shops and tobacco stores to be more harmonious with surrounding existing uses.

This proposed text amendment would not cause any changes to the Spring Lake Area Land Use Plan map.

**MOTION**

**Mrs. Epler made a motion, seconded by Mrs. McLaughlin to approve the text amendment to the Spring Lake Zoning Ordinance.**

**Unanimous approval.**

**Attachments: P19-36 Spring Lake Text Amendment**

TOWN OF SPRING LAKE  
ZONING CHAPTER TEXT AMENDMENT  
ARTICLE I AND ARTICLE III

**P19-36:** REVISIONS AND AMENDMENTS TO THE TOWN OF SPRING LAKE ZONING ORDINANCE, CHAPTER 42, AMENDING ARTICLE I. – IN GENERAL, SEC. 42.8. – DEFINITIONS. BY INSERTING IN ALPHABETICAL ORDER *ANCILLARY SALE, E-CIGARETTE, SMOKE SHOP, TOBACCO, TOBACCO PARAPHERNALIA, TOBACCO PRODUCT*; AMENDING ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES, SEC. 42.66. – INDIVIDUAL USES. BY ADDING SECTION (B) *SMOKE SHOPS AND TOBACCO STORES*. SUB-SECTIONS (1) – (2); AND UPDATING THE TABLE OF CONTENTS AS APPROPRIATE. (SPRING LAKE)

CHAPTER 42  
ZONING

**AMENDING ARTICLE I. – IN GENERAL, SEC. 42.8 DEFINITIONS.** by inserting in alphabetical order *Ancillary sale, E-Cigarette, Smoke shop, Tobacco, Tobacco paraphernalia, Tobacco product*; as written and as indicated below:

**ARTICLE I. – IN GENERAL**

**Sec. 42-8. - Definitions.**

*Ancillary sale* means where a grocery store, supermarket, convenience store or similar market uses no more than two percent of its gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes or tobacco. For any grocery store, convenience market, retail kiosk or similar use consisting of 250 square feet or less, "ancillary sale" shall mean where no more five square feet are used for the display, sale, distribution, delivery, offering, furnishing, or marketing of conventional cigars, cigarettes or tobacco. The display, sale, distribution, delivery, offering, furnishing, or marketing of e-cigarettes or any other tobacco products or tobacco paraphernalia, regardless of square footage used, is subject to the restrictions of this section and shall not constitute "ancillary sale" under any circumstances.

*E-cigarette* means any electronically actuated device or inhaler meant to simulate cigarette smoking that uses a heating element to vaporize liquid solution, popularly referred to as "juice," and that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation. The juice used in e-cigarettes typically contains nicotine, and for this reason e-cigarettes and their juice can be classified as both tobacco products and tobacco paraphernalia.

*Smoke shop and tobacco store* means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store or similar retain use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store" and shall not be subject to restrictions in this chapter.

*Tobacco* means any preparation of the nicotine-rich leaves of the tobacco plant, which are cured by a process of drying and fermentation for use in smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body.

*Tobacco paraphernalia* means any paraphernalia, equipment, device, or instrument that is primarily designed or manufactured for smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing or ingesting by any other means into the body of tobacco products. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, punctured metal bowls, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette

P19-36 Article I and Article III  
Spring Lake Zoning Text Amendment  
September 23, 2019



juice, buzz bombs, vaporizers, hookahs, and devices for holding burning material. Lighter and matches shall be excluded from the definition of tobacco paraphernalia.

Tobacco product means any product in leaf, flake, plug, liquid, or any other form, containing nicotine derived from the tobacco plant, or otherwise derived, which is intended to enable human consumption of tobacco or nicotine in the product whether smoked, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means. For the purposes of this chapter, the term "tobacco product" excludes any product that has been specifically approved by the United States Food and Drug Administration (FDA) for sale as a tobacco; smoking cessation product or for other medical purposes, where such product is marketed and sold solely for such an approved purpose.

AMENDING ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES, SEC. 42.66. – INDIVIDUAL USES, by adding section (b) *Smoke Shops and Tobacco Stores*. Sub-sections (1) – (2); as written and as indicated below:

ARTICLE III. – PERMITTED, CONDITIONAL AND SPECIAL USES

Sec. 42-66. - Individual uses.

(b) *Smoke Shops and Tobacco Stores.*

- (1) Smoke shops and tobacco stores shall not be located within 1,000 feet of a parcel occupied by a public or private kindergarten, elementary, middle, junior high or high school; licensed child-care facility or preschool, youth centers, community centers, recreational facility, park, church or religious institution, medical facility, or other similar uses where children regularly gather.
- (2) Smoke shops and tobacco stores shall not be located with a one-half mile radius of an approved or existing smoke shop and tobacco store.

Diane Wheatley,  
Chair  
Cumberland County

Carl Manning,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Jordan Stewart,  
Town of Stedman  
Vacant  
Wade, Falcon & Godwin  
Thomas Lloyd,  
Town of Linden



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

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Vikki Andrews,  
Lori Epler,  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

September 10, 2019

1<sup>st</sup> Regional Commercial Leasing, LLC  
Via email: [ats@autismts.com](mailto:ats@autismts.com)

SUBJECT: Case No. 19-093  
1<sup>st</sup> Regional Commercial Leasing  
C(P) Site Plan Review

Dear 1<sup>st</sup> Regional Commercial Leasing, LLC Representative:

This letter is to inform you that your request for consideration of the approval of the above referenced case will be heard by the Spring Lake Board of Aldermen on September 23, 2019 at 7:00 PM at 300 Ruth Street in the Grady Howard Conference Room at the Spring Lake Town Hall.

Since the board will consider all information presented to them, you are encouraged to attend this meeting. Attached you will find a copy of the related documents. Please call me at 678-7609 or email: [ebyrne@co.cumberland.nc.us](mailto:ebyrne@co.cumberland.nc.us) if you have any questions.

Sincerely,

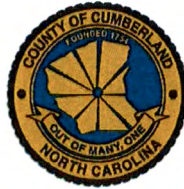
Edward M. Byrne  
Senior Planner

Attachments: 1. Memo to Spring Lake Board of Aldermen  
2. C(P)Site Plan Sketch  
3. Aerial Photo  
4. Recommended Conditions of Approval

Diane Wheatley,  
Chair  
Cumberland County

Carl Manning,  
Vice-Chair  
Cumberland County

Jami McLaughlin,  
Town of Spring Lake  
Jordan Stewart,  
Town of Stedman  
Vacant  
Wade, Falcon & Godwin  
Thomas Lloyd,  
Town of Linden



**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

*Planning & Inspections Department*

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Acting Director

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Deputy Director

Vikki Andrews,  
Lori Epler,  
Cumberland County

Stan Crumpler,  
Town of Eastover

Patricia Hall,  
Town of Hope Mills

September 10, 2019

George M. Rose  
Via email: [grose9295@gmail.com](mailto:grose9295@gmail.com)

SUBJECT: Case No. 19-093  
1<sup>st</sup> Regional Commercial Leasing  
C(P) Site Plan Review

Dear Mr. Rose:

This letter is to inform you that your request for consideration of the approval of the above referenced case will be heard by the Spring Lake Board of Aldermen on September 23, 2019 at 7:00 PM at 300 Ruth Street in the Grady Howard Conference Room at the Spring Lake Town Hall.

Since the board will consider all information presented to them, you are encouraged to attend this meeting. Attached you will find a copy of the related documents. Please call me at 678-7609 or email: [ebyrne@co.cumberland.nc.us](mailto:ebyrne@co.cumberland.nc.us) if you have any questions.

Sincerely,

Edward M. Byrne  
Senior Planner

- Attachments:
1. Memo to Spring Lake Board of Aldermen
  2. C(P)Site Plan Sketch
  3. Aerial Photo
  4. Recommended Conditions of Approval



Agenda Item No. 10c  
Request for Board of Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: William "Bill" Zell, Interim Town Manager  
Date: September 9, 2019  
Subject: Third Street Sidewalk Project Bid Rejection and Contractor Approval

**Purpose:**

To provide the Board of Aldermen with information regarding the Third Street Sidewalk Project.

**Overview:**

Mr. Thomas Perdue from MacConnell & Associates will present to the Board of Aldermen information on the Third Street Sidewalk Project. The Board of Aldermen previously awarded the bid for this project to Sandhills Contracting. However, Sandhills Contracting failed to meet the DBE goal for the Town and for NCDOT. This discovery requires the Town to reject the bid. The Town will have to go to the next lowest bidder who is Hollins Construction Services.

**Recommendation:**

1. Reject the Sandhills Contracting bid.
2. Award bid to Hollins Construction Services.

**Action Needed:**

1. Reject the Sandhills Contracting bid.
2. Award bid to Hollins Construction Services.

**Attachments:**

Bid Rejection Letter

Memorandum from MacConnell & Associates regarding the next lowest bidder

# The Town of Spring Lake

## BOARD OF ALDERMEN

James P. O'Garra, Mayor Pro Tem  
James Christian, Alderman  
Soña L. Cooper, Alderwoman  
Jackie Jackson, Alderwoman  
Fredricka Sutherland, Alderwoman



CHARTERED IN 1951

## OFFICE OF THE MAYOR

Larry G. Dobbins, Mayor

## ADMINISTRATION

William "Bill" Zell, Interim Town Manager  
Rhonda D. Webb, Town Clerk  
S. Ellis Hankins, Town Attorney

September 23, 2019

Mr. Jarrod Hilliard  
Sandhills Contractors, Inc.  
PO Box 1  
Sanford, NC 27331

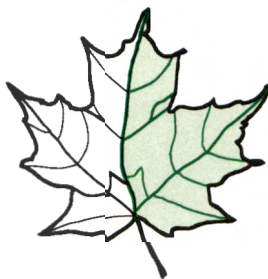
Subject: Town of Spring Lake – Third Street Sidewalk Improvement Project  
Bid Rejection – DBE Goal Not Met  
Town of Spring Lake, Cumberland County, North Carolina  
Project TIP # U-5528FE, WBS Element: 50078.3.7

Dear Mr. Hilliard:

After reviewing your Good Faith Effort package for the above referenced project, the Town of Spring Lake does not consider a good faith effort was performed in meeting the DBE goal of the Bid Proposal; therefore, your bid has been rejected.

Sincerely,

William A Zell  
Interim Town Manager  
Town of Spring Lake



P. O. Box 129  
Morrisville, NC 27560

919-467-1239

1101 Nowell Road  
Suite 118  
Raleigh, NC 27607

Fax 919-319-6510

**MACCONNELL  
& ASSOCIATES, P.C.**

## Technical Memorandum

To: Town of Spring Lake Board of Aldermen  
From: Thomas Perdue, PE/MacConnell & Associates, PC  
Date: September 16, 2019  
Client: Town of Spring Lake  
Subject: Third Street Sidewalk Improvements Project Bids  
Project No.: A10194.00

The Town of Spring Lake Board of Alderman decided to delay voting to accept or reject the Good Faith Effort package submitted by Sandhills Contracting in the August 26, 2019 Board of Alderman meeting. The Good Faith Effort package provides documentation of Sandhills Contracting's efforts to solicit participation in the above referenced project by a Disadvantage Business Enterprise (DBE) since their bid they submitted does not meet the required 5% DBE participation goal set forth in the contract provisions. If the Board of Alderman decide to accept the Good Faith Effort package, the project will proceed to the construction phase with Sandhills Contracting. If the Board of Alderman decide to reject the Good Faith Effort package, the lowest bidder can appeal the decision with NCDOT. If NCDOT decides to approve the Good Faith Effort package, the project will proceed with Sandhills Contracting. If NCDOT rejects the Good Faith Effort package, next lowest bidder is eligible for the award of the project.

Should the Board of Alderman reject the Good Faith Effort Package, the Town will be responsible to pay higher costs due to a higher bid. Currently, the lowest bid received was \$199,711.00. An additional cost of \$2,094.76 was provided by Duke Energy to relocate an existing utility pole which will be outside of the scope of work for the contractor, bringing the total construction costs to \$201,805.76. The second lowest bid received was \$242,384.00. The total construction costs for the project with Duke Energy's costs is \$244,478.76. The difference in total construction costs for between the two bids is \$42,673.00. The Certified Engineer's Estimate for the scope of work to be completed by the contractor was \$235,411.00, making the lowest bid 15.2% below the Certified Engineer's Estimate and making the second lowest bid 3.0% higher than the Certified Engineer's Estimate. These bids fall within an acceptable range to award the project.

During the design and bidding process for this project, Zaxby's began constructing a restaurant on Third Street and will install curb and gutter and sidewalk along their property. This will decrease the quantity of curb and gutter and sidewalk to be installed by approximately 190 linear feet,

decreasing the total costs of the project. The adjusted approximate total construction costs for the lowest bidder will be \$184,325.76 and the adjusted approximate total construction costs for the second lowest bidder will be \$223,578.76. These costs savings were not presented to the Board of Alderman during the August 26<sup>th</sup> meeting.

A large portion of the construction costs will be funded by a 2016 Transportation Alternative Grant from the North Carolina Department of Transportation (NCDOT) – Federal Highway Administration (FHWA) through the Fayetteville Area Metropolitan Planning Organization (FAMPO). This grant will provide up to 80% assistance on construction costs for up to \$181,168.00.

The Town of Spring Lake will be responsible for 20% of the total construction costs and any portion of the construction cost not covered by the FAMPO grant. Should the Board of Alderman accept the Good Faith Effort package from Sandhills Contracting, the Town will be responsible for construction costs of \$36,865.15. Should the Board of Alderman reject the Good Faith Effort package and award the construction of the project to the second lowest bidder, the Town would be responsible for costs of \$44,715.75. The difference in costs responsible by the Town between the lowest bidder and the second lowest bidder is \$7,850.60.

The Board of Alderman inquired about the possibility of rebidding the project during the August 26 meeting. To rebid the project, the Town will have to provide the reason for rebidding the project. Reasons for rejecting bids and disqualifying contractors are included in the NCDOT Standard Specifications for Roads and Structures of which an excerpt is attached. The lowest bid was approximately 15.9% below the Engineer's Estimate and the second lowest bid was approximately 3% above the Engineer's Estimate. Rebidding the project may not provide lower bids. Additionally, the construction project includes the installation of school zone signage in the Lillian Black Elementary School zone. Rebidding the project will delay the installation of necessary school zone signage to ensure the safety of students walking to and from the school property.

According to the Financial Director, the construction project has not yet been included in an approved budget for the Town. A budget amendment will be required for the construction project.

In summary, the following table compares the project construction costs for the lowest bidder and the second lowest bidder.

Bidder	Bid	Duke Energy Costs	Adjusted for Zaxby's Construction	Town's Responsibility (20%)
Sandhills Contracting	\$199,711.00	\$2,094.76	\$184,325.76	\$36,865.15
Hollins Construction	\$242,384.00	\$2,094.76	\$223,578.76	\$44,715.75
Difference	\$42,673.00	-	\$39,253.00	\$7,850.60

MacConnell & Associates has provided this information so that the Town of Spring Lake Board of Alderman can decide to approve or deny the Sandhills Good Faith Effort package for the Third Street Sidewalk Improvements project and fully understand the results of the decision and the next steps to take following the decision.





Agenda Item No. 10d  
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: Claiburn B. Watson, Finance Director  
Date: September 23, 2019  
Subject: FAMPO Grant Project Ordinance-Third Street Sidewalk Improvements

**Purpose:**

To provide for the Board's approval of the FAMPO Grant Project Ordinance – Third Street Sidewalk Improvements.

**Overview:**

The Town of Spring Lake has received a grant award from the Fayetteville Area Metropolitan Planning Organization (FAMPO) Transportation Alternatives Grant through NCDOT.

This FAMPO Project Grant Ordinance for the Third Street Sidewalk Improvements, provides for the receipt and expenditure of the grant proceeds, as well as Town monies.

**Recommendation:**

Approval of the FAMPO Grant Project Ordinance (2019) 9 for the Third Street Sidewalk Improvements

**Action Needed:**

Approval of the FAMPO Grant Project Ordinance (2019) 9 for the Third Street Sidewalk Improvements

**Attachments:**

FAMPO Grant Project Ordinance (2019) 9 - Third Street Sidewalk Improvements

**ORDINANCE NO. (2019) 9**

**Third Street Sidewalk Improvements – FAMPO Grant Project Ordinance  
Town of Spring Lake, North Carolina**

Be it ordained by the Board of Aldermen of the Town of Spring Lake, North Carolina, that the following project ordinance establishing revenues and setting expense appropriation for the construction and improvements to the Third Street Sidewalk Improvements Project, in conjunction with the Fayetteville Area Metropolitan Planning Organization (FAMPO) Transportation Alternatives Grant, is hereby adopted and effective beginning this 23<sup>rd</sup> day of September, 2019 and ending upon project completion. As set out below, project funding is anticipated to be Town funds and the FAMPO Grant.

**Section 1.** The following Capital Project Fund revenues are hereby raised and subject to appropriation as set out in Section 2, herein.

<u>Account Description</u>	<u>Number</u>	<u>Amount</u>
FAMPO Grant	45-20-3612-360-03	\$ 178,863.01
Interfund Transfer – General Fund	45-20-3981-980-01	44,715.75
Interfund Transfer – Water & Sewer	45-20-3986-980-03	<u>36,341.58</u>
Total		\$ <u>259,920.34</u>

**Section 2.** The following Capital Project Fund expenses are hereby appropriated the effective date above written and are to be funded by the revenues made available through Section 1, herein.

<u>Account Description</u>	<u>Number</u>	<u>Amount</u>
Professional Services – Engineering	45-20-4511-190-04	\$ 31,870.00
Capital Outlay – Roadway & Pavement	45-20-4511-590-01	223,578.76
Contingency	45-20-9900-990-01	<u>4,471.58</u>
Total		\$ <u>259,920.34</u>

ADOPTED by the Spring Lake Board of Aldermen this 23<sup>rd</sup> day of September, 2019 by the following vote:

YEAS

NOES

ATTEST:

\_\_\_\_\_  
Larry Dobbins  
Mayor

\_\_\_\_\_  
Rhonda D. Webb, MMC  
Town Clerk



Agenda Item No. 10e  
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: Jason Williams, Fire Chief  
Date: September 23, 2019  
Subject: 2019 Safer Grant

**Purpose:**

To obtain the Board's approval to accept the Safer Grant.

**Overview:**

The purpose of the SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application — including budget information — was consistent with the SAFER Grant Program's purpose and was worthy of award. Except as otherwise approved as noted in this award, the information you provided in your application for FY2018 Staffing for Adequate Fire and Emergency Response (SAFER) funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Thank you in advance for your continued support for allowing us to apply for federal assistance.

**Recommendation:**

Accept the awarded funds

**Action Needed:**

Accept awarded funds

**Attachments:**

Award Letter (Pg 2 and 3 of Award Package)

# Award Letter

U.S. Department of Homeland Security  
Washington, D.C. 20472

Jason Williams  
SPRING LAKE, TOWN OF  
PO BOX 617  
SPRING LAKE, NC 28390



EMW-2018-FH-00169

Dear Jason Williams,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2018 Staffing for Adequate Fire and Emergency Response (SAFER) Grant funding opportunity has been approved in the amount of \$560,361.30 in Federal funding.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2018 SAFER Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in blue ink, which appears to read "Bridget Bean".

Bridget Bean  
Acting Assistant Administrator  
Grant Programs Directorate

# Summary Award Memo

**Program:** Fiscal Year 2018 Staffing for Adequate Fire and Emergency Response

**Recipient:** SPRING LAKE, TOWN OF

**DUNS number:** 933650863

**Award number:** EMW-2018-FH-00169

## Summary description of award

The purpose of the SAFER Grant Program is to provide funding directly to fire departments and volunteer firefighter interest organizations to assist in increasing the number of firefighters to help communities meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application — including budget information — was consistent with the SAFER Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY2018 Staffing for Adequate Fire and Emergency Response (SAFER) funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

## Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award.

The following is the approved budget for this award (including Federal share plus your cost share, if applicable) and summarizes the financial aspects of the grant:

<b>Object Class</b>	<b>First Year</b>	<b>Second Year</b>	<b>Third Year</b>	<b>Total</b>
Personnel	\$191,352.00	\$191,352.00	\$191,352.00	\$574,056.00
Fringe benefits	\$111,546.00	\$111,546.00	\$111,546.00	\$334,638.00
Travel	\$0.00	\$0.00	\$0.00	\$0.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Supplies	\$0.00	\$0.00	\$0.00	\$0.00
Contractual	\$0.00	\$0.00	\$0.00	\$0.00
Construction	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00
Indirect charges	\$0.00	\$0.00	\$0.00	\$0.00
<b>Federal</b>	<b>\$227,173.50</b>	<b>\$227,173.50</b>	<b>\$106,014.30</b>	<b>\$560,361.30</b>
<b>Non-federal</b>	<b>\$75,724.50</b>	<b>\$75,724.50</b>	<b>\$196,883.70</b>	<b>\$348,332.70</b>
<b>Total</b>	<b>\$302,898.00</b>	<b>\$302,898.00</b>	<b>\$302,898.00</b>	<b>\$908,694.00</b>

2 C.F.R. § 200.308 identifies the limits to the changes that can be made and when prior approval is required from FEMA, but this provision does not apply to the breakdown by year. If you have questions about which changes require FEMA's prior approval, please contact your Grants Management Specialist.

## **Approved scope of work**

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2018 SAFER NOFO.

### **Approved request details:**

## **Hiring of Firefighters**

## Firefighter Position

### BENEFITS FUNDED

Medical, Dental, and Vision insurance plus Disability and Worker's Compensation coverage, as well as retirement contributions. Benefits: \$18,590.35 •Health: \$9,552 (The town only covers the employee only. Family members are paid by the employee.) •Dental: \$374.59 (The town only covers the employee only. Family members are paid by the employee.) •Vision: \$62.76 (The town only covers the employee only. Family members are paid by the employee.) •FICA: \$2448.00 •Life Insurance, Accidental D&D, Disability: \$499.04 •NC Local Government Retirement: \$5,014.40 •401K: \$640.00

NUMBER OF FIREFIGHTERS	ANNUAL SALARY PRICE	ANNUAL BENEFITS	TOTAL PER FIREFIGHTER
6	\$31,892.00	\$18,591.00	\$50,483.00

3 YEAR TOTAL

\$908,694.00

### CHANGE FROM APPLICATION

**Benefits funded changed**

**Annual benefits from \$20,386.00 to \$18,591.00**

### JUSTIFICATION

The award reflects a reduction from the amount requested in the application. This reduction is per the recipient's request to reduce the number of firefighter positions, the total annual salary, or the total annual benefits funded by the grant award.

## **Agreement Articles**

**Program:** Fiscal Year 2018 Staffing for Adequate Fire and Emergency Response

**Recipient:** SPRING LAKE, TOWN OF

**DUNS number:** 933650863

**Award number:** EMW-2018-FH-00169

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**Article 1 Assurances, Administrative Requirements, Cost Principles, Representations and Certifications**

DHS financial assistance recipients must complete either the Office of Management and Budget(OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances -Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations(C.F.R) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

**Article 2 DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

**Article 3 Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

- Article 4    Activities Conducted Abroad**  
Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.
- Article 5    Age Discrimination Act of 1975**  
Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.
- Article 6    Americans with Disabilities Act of 1990**  
Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.
- Article 7    Best Practices for Collection and Use of Personally Identifiable Information (PII)**  
Recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.
- Article 8    Civil Rights Act of 1964 – Title VI**  
Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

**Article 9 Civil Rights Act of 1968**

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See 42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D)

**Article 10 Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

**Article 11 Debarment and Suspension**

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

**Article 12 Drug-Free Workplace Regulations**

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101).

**Article 13 Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

- Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX**  
Recipients must comply with the requirements of Title IX of the Education Amendments of 1972 Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.
- Article 15 Energy Policy and Conservation Act**  
Recipients must comply with the requirements of The Energy Policy and Conservation Act Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.
- Article 16 False Claims Act and Program Fraud Civil Remedies**  
Recipients must comply with the requirements of The False Claims Act, 31 U.S.C. § 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.
- Article 17 Federal Debt Status**  
All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)
- Article 18 Federal Leadership on Reducing Text Messaging while Driving**  
Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.
- Article 19 Fly America Act of 1974**  
Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.
- Article 20 Hotel and Motel Fire Safety Act of 1990**  
In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, codified as amended at 15 U.S.C. § 2225.

- Article 21 Limited English Proficiency (Civil Rights Act of 1964, Title VI)**  
Recipients must comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidancepublished-help-department-supported-organizations-provide-meaningfulaccess-people-limited> and additional resources on <http://www.lep.gov>.
- Article 22 Lobbying Prohibitions**  
Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.
- Article 23 National Environmental Policy Act**  
Recipients must comply with the requirements of the National Environmental Policy Act of 1969, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.
- Article 24 Nondiscrimination in Matters Pertaining to Faith-Based Organizations**  
It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.
- Article 25 Non-supplanting Requirement**  
Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.
- Article 26 Notice of Funding Opportunity Requirements**  
All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated hereby reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

**Article 27 Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

**Article 28 Procurement of Recovered Materials**

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965) (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

**Article 29 Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973) (codified as amended at 29 U.S.C. § 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

**Article 30 Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, the recipient must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

**Article 31 Reporting Subawards and Executive Compensation**

Recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

**Article 32 SAFECOM**

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.



**Article 33 Terrorist Financing**

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

**Article 34 Trafficking Victims Protection Act of 2000**

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) codified as amended by 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.

**Article 35 Universal Identifier and System of Award Management (SAM)**

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

**Article 36 USA Patriot Act of 2001**

Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

**Article 37 Use of DHS Seal, Logo and Flags**

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

**Article 38 Whistleblower Protection Act**

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

**Article 39 Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov) if you have any questions.

**Article 40 Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**Article 41 Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

**Article 42 Environmental Planning and Historic Preservation**

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all Federal, state, and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize Federal funding. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

## Obligating document

<b>1. Agreement No.</b> EMW-2018-FH-00169	<b>2. Amendment No.</b> N/A	<b>3. Recipient No.</b> 56-6003437	<b>4. Type of Action</b> AWARD	<b>5. Control No.</b> WX02684N2019T		
<b>6. Recipient Name and Address</b> SPRING LAKE, TOWN OF 300 RUTH ST SPRING LAKE, NC 28390		<b>7. Issuing FEMA Office and Address</b> Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		<b>8. Payment Office and Address</b> FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
<b>9. Name of Recipient Project Officer</b> Jonathan Richardson		<b>9a. Phone No.</b> 910-639-4718	<b>10. Name of FEMA Project Coordinator</b> Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program		<b>10a. Phone No.</b> 1-866-274-0960	
<b>11. Effective Date of This Action</b> 09/11/2019		<b>12. Method of Payment</b> OTHER - FEMA GO	<b>13. Assistance Arrangement</b> COST SHARING		<b>14. Performance Period</b> 03/09/2020 to 03/08/2023 <b>Budget Period</b> 03/09/2020 to 03/08/2023	
<b>15. Description of Action a. (Indicate funding data for awards or financial changes)</b>						
<b>Program Name Abbreviation</b>	<b>Assistance Listings No.</b>	<b>Accounting Data (ACCS Code)</b>	<b>Prior Total Award</b>	<b>Amount Awarded This Action + or (-)</b>	<b>Current Total Award</b>	<b>Cumulative Non-Federal Commitment</b>
SAFER	97.083	2019-F8-GF01 - P431-xxxx-4101-D	\$0.00	\$560,361.30	\$560,361.30	\$348,332.70
Totals			\$0.00	\$560,361.30	\$560,361.30	\$348,332.70
<b>b. To describe changes other than funding data or financial changes, attach schedule and check here:</b> N/A						
<b><del>16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)</del></b> This field is not applicable for digitally signed grant agreements						

<b>17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)</b>	<b>DATE</b>
<b>18. FEMA SIGNATORY OFFICAL (Name and Title)</b>	<b>DATE</b>
<b>Bridget Bean, Acting Assistant Administrator Grant Programs Directorate</b>	<b>09/11/2019</b>



Agenda Item No. 10f  
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen  
From: William “Bill” Zell, Interim Town Manager  
Date: September 23, 2019  
Subject: Budget Ordinance (2019) 8 Appendix “A” Position and Classification Plan and Appendix “B” Authorized Employee Positions

**Purpose:**

To obtain Board’s approval to amend Appendix “A” Position and Classification Plan and Appendix “B” Authorized Employee Positions.

**Overview:**

After a discussion at the last meeting and consensus from the Board of Aldermen, I have decided to recommend changing the current Administrative Assistant position in the Administration Department to an Executive Assistant/Deputy Town Clerk position. This position is currently vacant. Hiring someone who is interested in performing Town Clerk duties in addition to providing administrative support to the Mayor and Town Manager will allow the Town Clerk to begin to train someone to provide backup for the Clerk and be prepared to perform Clerk duties in the absence of the Clerk.

Attached is Appendix “A” and Appendix “B” with proposed changes noted in red text.

**Recommendation:**

Approve Budget Ordinance (2019) 8 amending Appendix “A” and Appendix “B”

**Action Needed:**

Approve, Amend or Deny Budget Ordinance (2019) 8 amending Appendix “A” and Appendix “B”

**Attachments:**

Appendix “A” and Appendix “B” with changes noted in red text  
Budget Ordinance (2019) 8

**APPENDIX A  
TOWN OF SPRING LAKE  
September 23, 2019  
Position Classification Plan**

***RECOMMENDED NON-SWORN GRADE/PAY PLAN***

<u>Grade</u>	<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>	<u>Class Title</u>
48	\$ 23,581.14	\$ 29,476.41	\$ 35,371.69	Parks and Recreation Maintenance Asst.
49	\$ 24,760.69	\$ 30,950.23	\$ 37,140.28	Center Assistant, Administrative Aide
50	\$ 25,998.19	\$ 32,497.75	\$ 38,997.30	Meter Reader Custodian Center Aide Customer Service Rep
51	\$ 27,298.10	\$ 34,122.64	\$ 40,947.17	Maintenance Senior Meter Reader Water Sewer Operator
53	\$ 30,096.17	\$ 37,620.21	\$ 45,144.26	Administrative Assitant Lead Customer Service Representative
54	\$ 31,600.98	\$ 39,501.21	\$ 47,401.46	Wastewater Treatment Operator Uncertified Fleet Service Technician Senior Maintenance Technician Accounting Technician Revenue Collections Specialist
55	\$ 33,171.70	\$ 41,476.29	\$ 49,771.54	Water/Sewer Crew Leader Bulding Code Housing Inspector Program Specialist Executive Assistant <b>Executive Assistant/Deputy Town Clerk</b> Program Assitant Wastewater Treatment Plant Mechanic
56	\$ 34,840.07	\$ 43,550.09	\$ 52,260.11	Recreation Maintenance Coordinator
57	\$ 36,582.07	\$ 45,727.60	\$ 54,873.12	
58	\$ 38,411.19	\$ 48,013.99	\$ 57,616.79	Certified Fleet Tech Storm Water Adminstrator Code Enforcement Officer Senior Wastewater Treatment Plant Op
59	\$ 40,331.75	\$ 50,414.68	\$ 60,497.62	Information Technology Specialist

60	\$ 42,348.33	\$ 52,935.43	\$ 63,522.52	Revenue Supervisor Water/Sewer Operations Supervisor Senior Center Director
62	\$ 46,689.04	\$ 58,361.30	\$ 70,033.56	Inspections Supervisor Fleet Maintenance Supervisor
63	\$ 49,023.49	\$ 61,279.36	\$ 73,535.23	Town Clerk/Human Resource Officer Economic Development Director
Executive Band		\$ 56,750.83	\$ 93,851.67	Finance Director Town Engineer Waters Resources Director Director of Streets, Grounds, & Sanitation Director of Parks and Recreation Fire Chief Police Chief

***RECOMMENDED SWORN POLICE AND FIRE GRADE/PAY PLAN***

<u>Grade</u>	<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>	<u>Class Title</u>
88	\$ 31,891.38	\$ 39,864.23	\$ 47,837.07	Fire Fighter
90	\$ 34,493.71	\$ 43,117.14	\$ 51,740.56	Police Officer
91	\$ 35,873.45	\$ 44,841.83	\$ 53,810.18	Fire Lieutenant, Police Detective
95	\$ 41,966.88	\$ 52,458.60	\$ 62,950.33	Fire Captain, Police Sergeant
96	\$ 43,645.57	\$ 54,556.96	\$ 65,468.35	Police Lieutenant
98	\$ 47,207.03	\$ 59,027.81	\$ 70,810.57	Fire Batallion Chief
99	\$ 49,095.33	\$ 61,369.16	\$ 73,643.00	Police Captain Assistant Fire Chief

APPENDIX B

TOWN OF SPRING LAKE  
AUTHORIZED EMPLOYEE POSITIONS

Approved  
July 1, 2019

**Proposed Amendment September 23, 2019**  
**Changing Administrative Assistant to Executive Assistant/Deputy Town Clerk**

RECOMMENDED GRADE/CLASS TITLES

**Administration**

Town Manager	NG
Town Clerk/Human Resource Officer	63
<del>Administrative Assistant</del>	<del>53</del>
<b>Executive Assistant/Deputy Town Clerk</b>	<b>55</b>
Administrative Aide	49
Administrative Aide – part time ( <i>various</i> )	

**Economic Development**

Economic Development Director	63
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**Finance**

Director of Finance	Executive Band
Accounting Technician (2)	54

**Public Works**

Town Engineer	Executive Band
Director of Streets, Grounds, & Sanitation	Executive Band

**Fleet Maintenance**

Fleet Maintenance Supervisor	62
UnCertified Fleet Service Tech	54
Certified Fleet Tech	58

**Public Buildings**

Senior Maintenance Technician	54
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**Police**

Police Chief	Executive Band
Police Major	99
Police Lieutenant (3)	96
Police Sergeant (7)	95
Police Detective (5)	91
Police Officer (15)	90
Executive Assistant	55
Administrative Assistant (2)	53



**Fire**

Fire Chief	Executive Band
Assistant Fire Chief	99
Battalion Chief of Training	98
Fire Captain (3)	95
Fire Lieutenants (3)	91
Firefighter (9)	88
Administrative Assistant	53
Fire Fighter – part time (various)	

**Inspection**

Inspections Supervisor	62
Executive Assistant	55
Building Code Housing Inspector (Unfunded)	55
Code Enforcement Officer (2)	58

**Street**

Streets and Sanitation Supervisor	58
Maintenance Technician (3)	51
Maintenance Worker - part-time (various)	

**Sanitation**

Sanitation Route Supervisor	54
Maintenance Technician (2)	51

**Recreation**

Director of Parks and Recreation	Executive Band
Program Specialist	55
Recreation Maintenance Coordinator	56
Custodian	50
Center Assistant	49
Center Assistant/Maintenance – part time (various)	

**Senior Enrichment**

Senior Center Director	63
Program Assistant	55
Center Assistant - part time (various)	

**Revenue Division**

Revenue Supervisor	60
Revenue Collection Specialist	54
Customer Service Representative	53
Part-time Customer Service Representative (various)	
Meter Reader (3)	50
Senior Meter Reader	51

**Water Operations**

Water Resource Director	Executive Band
W & S Operations Supervisor	60
Information Technology Specialist (1)	59
W & S Crew Leader (1)	55
W & S Operator (3)	51

**Waste Water Treatment Plant**

Waste Water Treatment Plant Superintendent	58
Waste Water Treatment Plant Operator (3)	54
Waste Water Treatment Plant Mechanic	55
Part-time Waste Water Treatment Plant Operator (various)	

**Stormwater Administration**

Stormwater Administrator	58
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**BUDGET ORDINANCE (2019) 8**

**AN ORDINANCE OF THE TOWN OF SPRING LAKE AMENDING THE 2019–2020 BUDGET ORDINANCE APPENDIX “A” POSITION CLASSIFICATION PLAN AND APPENDIX “B” AUTHORIZED EMPLOYEE POSITIONS.**

**WHEREAS,** the Town of Spring Lake Board of Aldermen adopts the Position Classification Plan and Authorized Employee Positions document as a part of the annual Budget Ordinance; and

**WHEREAS,** after assessing the need to change the current Administrative Assistant position in the Administration Department to an Executive Assistant/Deputy Town Clerk position, the Board of Aldermen directed this position to be added to the Position Classification Plan and the Authorized Employee Positions

**NOW, THEREFORE, BE IT ORDAINED BY THE SPRING LAKE BOARD OF ALDERMEN OF THE TOWN OF SPRING LAKE, NORTH CAROLINA TO AMEND THE 2019 – 2020 BUDGET ORDINANCE APPENDIX “A” POSITION CLASSIFICATION PLAN AND APPENDIX “B” AUTHORIZED EMPLOYEE POSITIONS TO READ AS FOLLOWS:**

**APPENDIX A  
TOWN OF SPRING LAKE  
September 23, 2019  
Position Classification Plan**

***RECOMMENDED NON-SWORN GRADE/PAY PLAN***

<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>	<u>Class Title</u>
48		\$ 23,581.14	\$ 29,476.41	\$ 35,371.69	Parks and Recreation Maintenance Asst.
49		\$ 24,760.69	\$ 30,950.23	\$ 37,140.28	Center Assistant, Administrative Aide
50		\$ 25,998.19	\$ 32,497.75	\$ 38,997.30	Meter Reader Custodian Center Aide Customer Service Rep
51		\$ 27,298.10	\$ 34,122.64	\$ 40,947.17	Maintenance Senior Meter Reader Water Sewer Operator
53		\$ 30,096.17	\$ 37,620.21	\$ 45,144.26	Administrative Assistant Lead Customer Service Representative
54		\$ 31,600.98	\$ 39,501.21	\$ 47,401.46	Wastewater Treatment Operator Uncertified Fleet Service Technician Senior Maintenance Technician

				Accounting Technician
				Revenue Collections Specialist
55	\$ 33,171.70	\$ 41,476.29	\$ 49,771.54	Water/Sewer Crew Leader
				Building Code Housing Inspector
				Program Specialist
				Executive Assistant
				Executive Assistant/Deputy Town Clerk
				Program Assistant
				Wastewater Treatment Plant Mechanic
56	\$ 34,840.07	\$ 43,550.09	\$ 52,260.11	Recreation Maintenance Coordinator
57	\$ 36,582.07	\$ 45,727.60	\$ 54,873.12	
58	\$ 38,411.19	\$ 48,013.99	\$ 57,616.79	Certified Fleet Tech
				Storm Water Administrator
				Code Enforcement Officer
				Senior Wastewater Treatment Plant Op
59	\$ 40,331.75	\$ 50,414.68	\$ 60,497.62	Information Technology Specialist
60	\$ 42,348.33	\$ 52,935.43	\$ 63,522.52	Revenue Supervisor
				Water/Sewer Operations Supervisor
				Senior Center Director
62	\$ 46,689.04	\$ 58,361.30	\$ 70,033.56	Inspections Supervisor
				Fleet Maintenance Supervisor
63	\$ 49,023.49	\$ 61,279.36	\$ 73,535.23	Town Clerk/Human Resource Officer
				Economic Development Director
Executive Band		\$ 56,750.83	\$ 93,851.67	Finance Director
				Town Engineer
				Waters Resources Director
				Director of Streets, Grounds, & Sanitation
				Director of Parks and Recreation
				Fire Chief
				Police Chief

**RECOMMENDED SWORN POLICE AND FIRE GRADE/PAY PLAN**

<u>Grade</u>	<u>Minimum</u>	<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>	<u>Class Title</u>
88	\$ 31,891.38	\$ 39,864.23	\$ 47,837.07		Fire Fighter
90	\$ 34,493.71	\$ 43,117.14	\$ 51,740.56		Police Officer

91	\$ 35,873.45	\$ 44,841.83	\$ 53,810.18	Fire Lieutenant, Police Detective
95	\$ 41,966.88	\$ 52,458.60	\$ 62,950.33	Fire Captain, Police Sergeant
96	\$ 43,645.57	\$ 54,556.96	\$ 65,468.35	Police Lieutenant
98	\$ 47,207.03	\$ 59,027.81	\$ 70,810.57	Fire Battalion Chief
99	\$ 49,095.33	\$ 61,369.16	\$ 73,643.00	Police Captain Assistant Fire Chief

**APPENDIX B**

**TOWN OF SPRING LAKE  
AUTHORIZED EMPLOYEE POSITIONS  
September 2019**

RECOMMENDED GRADE/CLASS TITLES

**Administration**

Town Manager	NG
Town Clerk/Human Resource Officer	63
Executive Assistant/Deputy Town Clerk	55
Administrative Aide	49
Administrative Aide – part time ( <i>various</i> )	

**Economic Development**

Economic Development Director	63
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**Finance**

Director of Finance	Executive Band
Accounting Technician (2)	54

**Public Works**

Town Engineer	Executive Band
Director of Streets, Grounds, & Sanitation	Executive Band

**Fleet Maintenance**

Fleet Maintenance Supervisor	62
UnCertified Fleet Service Tech	54
Certified Fleet Tech	58

**Public Buildings**

Senior Maintenance Technician	54
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**Police**

Police Chief	Executive Band
Police Major	99

Police Lieutenant (3)	96
Police Sergeant (7)	95
Police Detective (5)	91
Police Officer (15)	90
Executive Assistant	55
Administrative Assistant (2)	53

**Fire**

Fire Chief	Executive Band
Assistant Fire Chief	99
Battalion Chief of Training	98
Fire Captain (3)	95
Fire Lieutenants (3)	91
Firefighter (9)	88
Administrative Assistant	53
Fire Fighter – part time (various)	

**Inspection**

Inspections Supervisor	62
Executive Assistant	55
Building Code Housing Inspector (Unfunded)	55
Code Enforcement Officer (2)	58

**Street**

Streets and Sanitation Supervisor	58
Maintenance Technician (3)	51
Maintenance Worker - part-time (various)	

**Sanitation**

Sanitation Route Supervisor	54
Maintenance Technician (2)	51

**Recreation**

Director of Parks and Recreation	Executive Band
Program Specialist	55
Recreation Maintenance Coordinator	56
Custodian	50
Center Assistant	49
Center Assistant/Maintenance – part time (various)	

**Senior Enrichment**

Senior Center Director	63
Program Assistant	55
Center Assistant - part time (various)	

**Revenue Division**

Revenue Supervisor	60
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Revenue Collection Specialist	54
Customer Service Representative	53
Part-time Customer Service Representative (various)	
Meter Reader (3)	50
Senior Meter Reader	51

**Water Operations**

Water Resource Director	Executive Band
W & S Operations Supervisor	60
Information Technology Specialist (1)	59
W & S Crew Leader (1)	55
W & S Operator (3)	51

**Waste Water Treatment Plant**

Waste Water Treatment Plant Superintendent	58
Waste Water Treatment Plant Operator (3)	54
Waste Water Treatment Plant Mechanic	55
Part-time Waste Water Treatment Plant Operator (various)	

**Stormwater Administration**

Stormwater Administrator	58
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ADOPTED this 23<sup>rd</sup> day of September, 2019 by the following vote:

AYE

NO

Attest:

\_\_\_\_\_  
Larry Dobbins  
Mayor

\_\_\_\_\_  
Rhonda D. Webb, MMC, NCCMC  
Town Clerk